

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 19, 1967

Senate called to order by the President.

Prayer by Rev. John C. Wanamaker of East Winthrop.

Reading of the Journal of yesterday.

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

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

In Senate, April 12, Passed to be Engrossed.

Comes from the House, Passed to be Engrossed As Amended by House Amendment "A" in non-concurrence.

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

Bill "An Act Relating to Housing and Meal Expenses for Legislators." (S. P. 586) (L. D. 1551)

In Senate, April 13, Recommended to State Government.

Comes from the House, Passed to be Engrossed in non-concurrence.

(On motion by Mr. Wyman of Washington, tabled pending Passage to be Engrossed.)

Report of Committee of Conference

The Committee of Conference on the disagreeing action of the two branches of the legislature, on Resolve in favor of the City of Augusta. (H. P. 7) (L. D. 19)

Reported that the House Recede from its action whereby the Resolve was Passed to be Engrossed As Amended by Committee Amendment "A" and from its action whereby Committee Amendment "A" was Adopted; Indefinitely Postpone Committee Amendment "A"; Adopt Conference Committee Amendment "A" submitted herewith and Pass the Resolve to be Engrossed As Amended by Conference Committee Amendment "A"; and

That the Senate Recede from its action whereby it accepted Report "B" Ought Not to Pass in non-concurrence, and concur in the Acceptance of Report "A"; Adopt Conference Committee Amendment

"A" and Pass the Resolve to be Engrossed As Amended by Conference Committee Amendment "A" in concurrence. (H-179)

(Signed)

Messrs. HUMPHREY of Augusta
HANSON of Gardiner
- House

Senators:

KATZ of Kennebec
JOHNSON of Somerset
DUQUETTE of York
- Senate

Comes from the House, report Accepted and the Bill Passed to be Engrossed As Amended by Conference Committee Amendment "A" in non-concurrence.

(On motion by Mr. Ross of Piscataquis, tabled pending Acceptance of Report, and specially assigned for Friday, April 21.)

Joint Order

WHEREAS, modern society is dependent upon efficient communication and modern communication rests largely in the hands of our office secretaries; and

WHEREAS, the secretary has become more and more a key person in the operation of an office and has come to be depended upon not merely for a high level of technical skills in the operation of complex machines and in taking of shorthand, but also has been given responsibility for countless details; and

WHEREAS, the important role that secretaries play in the economic and governmental life of America has been recognized by establishing the last week in April as Secretaries Week; and

WHEREAS, the Governor of the State of Maine, Kenneth M. Curtis, has proclaimed the period from April 23rd through April 29th as SECRETARIES WEEK and Wednesday, April 26, 1967, as SECRETARIES DAY in the State of Maine and has urged that the citizens of Maine pay tribute to the secretaries of our State, and to their constant improvement of the secretarial profession which has made it truly a silent partner in American Business, now therefore be it

ORDERED, the Senate concurring, that the Maine State Legisla-

ture recognize and pay tribute to secretaries everywhere and to the more than 24,823 members of the National Secretaries Association, the largest professional women's association, with chapters throughout the United States and Canada, and affiliate chapters in four foreign countries. (H. P. 1115)

Comes from the House, Read and Passed.

Which was Read and Passed in concurrence.

Committee Reports

House

Leave to Withdraw

The Committee on Labor on Bill "An Act Relating to Overtime for Class A Restaurants, Restaurants and Other Eating Establishments Under Minimum Wage Law." (H. P. 1086) (L. D. 1554)

Reported that the same should be granted Leave to Withdraw.

Comes from the House, report Read and Accepted.

The Committee on Labor on Bill "An Act Permitting Public Employees to Organize but Not to Strike." (H. P. 14) (L. D. 26)

Reported that the same should be granted Leave to Withdraw.

Comes from the House, report Read and Accepted.

The Committee on Legal Affairs on Bill "An Act relating to the Manufacture of Certain Electronic and Mechanical Devices." (H. P. 796) (L. D. 1174)

Reported that the same should be granted Leave to Withdraw.

Comes from the House, report Read and Accepted.

The Committee on State Government on Bill "An Act to Create a Commission to Commemorate the Sesqui-centennial Anniversary of the State of Maine." (H. P. 380) (L. D. 527)

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 Not to Pass

The Committee on Election Laws on Bill "An Act relating to Election of Constables in City of Westbrook." (H. P. 788) (L. D. 1150)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

The Committee on Election Laws on Bill "An Act to Clarify Certain Election Law Procedures." (H. P. 981) (L. D. 1423)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

The Committee on Election Laws on Bill "An Act Determining Position of Names of Nominees on General Election Ballot." (H. P. 982) (L. D. 1424)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

The Committee on Highways on Bill "An Act in Favor of Highway Construction in the Town of China." (H. P. 992) (L. D. 1454)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

The Committee on Labor on Bill "An Act Repealing Laws Relating to Preference to Maine Workmen and Contractors and Minimum Wages in Public Improvements." (H. P. 518) (L. D. 730)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

The Committee on Labor on Bill "An Act Establishing the Public Employees Arbitration Law." (H. P. 675) (L. D. 947)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

The Committee on Labor on Bill "An Act Relating to Elevators Used on Farms." (H. P. 66) (L. D. 91)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

The Committee on Labor on Bill, "An Act Relating to Steam Engineers and Firemen." (H. P. 712) (L. D. 1007)

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 Prohibiting Gasoline and Heating Oils from being Transported in Same Tank Truck." (H. P. 618) (L. D. 874)

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 Retention of Trading Stamps on Retail Purchases." (H. P. 849) (L. D. 1263)

Reported that the same Ought Not to Pass.

