

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Third
Legislature*

OF THE

STATE OF MAINE

Volume III

June 16 to July 8, 1967

Index

1st Special Session

October 2 and October 3, 1967

2nd Special Session

January 9 to January 26, 1968

**KENNEBEC JOURNAL
AUGUSTA, MAINE**

HOUSE

Monday, June 26, 1967

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Royal Brown of Gardiner.

The members stood at attention during the playing of the National Anthem.

The journal of the previous session was read and approved.

At this point, a message was received from the Senate borne by Senator Johnson of that body, proposing a Joint Convention of both branches at one-thirty o'clock in the Hall of the House for the purpose of receiving from His Excellency, Governor Kenneth M. Curtis, such remarks as he may be pleased to make.

Thereupon, the House voted to concur in the proposal for a Joint Convention and the Chair appointed the gentleman from Cumberland, Mr. Richardson, to convey a message to the Senate to that effect.

Mr. Richardson subsequently reported that he had delivered the message with which he was charged.

Conference Committee Reports

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act relating to Highway Commission Land Taking" (H. P. 409) (L. D. 575) reporting that the House recede and concur in the indefinite postponement of the Bill; that the House adopt the Joint Order attached and made a part hereto; that the Senate concur with the House in the adoption of the following Joint Order:

ORDERED, the Senate concurring, that the Legislative Research Committee is directed to study the subject matter of Bill: "An Act relating to Highway Commission Land Taking", H. P. 409, L. D. 575-1699 introduced at the regular session of the 103rd Legislature to determine whether the best interests of the State would be served by the enactment of legislation that

would make compensable certain elements of damage caused by the taking under the power of eminent domain, which are now noncompensable and which have been historically noncompensable; and be it further

ORDERED, that the study be coordinated with the review, analysis and study now under way by our Federal Congress; and be it further

ORDERED, that the Committee report the results of its study to the 104th Legislature. (H. P. 1233)

(Signed)

FULLER of York

DENNETT of Kittery

HEWES of Cape Elizabeth

—Committee on part of House.

ROSS of Piscataquis

FERGUSON of Oxford

BERRY of Cumberland

—Committee on part of Senate.

Report was read.

The House receded from its previous action and concurred in the indefinite postponement of the Bill.

The Order received passage and was sent up for concurrence.

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Providing an Education Loan Fund for the Higher Education of Teachers" (H. P. 626) (L. D. 882)

reporting that they are unable to agree.

(Signed)

HARRIMAN of Hollis

PENDERGAST of

Kennebunkport

SHUTE of Farmington

—Committee on part of House.

BERRY of Cumberland

HOFFSES of Knox

DUQUETTE of York

—Committee on part of Senate.

Report was read and accepted and sent up for concurrence.

**Papers from the Senate
Conference Committee Report**

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on

Bill "An Act Increasing Compensation of Members of the

Legislature" (S. P. 167) (L. D. 338) reporting that they are unable to agree.

(Signed)

KATZ of Kennebec
MacLEOD of Penobscot
SNOW of Cumberland

—Committee on part of Senate.

DENNETT of Kittery
HARRIMAN of Hollis
RIDEOUT of Manchester

—Committee on part of House.

Came from the Senate read and accepted.

In the House, the Report was read and accepted in concurrence.

Indefinitely Postponed

From the Senate: The following Order:

ORDERED, the House concurring, that Bill "An Act relating to Election of School Board of City of Old Town" (S. P. 352) (L. D. 936) be recalled from the Governor to the Senate (S. P. 704)

Came from the Senate read and passed.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Cumberland, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker, in view of the fact that on the Senate calendar today is the Governor's veto of this item, I would move that this Order be indefinitely postponed.

Thereupon, the Order was indefinitely postponed in non-concurrence and sent up for concurrence.

Non-Concurrent Matters Tabled Until Later in Today's Session

An Act to Provide Funds for Blind Children's Education, Inc. (H. P. 1) (L. D. 1) which was passed to be enacted in the House on May 4 and passed to be engrossed as amended by Committee Amendment "A" on April 27. (C. "A" No. H-210)

An Act Providing Funds to Assist the Casco Bay Island Development Association to Create an International Vacation and Conference Center on Peaks Island (S. P. 327) (L. D. 862) which was passed to be enacted in the House on April

14 and passed to be engrossed on April 12.

An Act relating to Housing and Meal Expenses for Legislators (S. P. 586) (L. D. 1551) which was passed to be enacted in the House on May 2 and passed to be engrossed on April 18.

Resolve in favor of the City of Augusta (H. P. 7) (L. D. 19) which was finally passed in the House on April 25 and passed to be engrossed as amended by Conference Committee Amendment "A" on April 18.

An Act relating to Exceptional Children (H. P. 56) (L. D. 81) which was passed to be enacted in the House on February 16 and passed to be engrossed on February 8.

Resolve Providing Funds for the Narraguagus River Water Control Program (H. P. 90) (L. D. 119) which was finally passed in the House on March 2 and passed to be engrossed as amended by Committee Amendment "A" on February 22.

An Act relating to Payment of Funeral Expenses of Recipients of Aid to the Aged, Blind or Disabled (H. P. 461) (L. D. 674) which was passed to be enacted in the House on April 20 and passed to be engrossed as amended by Committee Amendment "A" on April 13. (C. "A" No. H-163)

Resolve Providing Funds for Fisheries Instruction and Literature Publication and Dissemination (H. P. 641) (L. D. 896) which was finally passed in the House on March 28 and passed to be engrossed as amended by Committee Amendment "A" on March 21. (C. "A" No. H-81)

An Act Appropriating Funds to Expand Services for Eye Care and Special Services Division, Department of Health and Welfare (H. P. 687) (L. D. 982) which was passed to be enacted in the House on April 14 and passed to be engrossed on April 7.

Resolve relating to Retirement and Pension of Stephen A. Regina of Saco (H. P. 697) (L. D. 978) which was finally passed in the House on April 21 and passed to be engrossed on April 14.

Resolve Providing for a Retirement Allowance for Lois Blackwell Goodwin (H. P. 721) (L. D. 1016) which was finally passed in the House on March 28 and passed to be engrossed on March 22.

An Act relating to Law Clerks for the Judiciary (H. P. 929) (L. D. 1345)

which was passed to be enacted in the House on April 14 and passed to be engrossed on April 7.

An Act Providing Funds for Support of Civil Air Patrol (S. P. 295) (L. D. 734)

which was passed to be enacted in the House on May 9 and passed to be engrossed as amended by Committee Amendment "A" on May 4. (C. "A" No. S-100)

An Act Revising the Law Relating to Dealers in Securities (S. P. 389) (L. D. 1069) which was passed to be enacted in the House on May 15 and passed to be engrossed as amended by Committee Amendment "A" on May 10.

An Act Authorizing Use of Electronic Voting Systems in Elections and Granting Rule-making Authority (S. P. 425) (L. D. 1079)

which was passed to be enacted in the House on May 11 and passed to be engrossed as amended by Committee Amendment "A" on May 9.

An Act relating to Fallout Shelters in Public School Buildings (S. P. 607) (L. D. 1589)

which was passed to be enacted in the House on May 19 and passed to be engrossed as amended by Senate Amendment "A" on May 15.

An Act Creating the Pest Control Compact (S. P. 630) (L. D. 1631)

which was passed to be enacted in the House on May 25 and passed to be engrossed as amended by Senate Amendment "A" on May 22.

An Act Repealing the Law Requiring Assessment of Municipalities in Aid to Dependent Children Grants (H. P. 12) (L. D. 24)

which was passed to be enacted in the House on June 9 and passed to be engrossed as amended by Committee Amendment "A" on June 5.

An Act Reactivating the Governor's Committee on Children and Youth (H. P. 261) (L. D. 382) which was passed to be enacted in the House on May 4 and passed to be engrossed on April 28.

An Act relating to the Reimbursement of Board for Secondary School Pupils (H. P. 303) (L. D. 437)

which was passed to be enacted in the House on May 11 and passed to be engrossed as amended by Committee Amendment "A" on May 4.

Resolve to Authorize a Professional Review and Analysis of Maine's World Trade Potential (H. P. 495) (L. D. 708)

which was finally passed in the House on May 5 and passed to be engrossed as amended by Committee Amendment "A" on April 28.

An Act Providing Funds for a Redevelopment Plan of the Portland and South Portland Waterfront (H. P. 657) (L. D. 912) which was passed to be enacted in the House on May 5 and passed to be engrossed on April 28.

Resolve for Construction and Erection of Statue to "The Maine Lobsterman" in Washington, D. C. (H. P. 661) (L. D. 916)

which was finally passed in the House on May 18 and passed to be engrossed on May 11.

