

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

*One Hundred and Third
Legislature*

OF THE

STATE OF MAINE

1967

KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Thursday, April 20, 1967

Senate called to order by the President.

Prayer by Rev. Ondon P. Stairs of Augusta.

Reading of the Journal of yesterday.

Papers from the House
Non-concurrent matters

Bill "An Act Relating to Tuition for Pupils attending Secondary Schools in Other States or Countries." (H. P. 1096) (L. D. 1562)

In Senate, April 6, Passed to be Engrossed in concurrence. Comes from the House Passed to be Engrossed as Amended by House Amendment "A" (H-189) in non-concurrence.

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

Bill, "An Act Relating to Windshield Wipers on Motor Vehicles." (H. P. 927) (L. D. 1335)

In House, April 6, Bill substituted for the Report and Passed to be Engrossed, As amended by House Amendment A (H-145) In Senate April 14, Ought Not to Pass Report Accepted in non-concurrence.

Comes from the House, that body having insisted and asked for a Committee of Conference.

In Senate: Insisted and joined in a Committee of Conference.

The President appointed the following conferees to the Committee of Conference.

Senators:

JOHNSON of Somerset
GOOD of Cumberland
RENY of York

Bill "An Act Increasing Compensation of Members of the Legislature." (S. P. 167) (L. D. 338)

In Senate, April 14, Passed to be Engrossed As Amended by Senate Amendment "A" (S-72)

Comes from the House, Reports and Bill Indefinitely Postponed in non-concurrence.

On motion by Mr. Katz of Kennebec, the Senate voted to Insist on its former action and ask for a Committee of Conference.

Orders

On motion by Mr. Berry of Cumberland ORDERED, the House concurring, that Bill, An Act Appropriating Moneys for Research Study of Pesticides, (S. P. 582) (L. D. 1546) be recalled from the Legislative Files to the Senate. (S. P. 605)

Which was Read and Passed.

Sent down forthwith for concurrence.

Committee Reports**House****Leave to Withdraw**

The Committee on Agriculture on Bill "An Act Relating to Collection of Dues by Milk Dealers for Cooperative Dairy Farmers Corporations." (H. P. 654) (L. D. 909)

Reported that the same should be granted Leave to Withdraw.

Comes from House report Read and Accepted.

Which report was Read and Accepted in concurrence.

Ought Not to Pass

The Committee on Claims on Resolve, in Favor of Mrs. Warren Jewell of Bath for Property Damage by Highway Construction." (H. P. 972) (L. D. 1414)

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 Candidates on Primary Ballots." (H. P. 983) (L. D. 1425)

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 Health and Institutional Services on Bill "An Act Relating to Application for Aid to Aged, Blind Or Disabled." (H. P. 603) (L. D. 847)

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 Health and Institutional Services on Bill "An Act Relating to Maternity Homes or Hospitals." (H. P. 485) (L. D. 698)

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 Health and Institutional Services on Bill "An Act Relating to Compensation of Patients and Inmates at State Institutions." (H. P. 446) (L. D. 621)

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 Health and Institutional Services on Bill "An Act Relating to State Prison Prisoners' Attendance at Funerals or Deathbed Visits." (H. P. 740) (L. D. 1063)

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 Health and Institutional Services on Bill "An Act Relating to Earned Income of Recipients of Aid to the Aged, Blind or Disabled and Aid to Dependent Children." (H. P. 706) (L. D. 1001)

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 Health and Institutional Services on Bill "An Act Relating to Claims Against Estates of Deceased Recipients of Aid to the Aged, Blind and Disabled." (H. P. 690) (L. D. 971)

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 Health and Institutional Services on Bill "An Act Authorizing Positions for Case Work Services to the Blind." (H. P. 649) (L. D. 902)

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 Health and Institutional Services on Bill "An Act Relating to Practitioners of Funeral Service, Funeral Directors and Embalmers." (H. P. 989) (L. D. 1467)

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 Health and Institutional Services on Bill "An Act Making Mandatory the Reporting of Blindness to the Department of Health and Welfare." (H. P. 887) (L. D. 1301)

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 Health and Institutional Services on Bill "An Act Relating to Rules and Regulations of Department of Health and Welfare Regarding Health of Employees." (H. P. 888) (L. D. 1302)

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 Health and Institutional Services on Bill "An Act Repealing Law Relating to Medical Care Accumulation Fund." (H. P. 987) (L. D. 1428)

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 Health and Institutional Services on Bill "An Act Providing for Volunteer Services Within Department of Health and Welfare." (H. P. 988) (L. D. 1429)

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 Legal Affairs on Bill "An Act Relating to Limit to Hold Property of the East Liver-

more Campmeeting Association." (H. P. 758) (L. D. 1105)