Comes from the House Report Read and Accepted.

The Committee on Labor on Bill "An Act Establishing the Police Officers Arbitration Law." (H. P. 755) (L. D. 1102)

Reported that the same Ought Not to Pass, as covered by other legislation.

Comes from the House, report Read and Accepted.

The Committee on Legal Affairs on Bill "An Act Relating to Enforcing Law Requiring Mufflers on Motorboats." (H. P. 716) (L. D. 1011)

Reported that the same Ought not to Pass As covered by other legislation.

Comes from the House, report Read and Accepted.

The Committee on Towns and Counties on Bill "An Act Repealing Law Relating to Effective Date of Salary Increases of County Officers." (H. P. 560) (L. D. 792)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

Which Reports were Read and Accepted in concurrence.

Change of Reference

The Committee on Election Laws on Bill "An Act Relating to School Committee and Elective Officers of City of Saco." (H. P. 786) (L. D. 1148)

Reported that this Bill should be referred to the Committee on Legal Affairs.

Comes from the House, report Read and Accepted.

Which report was Read and Accepted in concurrence.

Recommended

The Committee on Retirements and Pensions on Bill "An Act Establishing Social Security Benefits for State Classified Service Employees." (H. P. 720) (L. D. 1015)

Reported that the same Ought Not to Pass.

Comes from the House, Recommended to the Committee on Retirements and Pensions.

On motion by Mr. Curtis of Penobscot, Recommended in concurrence.

Bill Substituted for the Report

Bill "An Act Relating to Unity Institute." (H. P. 934) (L. D. 1350)

Reported that the same Ought Not to Pass.

Comes from the House, Bill Substituted for the Report and Passed to be Engrossed As Amended by House Amendment "B" (H-181)

(On motion by Mr. Katz of Kennebec, tabled until later in today's session pending acceptance of the "Ought Not to Pass" Report of the Committee.)

Ought to Pass

The Committee on Highways on Resolve, Designating Certain Bridges of the Interstate System Across the Penobscot River as "Vaughan M. Daggett Memorial Bridges." (H. P. 1058) (L. D. 1531)

Reported that the same Ought to Pass.

Comes from the House, report Read and Accepted and the Resolve Passed to be engrossed.

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

The Committee on Highways on Bill "An Act Granting Knox Agricultural Society Right to Construct Grandstand Across St. George River." (H. P. 832) (L. D. 1240)

Reported that the same Ought to Pass.

Comes from the House, report Read and Accepted and the Bill Passed to be Engrossed As Amended by House Amendment "A" (H-182)

Which Report was Read and Accepted and the Bill Read Once. House Amendment "A" was Read and Adopted, and the Bill, As Amended, Passed to be Engrossed in Concurrence.

Ought to Pass — As Amended

The Committee on Towns and Counties on Bill "An Act Relating to Expending Aroostook County Funds for Ricker College." (H. P. 77) (L. D. 102)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-172)

Comes from the House, report Read and Accepted and the Bill Passed to be Engrossed As Amended by Committee Amendment "A"

Which report was Read and Accepted in concurrence and the Bill read once. Committee Amendment "A" was Read and Adopted in concurrence, and the Bill, As Amended, tomorrow assigned for Second Reading.

Senate

Change of Reference

Mr. Lund for the Committee on State Government on Bill "An Act Establishing a Grievance Procedure and Appeals Board for State Employees." (S. P. 383) (L. D. 995)

Reported that the same should be referred to the Committee on Labor.

(On motion by Mr. Wyman of Washington, tabled pending further consideration.)

Ought to Pass — As Amended

Mr. Greeley for the Committee on Health and Institutional Services on Bill "An Act Authorizing Department of Health and Welfare to Provide Comprehensive Health Services." (S. P. 261) (L. D. 641)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (S-82)

Which report was Read and Accepted and the Bill read once. Committee Amendment "A" Filing S-82 was read by the Secretary as follows.

COMMITTEE AMENDMENT "A" to S. P. 261, L. D. 641, Bill, "An Act Authorizing Department

of Health and Welfare to Provide Comprehensive Health Services."