An Act relating to the Administration of the Aid to Dependent Children Program, and Authorizing Work Experience and Training for Recipients of Aid to Dependent Children (H. P. 707) (L. D. 1002) which was passed to be enacted in the House on May 4 and passed to be engrossed as amended by Committee Amendment "A" on April 27.

An Act Providing Vocational Education Loan Funds (H. P. 882) (L. D. 1294)

which was passed to be enacted in the House on June 14 and passed to be engrossed as amended by Senate Amendment "A" on June 12.

An Act Establishing a Consumers' Council (H. P. 1004) (L. D. 1471)

which was passed to be enacted in the House on May 10 and passed to be engrossed as amended by

Committee Amendment "A" on May 3.

An Act Appropriating Funds to County of Lincoln, Town of Wiscasset and Town of Westport for Reimbursement of Funds Expended on Westport-Wiscasset Bridge Span (H. P. 1181) (L. D. 1683)

which was passed to be enacted on June 13 and passed to be engrossed as amended by House Amendment "C" on June 6.

An Act to Establish the Division of Municipal Affairs in the Executive Department (H. P. 1184) (L. D. 1686)

which was passed to be enacted in the House on June 23 and passed to be engrossed as amended by House Amendment "A" on June 16.

An Act relating to Restoration to Service under State Retirement Law (H. P. 1187) (L. D. 1688)

which was passed to be enacted in the House on June 8 and passed to be engrossed on June 2.

An Act Creating the Maine Ocean Science Council (H. P. 1210) (L. D. 1722)

which was passed to be enacted in the House on June 23 and passed to be engrossed on June 20.

Came from the Senate indefinitely postponed in non-concurrence.

In the House: On motion of Mr. Richardson of Cumberland, Items 2 through 31 were tabled pending further consideration until later in today's session.

Non-Concurrent Matter

An Act relating to Public Higher Education (S. P. 497) (L. D. 1256)

which was passed to be Enacted in the House on June 22 and passed to be engrossed as amended by Committee Amendment "A" and Senate Amendments "A" and "B" on June 20.

Came from the Senate passed to be engrossed as amended by Committee Amendment "A", and Senate Amendments "A", "B" and "C" in non-concurrence.

In the House: The House voted to recede and concur with the Senate.

Non-Concurrent Matter

A Bill "An Act Decreasing Annual Expenditure for Economic and Recreational Development in Oxford County" (H. P. 559) (L. D. 791)

on which the House adhered on June 22 to its former action whereby the Bill was passed to be engrossed as amended by Committee Amendment "A".

Came from the Senate passed to be engrossed as amended by Committee Amendment "A" and Senate Amendment "A" in non-concurrence.

In the House: The House voted to recede and concur with the Senate.

The SPEAKER: The House will be at ease for the purpose of a Joint Convention.

At this point, the Senate entered the Hall of the House and a Joint Convention was formed.

In Convention

The President of the Senate, the Honorable Joseph B. Campbell, in the Chair.

The Convention was called to order by the Chairman.

On motion of Senator Johnson of Somerset, it was

ORDERED, that a Committee be appointed to wait upon His Excellency, Governor KENNETH M. CURTIS, and inform him that the two branches of the Legislature are in Convention assembled, ready to receive such communication as he may be pleased to make.

The Chairman appointed:

Senators:

BERRY of Cumberland
BECKETT of Washington
YOUNG of Hancock

Representatives:

RICHARDSON
of Cumberland
ROSS of Bath
McMANN of Bath
SUSI of Pittsfield
LEVESQUE
of Madawaska
KILROY of Portland
JALBERT of Lewiston

Mr. Berry, for the Committee, subsequently reported that the

Committee had discharged the duties assigned it, and the Governor was pleased to say that he would forthwith attend the Convention.

Whereupon, Governor Kenneth M. Curtis, attended by the Executive Council, entered the Convention Hall amid prolonged applause, the audience rising.

The Governor then addressed the Convention as follows:

Mr. President, Mr. Speaker, and Members of the 103rd Legislature:

It is with great reluctance that I stand before this legislative body today. The mandate given me and the duties imposed upon me by the people of Maine demand that I do all within my constitutional authority to insure that the welfare of the State of Maine is not impaired or the needs of its people unmet.

In this message it is my purpose to describe the present condition of the State and recommend means for your consideration that I feel are expedient and in the public interest.

This legislative session is the longest ever held in the State of Maine, yet much still remains to be done. Friday, June 30, marks the end of our current fiscal year. The Legislature has yet to provide funds to finance state government after that date. Your several joint committees have spent nearly six months of arduous and serious deliberations.

Your deliberations have been at great expense to yourself, the State and our private citizens. Our system of public hearings revealed a number of needs that should now be met by the Legislature. For all this conscientious work you deserve the praise of us all. But, most importantly, the people need to reap the harvest of your labors.

Today there is no real quarrel as to what must be done. The only problem unresolved is how the individual members of this legislative body decide in their wisdom shall be financed. As the representatives of all Maine people, all those who need our state government and want it to prosper, I plead their case to you.

I ask you not to kill off the measures that represent the results of months of the legislative

process until you have decided in the cold light of your own individual conscience just how much revenue you shall appropriate, and the method in which it will be raised.

For the past two months this Legislature has systematically killed all revenue measures that would provide the funds for financing not only the State needs, but an expanded program of State services. While a proposed increase in the State sales tax to five per cent has been soundly defeated in this House on a vote for final enactment on three occasions, alternative suggestions either have met with a quick, manipulated defeat or rejection with only momentary consideration. I submit to you today that our form of representative government requires more serious consideration of legislative proposals.

Somewhere along the Legislative road we have lost our way. We have seen the needs of blind children, the retarded, the vital transportation needs of our state's largest metropolitan area, and even any minute expansion in education and other services repeatedly threatened as reprisals for failure to yield to the will of a few charged with roles of leadership.

I do not believe this is the will of the Maine people.

I do not believe this is the will of this Legislature.

Ladies and gentlemen, there has been too little concourse among the leaders of both parties and the Governor's office concerning the important appropriations and revenue measures. I submit to you that for too long there has been a "communications gap" that is detrimental to the best interests of the Maine people. And today this gap is on the verge of causing irreparable damage to their future.

It is evident to all that this Legislature will not pass my recommended budget offering \$35 million in new revenues. It is also evident that the Legislature will not pass the five per cent sales tax suggested by the Republican leadership.

This disagreement is not unique. This disagreement is probably the

most important element of our Democratic process for it clearly says that neither plan is acceptable.

The answer can only lie on the middle ground of compromise. Let us put the dead issues of the past weeks to rest undisturbed. Let us stop worrying about which person or party is to come out on the top. Let us worry, instead, about the people we represent. During the past five weeks I have repeatedly urged that compromise is both meaningful and honorable.

I repeat my view now and offer the total assistance of my office in bringing this legislative session to a close in a spirit of goodwill and with a record of proud accomplishment.

But let me stress to you that we cannot create a thaw in this legislative impasse unless we first unfreeze our minds. The decisions that have to be made are those that only reasonable men can make. The lateness of the hour requires that compromises be presented.

As Governor, I would much prefer to have alternatives posed by members of the Legislature, and specifically by the leadership of the Majority Party. In the absence of this, I am proposing adjustments in spending and financing for your consideration. I do not ask for an item by item acceptance. But I am not interested in presenting alternatives so they may be arbitrarily rejected.

I offer these alternatives as workable solutions to the continuation and expansion of the State Government. Beyond these, I am ready and eager to listen to any other reasonable and honest compromise. I have made a careful review of legislative proposals, Department viewpoints and legislative committee hearings, and revised revenue figures.

I propose that you enact a total general fund budget for the next two years of approximately \$233 million. This would represent approximately \$7 million more than my recommendations in the January budget document. And it is only about \$6 million less than the amount recommended by your Conference Committee last Friday.

For the purpose of being clear I have listed expenditures and revenues as a biennium total. They can be balanced year by year. Please look at the table of recommended appropriations.

In addition to the General Fund Appropriations Bill, L. D. 1575, \$4.4 million would be added to the school subsidy foundation program in the second year of the biennium.

The formula should be revised to reflect the State's financial commitment. This proposed subsidy increase would raise the State's share of local school costs from the present average of 27 percent to about 31 per cent.

During the next legislative session we would hope that the State's average share of school operating costs will continue to be increased. This is both necessary and desirable in order to meet the increasing costs of our elementary and secondary schools. This fair and realistic increase will leave the necessary funds for other educational purposes and other essential areas.

