

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

Wednesday, April 5, 1967

Senate called to order by the president.

Prayer by Rev. Bernard J. Stonehouse of Lewiston.

Reading of the Journal of yesterday.

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

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

In House, March 24, passed to be enacted.

In Senate, March 28, passed to be enacted in concurrence.

Recalled from Governor's Office by Joint Order (H. P. 1094)

Comes from the House passed to be engrossed As Amended by House Amendment "A" (H-133) in Non-concurrence.

In Senate: Voted to recede and concur with the House.

House Paper

Bill "An Act Relating to School Administrative District No. 60 and the Formation of a New District Among the Towns of Berwick, Lebanon and North Berwick." (Emergency) (H. P. 1098) (L. D. 1564)

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**

The Committee on Appropriations and Financial Affairs on Bill "An Act to Provide Aerial Photos for Re-survey of Maine's Forest Lands." (H. P. 182) (L. D. 272)

Reported that the same should be granted leave to withdraw as Covered by other legislation.

Comes from the House report read and accepted.

The Committee on Legal Affairs on Bill "An Act Relating to Clothing Allowances for Personnel of the Lewiston Police Department." (H. P. 395) (L. D. 542)

Reported that the same should be granted leave to withdraw.

Comes from the House, report read and accepted.

Which reports were read and accepted in concurrence.

Ought to Pass

The Committee on Agriculture on Bill "An Act Relating to Sale of Certain Biologics." (H. P. 789) (L. D. 1151)

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 Agriculture on Bill "An Act Relating to Brucellosis in Swine." (H. P. 790) (L. D. 1152)

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 Business legislation on Bill "An Act relating to Advisory Board of Examinations of Fire, Casualty and Surety Agents." (H. P. 826) (L. D. 1234)

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 Highways on Bill "An Act Authorizing State Highway Commission to Study Desirability of Bridge between Bath and Phippsburg." (H. P. 791) (L. D. 1169)

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 Highways on Bill "An Act Providing for a Cost-Estimate Study of an East-West Multi-Purpose Highway Through Maine." (H. P. 833) (L. D. 1241)

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 State Government on Bill "An Act Relating to Farm Supervisor for Department of Mental Health and Corrections." (H. P. 158) (L. D. 221)

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 read once and tomorrow assigned for second reading.

Recommitted

The Committee on Taxation on Bill "An Act Relating to Refund for Malt Liquor Excise Taxes." (H. P. 768) (L. D. 1115)

Reported that the same ought to pass.

Comes from the House recommitted to the Committee on Taxation.

Which report was read and accepted in concurrence.

Ought to Pass — As Amended

The Committee on Business Legislation on Bill "An Act Relating to Qualifications of Insurance Brokers and Agents." (H. P. 874) (L. D. 1286)

Reported that the same ought to pass As Amended by Committee Amendment "A" (H-125)

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

The Committee on Education on Bill "An Act Providing for an Itinerant Instructor, Fire Service Training, in the Department of Education." (H. P. 480) (L. D. 693)

Reported that the same ought to pass As Amended by Committee Amendment "A" (H-110)

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

The Committee on Judiciary on Bill "An Act Revising the Laws Relating to Support at State Institutions." (H. P. 149) (L. D. 213)

Reported that the same ought to pass As Amended by Committee Amendment "A" (H-126)

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

The Committee on Judiciary on Bill "An Act Revising the Vital Statistics Laws." (H. P. 709) (L. D. 1004)

Reported that the same ought to pass As Amended by Committee Amendment "A" (H-127)

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

Which reports were read and accepted in concurrence, and the Bills read once. Committee Amendments "A" were read and adopted in concurrence, and the Bills, As Amended, tomorrow assigned for second reading.

Ought to Pass in New Draft

The Committee on Judiciary on bill "An Act Relating to the Prohibited Practices of Collection Agencies." (H. P. 109) (L. D. 136)

Reported that the same ought to pass in New Draft under same title. (H. P. 1097) (L. D. 1563)

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

The Committee on Education on Bill "An Act Permitting Town of Newcastle to Pay Certain Out-of-State Tuition." (H. P. 132) (L. D. 196)

Reported that the same ought to pass in New Draft under New Title: An Act Relating to Tuition for Pupils Attending Secondary Schools in Other States or Countries. (H. P. 1096) (L. D. 1562)

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

Which reports were read and accepted in concurrence, and the Bills, in New Draft, read once and tomorrow assigned for second reading.

