

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Third  
Legislature*

OF THE

STATE OF MAINE

1967

KENNEBEC JOURNAL  
AUGUSTA, MAINE

**SENATE**

Tuesday, March 28, 1967

Senate called to order by the President.

Prayer by Rev. William A. Chamberlain of Winthrop.

Reading of the Journal of yesterday.

**Papers from the House**

Bill "An Act Conferring Upon Others the Powers Now vested in the Executive Council." (H. P. 1022) (L. D. 1550)

Bill "An Act Relating to Appointment of Directors of Local Organizations under Civil Defense Law." (H. P. 1083) (L. D. 1548)

Come from the House referred to the Committee on State Government.

Which were referred to the Committee on State Government in concurrence.

Bill "An Act Creating the Town of Old Orchard Beach School District." (H. P. 1082) (L. D. 1547)

Comes from the House referred to the Committee on Education.

Which was referred to the Committee on Education in concurrence.

**Committee Reports**

**House**

Leave to Withdraw—covered by other legislation.

The Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Money to Supplement Federal Vocational Funds for Area Education Programs for Apprentices and Other Adult Workers." (H. P. 81) (L. D. 111)

Reported that the same should be granted Leave to Withdraw, as covered by other legislation.

Comes from the House, report read and accepted.

Which report was read and accepted in concurrence.

**Ought Not to Pass**

The Committee on Legal Affairs on Bill "An Act to Amend the Charter of the City of Saco." (Emergency) (H. P. 229) (L. D. 319)

Reported that the same Ought not to Pass.

Comes from the House, report read and accepted.

On motion by Mr. Reny of York, tabled pending acceptance of the report and specially assigned for Friday, March 31.

**Ought to Pass**

The Committee on Claims on Resolve To Reimburse Dwight H. Wheeler of Manchester for Payment of Fine in Motor Vehicle Speeding Case." (H. P. 877) (L. D. 1289)

Reported that the same Ought to Pass.

Comes from the House, report Read and accepted and the Resolve passed to be engrossed.

On motion by Mr. Brewer of Sagadahoc, tabled until the next legislative day pending second reading.

The Committee on Claims on Resolve In Favor of Town of Greenbush, Penobscot County, for Damage to Bridge. (H. P. 878) (L. D. 1290)

Reported that the same Ought to Pass.

Comes from the House, report read and accepted and the Resolve passed to be engrossed.

Which report was read and accepted in concurrence, the Resolve read once and tomorrow assigned for Second Reading.

The Committee on Inland Fisheries and Game on Bill "An Act Relating to Open Season on Muskrats in Somerset County." (H. P. 221) (L. D. 311)

Reported that the same Ought to Pass.

Comes from the House, report read and accepted, and the Bill Passed to be engrossed.

The Committee on Inland Fisheries and Game on Bill "An Act to Regulate Boating on Little Nesowadnehunk (Sourdnahunk) Lake, Piscataquis County." (H. P. 447) (L. D. 622)

Reported that the same Ought to Pass.

Comes from the House, report read and accepted and the Bill Passed to be engrossed.

The Committee on Inland Fisheries and Game on Bill "An Act Relating to Fishing Without Li-

cense for Patients at Veterans Administration Hospital." (H. P. 499) (L. D. 712)

Reported that the same Ought to Pass.

Comes from the House, report read and accepted and the Bill Passed to be engrossed.

The Committee on Inland Fisheries and Game on Bill "An Act Relating to Dealers in Deer Skins and Heads." (H. P. 836) (L. D. 1244)

Reported that the same Ought to Pass.

Comes from the House, report read and accepted and the Bill Passed to be engrossed.

The Committee on Inland Fisheries and Game on Bill "An Act Relating to Hunting Waterfowl on Haley Pond, Town of Rangeley and Dallas Plantation, Franklin County." (H. P. 841) (L. D. 1249)

Reported that the same Ought to Pass.

Comes from the House, report read and accepted and the Bill passed to be engrossed.

The Committee on Inland Fisheries and Game on Resolve Regulating Fishing in Certain Waters in Hancock County. (H. D. 448) (L. D. 623)

Reported that the same Ought to Pass.

Comes from the House, report read and accepted and the Bill passed to be engrossed.

