

# 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 12, 1967

Senate called to order by the President.

Prayer by Rev. William A. Dunstan of Gardiner.

Reading of the Journal of yesterday.

#### Papers from the House Non-concurrent Matters

Bill "An Act Prohibiting the Use of Dogs for the Hunting of Wild Animals in Lincoln County." (S. P. 189) (L. D. 424)

In Senate, March 24, Passed to be Engrossed.

Comes from the House, Indefinitely postponed in non-concurrence.

On motion by Mr. Hoffses of Knox, the Senate voted to recede and concur with the House.

Bill "An Act Relating to Reimbursement for Driver Education and Special Education." (H. P. 310) (L. D. 444)

In House, Feb. 22, Passed to be Engrossed.

In Senate, March 23, Passed to be Engrossed As Amended by Senate Amendment "A" in non-concurrence.

Comes from the House, Passed to be Engrossed As Amended by House Amendment "A" (H-146) and by Senate Amendment "A" (S-30) in non-concurrence.

On motion by Mr. MacLeod of Penobscot, the Senate voted to recede and concur with the House.

#### Committee reports Ought Not to Pass

The Committee on Agriculture on Bill "An Act to Establish the Quality Rating of Gasoline." (H. P. 957) (L. D. 1401)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

The Committee on Judiciary on Bill "An Act Relating to Examination of Vehicles by Police Officers." (H. P. 106) (L. D. 133)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

The Committee on Judiciary on Bill "An Act Relating to the Reporting of Traffic Accidents." (H. P. 843) (L. D. 1251)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

The Committee on Judiciary on Bill "An Act Taking Jurisdiction of Alleged Homicides from the Juvenile Courts." (H. P. 587) (L. D. 818)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

The Committee on Legal Affairs on Bill "An Act Relating to Definition of Public Place under Public Drinking Law." (H. P. 431) (L. D. 761)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

The Committee on Legal Affairs on Bill "An Act Relating to the Composition of Certain Boards and Commissions of City of Lewiston." (H. P. 797) (L. D. 1175)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

The Committee on Legal Affairs on Bill "An Act Providing for Regulating Water Well Construction and Pump Installation." (H. P. 584) (L. D. 831)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

The Committee on Legal Affairs on Bill "An Act Relating to Political Composition of the Various Boards and Commissions of City of Lewiston." (H. P. 798) (L. D. 1176)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

Which reports were Read and Accepted in concurrence.

#### Ought to Pass

The Committee on Inland Fisheries and Game on Bill "An Act Relating to Keeping a Live Bear in Captivity." (H. P. 315) (L. D. 449)

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 Closed Season on Bear." (H. P. 355) (L. D. 502)

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 Repealing Bounty on Porcupine." (H. P. 502) (L. D. 715)

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, Allocating Money to Rebuild Fish Screen at Outlet of China Lake." (H. P. 936) (L. D. 1352)

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 Ice Fishing on Messalonskee Lake, Kennebec County. (H. P. 937) (L. D. 1353)

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 Sea and Shore Fisheries on Bill "An Act Relating to Use of Otter or Beam Trawls in Washington County." (H. P. 377) (L. D. 524)

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 Taxation on Bill "An Act Relating to Exemption from Sales Tax on Materials Used in Repairs of Transient Boats Owned by Non-residents." (H. P. 770) (L. D. 1117)

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 were read once and tomorrow assigned for second reading.

**Ought to Pass As Amended**

The Committee on Legal Affairs on Bill "An Act Relating to Licenses Under Harness Racing Law." (H. P. 522) (L. D. 753)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-118)

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 and the Bill read once. Committee Amendment "A" was Read and Adopted, and the Bill, As Amended, tomorrow assigned for second reading.

**Senate**

**Ought to Pass**

Mr. Wyman for the Committee on State Government on Bill "An Act Creating a Capitol Planning Commission." (S. P. 520) (L. D. 1340)

Reported that the same Ought to Pass.

Which report was Read and Accepted and the Bill read once and tomorrow assigned for second reading.

**Ought to Pass — As Amended**

Mr. Duquette for the Committee on Appropriations and Financial Affairs on Bill "An Act Relating to Clerical Assistance for Clerks of the Law Court." (S. P. 524) (L. D. 1360)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (S-69).

Which report was Read and Accepted and the bill read once.

Committee Amendment "A", Filing S-69 was read by the Secretary as follows:

Committee Amendment "A" to S. P. 524, L. D. 1360, Bill "An Act Relating to Clerical Assistance for Clerks of the Law Court."

Amend said Bill by striking out at the beginning of the first line (same in L. D. 1360) the underlined abbreviation and figure "Sec. 1."

Further amend said Bill by striking out in the last line of section 1 (same in L. D. 1360) the underlined figure "\$3,000" and inserting in place thereof the figure "\$1,500"

Further amend said Bill by striking out all of section 2.

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 following:

#### House

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

Bill "An Act Appropriating Funds to Expand Homemaker Services in the Department of Health and Welfare." (H. P. 440) (L. D. 615)

Bill "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)

Bill "An Act Authorizing Additional Staff Within Eye Care and Special Services Division, Department of Health and Welfare." (H. P. 931) (L. D. 1347)

Bill "An Act Appropriating Moneys for the Continuing Activities of the Committee on Aging." (H. P. 866) (L. D. 1279)

Resolve Relating to Unexpended Balance of Appropriation of State Park on Lower Range Pond, Poland, Androscoggin County." (H. P. 623) (L. D. 879)

Bill "An Act to Provide for Trade and Industrial Teacher Education Service at Gorham State College." (H. P. 785) (L. D. 1147)

Bill "An Act Continuing Governor's Advisory Council on The Status of Women." (H. P. 766) (L. D. 1113)

Bill "An Act Relating to Incorporation of Maine World Trade Council." (H. P. 547) (L. D. 779)

Bill "An Act Providing for Assistant Superintendent at Stevens

Training Center." (H. P. 423) (L. D. 587)

Bill "An Act Changing Name of the Stevens Training Center to Stevens School." (H. P. 424) (L. D. 588)

Bill "An Act Relating to Insurance Company Examination reports." (H. P. 1104) (L. D. 1570)

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

Bill "An Act Relating to Use of Power Boats on Big Nesowadnehunk (Sourdnahunk) Lake, Piscataquis County." (H. P. 1088) (L. D. 1555)

On motion by Mr. Hoffses of Knox, Indefinitely Postponed.