Divided Report

The Majority of the Committee on Education on Bill "An Act Relating to the Secondary School between School Administrative Districts No. 23 and 38 and the Town of Hermon." (H. P. 483) (L. D. 696)

Reported that the same ought to pass.

(Signed)

Senators:

KATZ of Kennebec
SNOW of Cumberland

Representatives:

LEVESQUE
of Madawaska
HANSON of Lebanon
SHUTE of Farmington
RICHARDSON of
Stonington
BAKER of Winthrop

The Minority of the same Committee on the same subject matter, reported that the same ought not to pass.

(Signed)

Senator:

MacLEOD of Penobscot

Representative:

CARROLL of Limerick

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

On motion by Mr. Katz of Kennebec, the Senate voted to accept the majority Ought to pass report in concurrence. The bill was given its first reading, and tomorrow assigned for second reading.

Divided Report

The Majority of the Committee on Election Laws on Bill "An Act Relating to Opening and Closing Time for Polls." (H. P. 577) (L. D. 809)

Reported that the same ought to pass.

(Signed)

Senators:

ANDERSON of Hancock
BERRY of Cumberland
COUTURIER
of Androscoggin

Representatives:

BERNARD of Auburn
BOUDREAU of Portland
JANELLE of Scarborough

The Minority of the same Committee on the same subject matter, reported that the same ought not to pass.

(Signed)

Representatives:

HAWES of Union
BOURGOIN of Fort Kent

HENLEY of Norway

HODGKINS of Greene

Comes from the House, Recommended to the Committee on Election Laws.

In Senate: Recommended to the Committee on Election Laws in concurrence.

Senate

Divided Report

The Majority of the Committee on Appropriations and Financial Affairs on Resolve to Provide Funds to Convert Ferry Terminal at North Haven." (S. P. 243) (L. D. 603)

Reported that the same ought to pass As Amended by Committee Amendment "A" (S-58)

(Signed)

Senators:

BERRY of Cumberland
ALBAIR of Aroostook
DUQUETTE of York

Representatives:

BRAGDON of Perham
HUMPHREY of Augusta
JALBERT of Lewiston

The Minority of the same Committee on the same subject matter, reported that the same ought not to pass.

(Signed)

Representatives:

BIRT of E. Millinocket
DUNN of Denmark
HINDS of S. Portland
SCRIBNER of Portland

Majority Ought to pass report of the Committee read and accepted, and the Bill read once. Committee Amendment "A" Filing S-58 was read by the Secretary as follows:

COMMITTEE AMENDMENT
"A" to S. P. 243, L. D. 603, Resolve, to Provide Funds to Convert Ferry Terminal at North Haven.

Amend said Resolve in the first line (2nd line in L. D. 603) by striking out the figure "\$65,000" and inserting in place thereof the figure '\$55,000'

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

Second Readers

The Committee on Bills in the Second Reading reported the followings Bills and Resolves:

House

Bill "An Act Relating to the Board of Water Commissioners of the Town of Boothbay Harbor." (H. P. 374) (L. D. 521)

Bill "An Act to Amend the Charter of the York Sewer District." (H. P. 614) (L. D. 856)

Bill "An Act Relating to Source of Supply of the Brewer Water District." (H. P. 912) (L. D. 1322)

Bill "An Act Relating to Board of Trustees of and Increasing Indebtedness of Eagle Lake Water and Sewer District." (H. P. 952) (L. D. 1383)

Bill "An Act Relating to Protective Headgear by Persons Riding Motorcycles." (H. P. 1092) (L. D. 1560)

(On motion by Mr. Barnes of Aroostook, tabled pending second reading).