Amend said Bill by striking out all of the emergency preamble and the emergency clause (same in L. D. 641)

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

Resolve Relating to Retirement and Pension of Stephen A. Regina of Saco. (H. P. 697) (L. D. 978)

Bill "An Act to Revise the Maine Indian Housing Authority Law." (H. P. 744) (L. D. 1066)

Bill "An Act Relating to Authorization to Borrow Money by Brunswick Sewer District." (H. P. 762) (L. D. 1109)

Bill "An Act Increasing Compensation of Trustees of Sanford Water District." (H. P. 1020) (L. D. 1484)

Resolve Appropriating Moneys for Improvements at Indian Reservation at Indian Island. (H. P. 994) (L. D. 1456)

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

House — As Amended

Bill "An Act Establishing the Lewiston-Auburn Water Pollution Control Authority." (H. P. 535) (L. D. 770)

Bill "An Act to Revise the Election Laws." (H. P. 1076) (L. D. 1539)

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

Senate

Bill "An Act Establishing the Policemen's Arbitration Law." (S. P. 342) (L. D. 926)

Bill "An Act Relating to Exporting of Sardines." (S. P. 602) (L. D. 1584)

Bill "An Act Relating to Deposit of Ballots in Ballot Box." (S. P. 603) (L. D. 1585)

Which were Read a Second Time and Passed to be Engrossed.
Sent down for concurrence.

Enactors

The Committee on Engrossed Bills reported as truly and strictly engrossed the following;

An Act to Amend the Charter of the Union Mutual Life Insurance Company. (S. P. 393) (L. D. 1026)

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

(On motion by Mr. Berry of Cumberland, tabled pending Enactment.)

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

An Act Relating to Keeping a Live Bear in Captivity. (H. P. 315) (L. D. 449)

An Act Amending the Charter of the City of Augusta. (H. P. 323) (L. D. 457)

An Act Relating to Use of Otter or Beam Trawls in Washington County. (H. P. 377) (L. D. 524)

An Act Relating to Licenses under Harness Racing Law. (H. P. 522) (L. D. 753)

An Act Clarifying the Law Relating to Serving Liquor to Minors in the Home. (H. P. 527) (L. D. 758)

An Act to Require Lobster and Crab Fishing License Applicants to Describe Their Buoy Colors on License Application and Display Colors on Boat. (H. P. 545) (L. D. 777)

An Act Relating to Disability Compensation for Members of Maine State Guard. (H. P. 567) (L. D. 799)

An Act to Allow the State of Maine to Arbitrate Disputes in Contracts. (H. P. 517) (L. D. 804)

An Act to Correct Errors and Inconsistencies in Uniform Commercial Code and to Amend Certain Statutes to Conform Thereto. (H. P. 582) (L. D. 814)

An Act Relating to Keeping Dogs Within an Enclosure Under Kennel Licenses. (H. P. 610) (L. D. 853)

An Act Increasing the Number of Justices of the Superior Court. (S. P. 222) (L. D. 485)

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

An Act Relating to Powers of Attorneys in Taking Acknowledgments for Instruments for Recording. (S. P. 430) (L. D. 1084)

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)

An Act Relating to Parking Facilities for Handicapped Persons. (H. P. 1062) (L. D. 1388)

An Act Relating to War Orphans. (H. P. 1107) (L. D. 1574)

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

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 Authorizing Seaward Construction Company, Inc. to Bring Civil Action Against the State of Maine. (H. P. 513) (L. D. 726)

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

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

Which Resolves 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 Ricker Classical Institute and Ricker College. (S. P. 397) (L. D. 1030)

This, being an emergency measure, and having received the affirmative votes of 30 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.

Orders of the Day

The President laid before the Senate the first tabled and today assigned matter (H. P. 1097) (L. D. 1563) Bill, "An Act Relating to the Prohibited Practices of

Collection Agencies." Tabled April 12 by Senator Mills of Franklin pending enactment.

Then the same Senator moved the pending question.

Thereupon, the Bill was Passed to be Enacted and having been signed by the President, was by the Secretary presented to the Governor for his approval.

The President laid before the Senate the second tabled and today assigned matter (H. P. 354) (L. D. 501) House Reports from the Committee on Inland Fisheries and Game on Bill, "An Act Prohibiting the Sale of Bear." Minority Report, Ought Not to Pass; Majority Report, Ought to Pass. Tabled April 14 by Senator Hoffses of Knox pending consideration.

On motion by Mr. Hoffses of Knox, the Senate voted to Insist and ask for a Committee of Conference.

The President appointed the following Senators to the Committee of Conference:

Senators:

ALBAIR of Aroostook
BECKETT of Washington
NORRIS of Oxford

The President laid before the Senate the third tabled and today assigned matter (H. P. 1100) (L. D. 1567) Bill, "An Act Relating to Definition of Elevator Under Board of Elevator Rules and Regulations." Tabled April 14 by Senator Johnson of Somerset pending Enactment.

Then the same Senator moved the pending question.

Thereupon, the Bill was passed to be Enacted and having been signed by the President, was by the Secretary presented to the Governor for his approval.

The President laid before the Senate the fourth tabled and today assigned matter (H. P. 502) (L. D. 715) Bill, "An Act Repealing Bounty on Porcupine." Tabled April 14 by Senator Hoffses of Knox pending Passage to be Engrossed.

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

Mr. HOFFSES of Knox: Mr. President and Members of the Senate: I would move the Indefinite Postponement of Senate Amendment 77 and I would like to speak briefly to that motion.

The PRESIDENT: The Senator from Knox moves that the rules be suspended and we reconsider our action whereby we adopted Senate Amendment "A".

The Chair recognizes the Senator from Knox, Senator Hoffses.