This compromise proposal would also add the following amounts to L. D. 1575:

\$1.1 million for additional operating expenses for the University of Maine; \$128,000 to create a state ocean science council; a 5 percent increase for State employees in 1969; and \$692,000 for repairs and improvements to State buildings and money for ferry service uniforms.

Let me say at this point that any compromise appropriation bill should include the \$200,000 necessary to strengthen the modest program to help blind children. This compromise proposal would leave about \$1.5 million for other deserving legislative documents that require financing. Many of our differences have involved the manner of providing additional revenue to meet demonstrated needs for additional expenditures.

I would like to suggest just two ways that my suggested level of appropriations could be financed.

Neither plan would necessitate an increase in the sales tax. Neither plan has been rejected by the Legislature. Both alternatives represent honest attempts to

clarify our financial programs and to present a type of compromise that I think you could accept.

If you look at the table entitled "Revenue Plan No. 1," you will find that adequate revenues could be found in the following manner:

- (1) Adjust L. D. 1575;
- (2) Increase estimates of General Fund revenue to \$6 million as indications available at this time indicate that sufficient growth will make this increase possible;
- (3) Increase the tax on cigarettes by 3 cents per package;
- (4) Administratively increase the cost of liquor by 10 percent;
- (5) Increase the tax on beer 10 cents per gallon — an amount which equals one-half cent per glass;
- (6) Raise \$375,000 from the real estate transfer tax which is necessary for our State's tax assessor; and
- (7) The \$7.2 million surplus would be used in those areas where sound fiscal practice would permit.

A second possible method of financing the proposed general appropriation bill is detailed in the chart entitled "Revenue Plan No. 1."

The revenue-producing measures are similar to the first alternative but differ in the following areas:

- (1) The administrative increase in liquor would be 5 percent rather than 10 percent.
- (2) A tax of \$1 per gallon on soft drink syrup would yield about \$6 million.

Again let me say these alternatives are examples of more ways of attempting to meet in the middle of the road. I am sure there are others that could be presented through the medium of honest bipartisan discussion. Above all, let me say that we must stop all maneuvering for partisan advantage and face the realities of today in the interests of Maine people.

I would suggest three courses of action:

First, to avoid a crisis in our law enforcement, our institutions and our State financial obligations, this Legislature should pass without delay an appropriations bill at

least equal to the anticipated revenues for existing services.

Second, a supplemental appropriations bill should be prepared to meet the money needs which we all agree should be financed.

To talk now of a "bare bones" budget is certainly not a responsible alternative. To determine the exact amount of necessary expenditures and the revenue needed I ask you to create a bipartisan committee of leaders in both parties.

This committee should be charged to operate discreetly, quickly and, most importantly, with the mission of drafting a satisfactory compromise. This committee should be established today.

Third, the public good demands that we refrain from disposing of the bills on the appropriations table until the amount of money available for their financing has been determined.

I have repeatedly warned over the past weeks and months of the serious financial position we find our State. I have used the best advice available from the State Budget Office and warn you with all the sincerity I possess that when the 104th Legislature convenes in a year and one-half from now it will face a most serious deficit regardless of what we do this year.

The Governor, with the State Budget Office charged by Statute to be his financial advisor, is the one person who must continually appraise the people of Maine as to the financial condition of their government.

And I can tell those citizens today as Governor, and recognizing this responsibility fully for what it means now and in the future, that on this day, June 26, 1967, I am again placing every member of this 103rd Legislature on notice that all facts available to me clearly indicate that the next legislative session will be faced with a most serious financial situation.

An increase in the State sales tax by you this year will not avert this crisis, nor make further tax increases unnecessary in 1969. Let us forget all consideration, save one—the future of our state and

its people. Let us consider not only today, but tomorrow.

These words I speak to you not as Governor from one political party or another, but as Governor of the State of Maine with only the deepest concern for each and every one of its citizens. (Applause)

At the conclusion of the Governor's address, the Governor and Council withdrew amid applause, the audience rising.

The purpose for which the Convention was assembled having been accomplished, the Chairman declared the same dissolved and the Senate retired to its Chambers, amid applause of the House, the members rising.

In the House

The House was called to order by the Speaker.

Non-Concurrent Matter

Bill "An Act Increasing the Terms of Trustees for the Maine Maritime Academy" (H. P. 1220) (L. D. 1736)

which was passed to be engrossed as amended by House Amendment "A" on June 21.

Came from the Senate with House Amendment "A" indefinitely postponed and the Bill passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

In the House: On motion of Mr. Dennett of Kittery, the House voted to insist on its former action and ask for a Committee of Conference.

Non-Concurrent Matter

Majority Report of the Committee on State Government, acting pursuant to Joint Order (S. P. 629) reporting a bill (S. P. 695) (L. D. 1731) under title of "An Act Increasing Compensation of Court Justices and Certain Department Heads" and that it "Ought to pass", and Minority Report of same Committee, acting pursuant to Joint Order (S. P. 629) reporting a Bill (S. P. 696) (L. D. 1732) under title of "An Act Relating to Pay Increases for Department Heads and Court Justices"

and that it "Ought to pass" on which the House accepted the Minority Report and passed the Bill to be engrossed in non-concurrence on June 22.

Came from the Senate with that body voting to insist on its former action whereby the Majority Report was accepted and the Bill passed to be engrossed, and asking for a Committee of Conference.

In the House: On motion of Mr. Dennett of Kittery, the House voted to insist and join in the Committee of Conference.

Orders

Mr. Ross of Bath presented the following Order and moved its PASSAGE:

ORDERED, that the Senate concurring, that the Legislative Research Committee be directed to conduct a comprehensive study of the taxation of boats and motors as personal property on the municipal level, to determine the need, if any, and the desirability of formulating such a tax and its impact upon the economic growth and development of our communities; and be it further

ORDERED, that the Legislative Research Committee be requested to submit a report of its findings and recommendations, together with such implementing legislation as may be necessary or desirable, to the 104th Legislature (H. P. 1231)

The Order received passage and was sent up for concurrence.

Passed to Be Enacted Emergency Measure

An Act Providing for a Study for the Creation of a Full-time Prosecuting Attorney System for the State of Maine (S. P. 686) (L. D. 1716)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 112 voted in favor of same and 10 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure Tabled and Assigned

An Act Making Additional Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1968 and June 30, 1969 (S. P. 700) (L. D. 1737)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker and Members of the House: I stated last week that wherein it concerned this measure, it was my opinion that we would be losing money if we failed to include in this measure funds for the Insurance Department to have the services of an Actuary. My fears were not unfounded, my comments would bear out the fact that upon looking into the situation we are losing money by the hiring of the contracted actuary program as we need it.

Also that wherein it concerns the study insofar as Medicare is concerned, based on the ten-year program starting now, it is my opinion that we would be losing an outright \$23,000 a year for the next ten years if we do not look into this situation now which is inevitable for us to look into. On that basis I would suggest humbly that this bill might be tabled and the possibilities of the two areas that I suggest now would be looked into for the feasibility of possibly reengrossing the bill for amendment.

I would suggest that a motion be made that this matter lie upon the table until the next legislative day.

Thereupon, on motion of Mr. Richardson of Cumberland, tabled pending passage to be enacted and specially assigned for tomorrow.

Bond Issue

An Act to Authorize the Construction of a Research and Advanced Study Building for the University of Maine at Portland and the Issuance of Not Exceeding One Million, Eight Hundred Thousand Dollar Bonds of the State of Maine

for Financing Thereof (S. P. 468) (L. D. 1160)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

The SPEAKER: The Chair recognizes the gentleman from Denmark, Mr. Dunn.

Mr. DUNN: Mr. Speaker and Members of the House: This is one of the larger items that was left out of the bond issue that was suggested to you by the majority of the Appropriations Committee. In 1726 and 1727 we, the majority, left this item out of our bond issue. I'm going to vote against it.

The SPEAKER: The Chair recognizes the gentleman from Cumberland, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker and Members of the House: As the previous speaker has indicated, this was left out of the majority bond issue which we have previously approved. However, I wish to call to your attention the fact that this is a deserving item. I would ask you to give it approval at this time. It will go into the Senate, I hope, as an enacted measure where it can stand or fall on its own merits. There is no question but that a graduate center at Portland to complement — not replace, to complement the graduate facility at Orono, would be consistent with the proper development of the University of Maine campus in Portland. I would, therefore, ask you in my individual capacity to vote at this point for enactment and let this bill go to the Appropriations Table. Thank you.

In accordance with the provisions of Section 14 of Article IX of the Constitution a two-thirds vote of the House being necessary, a total was taken. 97 voted in favor of same and 25 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act Increasing Salaries of Official Court Reporters (S. P. 58) (L. D. 71)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

THE SPEAKER: The Chair recognizes the gentleman from Sanford, Mr. Nadeau.