Sent down for concurrence.

Bill "An Act Prohibiting the Sale of Bear." (H. P. 354) (L. D. 501)

Which was Read a Second Time and Passed to be Engrossed in non-concurrence.

Sent down for concurrence.

#### House — As Amended

Bill "An Act Relating to Registration of Motor Vehicles of Maine Residents Purchased in Foreign Countries or Out-of State." (H. P. 818) (L. D. 1194)

Which was read a Second Time and Passed to be Engrossed, As Amended, in concurrence.

#### Senate

Bill "An Act Relating to Cost of Living Adjustments for Retired Employees of the City of Lewiston and Their Beneficiaries." (S. P. 565) (L. D. 1435)

(On motion by Mr. Couturier of Androscoggin, tabled pending passage to be engrossed.)

Bill "An Act Relating to Pensions for Members of the Lewiston Police Department, Lewiston Fire Department and Their Beneficiaries." (S. P. 566) (L. D. 1436)

(On motion by Mr. Couturier of Androscoggin, tabled pending passage to be engrossed.)

Bill "An Act Relating to Retirement Benefits for Policemen and Firemen of the Lewiston Police and Fire Departments under the State Retirement System." (S. P. 568) (L. D. 1438)

(On motion by Mr. Couturier of Androscoggin, tabled pending passage to be engrossed.)

Bill "An Act Relating to Clarification of Resident Requirements for Candidates for Aldermen in City of Lewiston." (S. P. 570) (L. D. 1440)

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

Sent down for concurrence.

#### Senate — As Amended

Bill "An Act to Clarify the Motor Vehicle Laws." (S. P. 115) (L. D. 264)

(On motion by Mr. Johnson of Somerset, tabled pending passage to be engrossed.)

Bill "An Act Relating to Constitution of Police Department of City of Lewiston." (S. P. 487) (L. D. 1343)

Bill "An Act Increasing Minimum Wages." (S. P. 48) (L. D. 38)

(On motion by Mrs. Sproul of Lincoln, tabled pending passage to be engrossed.)

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:

An Act Prohibiting Hunting Deer with Certain Firearms. (H. P. 31) (L. D. 51)

An Act Revising the Laws Relating to Support at State Institutions. (H. P. 149) (L. D. 213)

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

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

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

An Act Relating to the Secondary School Contracts Between School Administrative Districts No. 23 and 38 and the Town of Hermon." (H. P. 483) (L. D. 696)

An Act Providing for an Itinerant Instructor, Fire Service Training,

in the Department of Education." (H. P. 480) (L. D. 693)

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

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

An Act Relating to Protection of Corporate Name of Corporations Excused or Suspended. (S. P. 339) (L. D. 872)

An Act Revising the Vital Statistics Laws. (H. P. 709) (L. D. 1004)

An Act Relating to Bail for Juvenile Offenders. (S. P. 406) (L. D. 1037)

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

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

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

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

An Act Relating to Advisory Board of Examinations of Fire, Casualty and Surety Agents. (H. P. 826) (L. D. 1234)

An Act Relating to Qualifications of Insurance Brokers and Agents. (H. P. 874) (L. D. 1286)

An Act Relating to the Prohibited Practices of Collection Agencies. (H. P. 1097) (L. D. 1563)

(On motion by Mr. Mills of Franklin, tabled and specially assigned for Wednesday, April 19 pending enactment.)

An Act Establishing Two Zones for Open Season on Deer. (S. P. 3) (L. D. 6)

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

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

### Emergency

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

This being an emergency measure and having received the affirmative vote of 32 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.

The PRESIDENT: The Chair lays before the Senate the first tabled and today assigned matter, (S. P. 50) (L. D. 40) Bill, "An Act Relating to Membership of State Soil and Water Conservation Committee." Tabled April 4 by Senator Harding of Aroostook pending Passage to be Engrossed.

The Chair recognizes the Senator from Aroostook, Senator Harding.

Mr. HARDING of Aroostook: Mr. President, I move that this Bill and all its accompanying papers be indefinitely postponed, and I would like to speak briefly on the motion, if I may.

The PRESIDENT: The Senator from Aroostook, Senator Harding, moves that Item 1, L. D. 40, "An Act Relating to Membership of State Soil and Water Conservation Committee" be indefinitely postponed.

The Chair recognizes the Senator from Aroostook, Senator Harding.

Mr. HARDING: Mr. President and Members of the Senate: I speak on this only in my capacity as a State Senator from Aroostook. Of the many bills which have been of concern to us here thus far, I can tell you that no single bill has been of any more concern apparently to the people of Aroostook than has this one. I have received telephone calls, letters, and even one farmer came to see me early one morning and got me out of bed at 6:00 o'clock to express his dismay on this bill.

Now, I will read to you a very brief letter which I got from a farmer in Aroostook County which I think best outlines the objections which they have to this bill. The letter is addressed to me, dated Monday, April 10, 1967.

"Dear Sir: In regard to L. D. 40, having to do with the addition of members to the present State

Soil and Water Conservation Committee, I am firmly opposed to any change in its present make-up for the following reasons:

"1. This committee has functioned to produce, over its past span of existence, one of the most enviable accomplishments in the whole county. Its decisions have been wise and prompt.

"2. Because of its present size of seven members it is able to function economically and with a quorum at every meeting. A large committee is neither economical or decisive as you know, I am sure, from past experiences of your own. This committee is a working committee which requires constant attendance because of the fast pace of the changing programs of our times.

"3. It is my opinion that department heads of this State, being the dedicated administrators of active, constant and demanding administrative action, would not have the time or background to give to this committee and its many specialized problems that come before it the decisions required in the time demanded. I speak from 14 years of experience as a District Supervisor, 10 years as Chairman of the Central Aroostook District, two years as Vice-president and two years as President of the Maine Association of Soil and Water Conservation Districts.

"4. This committee meets many times a year and in different areas of the State. Because we need to operate economically, and I am sure this is one of our aims in good government, it would be very expensive both in time and tax dollars to have the proper attendance at all the required meetings.