Mr. HOFFSES: Mr. President and Members of the Senate: At the public hearing on this L. D. there was a great deal of support of the bill and practically no opposition to it. The Committee passed out a unanimous "Ought to Pass" report. If we are going to disregard Committee Reports, perhaps it has been a waste of time to hold some occasions. I believe, that we have heard a great deal of discussion in regard to bounties and the lack of purpose of which they serve. This porcupine bounty, I believe, has been a bounty which has been indefinitely usurped. On many occasions, I believe, that we have paid the bounty several times on the same porcupine. Now, I do not believe that the present population of the hedgehog, although I have not been out and taken a definite nose count, I believe that the hedgehog population is definitely down and the primary reason for it is the increase in the fisher population, the one animal which can very successfully kill a hedgehog, and that has contributed. I believe, to the decrease in the population of the hedgehog.

I would request that this Senate go along with the unanimous "Ought to Pass" report of the Committee, and that this bill receive an honorable passage.

The PRESIDENT: The pending question is on the motion of the Senator from Knox, Senator Hoffses that the rules be suspended and that we reconsider our action whereby we adopted Senate Amendment "A".

As many as are in favor of the motion will say 'yes'. Contrary-minded?

The motion prevailed.

The PRESIDENT: Is it now the pleasure of the Senate to

Indefinitely Postpone Senate Amendment "A"?

The motion prevailed.

The PRESIDENT: Is it now the pleasure of the Senate that this bill be Passed to be Engrossed?

The motion prevailed and the Bill was passed to be Engrossed.

The President laid before the Senate the fifth tabled and today assigned matter (H. P. 1102) (L. D. 1569) Bill, "An Act Relating to Quality of Inspection Stickers for Motor Vehicles." Tabled April 18 by Senator Reny of York pending consideration.

On motion by Mr. Reny of York and under suspension of the rules, the Senate voted to reconsider its action whereby it passed the Bill to be Engrossed.

Then the same Senator presented Senate Amendment "A" and moved its adoption.

Senate Amendment "A", Filing S-79 was read by the Secretary as follows:

SENATE AMENDMENT "A" to H. P. 1102, L. D. 1569, Bill, "An Act Relating to Quality of Inspection Stickers for Motor Vehicles."

Amend said Bill by striking out in the Title the words "Quality of".

Further amend said Bill by inserting after the enacting clause the following:

'Sec. 1. R. S., T. 29, § 2122, amended. The first sentence of the 4th paragraph of section 2122 of Title 29 of the Revised Statutes is amended to read as follows:

Said inspection shall not apply to motor vehicles owned and registered in another state nor to new or used motor vehicles being driven by a dealer or holder of a transporter registration certificate or their authorized representatives from the point of distribution to his place of business, or a motor vehicle owned by a dealer or holder of a transporter registration that has a valid sticker until such time as the inspection sticker would have otherwise expired, at which time the motor vehicle must be reinspected.'

Further amend said Bill by renumbering sections 1 and 2 to be sections 2 and 3.

Senate Amendment "A" was Adopted.

On further motion by the same Senator House Amendment "A" was Indefinitely Postponed, and the Bill as amended by Senate Amendment "A" was Passed to be Engrossed in non-concurrence.

Sent down for concurrence.

The President laid before the Senate Item 6-19 Bill, "An Act Relating to Unity Institute." (H. P. 934) (L. D. 1350) tabled earlier in today's session by the Senator from Kennebec, Senator Katz.

On motion by Mr. Katz of Kennebec, tabled until Thursday, April 20 pending acceptance of the "Ought Not to Pass" report of the Committee.

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

Mr. SNOW of Cumberland: Mr. President, is L. D. 325, An Act Authorizing Beals Business School to Confer Associate Degrees, in possession of the Senate?

The PRESIDENT: The Chair will reply in the affirmative.

Mr. SNOW: Mr. President, may I inquire as to the status of the bill in the Senate?

The PRESIDENT: On April 18 the bill was passed to be engrossed in concurrence in the Senate. The endorsement would show that the bill has been passed to be engrossed in the Senate without amendment.

The Chair recognizes the Senator from Cumberland, Senator Snow.

Mr. SNOW: Mr. President, I would like to move that the Senate reconsider its action whereby it passed the bill to be engrossed, and I would like to speak to my motion.

The PRESIDENT: The Senator from Cumberland, Senator Snow, moves that we now reconsider our action whereby this bill, Senate Paper 154, L. D. 325, An Act Authorizing Beals Business School to Confer Associate Degrees, was passed to be engrossed. Is this the pleasure of the Senate?

The Chair recognizes the Senator from Penobscot, Senator MacLeod.

Mr. MacLEOD of Penobscot: Mr. President and Members of the

Senate: I rise to oppose the motion to reconsider. I believe Senator Snow wants to speak to the motion, so I will defer to Senator Snow.