Mr. NADEAU: Mr. Speaker and Members of the House: This little gem, item 4, better known as L. D. 71, will raise the salary of twelve court reporters, mind you, from \$8500 to \$12,000. Now, mind you many of you, you don't have to be lawyers, I hope you have served on the Jury like I have, or you have taken the trouble of going to a courthouse. We've heard it all through this session, ladies and gentlemen, that they only hold court in this session on this week or that day, remember; so what I'm trying to emphasize—it is part-time, regardless what anyone will say.

I am in hopes today, we have had all types of speeches as far as cutbacks. I don't think any of us would mind a decent raise, but I think going all the way up from \$8,500 to \$12,000 is a very foolish expenditure and I hope you people by this time have heard enough about these part-time employees that will go along with me in indefinitely postponing this bill. Whereas, no doubt in the Senate, since it has been put in by a Senator they will insist on their former action and then they'll ask for a Committee of Conference, and the least we can do is reduce it. So I hope today you will be fair-minded and protect the taxpayer, and when the roll is taken I would like a division.

The SPEAKER: Does the gentleman so move?

Mr. NADEAU: I so move.

The SPEAKER: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker and Members of the House: I would call attention to the gentleman that the salary in this bill is now \$11,000 by amendment of the Appropriations Committee. I would further call attention to the House that this bill had the unanimous support of the Appropriations Committee. These are a specialized type of employees and it was the feeling of the Committee that they were entitled to an adjustment in wages. I hope the House will go along.

The SPEAKER: The Chair recognizes the gentleman from South Portland, Mr. Hinds.

Mr. HINDS: Mr. Speaker and Members of the House: This is the only pay raise bill that came before the Appropriations Committee. I don't know how it go there and probably it shouldn't have been there; however, since it was I would like to say that these individuals are in very short supply in our state at the present time. We have one of these gentlemen who works here every day with us in the Legislature, sitting down there; I wouldn't want his job for \$20,000 a year. This is a very technical job and you've got to be pretty darn accurate to catch everything that's being said in Court for evidence and I know the Courts are having a difficult job of finding these people because of this particular salary. I am not in favor of large increases in departments' salaries as I have shown by my vote the other day, but I think this is a worthwhile measure and I think it should be passed to be enacted.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker and Members of the House: It certainly isn't my intent to take issue with my friend from Sanford, Representative Nadeau. On the majority of the measures involving the Towns and Counties Committee I went along with him and his Committee, based on the fact that possibly they have more knowledge of the situation than we did, justifiably so where they heard these bills. As the gentleman from South Portland said, this was the only bill, for some quirk that wound up in the Appropriations Committee, and after listening to the bill and after having the bill in Committee and discussing it over a period of several weeks, we found that the situation wherein it concerned the Court Reporters and State Government reporters, that there is a dearth of them and there is no way ahead in the foreseeable future of stepping up their numbers unless we compensate them favorably. So, for that reason, I would

certainly hope that the measure has passage.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Quinn.

Mr. QUINN: Mr. Speaker and Members of the House: I would like to correct the statement the gentleman from Sanford, Mr. Nadeau, made. He called these part-time Court Reporters. A Court Reporter is a full time job. Mr. Gidney who is the reporter in this legislature is a Court Reporter. And they have to report every word of evidence that's spoken on the stand and the correctness of their record is most valuable and their record goes to the Law Court for the consideration of the members of the law tribunal, get all the facts in each case. It's not a part time job, it's a full time job and a very important job.

The SPEAKER: The Chair recognizes the gentleman from Sanford, Mr. Nadeau.

Mr. NADEAU: Mr. Speaker and Members of the House: Maybe when I use the term part-time I should have changed the terminology. No one disagreed on that, maybe it is full time in the amount of hours they put in part of a day. But I don't think it is full time, eight hours every day, and if you don't believe me you check in your own areas, you check on your own calendars, and see when they hold Court. And that's the only time the Reporter has to be there. Now, I served on the Jury and I can tell you in six weeks time how many actual days did we serve? So, what do you call that? You would really call that full time?

Maybe you people have a different understanding of these things, but I still say, even with the amendment \$11,000 is 85 to 11, all I ask of you today is when the roll call is taken is that you vote against it and the honorable body, the other body will certainly ask for a Committee of Conference and then you can hash it out. And I don't see why it should have gone in front of this Committee. If you recall, this Committee, the Appropriations Committee, all they talk about in there is big figures.

So, maybe this is why they got a big raise.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Quinn.

Mr. QUINN: Mr. Speaker and Members of the House: Again replying to the gentleman from Sanford, Mr. Nadeau, apparently all he sees of these Court Reporters is when he goes in the courtroom. He doesn't realize that these Court Reporters day after day and week after week make a record of a trial that is taking place and then later on the trial has to be appealed and the full transcript has to be transcribed, which takes weeks, they are just as busy when they are not in the courtroom as they are when they are in the courtroom. And between terms of court they have to take evidence on hearings before the Justices, so they are kept pretty busy and there is a shortage of them.

The SPEAKER: The Chair recognizes the gentleman from Cape Elizabeth, Mr. Hewes:

Mr. HEWES: Mr. Speaker and Members of the House: I would like to support the comments of the gentleman from Bangor, Mr. Quinn. Many of the hearings, Mr. Nadeau, are in the absence of the Jury and they are very important hearings, many divorce hearings or hearings in equity, and it has been my experience that the reporters are a very fine able group and are deserving of this.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. Ross.

Mr. ROSS: Mr. Speaker and Members of the House: As one of you who is not an attorney, the other day our official reporters worked until midnight typing up what we had said in that one day. It consisted of 195 pages. I asked Mr. Gidney if this was a record and he said no, this year it has often gone over 200 pages. I guess that talking is one of the other things that we are going to set a record for this year.

The SPEAKER: The Chair recognizes the gentleman from East Millinocket, Mr. Birt.

Mr. BIRT: Mr. Speaker and Members of the House: I remem-

ber quite some of the discussion, I think that some of this may be covered, I remember quite some of the discussion that came up on this bill when it was before the Appropriations Committee. As I remember it, these people who are serving on here, it has been quite a few years since they have received a raise, and I know that at the present time this is getting to be a very hard profession to fill because people are not going into it because of the tremendous nervous strain and pressure and tension that is on this group of people. I think that we thoroughly felt that they were entitled to this raise and I would certainly hope that the motion to indefinitely postpone does not prevail.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Sanford, Mr. Nadeau, that An Act Increasing Salaries of Official Court Reporters, Senate Paper 58, L. D. 71, be indefinitely postponed. All those in favor of indefinite postponement will vote yes and those opposed will vote no, and the Chair opens the vote.

A vote of the House was taken. 12 having voted in the affirmative and 108 having voted in the negative, the motion to indefinitely postpone did not prevail.

Thereupon, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

An Act Establishing the Police-men's Arbitration Law (S. P. 342) (L. D. 926)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

An Act Creating The University of the State of Maine (S. P. 496) (L. D. 1258)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Quinn.

Mr. QUINN: Mr. Speaker and Members of the House: About two weeks ago this matter appeared

in the House for the first time and was voted by a very close margin, I believe the difference of about two votes. That's a pretty close vote for such an important bill. Education is one of our most important functions of government and higher education is increasingly more important. Now, this bill,—I have talked to members and members have talked back and forth, members of the Committee both who voted for and against this bill and they are rather uncertain about it. They have conscientious scruples as to whether or not they gave it the required time that it should have in the Executive Hearing. Some members of that Committee stated that they didn't think they did, for such an important matter.

Now, this matter changes our whole system of higher education as far as organization is concerned. And it's a matter that shouldn't be treated hastily in this Legislature, it should be given deliberate and considerate consideration. It is my feeling that this matter deserves further consideration and that we're not in a position now to properly pass the bill without giving it further consideration and because of that fact, I move that the bill be indefinitely postponed together with all of its accompanying papers.

The SPEAKER: The Chair recognizes the gentleman from Lubec, Mr. Pike.

Mr. PIKE: Mr. Speaker and Members of the House: I am distressed to disagree with the gentleman from Bangor, Mr. Quinn; it seems to be that this matter has had a very good, strong, long considered consideration and thought, both from this independent committee that did a study in depth and in and around the Legislature. It's been thought about, talked about, disputed and we know pretty well what the issues are, it seems to me. It took me a long while to come to the conclusion that this was the best proposal, not only that had been made but as far as I could see that could be made, and I doubt very seriously if further study will change any minds. Now it might be that a

trial of the system may show some defects. This is often true when you change your setup, but frankly, I am more and more convinced, that we need to have better coordination from the top to the bottom under one management of our various institutions of higher education and I hope that you defeat the motion to indefinitely postpone.