"There are many more reasons that I can justify for the present set-up, but I am sure the above ones are sufficient for you to give the proper action to the proposed change. In my judgment, there is only one solution, as I have stated, and that is for L. D. 40 to be killed. Yours for good government, Rommy Haines, Fort Fairfield, Maine."

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

Mr. BARNES of Aroostook: Mr. President and Members of the Senate: I don't find too often that I will support Senator Harding in this session, however, we are the very best of friends. But I must rise to support him on this motion this morning because I have had also many telegrams and letters, not only from Aroostook County, but from all over the State, and they are very much opposed to the passage of this bill. So, at this time I would like to go on record as supporting the Senator's motion and I hope the Senate will go along with this motion. Thank you.

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

Mr. MILLS of Franklin: Mr. President and Members of the Senate: I think it is a very felicitous occasion this morning that gives us an opportunity to congratulate the Senator who just spoke, Senator Barnes, on his birthday. So, if I may indulge in a combination speech, a speech of congratulations, I am not indulging in any attempt at reciprocal backscratching, because my own birthday — if you care to make a note — is some months after the adjournment of the Legislature, I hope. It will be way into August. It is just a little while before the Honorable R e p u b l i c a n Floorleader's birthday; I am about two weeks older than he is.

To get to this bill, the farmers over in Franklin County don't like it either. In looking it over, you will notice that the present make-up is seven members, and this would increase it. This increasing of it is an opening wedge, or a toe in the door, or something of that sort. Or perhaps that happened sometime ago because the make-up is now seven and, if this bill went through, it would make it ten. Probably some years ago it was down to three. But it just is inevitable as the rising of the sun that it is the operation of what is commonly known as Parkinson's Law. These boards start off small, and they grow and grow, and they never recede. This is an opportunity this morning

to stop the operation of Parkinson's Law and prevent this from getting any larger, because it is just as sure as the world that if it gets to 10 now in a few sessions they will come along and make it 20.

I do represent the farmers of my county who have specifically indicated to me that they don't want this board watered down, enlarged, and diluted by the increase of more state officials on it. They feel as though they were getting along fine now and they have asked me to do everything I could, so I am supporting the Senator from Aroostook, Senator Harding, on his motion.

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

Mr. YOUNG of Hancock: Mr. President and Members of the Senate: I too have had calls from my County of Hancock, and they concur with the remarks that have already been made. I would like to be on record as favoring the motion of Senator Harding.

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

Mr. SEWALL of Penobscot: Mr. President and Members of the Senate: I think that probably at this stage of the proceeding an explanation of the committee report on this L.D. 40 might be in order.

This particular bill which came before Natural Resources has probably been the cause for more lobbying, letters, and so on to the members of the Committee than any other bill that we have heard to date. All of us on the committee — and you will note that it did come out of the committee ten to nothing "Ought to Pass as Amended." This Soil and Water Conservation Committee has done and is doing fine work throughout the State. Nobody would question this. However, since it was established in 1941 it worked primarily with land conservation committees and farming committees. However, in 1965 the scope of this organization was changed by the addition to its title of two words. It was originally known as the Soil Conservation Committee.



In 1965 this title was changed by the addition of two words, "and Water." The Committee felt that by the addition of these words the area of its responsibility and activity increased immeasurably throughout the entire State.

The original bill, as submitted, called for the addition to the Committee, which is presently comprised of seven members, which includes four members from the Soil Conservation Committee in the field and three department heads, including the Commissioner of Agriculture, the Commissioner of Forests, Mr. Wilkins, and the Dean of the College of Agriculture. The Committee was mindful that the balance of authority on the Committee should probably remain in the field. The biggest negative aspect of the bill is the fact that the balance by the addition of the Fish and Game Commissioner, the Parks and Recreation Commissioner, and the Sea and Shore Fisheries Commissioner would place the balance of authority of the Committee here in Augusta.

The Amendment which came out of our Committee was to add the Fish and Game and Sea and Shore Commissioners, plus the addition of two more people from the field, which would give an 11-man committee, and not the 10-man committee which was previously referred to.

We did feel that the fish and game interests in the State deserved representation on this committee since they have now moved into water resource planning and operations. I would read briefly from the Maine Soil and Water Conservation Committee's Report, dated January 1, 1967. "In 1963 all districts revised and updated long-range programs. These long-range programs recognized that in working with co-operating landowners consideration of alternatives in land use should include agriculture, forestry and wildlife."

To skip along a little further, "The status reports that the extent of participation throughout Maine as of 7-1-66 indicates that they have cooperative agreements involving two million three hundred

odd thousand acres which involves over 10 per cent of the land area in the State."

A little further on: "The State Committee in furnishing assistance to the sponsors of the small watershed project and it is anticipated that there will be six to 10 contracts to be awarded each year in the future on these projects, and the Committee has received 23 applications for projects throughout the State."

Further along at the end of the publication it says "Maine's 16 Soil and Water Conservation Districts are facing new and more complex land use problems each year. Their programs reflect their involvement in land use changes from crop land to urbanization and from grass land to outdoor recreation and wildlife. Each year the districts receive many more requests for technical assistance in land use planning in the field of outdoor recreation and wildlife habitat development in the State of Maine."

It was for this reason that the Natural Resources Committee felt unanimously that the two department heads, including Fish and Game and Sea and Shore Fisheries, should have a voice, and their ideas considered very seriously in the early planning stages of any of these projects. And I would ask that Senator Harding's motion does not prevail.

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from Knox, Senator Hoffses.

Mr. HOFFSES of Knox: Mr. President and Members of the Senate: As the sponsor of this L.D., I feel that I should rise in defense of this bill. I hardly realized when I introduced the bill that it would create so much controversy. I practically had the timbers of my house torn down around my head when the members of the Soil and Water Conservation Committee learned of this bill and who its sponsor was.

The remarks by the good Senator from Penobscot, I believe, are most apropos to this L.D., and the statements which he was read in the Soil and Water Conservation Report bear this out still further.