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

House — As Amended

Bill "An Act to Grant a New Charter to the Town of Kittery." (H. P. 521) (L. D. 768)

Bill "An Act Relating to Eminent Domain Under Urban Renewal Proceedings." (H. P. 585) (L. D. 816)

Bill "An Act Relating to Importation of Bottled Wines by Licensed Maine Bottlers." (H. P. 636) (L. D. 892)

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

Senate

Bill "An Act to Appropriate Funds and Provide Staff for Alcoholism Services." (Emergency) (S. P. 9) (L. D. 15)

Resolve in Favor of Town of New Sharon for Support of Angie Thompson. (S. P. 531) (L. D. 1366)

Bill "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 were read a second time and passed to be engrossed.

Sent down for concurrence.

Senate — As Amended

Bill "An Act Relating to Protecting Source of Public Water Supply." (S. P. 435) (L. D. 1154)

Bill "An Act to Reconstitute School Administrative Districts Nos. 54, 56, 57, 58, 59, 62, 63 and 64." (S. P. 398) (L. D. 1070)

Which were 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 Duties of State Geologist with the Maine Mining Bureau. (S. P. 182) (L. D. 372)

An Act Reclassifying Certain Tidal Waters of Cumberland County. (S. P. 219) (L. D. 482)

(On motion by Mr. Viles of Somerset, tabled pending enactment.)

An Act Relating to Municipal Advisory Organizations. (S. P. 235) (L. D. 560)

An Act Authorizing Work-Release from County Jails. (S. P. 264) (L. D. 645)

An Act Relating to the Reserve Fund for Uninsured Losses on State Property. (S. P. 282) (L. D. 662)

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

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

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

An Act Relating to Trial Terms of Superior Court in Penobscot County. (S. P. 337) (L. D. 870)

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

(On motion by Mr. Ferguson of Oxford, placed on the Special Highway Appropriations Table.)

An Act Relating to Forging or Obtaining Absentee Ballots or

Applications Therefor under Election Laws. (S. P. 404) (L. D. 1035)

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

An Act Relating to Acknowledgement of Absentee Ballot by Voter Outside of State. (S. P. 499) (L. D. 1214)

An Act Relating to Inventory of Ballots Furnished Polling Places. (S. P. 587) (L. D. 1552)

An Act Relating to Salaries Paid by the State to Ministers of the Gospel. (H. P. 83) (L. D. 113)

An Act Relating to Area Directional Sign for China Lake Region. (H. P. 138) (L. D. 202)

An Act Reclassifying Certain Tidal Waters of Hancock County. (H. P. 196) (L. D. 285)

An Act Reclassifying Certain Tidal Waters in York County. (H. P. 236) (L. D. 344)

An Act Reclassifying Certain Tidal Waters of Waldo County. (H. P. 239) (L. D. 347)

An Act Relating to Suspensions of Motor Vehicle Operator's License Pending Appeal in Operating Under the Influence Cases. (H. P. 270) (L. D. 391)

An Act Classifying Certain Inland Waters of the Presumpscot River Basin. (H. P. 280) (L. D. 400)

(On motion by Mr. Viles of Somerset, tabled pending enactment.)

An Act Relating to Detention of Juveniles. (H. P. 407) (L. D. 573)

An Act to Change the Name of the Congregational-Christian Conference of Maine and to Enlarge its Purposes. (H. P. 530) (L. D. 760)

An Act Relating to Biennial Elections of Penobscot Tribe of Indians. (H. P. 746) (L. D. 1068)

An Act Relating to Retirement Benefits to Widows of State Police Members Retired Under Noncontributory Statute. (H. P. 1077) (L. D. 1540)

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

An Act Relating to Biennial Elections of Passamaquoddy Tribe of Indians. (H. P. 748) (L. D. 1095)

An Act Relating to Validation of defects in Foreclosure of Real

Estate Mortgages. (H. P. 753) (L. D. 1100)

An Act Appropriating Money to Supplement Federal Vocational Funds for Area Education Programs for Apprentices and Other Adult Workers. (H. P. 777) (L. D. 1139)

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

An Act Relating to Children Needing Protective Custody. (H. P. 1089) (L. D. 1556)

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 Providing for Purchase of Copies of History of Richmond-on-the-Kennebec. (H. P. 464) (L. D. 677)

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

Resolve Designating Certain Highways in Lincoln County as Mariner and Pioneer Trail. (H. P. 743) (L. D. 1065)

Resolve to Reimburse Dwight H. Wheeler of Manchester for Payment of Fine in Motor Vehicle Speeding Case. (H. P. 877) (L. D. 1289)

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

Emergency

An Act Relating to Registration and Safety of Inland Steamers for Hire. (H. P. 523) (L. D. 754)

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

Emergency

An Act Providing for Oceanographic Research Projects by Division of Geological Survey, Department of Economic Development. (H. P. 536) (L. D. 765)

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

Emergency

An Act Revising the Railroad Workers Credit Union of Maine. (H. P. 676) (L. D. 948)

This being an emergency measure and having received the affirmative vote of 33 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.