The SPEAKER: The Chair recognizes the gentleman from Stonington, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker and Members of the House: The day after the last vote on this bill, I received a communication with a list of questions which had been brought up before, but which, to my way of thinking, had never been answered. I would like to pose these questions now, to the proponents of L. D. 1258. Number one, how much money does L. D. 1258 carry with it? I don't recall having seen an appropriation figure, I think that several times in Committee the amount of \$100,000 was mentioned but this has never been brought out anywhere. How will the employment problems of classified and unclassified people in the various institutions be handled? Will a dual system of retirement programs continue? If one system is adopted, is it legally possible to transfer state retirement funds to the University System? Will employees be given an option under this? How will sick leave policies be handled? Will cumulative leave be carried over or cash settlement be made? How much legal counsel is needed to implement transfer of the endowments, scholarships, private legacies, M.D.E.A. Student Loans, and so forth?

During this Spring—we have amended this not to take effect until 1969, will a single salary schedule be implemented in all institutions? And what about the employees offered a lower salary than the previous year? Will there be a single tuition rate for all schools? And will this move up to the University rate? The State Board of Education has issued self-liquidating bond issues for its institutions. It must continue to re-

ceive these revenues. The rates for rooms are different at the state colleges and the vocational-technical institutes than at the University of Maine because of the difference in pupil basis. Will there be a single rate, and if so, what is a fair rate? All vocational funds come under the State Board of Education as it is the designated state agency. It may or may not allocate funds to the new Board of the University of the State of Maine because categorical requirements limit many grants to programs of less than college level. How will the tenure problem be handled? Does the new Board have to employ existing staff? How does the Board resolve the commingling of funds? There will be encumbrances and so forth that must be resolved. And will the new Board meet the commitment of enrolled students, that is, will a Franklin County commuting student taking Home Economics be assured that Home Economics will be offered at Farmington until she graduates?

These questions were all raised by a Trustee of the University of Maine. I think one of the statements which was made in the debate two weeks ago was that the Trustees of the University were wholeheartedly in support of this plan. I would take issue with that because I think that all of the various newspaper articles to date have shown that the University trustees are split and I believe split right down the middle. Thank you.

The SPEAKER: The Chair recognizes the gentlewoman from Winthrop, Mrs. Baker.

Mrs. BAKER: Mr. Speaker and Members of the House: I wouldn't attempt to answer all the questions that my friend, Mr. Richardson from Stonington has posed, because I wouldn't feel I could enumerate them, but I do know that there are provisions made to make this changeover very equitable and not be unfair to anyone, teachers, professors or students.

As to cost of this system, all the information we have is the median cost of such systems over the States which is around \$100,000, but the savings that the state would make in this system would

be tremendous, because of better coordination and thought and planning for budgets, buildings and so forth. Now, to answer Mr. Quinn from Bangor, some of his questions, I believe the vote on the Floor of the House the first day when we decided to accept this report was not exactly or wholly whether to accept a report or to dump it, it was to accept either report. There was Report "A" and Report "B". The majority had supported Report "A" and I think this was what the first test in this House was made on, the fact that they—by the vote of the members of the House, they preferred and supported Report "A".

I would hate to see this fall by the wayside now and be dumped in these last few hours of our Legislature this year. In response to one of Mr. Quinn's remarks, this has not been done hastily. It is the very opposite. As the gentleman from Lubec, Mr. Pike, brought out, this has been well thought out, there has been two years of study on this and the report has come to us and been accepted this way.

The people involved in the Commission were the people who voted unanimously, the President of the University of Maine, the Commissioner of Education, the Commissioner of Economic Development; Edward Blewett, President of Westbrook Junior College; Benjamin Dorsky, President of Maine State Federated Labor Council; Arnold McKenney, Director of the Central Maine Vocational-Technical Institute; Hugh Saunders, President of Saunders Brothers Company; John Sealey, Chairman of Governor's Advisory Commission on Education; Clifford Wieden, President of Aroostook State College and then State Senator Roger Snow and the member of the 102nd Legislature, Kenneth Gifford and James Coles, President of Bowdoin College. For my way of thinking, this is a very good cross section and representative group to have gone out unanimously for this.

The Commission found that in spite of the remarkable advances made in our state-supported colleges, universities and vocational-technical institutes, during the past

five or ten years, the state-supported—publicly-supported higher education system as a whole does not measure up to the standards which the people of Maine, and particularly the students deserved. Only three of our publicly-supported four-year degree-granting institutions were accredited by the New England Association of Colleges and Secondary Schools. This in my way of thinking is the best overall plan and it will be best for the people of the State, the students involved and the taxpayer who is going to foot the bills. Thank you.

I hope you will vote against the pending motion to indefinitely postpone.

The SPEAKER: The Chair recognizes the gentlewoman from Lebanon, Mrs. Hanson.

Mrs. HANSON: Mr. Speaker and Members of the House: As you know, I was for the Minority Report, L. D. 1693. In answer to the cost of \$100,000, I have been told by educators out of state who have had experience with this type of system—the one 15-man Board, that the initial cost is high, but you haven't seen anything until you have actually seen it in operation, then the cost is tremendous. And as I remember the vote of the House, the L. D. 1693, the Minority Report, lost by only two votes, therefore, 1258 passed by virtue of that simple two vote loss. As I say, I have been since the inception of the bill, I have been against 1258, the one-man, the single University of Maine Board which would be in control of fifteen members, trustees, appointed by the Governor and the Council and is to my mind and it appears to numerous educators in our state and without our state as dangerously dictatorial. Therefore, rather than repeat my long speech of the other day, I'll simply state that I hope you vote to indefinitely postpone 1258.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Cote.

Mr. COTE: Mr. Speaker and Members of the House: Recently I was appointed to the National Committee as an Advisor for our United States Pavilion in Montreal at

Expo 67. On this trip there were about 72 other people from all over the United States. It happened one night that we were sitting around, I was with a Dr. Adams, who formerly was President of the University of New Hampshire who is now advisor to the President of the University of New Hampshire, has also been on the National Higher Education Committee. I understand he's been on several committees named by Washington, he's an educator who has traveled all over the world, for the government, and in this position on the National Higher Education Committee, and this bill happened to be mentioned. Also, present were Circuit Court Judge of Appeals, Frank M. Coffin of Portland, and they were discussing the bill. I did not enter the conversation because I felt that I did not have the qualifications to talk on this bill because I hadn't read it. But, from their discussion and from Dr. Adams talking on this bill I felt that it was not a very good bill for the State of Maine, and Dr. Adams predicted that within a few short years we would wish we hadn't gotten into such a system and he felt that education in the State of Maine would go into a state of chaos because of this type of bill, so when I heard this conversation I kept it under my hat, I came here when this bill came along, I voted for it, so today I feel I shall have to vote for indefinite postponement because I think very much of Dr. Adams and being a man of international educator, I think I would have to go along with him.

The SPEAKER: The Chair recognizes the gentleman from Lincoln, Mr. Porter.

Mr. PORTER: Mr. Speaker and Members of the House: When this Coles Report first came out, I studied it very, very carefully because I figured it was the second most important bill that I would have before me in this session. I found as I studied the bill, there were some deficiencies, there were some real strengths in that bill. I thought at one time the bill could probably be amended so that it would be more workable. I thought about it constantly. I talked with

probably half the members of this House about it and was quite disturbed about the deficiencies. Later, another bill, Report "B" came out. I studied that as thoroughly as I could in the time allotted, but I found some deficiencies in that also. There are some strengths, but there are some deficiencies. I am of the opinion that this Legislature is coming back in session shortly, in a Special Session, and I would hope that a Committee could be set up to take these two reports, study them thoroughly, make comparisons of their strengths and their weaknesses, and then come in with a better bill that will fill our needs.

The SPEAKER: The Chair recognizes the gentleman from Sanford, Mr. Gauthier.

Mr. GAUTHIER: Mr. Speaker and Members of the House: I rise to second the motion of Mr. Quinn, the gentleman from Bangor. I spoke to several educators on this, Superintendents of Schools, and they have told me that it is too much too fast. I think this should go for more study as the gentleman has mentioned before. I hope that you will go along with his motion.

The SPEAKER: The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker and Members of the House: I shall try to be very brief today as this was previously debated considerably in this House, not too long ago. In my fourth term on the Committee on Education this year, I found that this bill was one of the most enthusiastic measures that the State of Maine could venture into. For some of the simple reasons that Maine is not such a large state in population, that even by combining all higher education in the State of Maine would not even come close to one other higher institution in many other states that would still considerably have a much higher pupil population. As to the advisability of such a measure at this time as being a perfect document, I think only by nature could you find a perfect document.