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

Mr. SNOW: Mr. President and Members of the Senate: I would not feel that this act, and one similar to it which relates to Bliss College, should pass through the Senate without attention being drawn to the Minority Ought Not to Pass Report of the Committee on Education, which was signed by Senator Katz and myself. These bills — or I should say, since I am speaking on the Beals Act — that I am disturbed by this bill. The State Board of Education was opposed to passage of this legislation and while this, by itself, would not necessarily disturb us, I am disturbed by the fact that we should pass legislation which in effect may dilute the standing of the value of degrees awarded by institutions in Maine. Under the present law these institutions must meet certain qualifications which are generally those qualifications which are established for accreditation.

In the instance of Beals Business School the Department of Education has recommended that before it has the privilege to grant degrees it should have a larger board of associate directors representative of the general public interest with the authority to assume at least some of the responsibilities delegated to trustees, but not to proprietary or private colleges. It also recommends that Beals move to a non-profit status. It is at present a proprietary institution. It urges the development of community financial support. It urges stronger academic qualifications for the faculty. It urges a reduced ratio of students to faculty members. It urges more follow-up information from graduates of the school. It urges expanded library facilities. And it suggests a stronger liberal arts content in all programs intended to lead to the associate degree.

Now, Beals Business School, as we will hear from Senator MacLeod, who signed the Ought

to Pass Report, is working very hard to meet these goals. The Committee does not question its desire to meet these qualifications. My point is simply this: that if this Legislature is to grant this school the authority to award associate degrees, then it is perhaps setting a precedent under which it will also have to grant degrees to other schools which have not met the qualifications set by the Board of Education.

I feel that we ought to maintain the value of academic degrees awarded in this State, and I feel that it would be in the best interest of the State to require Beals Business School and Bliss College, of which I will speak later, to meet the requirements of the State Board of Education, to live within the law as it now stands. Therefore, I would hope that the Senate would accept my motion to reconsider. And I would like to advise the Senate that if it does accept the motion to reconsider, I will then move to table the bill for purposes of preparing an amendment.

The PRESIDENT: The pending question is on the motion of the Senator from Cumberland, Senator Snow, that the Senate reconsider its action whereby this bill was passed to be engrossed.

The Chair recognizes the Senator from Penobscot, Senator MacLeod.

Mr. MacLEOD of Penobscot: Mr. President and Members of the Senate: it is with some reluctance that I arise to oppose the motion of the Senator from Cumberland, Senator Snow, to reconsider our action whereby we passed L. D. 325 to be engrossed. Serving with him on the Education Committee and with the distinguished Senator from Kennebec, Senator Katz, has been both a rewarding and pleasant experience for me during the past three months. I would remind the Senate that this bill they speak of came out of Committee eight to two "Ought to Pass," with all House members of the Committee voting in favor of both Beals and Bliss College.

Senator Snow mentioned the criteria used by the State Board of Education in deciding whether to recommend to the Legislature

that associate degrees be awarded. He says these are the criteria that are generally used to accredit an institution. However, I would remind the Senate that we currently have three institutions which are called colleges, which are under the State Board of Education, which are not accredited, but which offer a Baccalaureate Degree, a full four years degree. What we are talking about here is an associate degree for a business school, not an M.I.T., a Harvard or a University of Maine, but a business school, a two-year course.

It might also be pointed out that Beals students are accepted at Husson College, for example, with full transfer credits on some courses. Husson awards a four-year Baccalaureate Degree. They are also accepted at Washington State College, which is a State supported institution under the State Board of Education. For example, Robert Ferland, a former student at Beals, is now at Washington State with a transfer of credits accepted by Washington State College from Beals. Washington State offers a four-year Baccalaureate Degree.

Approximately 18 years ago Husson College came before this Legislature, against the adverse report of the State Board of Education, for degree awarding privileges. The Legislature decided to give them this privilege. This college is now building a \$10 million campus on the outskirts of Bangor to take care of 1200 students, and it is a going concern. Beals Business College is now on the map of the Dow Re-use Committee in Bangor for a 50-acre tract for a new campus at Dow. So the people of Bangor seem to have some faith that Beals is a growing institution.

There is one accrediting institution nationally, a commission, called The Accrediting Commission of Business Schools. The Accrediting Commission of Business Schools is the only nationally recognized agency that provides this service for the field of specialized business education. Beals is accredited by this Commission, which is the only

one recognized by the Federal Government to come under the Higher Education Loan Act of 1965. To get accredited by this Commission is a very much involved and long process: Philosophy and Objectives, five pages; the Educational Program, five pages; Organization, Administration and Control; the Academic Staff, Instruction; the Administrative Staff; Library and Instructional Material; Financial Relations with Students; the School Plant; Admissions and Graduate Student Services; Publication Reports to the Commission.

The State Board of Education visited this school for approximately three-and-a-half hours before they issued their report. Mr. Anderson, a member of the visiting board, told Mr. Tibbetts over the phone before coming up that probably the report would be negative. He said this before he had even seen the institution, because they were a proprietary institution and it was poor practice to try to make a dollar.

Vermont grants degrees to several of its institutions which are proprietary. But Beals is moving toward a non-proprietary status. They have enlarged their advisory board. It now includes a professor from the University of Maine and includes several leading attorneys in Bangor, and they have turned over to this advisory board some policymaking decisions. Within three years Beals will be non-proprietary.