Which reports were read and accepted in concurrence. The Bills and Resolves read once, and tomorrow assigned for second reading.

#### **Ought to Pass — As Amended**

The Committee on Business Legislation on Bill "An Act Revising the Savings and Loan Association Laws." (H. P. 689) (L. D. 970)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-98)

Comes from the House, report read and accepted and the Bill passed to be engrossed As Amended by Committee Amendment "A"

Which report was read and accepted in concurrence and the bill read once. Committee Amendment "A" was read and adopted,

and the bill, as amended, tomorrow assigned for second reading.

The Committee on Liquor Control on Bill "An Act Relating to Quantity of Liquor to be Transported Into State by an Individual." (H. P. 534) (L. D. 764)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-99)

Comes from the House, report read and accepted and the Bill Passed to be engrossed As Amended by Committee Amendment "A."

On Motion by Mr. Anderson of Hancock, tabled and specially assigned for Thursday, March 30, pending acceptance of report.

#### **Ought to Pass in New Draft**

The Committee on Business Legislation on Bill "An Act Relating to Insurance for Commercial Driver Education School Graduates." (H. P. 473) (L. D. 686)

Reported that the same Ought to Pass in New Draft (H. P. 1084) (L. D. 1544) under the same title.

Comes from the House, report Read and accepted and the Bill, in New Draft, passed to be engrossed.

Which report was read and accepted. The bill in new draft was read once, and tomorrow assigned for second reading.

#### **Senate**

##### **Ought to Pass**

Mr. Anderson for the Committee on Election Laws on Bill "An Act Relating to Acknowledgement of Absentee Ballot by Vote Outside of State." (S. P. 499) (L. D. 1214)

Reported that the same Ought to Pass.

Which report was read and accepted, the Bill Read once and tomorrow assigned for Second Reading.

Mr. Couturier for the Committee on Election Laws on Bill "An Act Relating to Forging Absentee Ballots or Applications Therefor under Election Laws." (S. P. 404) (L. D. 1035)

Reported that the same Ought to Pass.

Which report was read and accepted, the Bill read once and

tomorrow assigned for **S e c o n d** Reading.

Mr. Lund for the Committee on State Government on Resolve Proposing an Amendment to the Constitution Relating to Time for Codifying the Constitution." (S. P. 120) (L. D. 249)

Reported that the same Ought to Pass.

Which report was read and accepted, the Resolve read once and tomorrow assigned for second reading.

Mr. Lund for the Committee on State Government on Bill "An Act Relating to Municipal Advisory Organizations" (S. P. 235) (L. D. 560)

Reported that the same Ought to Pass.

Which report was read and accepted, the Bill read once and tomorrow assigned for **s e c o n d** reading.

Mr. Wyman for the Committee on State Government on Bill "An Act Relating to Duties of State Geologist with the Maine Mining Bureau." (S. P. 182) (L. D. 372)

Reported that the same Ought to Pass.

Which report was read and accepted, the Bill read once and tomorrow assigned for **s e c o n d** reading.

Mr. Stern for the Committee on State Government on Bill "An Act to Establish and Appropriate Funds for a Youth Community Activities Section in the Department of Mental Health and Corrections." (S. P. 221) (L. D. 484)

Reported that the same Ought to Pass.

Which report was read and accepted, the Bill read once and tomorrow assigned for **s e c o n d** reading.

Mr. Stern for the Committee on State Government on Bill "An Act Relating to the Reserve Fund for Uninsured Losses on State Property." (S. P. 282) (L. D. 662)

Reported that the same Ought to Pass.

Which report was read and accepted, the Bill read once and tomorrow assigned for **s e c o n d** reading.

**Ought to Pass — As Amended**

Mr. Harding for the Committee on Judiciary on Bill "An Act Authorizing Work-Release from County Jails." (S. P. 264) (L. D. 645)

Reported that the same Ought to Pass As Amended by Committee Amendment "A"

Which report was read and accepted and the Bill read once. Committee Amendment "A" Filing S-37 was read by the Secretary as follows.