As he has pointed out, the Soil — and now the added words “and Water” — Conservation do involve two very important departments of State Government, namely, Sea and Shore and Inland Fish. There have been over the years — I might say recent years — some of these projects which have been very worthy — conflict when they have been presented to the departments relative to the fish and wildlife of the State. Now, it has been stated, not here, but privately, that the Department of Inland Fish and Game and of the Sea and Shore Fisheries are the bad boys when they object to some of these projects which have been proposed by the Soil and Water Conservation Committee. In that they have very seriously affected the fish and wildlife of our State these two departments are dedicated to the conservation of our fish and our wildlife.

I believe — now, perhaps the Commissioner may take me to task — but, having heard the debate, I believe that perhaps the Commission should — the authority should be vested in the field, but I further believe that the two departments, as has been recommended by the Committee amendment to include the Sea and Shore and Inland Fish, are very pertinent. They certainly warrant the consideration. If they are sitting on this Committee they are certainly aware of the projects that have been and are being proposed, and they can render their approval or their disapproval before these projects get to the stage where there is a very definite disagreement, and sometimes there can be unpleasant circumstances arise.

Now, Ladies and Gentlemen of the Senate: I hope that the motion by the good Senator from Aroostook, Mr. Harding, does not prevail, and that you will vote in support of the Committee's Report, that of the Natural Resources Committee, that this be increased from seven to 11, with the voting majority still resting in the hands of the members out in the field. Thank you.

The PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Ferguson.

Mr. FERGUSON of Oxford: Mr. President and Members of the Senate: I rise to support my good friend, the Senator from Penobscot, Senator Sewall, in this case. I felt, when we first heard this bill in Committee, that it was not a good bill, with all the mail we were getting, and I was getting from Oxford County. After giving this very serious consideration we did change the bill somewhat by amending it to add the two members ex-officio to the Committee. I called several of my soil conservation people in Oxford County, telling them what was taking place, and I did not hear from any of them when we changed the voting majority to the soil conservation people.

I understand that they have been in a little trouble in the last couple of years inasmuch as building pools and watersheds, small watersheds where they were supposed to have fishways. In fact, I think there were two cases in a joint project between Oxford County and the State of New Hampshire where they had to give up part of that very important project that was going on.

I think this is a good bill now as amended, and I certainly hope that the Senate will not go along with the motion made by the good Senator from Aroostook, Senator Harding; that you will support the Committee on Natural Resources and go along with this piece of legislation.

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

Mr. ANDERSON of Hancock: Mr. President and Members of the Senate: A short time ago I attended a meeting of the Hancock County Branch of the Soil and Water Conservation Committee in Ellsworth. They were very definitely opposed to this bill. These people are my constituents. I certainly hope that the motion to indefinitely postpone does prevail.

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

Mr. WYMAN of Washington: Mr. President and Members of the Senate: The good Senator from Franklin, Senator Mills, stated he has

never seen one of these boards recede in number of members. That is true. But neither has he seen one of these boards relinquish any powers. It seems to me that these boards are forever expanding their powers and their area of operation, which is apparently what is happening in the case of this board. It seems to me we could make no mistake by following the report of the Committee and strengthening this board by the addition of these two members in the amendment. I hope the motion to indefinitely postpone will not prevail.

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

Mr. VILES of Somerset: Mr. President and Members of the Senate: I would hope when the vote is taken that you would support the Senator from Penobscot, Senator Sewall, and Senator Ferguson from Oxford. This bill had a real good hearing and a considerable amount of thought went into it before the decision was made. There were some problems which we felt did exist, but with the Committee amendment that came out I am sure there will be no problems so far as the working departments go.

I understood the good Senator from Knox to say that sometimes the Fish and Game Department is referred to as the bad boy. In my personal opinion, I think it is one of the finest departments that we have in Augusta, and I certainly would like to see the Fish and Game Commissioner included as a member of the board when the vote is taken I would hope it would be by a division.

The PRESIDENT: Is the Senate ready for the question?

The pending question is on the motion of the Senator from Aroostook, Senator Harding, that this bill be indefinitely postponed. The Senator from Somerset, Senator Viles, has moved that the vote be taken by a division.

Those in favor of the motion to indefinitely postpone will stand and remain standing in their places until counted. Those opposed will stand and remain standing until counted.

A division was had. 21 Senators having voted in the affirmative, and 11 Senators having voted in the negative, the motion to indefinitely postpone prevailed.

The PRESIDENT: The Chair lays before the Senate the second tabled and today assigned matter, (S. P. 213) (L. D. 476) Bill, "An Act Relating to School Entrance Age Requirements." Tabled April 6 by Senator Snow of Cumberland pending consideration.

On motion by Mr. Ross of Piscataquis retabled until April 14.

The PRESIDENT: The Chair lays before the Senate the third tabled and today assigned matter, (S. P. 47) (L. D. 37) Bill, "An Act Repealing Bounty on Bobcat and Canada Lynx." Tabled April 7 by Senator Hoffses of Knox pending consideration.

The Chair recognizes the Senator from Knox, Senator Hoffses.

Mr. HOFFSES of Knox: Mr. President and Members of the Senate: As I view the tabled and specially assigned items for today, April 12, I wish that I might be the sponsor of a third item for today; perhaps I might win one.

L.D. 37, An Act Repealing Bounty on Bobcat and Canada Lynx, I feel has had quite thorough and ample airing before both of these august bodies. I do want to commend the house on their action in House Amendment 143 which strikes the words "Canada Lynx" from this bill. I do not know when a Canada Lynx was last shot in the State, and I believe there are several others who share this same opinion.

We have been very much concerned about the slaughter of our deer herd by bobcats. I believe that we here today and these days which we have debated this bill reminds me of the remark which says "We cannot see the woods for the trees." We cannot see the damage which is being done by the wild dogs, and other dogs not so wild that lie behind the stove at night and rest up from a long trek through the woods chasing deer all day and probably the night before. We lose sight

of the two-legged marauder who goes out and poaches our deer herd where it now is in, I believe, a dangerous situation. We are concerned about the bobcat which is killing the deer. We do not see the woods for the trees.

Now, Mr. President, I move that we recede and concur.

The PRESIDENT: The Senator from Knox, Senator Hoffses, moves that we now recede and concur with the House. Is this the pleasure of the Senate?

The Chair recognizes the Senator from Aroostook, Senator Barnes.