Incidentally, this may be one of the last opportunities that this Legislature has to overturn an adverse report because of the bill before this Legislature, L. D. 1368, unless major surgery is done on it, which will take from the Legislature the power to grant a degree over an adverse report.

Perhaps the best way to express this, the way I feel about Beals and Bliss, the fact that they — in Beals case I am personally aware of — that their transfer credits are acceptable in some of our own State institutions which offer a degree — may be given in this epic which was composed by an anonymous member of this Legislature who had left the

Double Bottom Banquet, ran into some private power boys, and then on his way to bed ran into some railroad boys — these are the conditions under which it was composed, so the anonymous author wishes to explain that:

“There was a young lady from
Beals

Who should be enjoying much
Bliss.

But when you hear why she isn't
You are all going to want to hiss.
She wanted to go to Washington
State

Where she was accepted, you
see.

But before she leaves Beals
She would like to have her
Associate Degree.

Hayden Anderson drove up from
Augusta one dark and
gloomy day,

Sent up by the Board of
Education from way down
Augusta way.

He said ‘No’ to this young lady,
Despite her entreaties and pleas,
Under no conditions, he said,
Could she have her Associate
Degree.

Senator Snow went to Williams,
Senator Katz went to Tufts,
They have all kinds of fancy
degrees,

Why won't they give these
little associate ones

To Carol McKowski and me.”
Thank you.

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

Mr. STERN of Penobscot: Mr. President and Members of the Senate: I arise in support of my good friend and colleague, Senator MacLeod. Beals College has entertained an excellent reputation over the years. I have had the pleasure and opportunity of engaging several of the graduates from that school as secretaries. I agree with everything that he said. The last session of the Legislature I sponsored a bill for an associate degree for Husson College, and I am happy to say now that possibly it will be one of the outstanding business colleges in New England and moving toward a new campus. I agree with everything that Senator MacLeod has said, except I don't agree with the i a m b i c

pantameter in the verse that he just read.

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

Mr. SNOW of Cumberland: Mr. President and Members of the Senate: Unfortunately I have no limericks. My decision to talk on this bill was made at 9:00 this morning, but I would like to offer one correction, if I may. I believe Senator MacLeod indicated that the members of the Education Committee from the other body were unanimous in their support of this. I believe that there was another member who felt that this should not have passage.

I would like to comment on the fact that the inspection team spent only three-and-a-half hours at the site. I am informed that considerable reporting was required in advance, and considerable discussion was held afterwards. I would also like to note that, while this has been approved, as he has truthfully told you, by an association of schools of which it is a member, it has not been approved or accredited by the New England Association of Colleges and Secondary Schools.

Now, if we do this, Members of the Senate, here are a few of the institutions which might require us to act in a similar fashion: The John F. Kennedy Institution of Fort Kent, the Skowhegan School of Business, the Augusta Business School, the Auburn School of Commerce, the Plus School of Business in Portland, Gray's Portland Business College, and North-eastern School of Business. I hope, Mr. President and Members of the Senate, you will see fit to accept the reconsideration motion. I would like to state that, if this is done, I believe that we may be able to propose a suitable amendment which will give the Department of Education authority to permit Beals to award these degrees at the time it has met the requirements which it should meet.

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

Mr. KATZ of Kennebec: Mr. President and Members of the Sen-

ate: I am very glad I held these bills over for this legislative day now because the motion for reconsideration gave me a chance to hear Senator MacLeod in action.

I think it was worth the price of admission.

I was one of the rascals who signed the Minority Ought Not to Pass Report, and I was and am deeply concerned that the Legislature should step into an area which is a very technical area and overrule the procedures for awarding degrees that previous legislatures have set up.

We had several opportunities this session to see institutions which have not pursued legal channels of redress and have come to the Legislature for a solution to their problems. However, I was particularly interested to hear Senator MacLeod say that this may be the last time we will be facing this problem because of the pending L.D. 1368, which would attempt to snatch completely away from the Legislature the right to listen in on these degree granting problems. I am confident that Senator MacLeod must be tremendously embarrassed to be the sponsor of the legislation, but indeed this may be the last time that this procedure for degree granting is followed by the Legislature because hopefully higher education will get a complete overhaul with some other procedures for degree granting to be followed.

I have in front of me an amendment which removed largely my objection now to this legislation and consequently or regretfully I cannot support Senator Snow on his reconsideration motion. I think my prime concern was that here are two institutions which do not at all meet the legal qualifications for granting degrees, and these bills, as they are presently written, turns them loose, completely turns them loose, turns them loose to the same degree we turned Bowdoin, Bates, Colby and the other schools loose, without any review of progress subsequently made. So I am satisfied with the amendment that we will presently put on other legislation which changes the general law and says in effect that when additional approval is

granted to the degree granting institutions that there will be a requirement that they come back at the end of four years for a review of the progress they have made, and at that time permanent certification will be given them. On this basis then I will go along with these two bills, and I will not support the motion for reconsideration.

The PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Couturier.

Mr. COUTURIER of Androscoggin. Mr. President and Members of the Senate: I rise to support Senator MacLeod in his opposition and also my opposition to the motion made by the Senator from Cumberland, Senator Snow. I feel that if we reconsider and not grant associate degree privileges to Beals and Bliss, which is also being discussed here, that we will not be punishing these institutions, but I do feel that we will be limiting the potential of Maine students to further their education and the encouragement of knowing that they will receive a certificate.

