

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Third
Legislature*

OF THE

STATE OF MAINE

1967

KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Tuesday, April 25, 1967

Senate called to order by the President.

Prayer by Rev. William R. Huber of Ellsworth.

Reading of the Journal of yesterday.

Papers from the House Non-concurrent matters

Bill "An Act Relating to State Aid for School Construction." (S. P. 63) (L. D. 107)

This Bill was Passed to be Engrossed As Amended by Senate Amendment "A" (S-70) in both branches.

Comes from the House, having failed of enactment.

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

Mr. JOHNSON of Somerset: Mr. President I now move that this Bill be Passed to be Enacted in non-concurrence.

The PRESIDENT: The Senator from Somerset, Senator Johnson, now moves that this Bill be Passed to be Enacted.

The Chair recognizes the Senator from Aroostook, Senator Harding.

Mr. HARDING of Aroostook: Mr. President and Members of the Senate: This L. D. 107 has been a matter of great interest, not only to the Legislature, but to all the people of the State of Maine, and I would say that as far as I know that there has been no real division here in the legislature as to the merits of L. D. 107. The only question has been on the return to the installment method of repayment, and this has created some problems insofar as the leadership in our party is concerned because we did not know how this would be financed. I now understand that a compromise has been developed which is satisfactory to the leadership of both parties of financing the installment method of repayment. Inasmuch as that has been worked out, I do not entertain any objection to this bill, and I certainly join the Senator from Somerset, Senator Johnson, in the enactment.

The PRESIDENT: Is the Senate ready for the question? This bill

having had its three several readings in the House, its two several readings in the Senate, having been passed to be engrossed, having been reported by the Committee on Engrossed Bills as truly and strictly engrossed, having failed to be enacted in the House, is it now the pleasure of the Senate that the bill be Passed to be Enacted?

This Bill being an emergency measure and having received the affirmative vote of 30 members of the Senate, was Passed to be enacted in non-concurrence, and having been signed by the President, was returned to the House for concurrence.

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

In Senate, March 28, Passed to be Engrossed As Amended by House Amendment "A" (H-75)

Comes from the House Indefinitely Postponed in non-concurrence.

(On motion by Mr. Reny of York, tabled pending further consideration.)

House Paper

Bill "An Act Relating to Board of Commissioners of Police for the Town of Sanford." (H. P. 1117) (L. D. 1590)

Comes from the House referred to the Committee on Legal Affairs and ordered printed.

Which was referred to the Committee on Legal Affairs in concurrence.

Committee Reports

House

Referred to the 104th Legislature

The Committee on Judiciary on Bill "An Act Creating the Uniform Deceptive Trade Practices Act." (H. P. 940) (L. D. 1372)

Reported that the same should be referred to the 104th Legislature.

Comes from the House, report Read and Accepted.

Which report was Read and Accepted in concurrence.

The Committee on Judiciary on Bill "An Act Creating the Uniform Preservation of Private Business Records Act." (H. P. 939) (L. D. 1371)

Reported that the same should be Referred to the 104th Legislature.

Comes from the House, Read and Accepted.

Which report was Read and Accepted in concurrence.

Leave to Withdraw

The Committee on Appropriations and Financial Affairs on Bill "An Act Providing Funds for Drugs for Medical Care Programs." (H. P. 125) (L. D. 189)

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

Comes from the House, Read and Accepted.

Which report was Read and Accepted in concurrence.