Mr. BARNES of Aroostook: Mr. President and Members of the Senate: I am a man of few words, and I think I pointed out the fact that I have been on my feet very few times this session. Inasmuch as it is my birthday, I think I can be pardoned for speaking twice in a day.

I have changed my thinking on this bill. I was opposed to it and I thought it should be killed. But after having an opportunity to obtain quite a lot of information on it I am going to have to change my position, as my good friend, Senator Stern, has done a couple times, and concur with the thinking of the Honorable Gentleman from Knox, Senator Hoffses. So I want to go on record as favoring his motion, and I hope that you pass it. Thank you.

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

Mr. ANDERSON of Hancock: Mr. President and Members of the Senate: I have no quarrel with the Canada Lynx. As the good Senator from Knox has said, they are very scarce. If at any time they should be a menace to our deer herd, then I certainly would advocate a bounty on them. But right now I concur with the amendment.

The PRESIDENT: As many as are in favor of the motion of the Senator from Knox, Senator Hoffses, that the Senate recede and concur with the House will say "Yes." Those opposed, "No."

A viva voce vote being taken, the motion to recede and concur prevailed.

The Chair laid before the Senate the fourth tabled and today specially assigned matter (S. P. 321) (L. D. 844) Senate Report Ought Not to Pass from the Committee on Legal Affairs on Bill, "An Act Relating to Definition of Automobile Graveyard." Tabled April 11, 1967 by Senator Anderson of Hancock pending Acceptance of Report.

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

Mr. ANDERSON of Hancock: Mr. President and Members of the Senate: I move that the Bill be substituted for the Report, and I would speak to my motion.

The PRESIDENT: The Senator from Hancock, Senator Anderson, now moves that we substitute the Bill for the Ought Not to Pass Report of the Committee.

The Senator may proceed.

Mr. ANDERSON: Mr. President and Members of the Senate:

This Senate Paper 321, Legislative Document 844, "An Act Relating to Definition of Automobile Graveyards," was prompted by the need of drawing a line between a junk yard, and an automobile repairing agency and licensed dealer, also harassment by state officials of Earl Ashmore who owns and operates an automobile body repair shop on Short Street in Ellsworth.

I have had placed on your desks a letter from the Ellsworth Chamber of Commerce which I am hopeful you all have read.

One state official, a Mr. Elliott, Field Representative of the Highway Department, was very arrogant in his assertion that Mr. Ashmore was operating a junk yard. Nothing that anybody could say would make him change his mind. He was unreasonable — you couldn't even talk to him.

I have the greatest respect for Mr. Stevens, Commissioner of Highways. He runs a tight ship and one of the most efficient offices in the State House, but he is lax in not instructing his field representatives to meet the public in a courteous, dignified manner becoming to the office. I'm not picking on Mr. Stevens alone. I have had complaints from

proprietors of barbers shops, nursing homes and restaurants as to the high handed, mightier than thou, attitude of field representatives.

If the department heads can't control their field workers, then it's time for the Legislature to take action.

Excuse me for digressing. To get on with the matter in hand — Mr. Ashmore was subsequently hailed into court for operating a junk yard.

In the Ellsworth District Court, Judge Edwin R. Smith of Bar Harbor found him innocent of maintaining an automobile graveyard.

I have a clipping here, "District Court Hears Case of Illegal Auto Graveyard." "An Ellsworth firm was found innocent of illegally maintaining an automobile graveyard when the case was heard in Ellsworth District Court by Judge Edwin R. Smith of Bar Harbor.

"The court gave the verdict on the grounds that no proof was given of existence of the entity known as Ashmore Brothers, Inc. The charge alleged the maintaining of an automobile graveyard on Short Street without a permit."

I beg your indulgence in reading an editorial published in the Ellsworth American. I'm a little timid about this after the comments made about the "power of the press" last week, but I am going to take the chance. It is titled "A Bloodless Revolution in Reverse."

"The United States is undergoing a revolution in government, a revolution that the public has been slow to recognize. Earl Ashmore became aware of it when he found that his auto repair garage has been declared a junkyard. Although the summons was served by local police and the charge was processed through the local court, the action was initiated at the suggestion of state officials.

"Mr. Clarence Hart of the Highway Commission denied that his department exerted any pressure on Chief McDevitt to serve the summons, but in the same conversation he admitted that he and Mr. Elliot, also of the Highway Commission, spent considerable

time last summer cruising the area spotting likely subjects for official action.

"The reason for the Highway Commission's interest in businesses that adjoin State and Federal highways is that the U. S. government has offered federal aid for highway construction, but has arbitrarily established certain qualifications that must be met before the federal funds will be granted. Maine's Highway Commission is virtually turning somersaults in its eagerness to comply with federal qualifications. 'Our first duty,' said Mr. Hart, 'is to see that nothing jeopardizes our obtaining those federal funds.'"

May I inject this, they imply that they are going to get this money regardless of how many businesses they will drive out of business.

"That statement illustrates the transition of power from the state to the federal level. There is scarcely a department in Augusta that isn't obsessed by the same determination. Washington realizes that it is easier to buy compliance than to legally expand its jurisdiction.

"The two million dollar federal grant to Maine's Highway Commission, like all handouts, will prove expensive in the long run. Businessmen will spend far more than two million dollars complying with the conditions attached to it. A loss beyond calculations is the diminution of the power of civic and county governments. At the state level, it seems that policy is geared to the strings tied to federal gifts rather than to the needs and requests of the people."

I hold no grievance with the Legal Affairs Committee for their top heavy report on this bill. They are all honest, dedicated legislators. But when the big guns of the Highway Department start their bombardment there is nothing to do but raise a white flag.

I am sure that the most of this honorable body attended the recent salute to legislators held at the Calumet Club in Augusta last week. If you were in attendance, you heard the very able Governor of Massachusetts, the

Honorable John A. Volpe, vehemently exhort the states to break away from federal give away programs.

There are now approximately 170 federal aid doles. Every single one of them have an implied threat — you do this our way, or else — you don't get the money!

It is my earnest hope that some day realization will come to all the people of these United States that the Government has no free goods — that what the Government gives to the people, it must first take from the people.

What the Highway Department would lose if this bill is passed would be a mere pittance compared to business losses over the state.