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 Legal Affairs on Bill "An Act to Clarify the Purposes of Northeast District of the Unitarian Universalist Association." (H. P. 759) (L. D. 1106)

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 Legal Affairs on Bill "An Act Relating to Salaries of Board of Trustees of Brunswick Sewer District." (H. P. 761) (L. D. 1108)

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 Legal Affairs on Bill "An Act Relating to Trespass on Lands Appurtenant to State Colleges." (H. P. 795) (L. D. 1173)

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 Legal Affairs on Bill "An Act Amending Incorporation of and Extending Charter of R. and T. Cement Railroad Company." (H. P. 715) (L. D. 1010)

Reported that the same Ought to Pass.

Comes from the House, report Read and Accepted and the Bill Passed to be Engrossed.

The Committee on State Government on Bill "An Act Relating to Published Records of Vital Statistics Purchased by the State Library." (H. P. 378) (L. D. 525)

Reported that the same Ought to Pass.

Comes from the House, report Read and Accepted and the Bill Passed to be Engrossed.

The Committee on State Government on Bill "An Act Relating to Municipal Expenses in District Courts." (H. P. 597) (L. D. 826)

Reported that the same Ought to Pass.

Comes from the House, report Read and Accepted and the Bill Passed to be Engrossed.

Which reports were Read and Accepted in concurrence, the Bills read once and Tomorrow assigned for Second Reading.

House — As Amended

The Committee on Election Laws on Bill "An Act Relating to Time of Municipal Election in City of Westbrook." (H. P. 787) (L. D. 1149)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-175)

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

The Committee on Health and Institutional Services on Bill "An Act Relating to Qualifications of Superintendents at the State Hospitals for the Mentally Ill." (H. P. 935) (L. D. 1351)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-176)

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

The Committee on Inland Fisheries and Game on Bill "An Act to Create Uniform Fishing Relations on all Boundary Water between State of Maine and Province of New Brunswick." (H. P. 358) (L. D. 505)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-112)

Comes from the House, report Read and Accepted and the Bill Passed to be Engrossed without amendment.

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

The Committee on Legal Affairs on Bill "An Act Providing for Paid Holidays for Municipal Employees of the City of Lewiston." (H. P. 392) (L. D. 539)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-177)

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

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

Ought to Pass in New Draft

The Committee on Legal Affairs on Bill "An Act Relating to Voting Rights in Protestant Episcopal Church in the Diocese of Maine.

Reported that the same Ought to Pass in New Draft under same title. (H. P. 1112) (L. D. 1581)

Comes from the House Report Read and Accepted and the Bill, in new draft, Passed to be Engrossed.

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

Divided Report

The Majority of the Committee on Health and Institutional Services on Bill "An Act Relating to Term of Members on Board of Barbers." (H. P. 491) (L. D. 704)

Reported that the same Ought Not to Pass.

(signed)

Senators:

GREELEY of Waldo

SPROUL of Lincoln

SNOW of Cumberland

Representatives:

GILL of So. Portland

CARSWELL of Portland

WHITE of Guilford

BENSON of

Southwest Harbor

SOULAS of Bangor

NOYES of Limestone

The Minority of the same Committee on the same subject matter, reported that the same Ought to Pass.

(signed)

Representative:

BINETTE

Comes from the House, Majority — Ought Not to Pass report, Read and Accepted.

Which report was Read and Accepted in concurrence.

Senate

Leave to Withdraw

Mr. Mills for the Committee on Towns and Counties on Bill "An Act Providing Funds for Washington County Development Authority." (S. P. 516) (L. D. 1229)

Reported that the same should be granted Leave to Withdraw.

Mr. Mills for the Committee on Towns and Counties on Bill "An Act Increasing Payments to Lincoln County Law Library." (S. P. 103) (L. D. 174)

Reported that the same should be granted Leave to Withdraw — as covered by other Legislation.

Mrs. Sproul for the Committee on Towns and Counties on Bill "An Act Increasing Payments to Knox County Law Library." (S. P. 284) (L. D. 664)

Reported that the same should be granted Leave to Withdraw — as covered by other Legislation.

Mrs. Sproul for the Committee on Towns and Counties on Bill "An Act Increasing Payments to Franklin County Law Library." (S. P. 313) (L. D. 752)

Reported that the same should be granted Leave to Withdraw — as covered by other Legislation.

Mrs. Sproul for the Committee on Towns and Counties on Bill "An Act Increasing Payments to Washington County Law Library." (S. P. 414) (L. D. 1043)

Reported that the same should be granted Leave to Withdraw — as covered by other Legislation.