**COMMITTEE AMENDMENT "A"** to S. P. 264, L. D. 645, Bill, "An Act Authorizing Work-Release from County Jails."

Amend said Bill in that part designated "**S1007**", subsection 1, by striking out all of underlined paragraphs C and D (same in L. D. 645) and inserting in place thereof the following underlined paragraphs:

**'C. Attendance at a weekly religious service;**

**D. Attendance at an education institution; or**

**E. Medical treatment.**

Further amend said Bill in that part designated "**S1007**", subsection 8, by striking out all of the last 2 underlined sentences (same in L. D. 645) and inserting in place thereof the following underlined sentences: '**Any prisoner so disciplined may petition either the District Court or the Superior Court for a review of such disciplinary action. Such court, after review, shall make such order as it deems appropriate.**'

Further amend said Bill in that part designated "**S1007**" by striking out all of subsection 9 (same in L. D. 645) and inserting in place thereof the following underlined subsection:

**'9. Violations. Any person who willfully violates the terms of his release in relation to the time for reporting back to the county jail may be punished by imprisonment for not more than 60 days.'**

Committee Amendment "A" was adopted, and the Bill, as amended, tomorrow assigned for **s e c o n d** reading.

Mr. Hildreth for the Committee on Judiciary on Bill "An Act Authorizing One to Two-Year Sen-

tences to Certain County Jails." (S. P. 265) (L. D. 646)

Reported that the same Ought to Pass As Amended by Committee Amendment "A"

Which report was read and accepted and the Bill read once. Committee Amendment "A" Filing S-36 was read by the Secretary as follows:

**COMMITTEE AMENDMENT "A"** to S. P. 265, L. D. 646, Bill, "An Act Authorizing one to two year Sentences to Certain County Jails."

Amend said Bill by Inserting after the underlined word and comma "**Penobscot**," in the 20th line (17th line of L. D. 646) the underlined word and comma '**Oxford**,'

Further amend said Bill by adding at the end of section 1 the following underlined paragraph:

**'The county in which the defendant is sentenced shall reimburse the county wherein the jail may be located to which the defendant is sentenced and committed as provided by Section 1705.'**

Further amend said Bill by Striking out all of section 6.

Committee Amendment "A" was adopted, and the Bill, as Amended, tomorrow assigned for second reading.

#### **Ought to Pass in New Draft**

Mr. Berry for the Committee on Election Laws on Bill "An Act Relating to Notice of Removal of Name from the Voting List." (S. P. 448) (L. D. 1128)

Reported that the same Ought to Pass in New Draft under same title (S. P. 588) (L. D. 1553)

When report was read and accepted and the Bill in New Draft read once and tomorrow assigned for Second Reading.

Mr. Couturier for the Committee on Election Laws on Bill "An Act Relating to Packaging of Election Ballots." (S. P. 449) (L. D. 1129)

Reported that the same Ought to Pass in New Draft under new title: An Act Relating to Inventory of Ballots Furnished Polling Places. (S. P. 587) (L. D. 1552)

Which report was read and accepted and the Bill in New Draft read once and tomorrow assigned for Second Reading.

Mr. Stern for the Committee on State Government on Bill "An

Act Relating to Reimbursement of Daily Travel Expenses in Lieu of Housing Expenses for Legislators." (S. P. 168) (L. D. 339)

Reported that the same Ought to Pass in New Draft under New Title: "An Act Relating to Housing and Meal Expenses for Legislators." (S. P. 586) (L. D. 1551)

Which report was read and accepted and the Bill, in new draft, read once and tomorrow assigned for Second Reading.

#### **Second Readers**

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

#### **House**

Bill "An Act to Exempt Certain Paraplegic Veterans from a Portion of Real Estate Taxation." (H. P. 1081) (L. D. 1543)

Which was read a second time and passed to be engrossed in concurrence.

#### **House — As Amended**

Bill "An Act Relating to Use of Dealer Registration Plates." (H. P. 124) (L. D. 150)

Bill "An Act to Validate Proceedings Authorizing the Issuance of Bonds and Notes by School Administrative District No. 36." (Emergency) (H. P. 663) (L. D. 918)

Which were read a second time and passed to be engrossed As Amended in concurrence.

#### **Senate**

Bill "An Act Classifying Certain Inland Waters of the Androscoggin River Basin." (S. P. 140) (L. D. 268)

On motion by Mr. Ferguson of Oxford, tabled pending passage to be engrossed.