Mr. Ashmore has told me that if he had to build and maintain a fence costing from 10 to 15 thousand dollars it would put him out of business, a business that he already has \$200,000 invested in. A business in which he employs 18 workers and pays to the city of Ellsworth yearly in taxes \$2,500 dollars.

We're trying to get new businesses and industries into the state, not drive them out. We are all heartily in accord with the highway beautification program, but let's use a little common sense in the matter.

It seems incredible to me that Federal Authorities in Washington will withhold the subsidy allotted to the Highway Department just because they fail to put legitimate repairing agencies and licensed automobile dealers out of business.

Mr. President and Members of the Senate, I am merely asking in this Bill that licensed automobile dealers and automobile repairing agencies be taken out of the category of automobile junk yards, or, as you will, automobile graveyards. Your decision will vitally affect the economy of hundreds of businesses throughout the State.

Mr. President, when the vote is taken I move it be taken by the yeas and nays. Thank you.

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

Mr. STERN of Penobscot: Mr. President, I hate to oppose my good friend, Senator Anderson, but I feel compelled to get up in defense of the Legal Affairs Committee. When I was a young man, many years ago attending school in Boston, looking for relaxation, I was walking down the street looking at a theater and saw a beautiful girl and there was an advertisement saying that she was a famed and outstanding ecdysiast I was attracted by the display, and looking for relaxation, I went in to the theatre. After viewing the performance, I came to the conclusion that she was nothing else but a strip teaser. Shortly after, you see there was a law at that time in Boston on strip teasing — they were trying to clean up the city — and a short time thereafter, I noticed that they closed the Old Howard. A lot of you may say, "What has this got to do with this bill?" It has a lot to do with it.

You see, what Senator Anderson wants us to do is to pass this bill which would in effect say that, "Well, he's in the auto body repair work, and, therefore, he comes outside the purview of the junk yard" and, therefore, we should pass this law that would help Mr. Ashmore. And, you will note, as I did that he was found not guilty of violating the law because apparently he didn't come within the purview of the law. I have clients who are in the same business and I am sure that I am going to lose a client and perhaps lose a constituent, but this has to do with the violation of a law. There is no violation of the law, as far as I am concerned that if he operates his business in such a fashion that he does not come within the automobile graveyard, then he is not guilty, and actually he was found not guilty.

Now, if you want to revise and change this law, let me tell you why I related about the ecdysiast strip tease. I'm driving my car one day and not liable, but if I drive in a fast fashion, then I have violated the law. That means, that is a matter of enforcement. I know and many of you know that there are these automobile repair yards and what they do

is that they can't help but have these automobiles accumulate out in the yard. We have a problem in Bangor now. They get so overloaded with business that one day they may be operating properly, the next day or the next week, they may be operating a junk yard. Before they get to it, these automobiles are around outside so that it has become a disgrace.

Now, I don't care whether or not they repeal this law or not, but while it is the law, all you are doing is protecting the public in that if there is no violation, the individual is protected. If there is a violation, he is not protected, and I say by changing the fact, and say that anybody who is doing auto body repair work with the purpose of making repairs to render a motor vehicle serviceable, that's all right providing he doesn't permit these discarded cars, more than three in number, rendered unserviceable and worn out to remain around the premises. And if you don't want that law, that is all right with me, but if you want that law, there is no sense in passing or substituting this bill for the Ought Not to Pass report because I say it is strictly a matter of enforcement.

There will be other bills which you will hear later on coming out of the Judiciary—I don't know how they are going to report these bills out — which would argue the same way that it is a matter of enforcement. There are many laws that I know they failed to pass out because it wasn't the law, it was a matter of the enforcement of the law, and in this particular measure that Senator Anderson wants you to pass this bill, I say that an auto body repair man if he got lax, run an automobile junk yard very easily and this is why I say "A rose by any other name smells just as sweet." Now, I'm not particularly interested in how you vote and why you vote on this, but I am disturbed that anyone may think that the Legal Affairs Committee did not have a good and just reason when they unanimously reported this bill out "Ought Not to Pass."

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

Mr. HILDRETH of Cumberland: Mr. President and Members of the Senate: I am sorry to say that I cannot support Senator Anderson in his motion, but I do sympathize with him particularly in his remarks about the occasional and unfortunate high-handedness of some state officials and I would hope that he and the other members of the Senate would keep these remarks in mind when the bill to create the Ombudsman comes before this body.

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

Mr. GOOD of Cumberland: Mr. President, Senator Stern has very well covered the law on this subject, and I move that the bill be indefinitely postponed.

We did have correspondence from the Highway Department, and I value the opinion of the department head highly. I will read, in part, a letter from Chairman Stevens in which he states and I quote: "The Commissioner has no choice but to so instruct Mr. Richardson due to the fact that passage of L. D. 844 would cause the State of Maine to be in non-conformance with the federal statute (Beautification Act of 1965) relating to the definition of an automobile graveyard. If the State of Maine should be in non-conformance under the terms of the federal law, ten per cent of approximately \$2 million dollars per year of Federal Highway Construction funds would be denied to the state." It has been stated that perhaps we would be just as well without the money, but with automobile graveyards around the state and our highways, we are also going to lose tourist business too, and I have seen some of these automobile graveyards in our area and it is kind of difficult to close them up. We get a lot of complaints on them by the summer people and they do decrease the valuation of real estate.

Now, there are others opposing this bill, but there is the Highway Department, but I would like to

read a summary presented by Mr. Asa C. Richardson, Chief Counsel of the Maine State Highway Commission in which he states, paragraph one: "If this and like businesses were exempt from the law, they could and would accumulate 30 to 40 or more unserviceable vehicles," and they could do that under this proposed change. Two, and I quote: "The proposed change violates the concept of the proposed program to beautify America, particularly the Highway Beautification Act of 1965."

"The State of Maine was a leader in the national scene with our regulatory control 26 years ago and has maintained its leadership in this field." He points out that we might lose \$2 million dollars under this program.

Now, I know that Governor Volpe from the Commonwealth of Massachusetts spoke against this federal money, but I don't think that he would tolerate along the highways of Massachusetts junk yards.