Mrs. Sproul for the Committee on Towns and Counties on Bill "An Act Increasing Payments to the Kennebec County Law Library." (S. P. 486) (L. D. 1207)

Reported that the same should be granted Leave to Withdraw — as covered by other Legislation.

Which reports were Read and Accepted.

Sent down for concurrence.

Ought to Pass

Mr. Hoffses for the Committee on Inland Fisheries and Game on Bill "An Act Relating to Enforcement Duties of Inland Fish and

Game Wardens." (S. P. 245) (L. D. 605)

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 in New Draft

Mr. Hoffses for the Committee on Inland Fisheries and Game on Resolve Regulating Fishing on Part of Moose River, Somerset County. (S. P. 536) (L. D. 1370)

Reported that the same Ought to Pass in New Draft under same title: (S. P. 604) (L. D. 1587)

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

Mrs. Sproul for the Committee on Towns and Counties on Bill "An Act Increasing Payments to Waldo County Law Library." (S. P. 369) (L. D. 964)

Reported that the same Ought to Pass in New Draft, under Title of "An Act Increasing Payments to County Law Libraries." (S. P. 606) (L. D. 1588)

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

Second Readers

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

House

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

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

House — As Amended

Bill "An Act Relating to Expending Aroostook County Funds for Ricker College." (H. P. 77) (L. D. 102)

Bill "An Act to Revise the Oil Burner Men's Law." (H. P. 1074) (L. D. 1504)

On motion by Mr. Hildreth of Cumberland, the Senate voted to reconsider its action whereby it adopted House Amendment "A".

Then the same Senator offered Senate Amendment "A" to House Amendment "A" and moved its adoption.

Senate Amendment "A" Filing S-61 to House Amendment "A" was read by the Secretary as follows:

SENATE AMENDMENT "A" to HOUSE AMENDMENT "A" to H. P. 1074, L. D. 1504, Bill, "An Act to Revise the Oil Burner Men's Law."

Amend said Amendment by striking out all of the last paragraph and inserting in place thereof the following:

'Further amend said Bill by striking out all of subsection 3 of the part designated "Sec. 2." and inserting in place thereof the following:

3. Plants. The maintenance and operation of oil burner installations in or about industrial or manufacturing plants, or electrical generating plants or other plants **any buildings owned or maintained by them or by facilities operated by a public utility;**'

Senate Amendment "A" to House Amendment "A" was adopted.

On motion by Mr. Good of Cumberland, tabled pending the adoption of House Amendment "A" as amended by Senate Amendment "A" thereto.

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

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

Senate — As Amended

Bill "An Act Authorizing Department of Health and Welfare to Provide Comprehensive Health Services." (Emergency) (S. P. 261) (L. D. 641)

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 Providing for a Council-Manager Charter for the Town of Cape Elizabeth." (H. P. 233) (L. D. 341)

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

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: With reference to Item 8-1

An Act Providing for a Council-Manager Charter for the Town of Cape Elizabeth, L. D. 341, I would hesitate to let this momentous occasion go by without making some comment on it. I do want to apologize to the Members of the Senate because I had intended to have on your desks this morning a bag for each member of our very fine Cape Elizabeth potatoes. I referred earlier in the session to our agricultural background in Cape Elizabeth and I do want to give everyone in the Senate concrete proof, and I assure you this will be done. It is with a great deal of pleasure, Mr. President, that I emphasize its significance by moving the enactment of 8-1.

An Act Relating to Sale of Certain Biologics (H. P. 789) (L. D. 1151)

An Act to Create the Orrington Water District. (H. P. 913) (L. D. 1336)

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

Emergency

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

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

Emergency

An Act Relating to Permits for Motorcycle Operation. (H. P. 566) (L. D. 798)

This being an emergency measure and having received the affirmative votes of 31 members

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

Orders of the Day

Mr. MacLeod of Penobscot was granted unanimous consent to address the Senate.

Mr. MACLEOD of Penobscot: Mr. President and Members of the Senate: I rise today because I am seriously disturbed by some irresponsible remarks which appeared yesterday, April 19, in the Waterville Morning Sentinel. I wish to call the attention of this body to these remarks. If I am incorrect in my interpretation of these remarks, I would point out that a member of the other body made reference to these same remarks on the floor of that body yesterday and I note no retraction or apology.

The remarks that I am referring to were made by our Governor — the Honorable Kenneth Curtis — in an address to a partisan group, a gathering of Somerset County Democrats, Tuesday evening at Skowhegan. The remarks, and I quote, are as follows:

"If I were the best of all governors, which I am not, my hands would be tied by the type of people you send to the legislature."