Bill "An Act Reclassifying Certain Inland Waters of the Saco River Basin." (S. P. 164) (L. D. 335)

Bill "An Act Reclassifying Certain Tidal Waters of Cumberland County." (S. P. 219) (L. D. 412)

Bill "An Act Relating to Inspection of Dams and Reservoirs." (S. P. 302) (L. D. 741)

Bill "An Act Prohibiting Use of Certain Names by Partnerships." (S. P. 320) (L. D. 843)

Bill "An Act Relating to Town's Matching Funds for Reconstructing State Aid Highways." (S. P. 359) (L. D. 956)

Bill "An Act Classifying Certain Waters of St. Croix River Watershed." (S. P. 479) (L. D. 1200)

Which were read a second time and passed to be engrossed.

Sent down for concurrence.

**Senate — As Amended**

Bill "An Act Relating to Abandonment of Highways." (S. P. 340) (L. D. 873)

Which was read a second time and passed to be engrossed As Amended.

Sent down for concurrence.

**Enactors**

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

An Act Relating to Closed Season on Rabbits in Washington County. (H. P. 62) (L. D. 87)

An Act Relating to Property Tax Exemption for Sewage Disposal Facilities. (H. P. 252) (L. D. 360)

An Act Relating to Malfunctioning Sewage Disposal Units. (S. P. 181) (L. D. 371)

An Act Relating to Contracts of Municipal Corporations with Nonprofit Hospital or Medical Service Organizations. (H. P. 277) (L. D. 397)

An Act Relating to Exemption from Sales Tax of Governmental Agencies. (H. P. 289) (L. D. 409)

An Act Relating to Poll Taxes paid to Caswell Plantation. (H. P. 291) (L. D. 411)

On motion by Mr. Berry of Cumberland, placed on the Special Appropriations Table.

An Act Relating to Compensation of Commissioners of the Waterville Sewerage District. (H. P. 419) (L. D. 584)

An Act Relating to Immunization of Dogs to Control Rabies. (S. P. 271) (L. D. 652)

An Act Conferring Additional Powers Upon Proprietors of Union Wharf. (S. P. 303) (L. D. 742)

An Act to Repeal the Tax on Insured Pension Plans Qualified

Under U. S. Internal Revenue Code. (H. P. 644) (L. D. 899)

On motion by Mr. Berry of Cumberland, placed on the Special Appropriations Table.

An Act Relating to Mining License and Rental Fees on State Lands. (S. P. 365) (L. D. 961)

An Act Clarifying Certain Borrowing Provisions of the Charter of the City of Augusta. (H. P. 695) (L. D. 976)

An Act Prohibiting Unreasonable Noise in Operating Motor Vehicles. (H. P. 1061) (L. D. 1387)

An Act Revising the Law Relating to School Buses. (H. P. 1068) (L. D. 1469)

An Act Relating to Licensing of Insurance Companies. (H. P. 1073) (L. D. 1488)

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

Resolve In Favor of George Hearin of Knox, Waldo County. (H. P. 705) (L. D. 1000)

On motion by Mr. Ferguson, placed on the Highway Appropriations Table

Resolve in Favor of Fairview Hospital and Doctors Swett, Kemezys and Jordan. (S. P. 426) (L. D. 1080)

On motion by Mr. Berry of Cumberland, placed on the Special Appropriations Table.

**Emergency**

An Act Amending the Charter of the Augusta Sanitary District. (S. P. 195) (L. D. 429)

This being an emergency measure and having received the affirmative vote of 31 members of the Senate, was passed to be enacted, and having been signed by the President, was by the Secretary presented to the Governor for his approval.

**Emergency**

An Act Relating to Northern Utilities, Inc. (H. P. 639) (L. D. 895)

This being an emergency measure and having received the affirmative vote of 31 members of the Senate, was passed to be enacted, and having been signed

by the President, was by the Secretary presented to the Governor for his approval.

### Emergency

An Act to Clarify State Aid for School Construction Purposes and Borrowing in Anticipation Thereof. (S. P. 63) (L. D. 107)

Mr. GOOD of Cumberland: Mr. President and members of the Senate:

The bill now before us, L. D. 107, has reference to "State aid for School Construction." Among other things, it will permit those eligible for "State aid for school construction" to borrow, in anticipation of receipt from the State, of "State aid for school construction" money.