Constitutional Amendment

Resolve Proposing an Amendment to the Constitution Relating to Time for Codifying the Constitution. (S. P. 120) (L. D. 249)

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

Orders of the Day

The PRESIDENT: The Chair lays before the Senate the first tabled and specially assigned matter (S. P. 154) (L. D. 325) Senate Report — from the Committee on Education on Bill, "An Act Authorizing Beal Business School to Confer Associate Degrees." Majority report, Ought to Pass; Minority Report, Ought Not to Pass. Tabled on March 31, 1967 by Senator MacLeod pending acceptance of Either Report.

The Chair recognizes the Senator from Cumberland, Senator Snow.

Senator SNOW of Cumberland: Mr. President and Members of the Senate: I feel the Senate should know that another measure dealing with the same general subject will probably be before us tomorrow. Many of the same arguments will apply on both bills, therefore, I am hopeful that a member of the Senate will lay this matter on the table until the next legislative day.

The PRESIDENT: The Senator from Somerset, Senator Johnson moves that this item lay on the table. Is this the pleasure of the Senate?

The motion prevailed.

On motion by Mr. MacLeod of Penobscot, the Senate voted to take from the table the 25th tabled and unassigned matter (H. P. 827) (L. D. 1235) House Report Ought Not to Pass from the Committee on

Business Legislation on Bill, "An Act Repealing Authority of Insurance Commissioner to Restrict Licenses for Certain Kinds of Insurance." Tabled April 4 by Senator MacLeod pending acceptance of Report.

On further motion by the same senator, the Senate voted to accept the Ought not to pass report of the Committee.

On motion by Mr. Wyman of Washington, the Senate voted to take from the table the 7th tabled and unassigned matter (S. P. 66) (L. D. 110) Senate Reports from the Committee on State Government on "Resolve, Proposing an Amendment to the Constitution Authorizing the Legislature to Enact Bond Issues, to be Ratified by the People Upon Petition or Referral by the Legislature." Report "A", Ought to Pass; Report "B", Ought Not to Pass. Tabled March 14 by Senator Wyman pending motion by Senator Berry of Cumberland to accept Report "A" Ought to Pass.

The PRESIDENT: The Chair now recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: I think those members of this body who have read the morning issue of the Bangor News might feel that the power of the press has never been more evident than it is now. I would agree that this is a fact perhaps but we have a little coincidence here. The bill which is before you — Mr. President, with your permission, and the permission of this body, I shall request permission to withdraw my motion, and I will substitute a new one, that this bill and all its accompanying papers be indefinitely postponed.

The PRESIDENT: The Senator from Cumberland, Senator Berry, asks permission of the Members of the Senate to withdraw his motion which was to accept Report "A", Ought to Pass. Is this the pleasure of the Senate?

The motion prevailed.

The same Senator now moves that the bill and its accompanying papers be indefinitely postponed.

The chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY: Mr. President and Members of the Senate. The principle behind this proposed legislation was purely and simply a simplification of ballot procedures. I find out, however, under existing circumstances which have been brought to our attention through this session that bond issues are going to be playing an extremely important part in the firming up of the financial picture of the State of Maine for the next biennium. I consider this legislation, however well intentioned and however beneficial its ultimate results will be, should not be considered at this session of the Legislature. We are going to have many bond issues before us, and I think there has been no time in the history of the State when funded debt will be turned to almost in desperation as it will be during this session or any special session of this Legislature. I am not going to bore you with the merits of the legislation, and I would hope that at some subsequent time, under more appropriate circumstances, it would be reintroduced.