The story then notes that Governor Curtis asked for the election of modern, forward-looking legislators to help keep the State moving with the new tidal wave. Apparently, the tidal wave to which he refers, is, and I quote again: "A giant tidal wave is sweeping across our nation. The people should get in front of this wave and be swept ahead."

Forget for a moment that some of us wear different party labels. Forget for a moment that in deference to his election by the people of Maine, we of the majority party have gone to great lengths to restrain ourselves from partisan attacks on the program presented to us by the Governor for our consideration. Forget for a moment that our Governor has presented a fiscally unsound, financially unbalanced budget for the next two years. But, don't forget that the same people who elected

him, elected us. The insult cast upon this Legislature is not an insult to us, its members. It is an insult to every man and woman of this State who exercised their franchise this past November.

I would feel less than honest if I did not stand here today and defend the ability of the members of this Legislature. I feel equally obligated to defend the people who elected me, and the Governor, to high office of this state. The Governor has said that we have tied his hands, that the quality of the people represented in this equal branch of state government prevents Maine's progress. Let's set the record straight — not by name-calling, but by factual reference to the Governor's proposals.

Does his reduction of \$3,400,000 in the budget of the University of Maine represent responsibility and progress? Are the budgetary indiscretions that he committed in the name of political expediency, which are depriving our youth of a college education, is this the progress that he is referring to as the tidal wave that we should get in front of?

Yet, the Democratic Chief Executive has sold the young people of Maine down the educational river. His proposals presented to us are for a caretaker form of government for the next two years. Yet he has the audacity to say that we have tied his hands.

The Governor has thrown down the gauntlet. I pick this gauntlet up gladly. Let's put the responsibility where it belongs. Our Governor says now is the time to retrench. What a different tune he was preaching around this State during his political campaign of last fall.

I quote again from an Associated Press article of a couple weeks ago "It's obvious there's not enough money to go around," Governor Curtis said, "but an increase in the sales tax to five per cent is not utopia, and not an answer to our problems."

And again I quote from the same article: "Maine needs a master plan and the current

legislative session should be a time of determining the needs of the state."

And again I quote: "If we find that the needs are there," Curtis said, "I would not hesitate to go to the people for more taxes."

Remember last fall? Remember this inexperienced young man on television, on radio and in the press, knocking our state government; knocking our lack of progress in education, in pollution control, in planning and in fact just about every area of state government? What a change in a short time.

No Governor in modern times has seen fit to degrade the quality of those of us who are willing to run for public office. We are not rubber stamps sent to Augusta to approve without question a program which goes nowhere and does nothing. This young man says again and I quote: "Never before have we had the opportunity to do things as today. We used to have lots of time to think about our problems. We no longer have this time." This is the Governor talking, yet, he asks us to mark time, to pause, and to take stock, and to wait for 1969. Well, Mr. President and Members of the Senate, I agree with the Governor — we no longer have the time to wait, to pause, to take stock and to wait for 1969. The time is now! The place is here in this Senate and in the other body! The Governor should read his Constitution and he will find that the legislative branch is co-equal with the executive. We can do anything we wish in this Senate. This is not the time for timidity, for taking stock and for waiting.

It has been said that there are seeds of greatness in all of us. Let's look around this chamber this morning for a minute and see what we have in this hall. We have Ben Katz, Chairman of the Education Committee, who has educational legislation in, of which we will hear more shortly, to revolutionize our approach to higher education, who has given probably fourteen to sixteen hours a day of his time since January.

We have young Bob Couturier from Lewiston, a young man who has revitalized the political machinery of that city, turned it and finally got the people awakened in Lewiston, and became one of the youngest mayors in the country at the age of 22 or 23 years old, or maybe it was 25, Bob. It's an inspiration to have him here as a member of this Senate, with his youth and vigor and ability.

In the case of Senator Duquette with his experience and wisdom in fiscal affairs is serving the Appropriations Committee well and is serving the Senate well as these financial bills come along. And to his left, Pete Farley, who came out of retirement to come back to this body. I beg your pardon — I don't think he'll ever retire and his wisdom and wit has added much to this body. And to his left George Barnes, a man nationally recognized and holds national office for his knowledge and wisdom in the field of potatoes and potato marketing which is one of our Maine state industries. And to his left, Senator Harding, who was Majority Floor Leader of this Senate two years ago, and who was regarded in the press and by all of those down here as a very capable Floor Leader, and who is here today as Minority Floor Leader.

Everywhere you look around in this Senate, you see men of talent. Then, there is Senator Horace Hildreth over there, articulate, witty and with a sound educational background and a good knowledge of state government. To my left, sits one of the greatest trial lawyers in the State of Maine, respected by all in the Bar and by many outside. Norm Ferguson, who knows more about the highway situation in the State of Maine than Norm? — And about many other areas of the state government. Hollis Wyman, an expert in taxation, an expert in state government.