Perhaps it is fitting and proper, that something be said at this time, in reference to a subject that has experienced, over the years, considerable misunderstanding, confusion and more recently, publicity. I do not mean to, and I do not intend, to be critical of any individual, or of the legislature.

Under the old law which was in existence prior to the Special Session of the Legislature, which was held in January of 1966 an eligible municipality would borrow the money necessary for school construction purposes and, as the eligible unit paid off its obligation to the lending institution, the State would reimburse the School Administrative District or the eligible city or town for the State's proportionate share of the installment. The obligation of the State could extend up to 25 years. The State's current obligation on many of the outstanding accounts will not be fully paid until 1991. Under the old law, because the State's share in any one year was not prohibitive, it was included in "current services". The "current services bill" being an emergency measure the money was available the first day of July or at least by the time the money was due the municipality in December following adjournment of the legislature.

The last legislature in "Special session" in January, 1966, enacted a radical change in payment when it approved L. D. 1794 "An Act to Clarify State Aid For School Construction Purposes". The title of the bill is dangerously misleading. I believe that some have found it so. It made no change in payment by the State for projects approved and completed prior to July 1, 1967. However, and I quote from Title 20, section 3457, subsection 2, of the new law "On any eligible project approved by the commissioner on or after July 1, 1967 the following shall apply: One-half of the financial assistance due the unit, based upon the total estimated capital outlay expenditures of the project approved by the commissioner, shall be paid when evidence is submitted that the appropriate local officials have contracted or arranged for the construction of the facility or facilities. When the project is completed and a full report of the capital outlay expenditures of said project is made to the commissioner and proof has been submitted showing that the project was completed in accordance with approved plans, the eligible unit shall be reimbursed the difference between the total amount of state aid for which the project can qualify and the amount of construction subsidy paid the administrative unit at the start of the project."

In other words, under the new law, enacted in Special Session in January, 1966, it now makes it mandatory for school administrative projects, approved after and subsequent to July 1, 1967, that the State, upon approval of the contract, must pay 50 per cent of the State's share, and, when the project is completed, it must pay the balance of the 50 per cent of the State's share. Now with these payments taking place over a period of as long as twenty-five years, you could readily understand that the State's payments may well have to be made within a year or two years. Now the State's share is a least fourteen million dollars at this time on 29 of these projects, and I have them listed here. This does not include 3.5 million on old projects



due during the next biennium — and this fourteen million may be an underestimate. Now the Governor proposes to finance the fourteen million with a bond issue. Last Friday I had placed upon your desks the Governor's financial program. This is to show you where he had included in his program this fourteen million dollars. And one of the last items on that sheet is "School Construction Aid, \$14,000,000." That is why there is the \$40,985,000 bond issue.

Now I happened to use this sheet one time in Portland to show what a single tax effort would do if the Governor's financial program was not followed. That does not mean that I advocate a single tax effort at this time, but I wanted to explain that. But I would not recommend any change, if this program is continued, in the Governor's request for a \$14,000,000 bond issue. Under present legislation that would be a must.

Now this bond issue must go to referendum, and this L. D. 107 is thought to be necessary because the bond issue will have to go to referendum. If the bond issue referendum is held in November, the money may not be available in December. And we have to assume, of course, that the bond issue will receive a favorable vote by the inhabitants of the State. If we didn't, I don't know what our position would be.

Now L. D. 1794 was a redraft of L. D. 1622. Now L. D. 1622, which has two pages, was an emergency, and I can see why it was introduced in the special session as an emergency, because it made a change to provide school construction aid for municipalities who were constructing athletic fields after the original project had been completed. Westbrook, for instance, constructed an athletic field after the original project had been completed, and the Department of Education felt that, under the old law, they were not able to pay the City of Westbrook the State's proportionate share on the athletic field because the field was not built with the original project. This change would clarify that, so that if an athletic field is built

even subsequent to the construction of the original building the State will pay its proportionate share of an athletic field so constructed. Under this change in the new law, where the payments are accelerated, the State's obligation to South Portland is approximately \$600,000 during this coming biennium, and part of that is for the construction of their athletic field, which contains a beautiful rubberized track. I am not objecting to any of this; I am just telling you what the situation is.