Now, I have a letter from Gerald A. Salisbury, Used Cars, Trucks and Parts Association, Inc., Post Office Box 642, Augusta, Maine, and I quote: "The directors of this association have voted to stand opposed to the legislative bill allowing body shops to be exempted from the junk yard law (three or more unserviceable vehicles) which constitutes a junk yard." Thank you.

The PRESIDENT: The pending question is on the motion of the Senator from Cumberland, Senator Good, that the Bill be indefinitely postponed. Is the Senate ready for the question?

As many as are in favor of the motion to indefinitely postpone the bill way say "Yes". Those opposed "No".

A viva voce vote being had, the motion to indefinitely postpone the bill prevailed.

The Chair laid before the Senate the fifth tabled and today specially assigned matter (S. P. 67) (L. D. 70) Senate Report from the Committee on Appropriations and Financial Affairs on Bill, "An Act to Appropriate Moneys for the Expenditures of State Government

and for Other Purposes for the Fiscal Years Ending June 30, 1968 and June 30, 1969." Ought to Pass in New Draft same Title (S. P. 597) (L. D. 1575) Tabled April 11 by Senator Johnson pending motion by Senator Berry of Cumberland to Accept the Ought to Pass in New Draft Report.

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

Mr. JOHNSON of Somerset: Mr. President, I now move the pending question.

The PRESIDENT: The Senator from Somerset, Senator Johnson, moves that the Senate now accept the Ought to Pass in New Draft Report of the Committee.

The Chair recognizes the Senator from Cumberland, Senator Good.

Mr. GOOD of Cumberland: Mr. President, Members of the Senate: I want to commend the Appropriations Committee on this bill which also includes the supplemental Appropriations as well as the Current Services bill. It has received the commendations of the Governor of the State. It is substantially the total amount as recommended by the Governor, although there are some changes that I do not intend to go into at this time.

This Supplemental Budget, it might be interesting to note, and I will take the Governor's figure, 216.7 million dollars. Now, I understand this has been changed by the Appropriations Committee, that they have taken some matters which were in the Governor's Supplemental Budget, approximately 5 million dollars and placed it in the Current Services Budget, making that approximately 221 million dollars and leaving 5 million dollars in the Supplementary Budget. But, let's go back to the Governor's original 216.7 million dollars, Current Services Budget, and we'll forget the 5 million dollars that has been put in there by the Appropriations Committee, probably very wisely. This 216.7 million dollars budget exceeds the Current Services Budget that was passed by the last session of the legislature by some 50 million dollars, and now this increase is more than two-and-one-



half times the average increase in the Current Services Budget during the last four sessions of the legislature. Now, this perhaps has been made necessary, and I'm not finding any fault with that and I do not mean to be critical of the legislature or of any one in the legislature, but I think there are some things that we should know and we should consider as we go along.

Now, these department estimates are only 201.5 million dollars and using the Governor's Current Services Budget figure of 216.7 million dollars, we come up with a deficit of approximately 15.2 million dollars to finance even the Current Services Budget. Now, since 1955 when this situation has occurred and there has not been enough money available to finance the Current Services Budget, on two occasions, notably in 1957 when Governor Muskie didn't have enough money to finance his Current Services Budget, he advocated the increase in the sales tax from two to three per cent, and that was done. We had a similar situation in 1963 when there was not enough money available to finance the Current Services Budget out of current revenues, and Governor Reed advocated increasing the sales tax from three to four per cent, and that was done.

Now this 216.7 million dollar Current Services Budget as recommended by the Governor does not include, of course, the 10 million dollars Supplemental Budget. As I have explained before, the Appropriations Committee has taken 5 million dollars of the Supplemental Budget and put it in the Current Services Budget where rightly it belongs. So we are talking of a total of about 25 million dollars which is going to require, of course, taxation, and the Governor has recommended a tax program to finance all of this bill that we have before us at this time in both the Current Services and the Supplemental Budget.

I wish that we were in the happy situation that the 102nd Legislature was in when it convened in January of 1966. They had on hand a total of approxi-

mately 169 million dollars available which was more than enough to have financed their Current Services Budget without any additional taxation, and that Current Services Budget was 165 million dollars which was passed by the last session of the Legislature because the money was available. In addition to that, of course, they had some 3 million dollars left over, 3.4 million dollars left over which could have been used for a Supplemental Budget. They had available left to them a surplus of over 14 million dollars which they appropriated and then they passed a general fund bond issue in the amount of 17.2 million dollars, and at that point they could have gone home without enacting any further taxes or increasing the estimates again. However, they saw fit to pass some other worthy programs. I have no criticism with them at all, and perhaps which we would have done also, but I'm just trying to give you the financial picture that we have here at this time.

Now, they found in addition to this about 21 million dollars more, and this was done by administrative action, which refunded about 3 million dollars. The sales tax estimate was further increased — the estimates were further increased by another 10 million dollars without any corresponding taxation and further taxes in the amount of 8.5 million dollars were enacted. Now, by further increasing the estimates 10 million dollars that had already been increased by 18 million dollars, it resulted in a surplus on June 30 of 1966 of only a sum of 900 thousand dollars. In fact, the estimated receipts were only exceeded by actual receipts by one-eighth of one per cent.

Now, I would believe that by further increasing the estimate at that time by 10 million dollars, we probably have deprived ourselves at this time of about 20 million dollars because the 10 million dollars we don't have in surplus which would be there if the estimate hadn't been increased, and we are deprived at this time of further increasing the estimate of another 10 million dollars. If

we could have had that 20 million dollars, we probably would have had the 220 million dollars that is necessary at this time to pass the Current Services Budget. As I have pointed out before the 101st Legislature handed down to the 102nd Legislature a surplus of about 14 million dollars.

Governor Curtis had said, due to the estimates being increased, I don't know as he used those words, but he forecast that by the end of this biennium a surplus of only \$4.8 million dollars.

Now, ladies and gentlemen, I have not said this in any sense to be vindictive, but we have before us a Supplemental Budget, we have before us a Current Services Budget, a total amount of some 227 million dollars, and the method of financing that has been provided for, and I thought that maybe a few words at this time would be appropriate.