Ought Not to Pass

The Committee on Appropriations and Financial Affairs on Resolve Appropriating Funds for Regional Airport to Service Augusta, Waterville and Surrounding Areas." (H. P. 872) (L. D. 1284)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

The Committee on Judiciary on Bill "An Act Prohibiting the Acceptance of Payment for Materials Supplied When the Title is Not Merchantable." (H. P. 842) (L. D. 1250)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

The Committee on Judiciary on Bill "An Act Creating the State Witness Immunity Act." (H. P. 1079) (L. D. 1542)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

The Committee on Judiciary on Bill "An Act to Amend the Administrative Code." (H. P. 844) (L. D. 1252)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

The Committee on Judiciary on Bill "An Act Relating to Evidence in Prosecutions for Perjury." (H. P. 1078) (L. D. 1541)

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 Not to Pass

Covered by Other Legislation

The Committee on Transportation on Bill "An Act Relating to Fines and Costs for Weight Violations of Motor Vehicles." (H. P. 171) (L. D. 234)

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

Comes from the House, report Read and Accepted.

Which report was Read and Accepted in concurrence.

Ought to Pass

The Committee on Inland Fisheries and Game on Bill "An Act Relating to the Hunting of Muskrat, Mink, Otter and Fisher by Indians." (H. P. 670) (L. D. 942)

Reported that the same Ought to Pass.

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

The Committee on Inland Fisheries and Game on Bill "An Act Relating to Definition of Sporting Camp Under Fish and Game Laws." (H. P. 359) (L. D. 506)

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 Retirements and Pensions on Resolve Increasing Retirement Benefit of Charles S. Hulbert of Shin Pond. (H. P. 914) (L. D. 1323)

Reported that the same Ought to Pass.

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

The Committee on Towns and Counties on Bill "An Act Providing Relocation Assistance by Municipalities." (H. P. 729) (L. D. 1053)

Reported that the same Ought to Pass.

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

Which reports were Read and Accepted in Concurrence, the Bills and Resolve read once and tomorrow assigned for Second Reading.

The Committee on Taxation on Bill "An Act to Relieve Elderly Persons from Increases in the Property Tax" (H. P. 953) (L. D. 1384)

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-202)

(On motion by Mr. Ferguson of Oxford, tabled and specially assigned for Wednesday, May 3, pending acceptance of the Committee report.)

Ought to Pass As Amended

The Committee on Health and Institutional Services on Bill "An Act Permitting Northern Maine General Hospital of Eagle Lake to Maintain Nursing Home." (H. P. 889) (L. D. 1303)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-195)

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 Relating to Charges by Camp Owners Under Fish and Game Laws to Hunters or Fishermen." (H. P. 360) (L. D. 507)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-196)

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

The Committee on Legal Affairs on Bill "An Act Relating to Approval of Ward Boundaries of The City of Brewer." (H. P. 801) (L. D. 1178)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-198)

Comes from the House, report Read and Accepted and the Bill, Passed to be Engrossed As Amended by Committee Amendment "A" (H-197)

(On motion by Mr. MacLeod of Penobscot, tabled pending acceptance of the Committee Report.)

The Committee on Legal Affairs on Bill "An Act Amending the Charter of the Town of Falmouth." (H. P. 760) (L. D. 1107)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-197)

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

The Committee on Towns and Counties on Bill "An Act Relating to Payment of Fees to Secretary of State Resulting in Protest." (H. P. 167) (L. D. 230)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-199)

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

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

Senate

Ought Not to Pass

Mr. Sewall for the Committee on Natural Resources on Bill "An Act Relating to Conservation of Natural and Watershed Resources in Municipalities." (S. P. 553) (L. D. 1449)

Reported that the same Ought Not to Pass.

Which report was Read and Accepted.

Sent down for concurrence.

Ought to Pass

Mr. Albair for the Committee on Appropriations and Financial Affairs on Resolve Authorizing the Sale of State Land Located at Thomaston. (S. P. 357) (L. D. 941)

Reported that the same Ought to Pass.

Mr. Good for the Committee on Legal Affairs on Bill "An Act Relating to Number of Officers

of Associated Hospital Service of Maine." (S. P. 549) (L. D. 1395)

Reported that the same Ought to Pass.

Which reports were Read and Accepted and the Resolve and Bill read once and tomorrow assigned for second reading.