The PRESIDENT: The pending question is on the motion of the Senator from Cumberland, Senator Berry, that this item be indefinitely postponed.

The Chair recognizes the Senator from Kennebec, Senator Lund.

Mr. LUND of Kennebec: Mr. President and Members of the Senate: I can only say I regret very deeply that the sponsor of this bill feels it necessary to move its indefinite postponement. I think the principle is a sound one. We speak of giving people an opportunity of having a say in the operation of government, and yet under our present constitutional provisions every bond issue, no matter whether it be a large or small amount, no matter whether it be controversial or uncontroversial, every such bond issue must be voted upon by the people. The result of this indiscriminate requirement is that when people do vote on bond issues there are so many of them to be voted upon that they frequently are unable to evaluate

the merits of each individual one. I feel that this is constructive legislation because it would give an opportunity to be selective in those to be voted upon. The Legislature could put the requirement in for a referendum vote or a very modest number of signatures on petitions could put that provision in effect. But I simply must comment that I think it is regrettable that the sponsor feels at this time that this legislation ought not to pass. I would also point out, of course, the effect of this constitutional amendment would not be felt until sometime subsequent to the current biennium when the bond issues which may or may not be required at this session will have long since been passed. I do think it is forward legislation and I am sorry we can't enact it this session.

The PRESIDENT: The Chair recognizes the Senator from Franklin, Senator Mills.

Mr. MILLS of Franklin: Mr. President, if my hearing was right, I though I heard an oblique criticism of the fourth estate by the Senator from Cumberland, Senator Berry. I don't hold a brief for any newspapers, except perhaps the Franklin Journal and the Wilton Times who are kind enough to print all my musings once in a while, but I did hear a reference to that great newspaper to the east and the north, the Bangor News, which is referred to sometimes as Maine's largest family daily newspaper, and I heard a reference to the power of the press being demonstrated by the edition of this morning. I wonder what connection it's got, Senator Berry, with the matter, I am curious to know, and I think those reading the record in future years will be curious to know more about the details of the reference. Would you please inform us on it.

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

Mr. BERRY of Cumberland: Mr. President, Members of the Senate: I don't know if the good Senator from Franklin is rubbing salt into the wound or wants me on my knees, but I would be delighted to read the editorial as I agree

with many of the thoughts in it and I have a great deal of respect for the power of the fourth estate.

This is the lead editorial in the Bangor Daily News of today. It is entitled "Protect This Vital Right."

"All bond issue proposals approved by the Legislature are passed upon by the voters of Maine as an automatic constitutional right. This vital safeguard to sound fiscal policy would be removed under pending legislation that so far has received little public attention.

"We refer to L. D. 110, which awaits Senate action after a divided report by the Senate's state government committee.

"The bill, a proposed constitutional amendment, would eliminate the present automatic referendum provided for bond issues. Instead, bond issue plans duly approved by the Legislature would become effective — unless voters in sufficient numbers petitioned they be put upon the ballot.

"This puts the burden of dissent upon the voters. Such a petition, the measure states, would have to carry signatures totalling a minimum of one per cent of the vote cast at the previous gubernatorial election, and must be filed within 90 days following recess of the Legislature. To assure securing this percentage of bona-fide signatures be registered voters, probably twice the number of names would have to be rounded up.

"Taking the 1966 gubernatorial vote of some 324,000 votes cast as an example, a petition would need to carry close to 6,500 names to be on the safe side. This is not an insuperable task, to be sure, but one that would take time and money out of citizens' pockets.

"By the way, bond issues usually are passed in clusters. A separate petition would have to be circulated for each one. Taxpayers would have to maintain a continual battle to protect their rights and prevent excessive spending by the legislatures — spending now and paying later, that is. We consider this an imposition upon the taxpayers.

"Some bond issues are sound and some are not, but all would

receive the same treatment under LD 110. The voter would have to bestir himself to defeat the bad ones.

"With the automatic referendum removed, there would be strong temptation within the Legislature to become extravagant, approving all manner of bond issues with the hope that opponents would be unable to petition successfully for referendum voting by the people. The lobbyists and logrollers would be busy.