It is my honest belief shared by people outside of this body that the Senate of the 103rd Legislature represents more collective talent than has ever before been assem-

bled in this chamber in any previous Senate.

Let us hope that the word goes forth from this body this morning and reaches the ears of this young inexperienced Chief Executive. Let us hope that he addresses himself to the problems of the Executive Department, many of which thoroughly need attention, and he can be sure that we will address ourselves to the legislative problems and the problems facing the people of the State of Maine. And let us hope that the word goes forth to this young man that the same people who did him the honor of electing him to the highest office in this state also did us the honor of electing us to the Maine Senate.

It has been said that no man is an island unto himself. It has been said that as you grow, and as you grow older, your character is made and maintained by the association of the people around you — a change for good or a change for evil. And my three short months in the Senate has made Ken MacLeod a better man than I was in January and it is because of the calibre of the men I have been associated with in the Senate. I am proud of this Senate and I am proud to be a member of it. Thank you.

Mr. HARDING of Aroostook was granted unanimous consent to address the Senate.

Mr. HARDING: Mr. President, I would like to state very briefly that I feel that the remarks which were attributed to our Governor have been taken out of context. Because of my association with him, I know he has the deepest respect for the members of this legislature, both from the House and from the Senate. He may differ in view and philosophy with members of this body as we differ with each other, but I am sure he has the highest regard for this legislature. I would also say that the program that the Governor has suggested, I know that he nor any member of the Executive Department, nor certainly myself, suggest that this is the ultimate answer to Maine's problems. If there are people in this body who can come forward with what they feel is a more progressive program, who

will suggest the things that need to be done and the revenue which they are willing to raise to do that job, I am sure that this will be given the very earnest consideration of our Chief Executive.

I know it is my hope, my desire that we keep partisan matters at a very minimum in this legislature and that we will address ourselves to the very grave problems which face our state. This is what I am attempting to do, and I am sure that the Governor wishes to do that too.

The President laid before the Senate the first tabled and today assigned matter (S. P. 567) (L. D. 1437) Senate Report Ought to Pass from the Committee on Towns and Counties on Bill "An Act Relating to Line Budgets for All Counties." Tabled April 14 by Senator Harding of Aroostook pending acceptance of report.

On motion by Mr. Harding of Aroostook, the Senate voted to accept the Ought to Pass report of the Committee.

Thereupon, the Bill was given its first reading and tomorrow assigned for second reading.

The President laid before the Senate the second tabled and today assigned matter (H. P. 934) (L. D. 1437) House Report Ought Not to Pass from the Committee on Education on Bill, "An Act Relating to Unity Institute." Tabled April 19 by Senator Katz of Kennebec pending acceptance of Report.

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

Mr. KATZ of Kennebec: Mr. President, I move acceptance of the Unanimous Ought Not to Pass Report of the Committee.

The PRESIDENT: The Chair recognizes the Senator from Waldo Senator Greeley.

Mr. GREELEY of Waldo: Mr. President, for the purpose of granting a stay of execution, I move that this bill lie on the table until Tuesday, April 25.

Thereupon, the bill was tabled until Tuesday, April 25 pending the motion to accept the unanimous

Ought Not to Pass Report of the Committee.

On motion by Mrs. Sproul of Lincoln, the Senate voted to take from the table the fifth tabled and unassigned matter (S. P. 61) (L. D. 74) Senate Report — Ought Not to Pass from the Committee on Education on Bill, "An Act Relating to Approval of School Building Plans." Tabled March 2 by Senator Sproul of Lincoln Pending Acceptance of Report.

The PRESIDENT: The Chair recognizes the Senator from Lincoln, Senator Sproul.

Mrs. SPROUL: Mr. President and Members of the Senate: Since the distinguished Senator from Penobscot referred to his association with the gentlemen of the Senate, and eulogized them and praised them so, I considered that I could go ahead with this bill and I don't have to act as though I belonged in such distinguished company. In other words, I can proceed with my bill right now.

Gentlemen of the Senate: This bill has been on the table for some time, and in order to explain this I must go back a little. In fact, I must go back now, I think, about four years. The Town of Bristol at that time appointed a committee, and I was a member of it. We were discussing the situation of the high school in Bristol. At that time we had 120 pupils. We studied for quite a while, and we came out with a report, six for continuing Bristol High School and six for closing Bristol High School. So time went on, and three years ago I stood here on the Senate floor and opposed bitterly legislation which would allow students to go outside to take courses in science, languages and math. I can remember the day, it was April 20th, I can remember the hours, and I can remember the opposition. I knew exactly what that bill would do to the Town of Bristol, and it has done just exactly that. We now send outside 52 pupils to Lincoln Academy at a cost of \$30,000. And I have many who will bear me out from the Town of Bristol.