I think probably the Trustees of the University of Maine presently

are not in agreement 100% that the present type Board of Trustees in operation, that the present University of Maine must come out in agreement 100%. I don't necessarily believe that a project that a Committee reports out 100% is always a perfect document. This is for the State of Maine a new venture of consolidating all higher education the same as we have started to do since 1957 by consolidating our elementary and secondary students. I think by consolidation it has been proven that consolidation of the lower education has proved beneficial in many areas and I certainly believe that when the bugs are ironed out from year to year as they come up as far as hiring personnel, as to consolidating higher education in the different institutions in the State of Maine, will prove beneficial if not only for the purpose of reducing and duplicating of our present system of higher education.

So, I certainly hope that the motion to indefinitely postpone this bill at this time will be defeated. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Quinn.

Mr. QUINN: Mr. Speaker and Members of the House: Among the comment I've heard is the fact that the University of Maine as we now know it is a school of scientific instruction. It's where we all go for advanced degrees. It's where we all go to get our Masters degrees and our Doctors degrees and a degree from the University of Maine according to many, has a value which they consider higher than a degree from say, the Farmington State Teachers College, as just an illustration. Now, if this bill goes through, the degree will be from the University of the State of Maine, irrespective of what school you attend, or what school you graduate from. There is a feeling that it is detracting from the quality and the value of the degrees now issued from the University and I really believe that it should have further consideration.

The SPEAKER: The Chair recognizes the gentleman from Cape Elizabeth, Mr. Hewes.

Mr. HEWES: Mr. Speaker and Members of the House: I would like to answer one of the questions posed by Mr. Richardson of Stonington, relative to the funds or trust funds that have been set up for one's institution, how would they be disbursed? Under the law we have a doctrine called, the so-called Cypres Doctrine, and there has been a famous case in Maine relating to the medical school with Bowdoin College when that went out of existence, there was a Nasson College doctrine case, so in general the funds of a trust for such a purpose will be used for the intended purpose, and so as far as the trust funds are concerned I'm sure that any trust funds that were set aside for Farmington Normal School and were used by Farmington State Teachers College would still be used for the same purpose for which the trust or the benefactor intended.

The SPEAKER: The Chair recognizes the gentleman from Limerick, Mr. Carroll.

Mr. CARROLL: Mr. Speaker and Members of the House: I find it extremely difficult, being a boy with a high school education, to rise in this House to discuss and debate with men, influential men — men who are talented in many ways and in many walks of life, but I cannot help but rise here today to point out to you that we spent a substantial sum of money, hired some very capable people to study the educational system of our colleges. They submitted their report. I could say, I don't like many, many things that we are asked to do, many many things we are suspicious of that are good, but this is the era and the time when we must put our best foot forward. Our best foot forward today is the merger of these colleges under the University of the State of Maine.

I have talked with Dr. Brooks of Gorham, some of the professors at Portland, some of the teachers of the other colleges, and they want this — they tell me that there are many things in this that are good. They also have certain reservations. I think every legislative document that goes through this House that we vote for, that

there are times when we have certain reservations but we vote for it knowing that this Legislature has the power to create these bills and we have the power to destroy these bills; that we have the power to create the University of the State of Maine, and that you in the future years will have the power to correct the inequities in the University of the State of Maine.

I do not say to you this is a perfect apple — I hold it up, it is perfect, when the color may be just a little bit off, but I hold it up to you and say — this is the best product we can offer you here today. This is what we offer you here today — the effort of your Educational Committee, the effort of a Committee that was paid a substantial sum of money and studied — and it was a long and prolonged study, and they came forward with this document, and they assured us that this was good for the State of Maine.

Now Ladies and Gentlemen, the hour is late, we are tired, I've spoken many times and I wish today I could stay in my seat and not have arisen, but being a member of this Committee I felt it was my duty. Certainly you're not going to vote this down here today because you think that a degree will be cheaper, because we merger our colleges. Certainly we intend to lift up our colleges. We do not intend to destroy the good college by merging it with our smaller colleges. We intend to go forward with confidence. We must respect the thinking of the people that we have hired — certainly, you're not going to just all of a sudden turn around and undo all the good that we have tried to do?

I would urge you here today to support this University of the State of Maine because we must take a first step forward and stop all the duplication that is going on in our educational system throughout the State of Maine.

Now, let's go forward, let's create this, and if we do not like some parts of it, let's correct these parts as we go forward; but let's not all of a sudden knock it right down here and now. Let's go forward together, let's be confident,

let's try to say that we have confidence in our people and our people will return the confidence that we have expressed.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Healy.

Mr. HEALY: Mr. Speaker and Members of the House: I'm not going to move the previous question, but if this Committee is the same Committee that suggested that the Southern Maine Technical Institute be moved from South Portland to Portland at the University of Maine Campus — then it's one good reason for me to vote against this bill. And the next one is — as I said here once before, I think we're creating a new kingdom, and we have all the kingdoms that we need in the various departments of the State of Maine.

I will vote against this bill.

The SPEAKER: The Chair recognizes the gentlewoman from Portland, Mrs. Carswell.

Mrs. CARSWELL: Mr. Speaker, I hesitated to get up and speak today because I don't like to be one of those who speaks on every bill coming up, but I have become very concerned about this. So I called two gentlemen in the University of Maine in Portland whom I have had a great deal of respect for through the years. I can remember the campus down there when it was Portland Junior College, I believe. These two men have maintained a continuing interest and they have been very, very responsible for what we have there today, and it's a great improvement for the students in the southern Maine area, for the students out of state and it's a fine product that the State of Maine can be very, very proud of.

Now these two gentlemen that I spoke to are very, very much in favor of this bill, and if they can produce what we have today in Portland I'm going to go along with their thinking and vote for this bill.

The SPEAKER: The Chair recognizes the gentleman from Caribou, Mr. Allen.

Mr. ALLEN: Mr. Speaker and Members of the House: I was very sorry when I saw such a close vote

on this when we were making our decision between these two bills. There's no question but what something ought to be done because as has been described it's uncoordinated, uncontrolled, unintegrated growth is what we have here in Maine now. There are advantages as has been stated in each proposal. A good deal of study has been made. I don't like to see us on education matters act hastily, and I'd like to see more unanimity, because I'm afraid with such a division, such a close division that they'll be many, many disappointed people who will say we didn't do the right thing.

I was glad to see those who said, who advocated indefinite postponement, also advocated that we give it a little more study, and I should hope that if it is the will of this Legislature that this be postponed, although it's the wording or motion that it won't be in our minds indefinitely postponed; that we will take action soon. Give it a little more study if you feel that is what is necessary — if you feel we shouldn't go ahead with the University of Maine, but let's not forget that we have a job to do because we are spending more money and will continue to spend more and more money for higher education, and we want to get the maximum benefit from it.

The SPEAKER: All in favor of indefinite postponement will vote yes, those opposed will vote no, and the Chair opens the vote.

A vote of the House was taken.

62 voted in the affirmative and 55 in the negative.

Mrs. Carswell of Portland requested a roll call.

The SPEAKER: For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All of those in favor of a roll call will vote yes, those opposed will vote no, and the Chair opens the vote.

A vote of the House was taken and more than one fifth of the members present having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is the motion of the gentle-

man from Bangor, Mr. Quinn, that L. D. 1258, An Act Creating The University of the State of Maine, be indefinitely postponed. All of those in favor of indefinite postponement will vote yes, those opposed will vote no, and the Chair opens the vote.

ROLL CALL

YEA — Baker, E. B.; Belanger, Benson, Bragdon, Buck, Bunker, Carrier, Cookson, Cote, Crommett, Curran, Cushing, Drummond, Dudley, Durgin, Eustis, Evans, Foster, Gaudreau, Gauthier, Hanson, B. B.; Hanson, H. L.; Hanson, P. K.; Harvey, Healy, Henley, Hennessey, Hichens, Hodgkins, Hoover, Humphrey, Immonen, Jameson, Janelle, Kilroy, Lewis, Lincoln, Littlefield, Lycette, Maddox, McMann, McNally, Meisner, Nadeau N. L.; Philbrook, Porter, Prince, Quinn, Richardson, G. A.; Robertson, Robinson, Rocheleau, Sawyer, Scott, C. F.; Shaw, Snow, P. J.; Snowe, P.; Starbird, Tanguay, Waltz, White, Williams, Wood.