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

Mr. HARDING of Aroostook: Mr. President and Members of the Senate: In response to the remarks of the Senator from Cumberland, Senator Good, I would point out that the Current Services Budget proposed by the Governor was 201 million dollars and not 216 million dollars. I would also suggest that it is not the responsibility nor certainly the duty of this Legislature to raise more money than is necessary for expenditures to carry on the government.

Now the predictions which the last Legislature made as to needs and revenues to take care of those needs was reasonably accurate. In fact, you will recall, there was a surplus of 4.8 million. It seems to me that it showed a conservative prudence. Senator Good suggested that if the estimates had not been raised that we would have had a 20 million dollars surplus and that this could have been used to finance Current Services. I am sure that the Senator from Cumberland, Senator Good, will realize that it has been the position of his party over a great many years that a surplus is not used to finance Current Services. So

that while it may be good to dream that we have 20 million dollars on hand to use, we certainly could not have used it for the purposes the Senator has indicated.

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: I will confine my remarks to the present budget, but when the Senate Minority Floor Leader stands and tells us what a fine document was presented to us and talks about, or implies, that the 102nd Legislature, in which he occupied an extremely influential position, did a tremendous job, by implication, I must rise and point out some facts.

I think the first and largest item that should be pointed out that was included in the Governor's budget was 15 million dollars, which by no stretch of the imagination would go in the Supplemental budget. It was in the field of education. It was general purpose subsidy money which by law goes to the communities. Under no stretch of the imagination, no matter how you define Supplemental Budget purposes, could it be defined other than the money necessary to reimburse the towns under our existing law.

Your Appropriations Committee has been forced to consider, in order to present you with a feasible appropriation bill, some action which is directly attributable to the Senator from Aroostook, Senator Harding, whereby, in my opinion, he completely failed to meet his responsibilities in the 102nd Legislature whereby that Legislature passed a significant change in the law to provide construction subsidies to the communities, but failed, Mr. President and Members of the Senate, to provide for the financing of this. Why I accuse the Senator from Aroostook, Senator Harding, of financial irresponsibility is because there was before the 102nd Legislature the means to provide this financing, and it did not come out of committee.

I think that we shall debate this issue further, but I do wish to

point out that in the background of the budget before you there is an item of 2 million dollars which directly affects the total budget and which does reflect action taken by the 102nd Legislature.

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

Mr. GOOD of Cumberland: Mr. President and Members of the Senate: Technically the Senator from Aroostook, Senator Harding, is correct on the Governor's supplement to Current Services budget, but only technically. The Governor did have a current services budget of 201 million dollars to be exact, \$201,537,750.00. But it was reduced from \$216,738,034.00 simply because there wasn't enough money available to finance it out of current moneys. So, he took the \$15,200,284.00 out of the 216 million dollar figure, and put it over in supplemental. I believe that the Appropriations Committee is now right in placing it back where it belongs in the Current Services bill. So, technically, the Senator from Aroostook, Senator Harding, is correct on that.

I was somewhat in error in saying that we would have 20 million dollars for Current Services. We would have 20 million dollars, but we would have 10 million dollars for Current Services because we could now increase our estimates by 10 million dollars but the other 310 million dollars, yes, should rightfully go into surplus, and has traditionally been used for the construction of buildings. And I am glad to see the Senator from Aroostook, Senator Harding, note that that is where it belongs. But I would like to point out that the Governor in his budget under the Supplemental Budget, advocates the use from surplus of \$4,368,968.00 which will be found in the next biennium's current services items.

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from Aroostook, Senator Harding.

Mr. HARDING: Mr. President and Members of the Senate: I will be very brief. I want to tell the Senator from Cumberland, Senator

Berry, that I am very honored by the power which apparently I had last session here. I wasn't aware of it at the time. But I would remind the members of the Senate that, although I was Majority Leader, this is the Senate only, and there is another body with a Majority Leader there. And I would also remind the Members of the Senate that there was a governor occupying the governor's chair at the time, and he was of the Republican Party, and that he did sign these bills which were sent to him, and he did have the authority to veto these bills if he felt they were financially irresponsible, and his veto would have been upheld in the house because his party had the necessary one-third. But I am grateful to recognize all the power that I did have here last year, and I hope that some of the good things that did happen, perhaps I will get some of the credit for those.

The PRESIDENT: The pending question is the motion of the Senator from Cumberland, Senator Berry, that we accept the "Ought to Pass in New Draft" Report of the Committee.

As many as are in favor of accepting the "Ought to Pass in New Draft" Report of the Committee will say "Yes." Those opposed, "No."

A viva voce vote being taken, the motion prevailed. The Bill was given its first reading and tomorrow assigned for second reading.

Mr. Wyman of Washington was granted unanimous consent to address the Senate.

Mr. WYMAN of Washington: Mr. President, Representative Truman, who is a member of the Board of Trustees of the Maritime Academy has asked me to read this short invitation.

"To the Senate of the 103rd Legislature:

"In behalf of the Board of Trustees of the Maine Maritime Academy and its Superintendent, Admiral Rogers, we extend an invitation to all members of the 103rd Legislature and their wives to cruise aboard the training ship 'The State of Maine' from Port-

land to Castine on Thursday the 29th of June, 1967.

"The ship will be in Montreal at Exposition '67 and the World Maine Trade Conference will be aboard promoting Maine products. On return from Montreal, it will dock at Portland for two days where it will again feature this fine show from June the 27th until June the 29th and it will return to Castine. This announcement will be followed by a formal invitation next month.

"The Superintendent and Trustees of the Academy certainly hope that you will plan to be with us for this occasion as we have been assured by the publisher of the Farmer's Almanac that June 29th will be fair and pleasant for a coastal cruise.

Respectfully,  
Ted Truman"

Hopefully the Legislature will be adjourned, and I can say that it is a delightful cruise. I have taken

the cruise from Portland to Castine several times, and I think that every member would enjoy going on this cruise and taking his wife with him.

On motion by Mr. Hoffses of Knox, the Senate voted to take from the table the 31st tabled and unassigned matter (H. P. 840) (L. D. 1248) Bill, "An Act Increasing Penalties for Violation of Fishing Regulations." Tabled April 7 by Senator Hoffses of Knox pending enactment.

Then the same Senator moved the pending question.

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. Ross of Piscataquis,

Adjourned until ten o'clock tomorrow morning.