So we come to the problem which is at hand now. Sometime

in February, or even a little earlier, I went before the Committee on Education and presented a bill which would allow the Town of Bristol to proceed with its building on the high school, an addition. These plans were submitted in late August before the law went into effect which now forbids the addition to our high school, which is a small high school. So I must say that since the law went into effect, which I bitterly opposed, allowing students to go outside for science, language and math, they have gone outside, and our high school is diminished now to fifty some odd pupils, all in need of advancing education. So we have many of our children who go outside, and they are my friends, as are the pupils who remain. Lincoln Academy is the nearest place where our pupils can go. Lincoln Academy is a fine old school, but because of Lincoln Academy we will never have a district in the County of Lincoln. I say that because I know you will be told here shortly that we should look forward to school districts. We cannot have a district and we will not have a district. We have voted three times on whether to have a school district in the towns of Lincoln County. I submitted one bill myself in this Legislature, and the only proponent that we had for this was Mr. Asa Gordon from the Department of Education. So, as I say, I presented my bill to the Committee, and the Committee voted eight, and two abstained from voting.

These plans were submitted in August before the law went into effect but we were told that we couldn't build. So, I started to round up a little support in the Senate and I had two or three who would go along with me on my proposal. Then I ran up against the gentleman behind me, and I didn't do too well. So, I said, "There's a way out of this somehow; I'll see what I can figure out." So, one Friday afternoon I rounded up two who had been to my house — believe me, gentlemen, they have been to my house at 10:00 o'clock at night and they have been to my house at 6:00 o'clock in the morning. I get a

little sleep some nights. I have had them for breakfast at various times. Easter Sunday dawned bright and early, and I went to church, and I came home, and in my yard I had somebody who wanted to keep Bristol High School. If you wonder why I seem confused, it is a great problem.

Now, I will digress a little bit and tell you what happens in a school where there are pupils who remain when the town votes to keep the high school. I have seen discouraged teenagers come home from school night after night, not knowing what they would do. They feel as though they had been put upon. They are discouraged. I have worked with these children. While I am on my feet I want to pay tribute to the teachers who have remained in Bristol High School; to the principal, Mr. Gordon Bryant, who is now, I believe, at Lisbon, to Mr. Richard Knowlton, who is furthering his education at the University of Maine, to Prentiss Wilkes, a graduate of the United States Naval Academy, who remained with the children. Gentlemen, the children who remain are a problem. They want to go ahead. For feelings of loyalty to the town they feel that they must remain in the school. I could have sent my own teenager outside, but I felt that we should remain with the children who were there and see what we could do.

If I can speak to the amendment now, and I have the amendment here, I will tell you what we came up with. We have a gym, which is a modern new gym, and a high school approximately 50 years old, and we have a new elementary school, all in the same complex. We are still paying a loan off to the Maine School Building Authority on the elementary, and that is why we are controlled still by the Department of Education. Now, this particular amendment of mine, Senate Amendment "A" to L.D. 74 would allow the town to excavate under its gym. Our great problem now is our industrial arts students. There are some who would like to take it. This \$5,000 amendment would allow the town

to excavate under its gym, which would tide us over for a few years, and hopefully by then we may be in a school district. I don't see how we can, but something may turn up. I hope that it does. When I see the citizens of this town, I am tired of looking at some and saying "This one goes to Lincoln Academy, and this one stays home." It is not good. I just want a little peace and quiet for a few years. I hope that the Senate can see its way clear to allow the excavation underneath the gymnasium, which people seem to feel we can do for \$500, but I would like to see a decent job done, and it is a job which should be done to fix our gymnasium floor which we have had trouble with. In this same complex we have well over 200 elementary students who are coming along. The plan for the future is, when the high school is finally given up, to use the whole complex for the elementary school.

Now, we have been told by the Department of Education that we can add onto our elementary school, but that is not what is needed, and I sincerely hope that the Senate will adopt Senate Amendment "A" to L.D. 74.

The PRESIDENT: The pending question is on the acceptance of the Ought Not to Pass Report of the Committee.