NAY — Allen, Baker, R. E.; Beard, Beliveau, Bernard, Binnette, Boudreau, Bourgoin, Bradstreet, Brennan, Brown, Carey, Carroll, Carswell, Champagne, Clark, Cornell, Cottrell, Couture, Crockett, Crosby, Dennett, Dickinson, Drigotas, Dunn, Ewer, Farrington, Fecteau, Fortier, Fraser, Fuller, Giroux, Hall, Harnois, Harriman, Haynes, Hewes, Hinds, Hunter, Jalbert, Keyte, Kyes, Lebel, Levesque, Lewin, Martin, Miliano, Minkowsky, Mosher, Nadeau, J. F. R.; Noyes, Pendergast, Pike, Quimby, Rackliff, Richardson, H. L.; Rideout, Ross, Sahagian, Scribner, Soulas, Townsend, Trask, Watts, Wheeler.

ABSENT — Berman, Birt, Burnham, Conley, D'Alfonso, Danton, Darey, Edwards, Gill, Hawes, Huber, Jewell, Payson, Roy, Scott, G. W.; Shute, Sullivan, Susi, Thompson, Truman, Wight.

Yes, 62; No, 66; Absent, 21.

The SPEAKER: Sixty-two having voted in the affirmative and sixty-six having voted in the negative, the motion to indefinitely postpone does not prevail.

Thereupon the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

An Act Providing for Disclosure of Interest and Finance Charges on Loans (H. P. 964) (L. D. 1465)

An Act relating to Boat Registration (H. P. 1212) (L. D. 1724)

An Act relating to Truth-in-Lending and Disclosure of Interest and Finance Charges in Retail Sales (H. P. 1215) (L. D. 1728)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

Orders of the Day

The Chair laid before the House the first item of Unfinished Business:

An Act to Appropriate and Provide Moneys for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1968 and June 30, 1969 (S. P. 597) (L. D. 1575)

Tabled—June 23, by Mr. Benson of Southwest Harbor.

Pending—Motion of Mr. Richardson of Cumberland to reconsider failure of passage to be enacted.

Thereupon, on motion of Mr. Richardson of Cumberland, retabled pending his motion to reconsider failure of passage to be enacted and specially assigned for tomorrow.

The Chair laid before the House the first tabled and today assigned matter:

An Act to Authorize the Issuance of Bonds in the Amount of Sixteen Million Eight Hundred Thousand Dollars on Behalf of the State of Maine to Build State Highways (H. P. 1174) (L. D. 1673)

Tabled—June 23, by Mr. Birt of East Millinocket.

Pending — Adoption of House Amendment "A" (H-449)

Thereupon, on motion of Mr. Benson of Southwest Harbor, retabled pending adoption of House Amendment "A" and specially assigned for tomorrow.

The Chair laid before the House the second tabled and today assigned matter:

An Act relating to Coverage under Employment Security Law (S. P. 456) (L. D. 1133) (In House, enacted) (In Senate, passed to be engrossed as amended by Senate Amendment "A" (S-248) in non-concurrence.)

Tabled—June 23, by Mr. Richardson of Cumberland.

Pending—Motion of Mr. Ross of Bath to reconsider Insisting and asking for a Committee of Conference.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. Ross.

Mr. ROSS: Mr. Speaker and Members of the House: I am confident that the House realized about this bill and what the amendment did. However, it last came up in the House at a most unfortunate time without debate after we had enacted it once, because it came up last Friday after our last sales tax vote. But, briefly, I would like to review it again. This is a bill to help the small workman who is laid off through no fault of his own. I sponsored L. D. 23 which was a very simple bill reducing the coverage under unemployment compensation from four to one. One of the planks in the Republican Platform stated — we urge employment security coverage be extended to include an employee who works for an employer of one or more workers. This bill was withdrawn as covered by other legislation, which was this L. D. 1133, and we have enacted this once before.

However, after we enacted it there were several objections. One of the chief objections was that there was a figure of \$450 in here and the persons felt that this would cover seasonal places and that their businesses would be affected. They are now exempt under the general provisions. But the amendment which is before us today solves this objection and it brings back to the original intent of the bill. I have always felt that what is good for one segment of our economy, certainly is equitable to all. Coverage is now, as I mentioned, for four or more employees. Until 1955 it was for eight or more employees. The figure eight was

just a trial figure, and since that was found to work it was cut to four. Probably the original figure eight was put in because of political expediency.

Now, there are some people who feel that this will hurt small businessmen. I really don't believe that. I think that we should look at a couple of examples on both sides of the picture. An employee who works part time for a covered employer and part time for one who is not covered and when he becomes unemployed, the benefits are only on the earnings of the person who is covered, thus reducing his available benefits considerably. But, on the other side, a worker who is separated and accepts other work and the employer is not covered, and then this man is laid off the charges revert to the man who is covered although he had nothing to do with the recent separation. Certainly, I don't want to foster anything that would encourage idleness but I am confident that this will not do that. But I do want to encourage equality and if it will not pose a hardship on the employer, and I don't believe this will, and we were advised by the Commission that there are co-administrative problems. But if we honestly have concern for the working persons of our State and not just lip service concern, a bill such as this is only fair. And I feel if the motion to insist and join in a Committee of Conference does go through, the whole idea probably would be completely scrapped. And I now hope that that motion does not prevail and the motion to reconsider does.

The SPEAKER: The Chair recognizes the gentleman from Sidney, Mr. Drummond.

Mr. DRUMMOND: Mr. Speaker and Members of the House: I would like to speak against reconsidering this bill. I feel that with the employment situation the way it is in the State of Maine at this time that there is very little need for this type of legislation, and I disagree with my good friend, the Representative from Bath, Mr. Ross, on the fact that this will not work a hardship on an employer of one person. When

you get down to this number, I'm sure it creates just as much book-keeping and so forth, as if you employed forty or a hundred. I, therefore, urge you to vote against reconsideration. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Ewer.

Mr. EWER: Mr. Speaker and Members of the House: There is just one thing I could add to what the gentleman from Bath, Mr. Ross, has said, and that is this — for every employer who would be concerned under this measure, there are one, two or three employees who are also very deeply concerned, and as far as my own personal philosophy is concerned I think I would bear more weight to the needs and necessities of these one, two or three employees than I might to the other side of the table.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jalburt.

Mr. JALBERT: Mr. Speaker and Members of the House: I would ask a parliamentary question or a question to the Chair. Would you give me the names of the members that you named on the Committee of Conference?

The SPEAKER: The Clerk will read the conferee's names.

The CLERK: The gentleman from Rockland, Mr. Huber, the gentleman from Sidney, Mr. Drummond, the gentleman from Raymond, Mr. Durgin.

The SPEAKER: The Chair recognizes the same gentlemen.

Mr. JALBERT: Were these three labor leaders on the prevailing side?

The SPEAKER: The Chair would advise the gentleman that this reflected the vote of the House.

The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I think probably just a few words to supplement the words of the gentleman from Bath, Mr. Ross, who has very well covered this document. It is my feeling and it has been expressed individually that for the small cost of this

measure to the employer a lot of the employers would much rather go through this than at a slack time or a slow time in their business, finding that if they have two or three or four employees, to find that to lay them off without any benefits at all, it's quite a hardship on any person. So these employers feel that when times are slack and they have to be laid off, at least they have the feeling that these employees will be getting some form of small subsistence so that they can carry from day to day until such time as their business is back to normal and they can again give them full employment. Thank you.

The SPEAKER: The Chair recognizes the gentleman from East Millinocket, Mr. Birt.

Mr. BIRT: Mr. Speaker and Members of the House: In giving some thought to this, it has always bothered me a little bit as to why any particular figure should become a magical number, as to why there should be a cut off number four, three or any other figure, and thereby discriminating against these people who are lesser number of employees for one employer. It would seem the only fair thing is to include everybody under the Employment Security Law and I would certainly hope that the motion to reconsider does prevail.

The SPEAKER: The Chair recognizes the gentleman from Enfield, Mr. Dudley.

Mr. DUDLEY: Mr. Speaker and Members of the House: In the area from which I come, we have some of these small businesses that are just existing today. They are employing some people and I know of some that if this bill passes, these very people that are employed there now will be in Connecticut working. And, from the employer, it does not seem to be the costs of this operation as has been mentioned here that disturbs them; it's the fact that they are so small and trying to run a one man affair, it's the bookkeeping and the more forms to fill out. Now, they are working in the business and they have one or two helpers and they are now working more than their employees and this makes an added burden which

most of them don't care to do. And, I know for sure in my area when we cut this down before, we closed up some businesses and I can tell you specifically who they were and the people went to Connecticut. I am sure that if this passes, we'll close up a few more. In other words, in my area, I see this as the nail in the coffin for a few more small businesses and I hope that we do not reconsider what we've already done.