Now that is what L. D. 1622 contains, but in redraft — and without public hearing of course — we never have public hearings on redrafts I guess — the accelerated payment provision was inserted. Now if this was not an emergency at that time, it certainly has created an emergency at this time.

It was thought that this particular type of legislation would be beneficial to the municipalities. Well, it is beneficial to some extent. It permits them to receive an amount of money that under the old law they would not have received immediately. So, with this additional money paid to them by the State immediately they can contract to build a much more expensive building without exceeding their debt limit, but, as far as the saving of interest is concerned, I cannot see that there will be any saving of interest to the municipality, because under the law as it existed prior to the special session and as it exists now, the State pays the interest on its own share. Therefore the only saving on interest would be to the State. They can borrow money, evidently, at a lower rate than can the municipalities. So the saving in interest would be the difference, to the State, in what the State could borrow it at and what the city could borrow it at. Other than that, I question the fact whether or not this piece of legislation is worth the sentimental features of the legislation. That will be something that will have to be decided by the Legislature.

When the Sinclair Law, so called, was enacted by the 98th Legislature in 1957, it was intended that

every municipality in the State would receive "State aid for school construction." However, as every member of this Legislature knows, ten years later in 1967, there are municipalities who have never received any "State aid for school construction."

I know something of the outstanding men and women who serve in the Legislature of this State. I know that they set the highest values on justice, equality and fairness. This, the 103rd Legislature, is no exception. It is inconceivable that a Legislature of this State would permit a condition to exist over an extended period of time wherein many municipalities of this State receive "State aid for school construction" paid for from taxes paid by all and others receive no such aid.

The Sinclair Law, so called, for "State aid for school construction" for the 63 School Administrative Districts now formed. The State also pays "State aid for school construction" to a few "single municipality units" such as Fort Fairfield and Pownal. The Sinclair Law also provides for payment for "State aid for school construction" to all other cities and towns with an enrollment in grades 9 through 12 of more than 700 pupils, simply because of the number enrolled. This latter provision became a part of the law at the time of its enactment in 1957 amidst much misunderstanding and confusion. I will explain this misunderstanding and confusion at a later date. There are 19 municipalities in this latter privileged group.

Fortunately, this Legislature will have an opportunity to correct this wrong which has extended over a period of ten years. A bill now in the Education Committee, L. D. 29, will extend "State aid for school construction" to 9 municipalities who have never received a penny of "state aid for school construction." These are the municipalities with an enrollment in grades 9 through 12 of more than 500 pupils but less than 700.

I placed upon your desks this morning an editorial making favorable comment on this bill. "A study of the high school with an enrollment of 500 but less than

700 has been made by Merrill E. Cobb, Associate Professor of Gorham State College" — I will only read part of it at this time and I will call the other part to your attention at a little later date, but he says, and I quote: "The current requirement of a minimum of 700 pupils in a secondary school in order for a school district to qualify for financial assistance under the Sinclair law appears to be somewhat arbitrary and motivated by factors other than educational efficiency." And he continues, and I quote: "There are, based on the latest Maine educational directories, some 19 high schools with enrollment of 700 or more pupils. Five of these, or approximately twenty - five per cent, are not approved and accredited by the State Department of Education." Now he comments on the school of 500 and less than 700, and he says that these are all accredited, with the exception of one high school not accredited by the State Department, but it has been accredited, however, by the New England Association of Colleges and Secondary Schools. "It is obvious," he states, "that for purposes of accreditation that schools in the 700 and over category have been less successful in meeting recognized standards than have schools in the 500 and over group."

Now there was a study made. Albert Oliver has summarized the opinions of 78 specialists, which include 37 outstanding writers on secondary education and 41 outstanding principals on the question: "How big should a small school be?" Now here is their report: 4.1 per cent said 200; 8 per cent said it should be 300; 8 per cent said it should be 400; 23 per cent said 750; 15.1 per cent said 1,000; 1 per cent said 1,500; 41 per cent said 500.

"State aid for school construction" has been liberalized during its ten years of existence. In addition to the acceleration of payments enacted by the last Legislature in "special session," the law was further amended by defining and I quote "school building" as including and I quote "athletic field."

But the big change that was made in the New Draft was in the acceleration of payment.

In 1961, 4 additional towns with a pupil enrollment of more than 500 but less than 700 were made eligible by the Legislature for "State aid for school construction" by amending the law to include in the count "tuition students."