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ of Kennebec: Mr. President and Members of the Senate: Everything that Senator Sproul says is literally true. The problems of the Town of Bristol have been the type of problems for which there is no really black and white solution. I can tell you that personally I have spent more time in interesting myself in the Town of Bristol and its problems that she has mentioned than I have on some of the major legislation before our Committee. We have had groups of townspeople down here on stormy days and we have sat and visited with them and tried to arrange for a basic answer to this problem. But in all conscience, I think our responsibilities here must be directed to the welfare of the children. It is very, very

easy to think in terms of financial matters and a town's local aspirations, but one of the basic purposes — the basic purpose — of the Sinclair Act was to address attention to the children from small communities who were being given an education that was just not competitive in this world, and to attempt to get them into such organizations that would have a broad opportunity for a multiplicity of programs, a multiplicity of courses, that would benefit the children. In this process you run into heartbreaking problems about communities, about communities split in two.

Senator Sproul's position with her constituents in Bristol has been a very, very trying situation, but in conscience I have to suggest to you that our decision here should be based, not upon the will necessarily of the townspeople who want to zig or zag completely, but I think we almost have to address ourselves to the fact that youngsters, and I believe there are 56 of them now, a 56-unit high school, just simply is cheating the children out of the opportunities that I think responsible legislators must offer to them.

The PRESIDENT: The pending question is on the acceptance of the Committee Report.

The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY of Cumberland: Mr. President, I move the bill be substituted for the report.

The PRESIDENT: The Senator from Cumberland, Senator Berry, moves that we now substitute the bill for the Ought Not to Pass Report of the Committee.

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ of Kennebec: Mr. President and Members of the Senate: It is very easy, and we will have other opportunities this session, to act purely from the heart. But I suggest to you, after listening to Senator MacLeod's speech this morning, that there is a heavy responsibility on us to do our duty here. This was a unanimous report which was arrived at after deep deliberation, and our hearts too are just as large as Senator Berry's, but I would urge you to

defeat the motion for substituting the bill for the report.

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from Lincoln, Senator Sproul.

Mrs. SPROUL of Lincoln: Mr. President, I know that this appears to be a unanimous report, but someone is in error. I have been told that two abstained from voting. In all honesty, that is what I was told. When the vote is taken I move a division.

The PRESIDENT: Is the Senate ready for the question? The pending question is on the motion of the Senator from Cumberland, Senator Berry, that we now substitute the bill for the Ought Not to Pass Report of the Committee. The Senator from Lincoln, Senator Sproul, has requested that the vote be taken by a division.

As many as are in favor of substituting the bill for the Ought Not to Pass Report will stand and remain standing until counted. Those opposed will stand and remain standing until counted.

A division was had. 19 Senators having voted in the affirmative, and 9 Senators having voted in the negative, the motion to substitute the bill for the Ought Not to Pass Report prevailed.

Thereupon the Bill was given its first reading.

Mrs. Sproul presented Senate Amendment "A" and moved its adoption.

Senate Amendment "A", Filing No. S-80, was read by the Secretary as follows:

SENATE AMENDMENT "A" to S. P. 61, L. D. 74, Bill, "An Act Relating to Approval of School Building Plans."

Amend said Bill by striking out the Title and inserting in place thereof the Following: 'An Act Relating to School Building Remodeling.'

Further amend said Bill by striking out everything after the enacting clause and inserting in place thereof the following:

'R. S., T. 20, §3623, amended. The first sentence of section 3623 of Title 20 of the Revised Statutes is amended to read as follows:

Where the plans and specifications prepared by the commissioner are not used, all superintending school committees, school building committees, school directors or school district trustees where new schoolhouses are to be erected shall make suitable provision for the heating, lighting, ventilating and hygienic conditions of such buildings, and all plans and specifications for any such proposed school building and plans for the reconstruction or remodeling of any school building, the expense for which shall exceed \$500 \$5,000, shall be submitted to and approved by the commissioner and the Bureau of Health before the same shall be accepted by the superintending school committee, school building committee, school directors or school district trustees of the administrative unit in which it is proposed to erect, reconstruct or remodel such building.'

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

On motion by Mr. Katz of Kennebec, the Senate voted to take from the table the 17th tabled and unsigned matter (S. P. 401) (L. D. 1032) Senate Reports — from the Committee on Education on Bill, "An Act Relating to Approval of Secondary Schools." Majority Report, Ought to Pass as Amended by Committee Amendment "A" Filing S-57; Minority Report, Ought Not to Pass. Tabled April 4 by Senator Katz of Kennebec, Pending Acceptance of Either Report.

On further motion by the same Senator, the Senate voted to accept the Majority Ought to Pass Report of the Committee, and the Bill was given its first reading.

Committee Amendment "A" was read by the Secretary.

On motion by Mr. Katz of Kennebec, Committee Amendment "A" was indefinitely postponed.

The same Senator then presented Senate Amendment "B" and moved its adoption.

Senate Amendment "B", Filing No. S-84 was read by the Secretary as follows:

SENATE AMENDMENT "B" to S. P. 401, L. D. 1032, Bill, "An

Act Relating to Approval of Secondary Schools."