The SPEAKER: The Chair recognizes the gentleman from Stonington, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker and Members of the House: I am one of those small businessmen that have been referred to. I have three employees including myself. I have been a voluntary participant in this since I bought this business in 1955 and I can see no harm to anyone in it.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Healy.

Mr. HEALY: Mr. Speaker and Members of the House: Fringe benefits today are so much a part of employment I can't believe that we would deny an employee of an employer where there is only one, two or three, the benefit of this unemployment security; in their cases they could conceivably have a dependent family as well as an employee where there are a hundred in the company. It would seem to me that this is really a good bill and we missed the boat here the other day and we ought to get it back. Thank you.

The SPEAKER: Is the House ready for the question? The pending question is on the motion of the gentleman from Bath, Mr. Ross, that the House reconsider its action of June 23 whereby it insisted on its previous action.

Thereupon, Mr. Drummond of Sidney requested a division.

The SPEAKER: A vote has been requested. All those in favor of reconsidering will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

64 voted in the affirmative and 65 in the negative.

Mr. Martin of Eagle Lake then requested a roll call.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting.

The Chair recognizes the gentleman from Bangor, Mr. Quinn.

Mr. QUINN: Mr. Speaker, hasn't the vote been taken and determined?

The SPEAKER: The Chair would advise the gentleman that a roll call request can be asked after the vote has been taken, verbally or by division.

All those in favor of a roll call will vote yes; those opposed will vote no, and the Chair opens the vote.

A vote of the House was taken, and more than one fifth of the members present having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The Chair recognizes the gentleman from Solon, Mr. Hanson.

Mr. HANSON: Mr. Speaker and Members of the House: I didn't intend to speak on this measure but it does appear very close and I don't think enough consideration has been given to the plight of the small businessman who seeks to establish a business. Now I've been through this procedure several times myself in various small businesses and I know somewhat of what I speak, and I can appreciate the comments of the gentleman from Sidney, Mr. Drummond. I think you people should recognize that the businessman establishing a business is at a disadvantage.

A rule of thumb which was often quoted to me in the operation of my several small businesses was that an owner of a business had to employ seven employees before he can devote full time to the management of his business and not have to provide the labor. When you get down into the small businesses, of the one-two-three, even four and five employees, very frequently you will find the employer working a full eight hour shift along with his employees, and then doing his bookkeeping work and doing the management work of the business after hours. This requires long hours

and it's not a very well paid part of the business.

Now some individuals, perhaps Mr. Richardson from Stonington may have the advantage of having a wife who can do his bookkeeping or he may have a business that allows for some of the employees to be clerical workers and they can do this bookkeeping as part of their operation, but many of our small businesses are mostly labor, manual labor or technical labor and the bookkeeping part of it—the clerical part of it—is done either by the owner or by his wife and I can see that this will provide another stumbling block, another excuse for a person not establishing these small businesses.

Now traditionally in this Country most large businesses grow from small businesses, like the mighty oak from the small acorn, and I personally feel that it's to the advantage not only of the State—not only of the employer, but also of the employees in facilitating in any way that we can the start and growth of these small businesses. It is for this reason that I voted against reconsideration, and I would strongly urge that this membership do the same. I think we should encourage businessmen to strike out on their own and establish these businesses. These are the future employers of our labor. Thank you.

The SPEAKER: Is the House ready for the question? The pending question is the motion of the gentleman from Bath, Mr. Ross, that the House reconsider its action of yesterday whereby it insisted. All those in favor of reconsidering will vote yes, those opposed will vote no, the Chair opens the vote.

ROLL CALL

YEA—Allen, Bedard, Bernard, Birt, Boudreau, Bourgoin, Brennan, Buck, Carswell, Champagne, Clark, Conley, Cookson, Cornell, Cote, Cottrell, Couture, Crockett, Curran, Cushing, D'Alfonso, Dickinson, Drigotas, Eustis, Evans, Ewer, Fecteau, Fortier, Fraser, Fuller, Gauthier, Giroux, Harvey, Healy, Hennessey, Hinds, Hodgkins, Humphrey, Hunter, Jalbert, Kilroy, Lebel, Levesque, Lewin,

Littlefield, Martin, McMann, Miliano, Nadeau, N. L.; Richardson, G. A.; Richardson, H. L.; Rideout, Robinson, Ross, Sawyer, Scott, C. F.; Scribner, Soulas, Tanguay, Townsend, Trask, Truman, Waltz, Wheeler, White, Wood.

NAY—Baker, E. B.; Baker, R. E.; Belanger, Beliveau, Benson, Binnette, Bradstreet, Bragdon, Brown, Bunker, Burnham, Carey, Carrier, Carroll, Crommett, Crosby, Darey, Dennett, Drummond, Dudley, Dunn, Durgin, Farrington, Foster, Hall, Hanson, B. B.; Hanson, H. L.; Hanson, P. K.; Harnois, Harriman, Haynes, Henley, Hewes, Hichens, Hoover, Immonen, Jameson, Jannelle, Keyte, Kyes, Lewis, Lincoln, Lycette, Maddox, McNally, Meisner, Minkowsky, Mosher, Nadeau, J. F. R.; Noyes, Pendergast, Philbrook, Pike, Porter, Prince, Quimby, Quinn, Rackliff, Robertson, Rocheleau, Sahagian, Shaw, Snow, P. J.; Snowe, P.; Starbird, Susi, Watts, Williams.

ABSENT—Berman, Danton, Edwards, Gaudreau, Gill, Hawes, Huber, Jewell, Payson, Roy, Scott, G. W.; Shute, Sullivan, Thompson, Wight.

Yes, 66; No, 68; Absent, 15.

The SPEAKER: Sixty-six having voted in the affirmative and sixty-eight in the negative, the motion to reconsider does not prevail.

From the Senate: The following Joint Resolution:

Whereas, the Members of the House and Senate of the One Hundred and Third Maine Legislature have learned with profound sorrow of the untimely death of the Honorable Ralph W. Brewer, our esteemed friend and colleague from Bath; and

Whereas, the citizens of his City, County and the State of Maine benefited immeasurably through his service in the House of Representatives in the 100th, 101st and 102nd Legislatures and the State Senate of the 103rd Legislature; and

Whereas, his gentle manner and friendly and courteous spirit have been an inspiration to all who have

been privileged to work with him; and

Whereas, the loss of this devoted and conscientious public servant will be sorely felt not only by his many friends and admirers in Bath but by the citizens of the State as well; now, therefore, be it

RESOLVED: That the State of Maine mourns the loss of a faithful and valued public servant, and the members of the 103rd Legislature lament the departure of an esteemed and trusted friend; and be it further

RESOLVED: That this resolution be entered in the Journals of the House and Senate of the 103rd Legislature and an engrossed copy of this Resolution be sent to the family of the deceased; and be it further

RESOLVED: That as a further token of respect the House and Senate will now stand in a moment of silence. (S. P. 706)

Came from the Senate read and adopted.

In the House, the Resolution was read and adopted in concurrence.

(Whereupon, the members stood for a moment of silence)

(Off Record Remarks)

Mr. Ross of Bath was granted unanimous consent to address the House.

Mr. ROSS: Mr. Speaker and Members of the House: It is a very sad duty for me this afternoon to speak to the Resolution just presented to this House on the death this morning of Senator Ralph Brewer. I have known him as a friend and a neighbor for a great many years. No one was more conscientious nor better liked than Senator Brewer. He was an untiring worker in any endeavor that he undertook.

I have never known a Legislator who was more respected by his colleagues than Senator Ralph Brewer. Not only his family and friends, but the City, County and State, will certainly miss the talents of this capable man, and mourn the loss of our trusted and loyal friend, and I now move that

we adjourn until 9:30 tomorrow morning.

The SPEAKER: The Chair would advise the House at this time that probably the last act of this departed member of the Senate was addressed to the Clerk of the House thanking us for our thoughtfulness relative to his illness.

The Chair recognizes the gentleman from Bath, Mr. McMann.

Mr. McMANN: Mr. Speaker, I'm sorry my Brother moved to adjourn, but I would like to say a few words myself.

Mr. McMann of Bath was granted unanimous consent to address the House.

Mr. McMANN: Mr. Speaker and Members of the House: Senator Brewer was a member of one of our groups at the Senator Motel

which was very close out there, and he will be missed by all of us.

On Friday I gave him the card which was signed by the Members of this House, and also another card which was signed by the Senate Members. I spent some time with him on Friday afternoon, on Saturday afternoon, and also yesterday afternoon.

In talking with his wife this morning, she informed me I was the last person to talk with him outside of the family, and the card was the last thing that he wrote. All he desired to talk about was what he thought about in the House and Senate. Thank you.

On motion of Mr. Richardson of Cumberland,

Adjourned until nine-thirty o'clock tomorrow morning.