Ought to Pass As Amended

Mr. Albair for the Committee on Appropriations and Financial Affairs on Resolve Authorizing the Disposal of Northern Maine Sanatorium." (S. P. 239) (L. D. 564)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (S-89)

Which report was Read and Accepted and the Resolve read once. Committee Amendment "A" Filing S-89 was read by the Secretary as follows:

COMMITTEE AMENDMENT "A" to S. P. 239, L. D. 564, Resolve, Authorizing the Disposal of Northern Maine Sanatorium.

Amend said Resolve by inserting after the Title thereof, the following:

'Emergency preamble. Whereas, Acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, operation of the Northern Maine Sanatorium was discontinued in 1961 and no state agency has indicated a need or use for the real estate or appurtenances; and

Whereas, maintenance of the real estate and appurtenances on a stand-by basis is costing the State approximately \$31,000 annually; and

Whereas, in order to save this amount of money and to dispose of the property as advantageously as possible, the following legislation is vitally necessary to proceed with the disposal of the property as soon as possible; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it'

Further amend said Resolve by adding at the end, before the Statement of Facts, the following:

'Emergency clause. In view of the emergency cited in the preamble, this resolve shall take effect when approved.'

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

Final Report

Mr. Viles, Chairman of The Committee on Veterans and Military Affairs reported that they have acted on all matters referred to them. April 21, 1967.

Which report was Read and Accepted.

Second Readers

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

House — As Amended

Bill "An Act Relating to Conflicts of Interest in Municipal and Quasi-Municipal Contracts." (H. P. 634) (L. D. 890)

Bill "An Act Relating to Inspection of County Jails." (H. P. 668) (L. D. 923)

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

Senate

Bill "An Act Relating to State Contribution for Pollution Abatement." (S. P. 227) (L. D. 552)

Bill "An Act Creating the Short Form Deeds Act." (S. P. 537) (L. D. 1442)

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 Bills and Resolves:

An Act Relating to Conferring Degrees by Bliss College. (H. P. 262) (L. D. 383)

An Act Relating to Examination to Determine Sanity of Accused in the District Court. (S. P. 191) (L. D. 426)

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

An Act Relating to Unindorsed Checks of Recipients of Aid to the Aged, Blind and Disabled. (S. P. 346) (L. D. 930)

An Act Revising Laws on Dealers in Poultry. (S. P. 420) (L. D. 1074)

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

An Act Relating to the New England Compact on Radiological Health Protection. (S. P. 482) (L. D. 1203)

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

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

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 to Increase Retirement Benefit for Susie H. Yeaton of Harrington. (S. P. 278) (L. D. 658)

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

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

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

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

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

Emergency

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

(On motion by Mr. Beckett of Washington, tabled and specially Assigned for Tuesday, May 2, pending Enactment.)

Emergency

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

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

Emergency

An Act to Appropriate Moneys for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1968 and June 30, 1969. (S. P. 597) (L. D. 1575)

(On motion by Mr. Johnson of Somerset, tabled pending Enactment.)

Orders of the Day

The President laid before the Senate the first tabled and today assigned matter (S. P. 69) (L. D. 151) Senate Report — from the Committee on State Government on "Resolve" Proposing an Amendment to the Constitution to Reduce the Voting Age to Eighteen Years. Report "A", Ought to Pass in New Draft with New Title. (S. P. 599) (L. D. 1580) Resolve, Proposing an Amendment to the Constitution to Grant Adult Rights to Persons Twenty Years of Age and to Reduce the Voting Age to Twenty Years. Report "B", Ought Not to Pass. Tabled April 18 by Senator Wyman of Washington pending Motion by Senator Lund of Kennebec to Accept Report "A" Ought to Pass in New Draft.

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

Mr. WYMAN of Washington: Mr. President and Members of the Senate: This bill was heard by your Committee on State Government and was given a divided report, five to five. As a signer of the Ought Not to Pass Report, I am opposing the bill.