Amend said Bill by striking out everything after the enacting clause and inserting in place thereof the following:

"R. S., T. 20, §1281, sub-§10, additional. Section 1281 of Title 20 of the Revised Statutes is amended by adding a new subsection 10, to read as follows:

10. Size. Any public school enrolling fewer than 100 pupils may be approved by the State Board of Education on an emergency basis only after the school committee or board of directors has presented in detail reasons for such emergency approval.'

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

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: This seems to be education day for some reason or another, and I regret my role, but as a responsible member of this body, as has been pointed out earlier, I feel it incumbent upon me to bring this matter to the attention of this body. I don't like to refer in debate to actions of previous legislatures, but what is at stake in this bill was finally rejected by the 102nd Legislature in its wisdom.

I have attempted to work out with the Chairman of the Education Committee the objections to this bill. It has not been a successful attempt. The objections to this bill are that it is another attempt of the Department of Education to control and regulate private schools. In so far as this legislation extends to public schools I have absolutely no quarrel whatsoever. I would support the bill if any reference to private schools were removed.

I know I don't need to remind the members of this body that our private institutions, by providing spaces for children to get education, are saving the expense of the communities and the State by providing an education. I do believe it is important to keep these private institutions inviolable in so far as the Department of Education goes in approving their

curriculum. We have several excellent private secondary institutions in the State of Maine, of which we all may be very proud, and to name them might by omission reflect on others which should be named. I would support this legislation wholeheartedly if these changes were made. It appears impossible, therefore, I would move the indefinite postponement of this bill and all accompanying papers.

The PRESIDENT: The Senator from Cumberland, Senator Berry, moves that we now indefinitely postpone the bill and all accompanying papers.

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ of Kennebec: Mr. President, I rise reasonably bruised and bloodied to point out to the good Senator that Senate Amendment "B" strikes out all reference to private schools, and has just one single sentence. We completely chopped out all the objectionable phrasing, and I now welcome his support of the legislation.

On motion by Mr. Berry of Cumberland, tabled until Friday, April 21, Pending a motion by the same Senator that the Bill and all its accompanying papers be indefinitely postponed.

On motion by Mr. Good of Cumberland, the Senate voted to take from the table the eighth tabled and unassigned matter (S. P. 232) (L. D. 557) Senate Report — Ought to Pass from the Committee on Legal Affairs on "Resolve, Permitting Augusta Golf Company to Draw Water from Lake Cobbosseecontee." Tabled March 16 by Senator Good of Cumberland, Pending Acceptance of Report.

On further motion by the same Senator, the Senate voted to accept the Ought to Pass Report of the Committee. The Bill was given its first reading and tomorrow assigned for second reading.

On motion by Mr. Wyman of Washington, the Senate voted to take from the table the 39th tabled and unassigned matter (S. P. 383) (L. D. 995) Senate Report — That

the Bill should be referred to the Committee on Labor from the Committee on State Government on Bill, "An Act Establishing a Grievance Procedure and Appeals Board for State Employees." Tabled April 19 by Senator Wyman pending acceptance of Report.

On further motion by the same Senator, the Senate voted to accept the Committee Report and the Bill was referred to the Committee on Labor.

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

Mr. HOFFSES of Knox: Mr. President, I would inquire if the Senate is in possession of L. D. 309?

The PRESIDENT: The Chair will reply in the affirmative, this measure having been held at the request of the Senator from Knox, Senator Hoffses.

Mr. HOFFSES: Mr. President, I move we reconsider our action of yesterday whereby we accepted the Ought Not to Pass Report of the Committee.

The PRESIDENT: The Chair will advise the Senate that the matter before it is An Act Relating to a Closed Season on Wild Hares

and Rabbits in York County. In the House this measure was substituted for the Ought Not to Pass Report of the Committee, and it was amended by the adoption of House Amendment "B". House Amendment "A" was indefinitely postponed. At the time the Bill was in the Senate, which was yesterday, the Senate adopted the Ought Not to Pass Report of the Committee.

The Senator from Knox, Senator Hoffses, now moves that we reconsider our action of yesterday whereby we accepted the Ought Not to Pass Report of the Committee. Is this the pleasure of the Senate?

The motion prevailed.

On motion by the same Senator, the Senate voted to substitute the Bill for the Ought Not to Pass Report of the Committee in concurrence, and the Bill was given its first reading. House Amendment "B" was read by the Secretary and was adopted and the Bill, as amended, tomorrow assigned for second reading.

On motion by Mr. Ross of Piscataquis,

Adjourned until 9:30 tomorrow morning.