As of now you have heard that credits from Beals are accepted in other State colleges, and my argument primarily will be on the next bill. However, I have discussed this matter with the eminent Chairman of the Committee on Education, Senator Katz, and I wholeheartedly agree with his amendment regarding review. Perhaps we could also broaden that to provide for a review every eight years of all accredited institutions. I think that certainly deserves looking into if we are going to guaranty the level of educational performance given in these institutions. I, for one, have a B.A. Degree, and I don't want to see the degree diluted. However, I don't feel that passage of these bills will accomplish that, and I certainly will vote against the motion for reconsideration.

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

Mr. SNOW of Cumberland: Mr. President and Members of the Senate: Reluctantly I rise to comment on the remarks of the Senator

from Kennebec, Senator Katz. He is discussing an amendment on a document which is not before us, and we have no assurance that the document or the amendment to it will be enacted. While this is a possibility, it is by no means a certainty before this body, and I would still urge the Senate to support the motion to reconsider.

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from Penobscot, Senator MacLeod.

Mr. MacLEOD of Penobscot: Mr. President and Members of the Senate: I felt I should rise a second time for two reasons. One, I did not intend to deceive the Senator from Cumberland, Senator Snow, nor the Senate, when I said it was an eight to two report. This was a mental gap of my own. I forgot about Representative Allen of the other branch. He did sign the Ought Not to Pass Report, so it was seven to three. I apologize to the Senate for this error.

Senator Katz mentioned that I was the sponsor of L.D. 1368, which would prohibit the Legislature from overturning an adverse report of the State Board. Perhaps some others of you have had the experience of going down to Sam's office with about six bills ready. This bill was presented to me by the State Board of Education as being something that would help institutions such as Beals and Bliss. So I agreed to be the sponsor. I signed it along with four others without carefully reading it. I have read it since, and you can believe me, there will be some surgery done on it.

Senator Katz says the legal qualifications for degrees should not be overruled. The legal qualifications are up to this Legislature. The Legislature has the power to grant or deny degree granting privileges. This is the legal way it is done.

One other comment about accreditation. Senator Snow rightfully pointed out that Beals is not accredited by the New England Commission for Accrediting Higher Education. This is true. Neither is Washington State accredited, nor Fort Kent, or Aroostook State College, which grant four-year de-

grees under the support and sponsorship of the State Board of Education. In 1962 Fort Kent was given the right to grant the four-year degree. The year before, I have their catalogue, when they were granting as a Normal School a three-year certificate so they could go out and teach in a public school, the total course offering over the three-year period for this school in 1961 was 23 courses. Beals has 71 courses in their catalogue today, a two-year business school: Principles of Accounting, Law on Contracts, General Business Law, Key Punch, Computer Programming, Computer Programming and Systems, Business Systems and Development, Written Communications, U. S. Political and Social History, and so forth, for 71 courses. This is just a school trying to turn out young men and women to enter the business field, and they would like to have an associate degree when they leave. Thank you very much.

The PRESIDENT: Is the Senate ready for the question?

As many as are in favor of the motion of the Senator from Cumberland, Senator Snow, that we reconsider our action whereby this bill was passed to be enacted, will say "Yes." Those opposed to the motion, "No."

A viva-voce vote being taken, the motion to reconsider did not prevail.

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

Mr. SNOW of Cumberland: Mr. President, I would like to inquire if L. D. 383, H. P. 262, "An Act Relating to Conferring Degrees by Bliss College" is in the possession of the Senate?

The PRESIDENT: The Chair will reply in the affirmative, and advise the Senate that this measure has been Passed to be Engrossed in the Senate with House Amendment "A".

Mr. SNOW: Mr. President and Members of the Senate: I would like to make a similar motion, a motion to reconsider with the same motivation, and I would like to speak to my motion.

The PRESIDENT: The Senator from Cumberland now moves that we reconsider our action whereby H. P. 262, L. D. 383, "An Act Relating to Conferring Degrees by Bliss College" was Passed to be Engrossed as amended by House Amendment "A".

The Chair recognizes the Senator from Cumberland, Senator Snow.

Mr. SNOW: Mr. President and Members of the Senate: I can be quite brief in this presentation. I will merely quote from the report of the State Board of Education. On this school, I need not restate some of the reservations I had in the other matter before us.

This is the only college inspected by the State Board of Education in which no full-time member of the faculty holds a degree higher than that of Bachelor. Few have taken systematic steps to obtain a higher degree. Several already have credits towards their Master's Degree, but none have predicted a date of getting one. There seems to be a lack of policy in the faculty area at Bliss. There is no policy in academic rank or promotion on tenure of the salary scale, and I recall that this matter was discussed before the Education Committee which gave it a similar report to the report which you have just heard discussed that it was said that the organization of the faculty at the school should be no concern of the public. The salary range is confidential at Bliss, but in the salary range reported the maximum is considerably below that now mandatory for public school teachers holding a Bachelor's Degree. The teaching load of the full-time faculty appears to be higher than usual for these degrees in the colleges. There is no organization in the department. Then there are no part-time teachers, no department heads with whom one can have conferences. And in all instances — not in all instances — the board reports, and faculty members have even the minimum qualifications to teach certain subjects. For instance the dogmatic and hard-working teacher of several subjects is the only instructor in economics yet his only preparation in that field has been

a single course and a degree from a college of business. Authority of the faculty is not clearly defined nor greatly understood. Policies seem usually to be fixed by administration of trustees. The faculty, through committees does exercise the control over academic standards, but whether it participates in the making of policies even by recommendation as is done in most colleges is not clear.