I would like to read to you the definition of "capital outlay purposes" as defined in the law and for which the State pays a part when it distributes "State aid for school construction" purposes.

"Capital outlay purposes" as the term is used in this Title shall mean the cost of new construction, expansion, acquisition or major alteration of a public school building, the cost of acquisition of all land or interest therein of any nature or description for such construction, expansion, acquisition or major alteration, and any legal appraisal or surveyors' fees or services with relation thereto, the cost of demolition, of removing any buildings or structures on land so acquired, the cost of furnishings and equipment, financing charges, insurance during construction, cost of architectural, engineering and other legal expenses, plans, specifications, estimates of costs, and such other expense as may be necessary and incidental to any construction, acquisition or major alteration of a public school building and the placing of such a building in operation, and the cost of athletic fields and related physical education facilities which may be included in the school project."

L. D. 107 further liberalizes "State aid for school construction" to those eligible by freezing the state valuation of these municipalities so that even in the event of their state valuation increasing they will continue to receive the same percentage of "State aid for school construction" that they received when they were in the poorer category.

As stated before, there are 9 municipalities in this State having high schools with a pupil enrollment of less than 700 but greater than 500 who have never received any "State aid for school construc-

tion." These municipalities are Cape Elizabeth, Gorham, Scarborough in Cumberland County; Kennebunk in York County; Winslow and Winthrop in this County of Kennebec; Millinocket in Penobscot County and Madawaska and Limestone in the County of Aroostook.

I have exactly the same feeling that the distinguished Senator from Franklin, Senator Mills had when he was quoted in the March 26, 1967 issue of the **Portland Sunday Telegram** as having stated in reference to the high interest rates being paid by the poor people of this State that "this kind of thing makes my blood boil."

Mr. FARLEY of York: Mr. President I believe I am the only member of this Senate who in the 98th Legislature was appointed by the then - President, Robert Haskell. In the 98th legislative session we had a non - partisan government. Prior to the Sinclair bill in the State of Maine, the towns under the McKinnon bill were in desperate circumstances because the State never met its obligations. Within a few years, this Sinclair bill came into existence in this government of ours. At four o'clock one afternoon the Sinclair bill was practically defeated in the House and in the Senate. The Hon. Robert Haskell appointed five of us to serve on a committee with five of the House to see if we could salvage the Sinclair Bill. The Hon. Seth Lowe of Rockland was one, Alton Lessard, Senator Sinclair and myself — and I forget the other party. We met that evening. The shades were down as far as education was concerned in the public schools of the State of Maine at that stage, and there was no newspaper in the State of Maine that would have given the Sinclair bill half a shot. That night we came back here and unanimously put the Sinclair bill across in the House and the Senate with only a few dissenters.

The Sinclair bill — and I disagree with the Senator from Cumberland — when it came to the maximum and minimum, we stayed up many nights in the Blaine Mansion and went over the Sinclair Bill with

a gentleman named Bailey from the Department of Education and other people to find out whether or not there were any bugs in the bill.

Coming to the 700, irregardless of what bill you put through the Legislature, sixty-five per cent is good and possibly thirty-five per cent is bad — and that is true in Washington. We had to take the cities in and the large cities. That is why they set up the figure of 700. If it was 1100 Bangor could get in, Portland could get in and Lewiston could get in, any one of them could get in under the Sinclair bill.

Those are the figures they arrived at. I can agree with the Senator from Cumberland County, that there are a lot of things that have happened since I have been here in the Sinclair bill. For instance, representing York County, when the Sinclair bill went through I absolutely refused to vote with the town of Sanford for non-residents being counted as pupils, and I stuck to that all the way through.

I agree with the Senator from Cumberland County that at that time there was no such thing as athletic fields; it was more for the education of the children, primarily to get them into a district. One of our greatest troubles with the districts was: they would lose their band, they would lose their basketball team and lose this and lose that; but they lost sight of the fact that the children were going to get a far better education in a district than they were getting at that time on the local level. I disagree with a bill that is coming later, relative to my own town — my own county, that Senator Good has mentioned.