"Just now, for instance, bond issue proposals totalling something like \$100 million are before the 103rd Legislature. No such amount will be approved, but we would be surprised if several of a dubious soundness did not get by. The voters will pass upon these, but they could do so only by petition if the proposed constitutional amendment was now law.

"So let there be forewarning. Kill off LD 110 right now before it gets any further. Tell your legislators not to tinker with the state constitution on this mater."

Now, I think this is a very fair appraisal of both views of the bond issue. However, the total of the bonds issued before this session of the legislature is far in excess of \$100 million dollars, and it is because of these bond issues and the need to turn to them for some type of financing which has been proposed, which I personally consider extremely unsound, that I consider this is not the time to pass this issue.

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

Mr. LUND of Kennebec: I move this item lie on the table.

The PRESIDENT: The Senator from Kennebec, Senator Lund, moves that this item lay on the table. Is this the pleasure of the Senate? The chair recognizes the Senator from Cumberland, Senator Stern:

Mr. STERN of Penobscot: Mr. President and fellow members of the Senate: I take this opportunity to rise to make it known to you that this —

The PRESIDENT: The Senator from Penobscot is reminded that the motion to table is not debatable.

Mr. STERN: This is not a debatable motion. May I speak?

The PRESIDENT: The pending question is on the motion of the Senator from Kennebec, Senator Lund, that this item lay on the table. The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY: I request a division on the tabling motion.

The PRESIDENT: For what purpose does the Senator from Penobscot rise?

Mr. STERN: I would like to make a comment in connection with this particular bill.

The PRESIDENT: The Chair will rule that the Senator is out of order. The tabling motion is not debatable.

Mr. STERN: This has nothing to do with order. I would like to have the privilege under suspension of the rules to make a comment in connection with this legislation.

The PRESIDENT: The Senator is out of order. The pending question is on the motion of the Senator from Kennebec, Senator Lund, that this item lay on the table. The Senator from Cumberland, Senator Berry, has requested that the vote be taken by a division. As many as are in favor that this bill lie on the table will stand and remain in their places until counted; those opposed will stand in their places until counted.

14 having voted in the affirmative and 18 in the negative, the motion did not prevail.

The PRESIDENT: The Chair now recognizes the Senator from Penobscot, Senator Stern.

Mr. STERN: Mr. President, I would like to address the Senate briefly. I just want to bring to the attention of the Senate that a mark of an outstanding legislator is his ability to change his mind when he is enlightened by reason and logic. I want to bring to your attention that Senator Berry was the sponsor of this bill and because of the editorial in the "News" he felt that perhaps in the interest

of the public that he should change his mind so he is the second one in the second day who saw the light of reason. I just want to bring that to your attention.

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

Mr. BERRY: I don't want to belabor the issue, but when the bait is put out, one must rise to it. Like several people who have preceded me in the last few days, for reasons of political expediency, I have changed my mind.

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

Mr. KATZ of Kennebec: I ask that this lay upon the table until the next legislative day.

The PRESIDENT: The Senator from Kennebec, Senator Katz, moves that this matter now lay on the table and be specially assigned April 6th.

The Chair recognizes the Senator from Kennebec, Senator Lund.

Mr. LUND: of Kennebec Mr. President, I would like to debate the time of tabling, if I may.

The PRESIDENT: The Senator may.

Mr. LUND: I would hope that the time of the tabling in the Senate would be such that we would have the opportunity to inquire among ourselves, not only as to the expediency of the moment with regards to the bond issues now current, but also to discuss among ourselves what effect does any of this have on the Republicans as a Party to summarily drop a plank in the Republican platform.

The PRESIDENT: The pending question is on the motion of the Senator from Kennebec, Senator Katz, that this item lay on the table and be specially assigned until April 6th.

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ: Mr. President, with respect to the timing of this tabling motion, I would adhere to my original request for the next legislative day out of the political necessities of the votes that we have just observed, and hopefully by tomorrow we will have resolved

just exactly what our problems are.

The PRESIDENT: As many as are in favor that this item lay on the table and specially assigning it till tomorrow, April 6th will say yes; those contrary-minded, no.

A viva voce vote being taken, the motion prevailed.

On motion by Mr. Ross of Piscataquis,

Adjourned until ten o'clock tomorrow morning.