I don't believe, Mr. President that I wish to add to this.

The PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Couturier.

Mr. COUTURIER of Androscoggin: Mr. President, I arise to oppose the motion of the Senator from Cumberland, Senator Snow. I have seen Bliss College quite a few years now, and I have seen it progress and start on the road to becoming a splendid institution. I knew Bliss College when it was a school of business with very small quarters in the downtown area of Lewiston. Now, it is a non-profit organization. Its new president has a Master's Degree in Education. They are doing a good job of giving higher education to those living in the Lewiston-Auburn area who would not be able to get it otherwise because of the added expense of going out of town.

Bliss has started to purchase property. They have several buildings in what will become a magnificent campus as soon as is feasible, and I expect that within the next three months, they will apply to the New England Association of Colleges and Secondary Schools to be accredited and they will receive accreditation on a temporary basis until they meet with the requirements. I am not telling you that everything is perfect. I am not telling you that Bliss has everything that Bates College has in Lewiston. I am not telling you that they have the best facilities in the world — for one thing they probably cannot afford everything that Bates has at this time, and believe me I am very proud of Bates College because it's my Alma Mater. However, I do know of the good that is being accomplished in our area by Bliss

College. I do know that the students are spirited, are interested and that they are getting an education they would not be able to get if this institution did not exist. I know the trustees personally and I know they are making every effort to bring this school to greatness. I think we have reached the point now where they are a good school and that this body can certainly do no harm by encouraging them along this way by granting them associate degree granting privileges. Again, I oppose the motion of the Senator from Cumberland, Senator Snow.

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

Mr. SNOW of Cumberland: Mr. President, I would ask that when the vote is taken, it be taken by division.

The PRESIDENT: Is the Senate ready for the question? The pending question is on the motion of the Senator from Cumberland, Senator Snow, that we reconsider our action of yesterday whereby we passed this Bill to be Engrossed as amended by House Amendment "A" in concurrence. The Senator from Cumberland, Senator Snow has requested a division.

As many as are in favor of the motion to reconsider our action whereby we passed this Bill to be Engrossed as amended by House Amendment "A" will stand and remain standing until counted; those opposed.

A division was had.

4 Senators having voted in the affirmative and 25 Senators having voted in the negative, the motion did not prevail.

On motion by Mr. Berry of Cumberland, the Senate voted to take from the table the 37th tabled and unassigned matter (H. P. 459) (L. D. 672) Bill, "An Act Appropriating Funds for Administration of Bureau of Public Administration at University of Maine." Tabled April 13 by Senator Berry of Cumberland pending Enactment.

On further motion by the same Senator, the Bill was placed on the Special Appropriations Table.

On motion by Mr. Young of Hancock, the Senate voted to take from the table the 14th tabled and unassigned matter (H. P. 5) (L. D. 9) House Report Ought to Pass in New Draft (H. P. 1074) (L. D. 1504) same title from the Committee on Legal Affairs on Bill, "An Act to Revise the Oil Burner Men's Law." Tabled March 29 by Senator Young of Hancock pending Acceptance of Report.

On further motion by the same Senator, the Senate voted to accept the "Ought to Pass in New Draft" report of the Committee. The Bill was given its first reading. House Amendment "A" was read and Adopted, and the Bill, As Amended, tomorrow assigned for second reading.

On motion by Mr. Hoffses of Knox, the Senate voted to take from the table the 25th tabled and unassigned matter (H. P. 219) (L. D. 309) House Report Ought Not to Pass from the Committee on Inland Fisheries and Game on Bill, "An Act Relating to a Closed Season on Wild Hares and Rabbits in York County." Tabled April 11 by Senator Hoffses of Knox 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 in concurrence.

On motion by Mr. Stern of Penobscot, the Senate voted to take from the table the 33rd tabled and unassigned matter (S. P. 83) (L. D. 164) Bill, "An Act Relating to Licensing of Premises for Dancing Purposes." Tabled April 13 by Senator Stern of Penobscot pending consideration.

On further motion by the same Senator and under suspension of the rules, the Senate voted to reconsider its action whereby it passed the Bill to be Engrossed.

On further motion by that Senator, the Senate voted to reconsider its action whereby it adopted Senate Amendment "A", and on further motion by that Senator Senate Amendment "A" was Indefinitely postponed.

Thereupon, the Bill was passed to be engrossed, as amended by Committee Amendment "A" and House Amendment "A" in concurrence.

On motion by Mr. Ross of Piscataquis,

Adjourned until ten o'clock tomorrow morning.