I believe that the Sinclair bill is a good bill. It was a foundation which is worth something to the school teachers of the State of Maine. In the districts it gives the children an opportunity to be transported fifteen miles to school. It is a very unfortunate affair when towns in the State of Maine cannot see what they have been hollering for here for years — to advance public school education in the State of Maine — that they can't get

into districts. I know there is some confusion on the taxes and this and that, but, in my mind — and I have never changed my mind — a child going to a public school is going to get a far better education if all schools in the State of Maine could get into a district. Thank you.

The PRESIDENT: The pending question is on the enactment of this bill.

(On motion by Mr. Johnson of Somerset, the bill was tabled pending enactment)

### Orders of the Day

The Chair laid before the Senate the first tabled and today assigned matter (S. P. 1) (L. D. 4, Bill, "An Act to Eliminate the Straight Party Ballot in the Election Laws." Tabled March 22, by Senator MacLeod pending enactment.

The same Senator then moved passage to be enacted.

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

On motion by Mr. Barnes of Aroostook, the Senate voted to take from the table the 17th tabled and unassigned matter (H. P. 369) (L. D. 516) House Report Ought Not to Pass from the Committee on Legal Affairs on Bill, "An Act Prohibiting Aliens Employed in Lumber Operations to Possess Firearms." Tabled March 23 by Senator Barnes pending acceptance of report.

Mr. BARNES of Aroostook: Mr. President, I now move that this Bill be referred to Committee on Inland Fisheries and Game, and I would like to speak briefly, if I may.

The PRESIDENT: The Senator from Aroostook, Senator Barnes now moves that this bill be referred to Committee on Inland Fisheries and Game. The Senator may proceed.

Mr. BARNES: Mr. President and Ladies and Gentlemen of the Senate: As you recall, this bill was originally referred to the Committee on Legal Affairs and they came out with a report Ought not to pass which was accepted

by this body. Consequently, I asked for reconsideration which you very kindly gave to me and then I had it tabled. This matter prohibiting Aliens Employed in Lumber Operations to Possess Firearms is a very serious matter with the people in my area, Aroostook County, and I have been requested to keep this bill alive to see if something couldn't be worked out that would be workable and at the same time one that could be controlled. I have consulted with the distinguished Senator from Cumberland County, Senator Good, who is Chairman of the Legal Affairs Committee, and he has graciously suggested that we recommit this to the Committee on Inland Fisheries and Game to see if they could not come out with a new draft, one that could be enforceable, and so I would ask you at this time to support my motion. Thank you.

The PRESIDENT: Is it now the pleasure of the Senate that this bill be committed to the Committee of Inland Fisheries and Game.

On motion by Mr. Barnes of Aroostook, the Bill was committed to the Committee on Inland Fisheries and Game. Sent down for concurrence.

On motion by Mr. Anderson and Hancock, the Senate voted to take from the table the 18th tabled and unassigned matter (H. P. 313) (L. D. 447) House Report Ought not to pass from the Committee on Election Laws on Bill, "An Act Relating to Signatures on Petitions for Nominations for State and County Officers." Tabled March 23 by Senator Anderson pending acceptance of Report.

Mr. ANDERSON: Mr. President, I now yield to the Senator from Androscoggin, Senator Couturier.

Mr. COUTURIER of Androscoggin: Mr. President, if I may give a short explanation of this bill. The purpose of this bill "An Act Relating to Signatures on Petitions for Nominations for State and County Officers," is simply to prevent unenrolled voters from signing, or rather it would prevent enrolled voters, either Republicans or Democrats from signing nomination papers for independent candidates. There have been arguments presented in favor of this; however, the Committee on Election Laws found that this would severely limit the extent to which members of both parties could make their influence felt, and also it would create difficulty in that many individuals who might choose to run, if they became a candidate, would not be able to find signatures of unenrolled candidates to fulfill their requirements.

Senator Anderson had tabled this because the other body, I believe, had seen fit to substitute the bill for the report. That is what I have been led to believe. However, I would certainly hope that this body would strongly accept the report of the committee on Election Laws and accept the Ought not to pass recommendation of the Committee on Election Laws.

The PRESIDENT: The Senator from Androscoggin, Senator Couturier moves that we now accept the ought not to pass report of the committee in concurrence.

Thereupon, the ought not to pass report of the Committee was accepted in concurrence.

On motion by Mr. Ross of Piscataquis,

Adjourned until ten o'clock tomorrow morning.