To the best of my recollection, there were no more than 25 to 30 persons in the room when the bill was heard. A young lady from Cony High School was the only one of the younger group to speak in favor of this bill, but several of the young people present made excellent presentations against it, giving reasons such as this: "I am not interested in voting; I am interested in knowing whether I am going to graduate." Or, "I am more interested in whether I am going to be able to go to

college." Or, "I am worried about the draft." Certainly the weight of evidence given by the young people at the hearing was against this bill.

True, the five signers of the Ought to Pass Report are supporting the redraft to reduce the voting age one year only, from 21 years to 20. But why reduce it at all when there appears to be so little demand for it. Certainly if there had been a strong demand the hearing room would have been filled, as it has been in several instances, instead of the small group. Not only that, but with most of the young people in this group opposing the bill.

As Chairman of the Committee, I have had a good number of letters favoring or opposing many of the various pieces of legislation before the Committee, but not one letter, not one telephone call, and not one spoken word in favor of this bill. It may be argued that the young people these days are better qualified to vote than formerly, with that I will agree. Their ability was proven by their outstanding presentation against the bill. So, in closing, why do we tinker with this provision of the Constitution when there has been no real demonstrated demand for it at the public hearing or since. I hope, Members of the Senate, you will oppose the motion of my colleague, the good Senator from Kennebec, Senator LUND, to adopt the Ought to Pass in New Draft Report of five members of the State Government Committee.

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from Kennebec, Senator LUND.

Mr. LUND of Kennebec: Mr. President and Members of the Senate: I don't believe that this measure is one which would require a great deal of debate this morning. I don't propose to debate it at length. I believe that Senator Wyman has stated rather eloquently the chief arguments in support of passage of this legislation, the constitutional amendment, namely; that our young people today, through the changing methods of communication that have been developed over the years, and

through a new focusing of their interest in public affairs, are far better informed on the public issues of the day than many of us were only a few short years ago. It was apparent to the State Government Committee, I think, from the presentation made by the young people there at the hearing that they were able presentations that would have done justice to the more skilled lobbyists that we see here in the legislative halls. It was clear from these presentations that, although many of the young people who were there felt that this reduction to age 18 in the voting age ought not to pass, that their appearance and presentation alone provided the most eloquent support for the passage of this redraft. I, therefore, would hope that the Senate at this point would at least give this constitutional amendment a little breathing time. It will, after all, have to pass a two-thirds test in both houses at a later time. I would hope that the Senate at this time would not support Senator Wyman's position by voting in opposition to the Ought to Pass in New Draft Report, and I would hope the Senate will join in voting for the Ought to Pass in New Draft Report of the Committee.

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

Mr. STERN of Penobscot: Mr. President and Members of the Senate: I rise in support of Senator LUND's Ought to Pass in New Draft Report "A". I just want to say that I don't intend to argue on it at any great length, but at the last session of the Legislature we had several hundred, possibly four hundred, attending a committee hearing on this same bill, and we heard eloquent pros and cons, but the majority were in favor of reducing the voting age.

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

Mr. GOOD of Cumberland: Mr. President and Members of the Senate: I am going to vote against this bill, and I would like to state my reasons why. This Legislature had before it a bill to remove

the party box at the top of the ballot. That was vetoed by the Governor, therefore, not encouraging our young people to think. Now, if the party box had been removed, and there had been thus encouragement given to our young people to think, I would have voted for this bill. But with the party box there, and no encouragement for our young people to think for themselves, I will oppose the bill. I don't believe in giving the right to vote without the encouragement to think.

The PRESIDENT: The Chair recognizes the Senator from York, Senator Remy.

Mr. Remy of York: Mr. President and Members of the Senate: I was the sponsor of this bill, and I did all I could to get the many students here from the different schools in the area. I called them up and asked them if they would send representatives, but the only school that did show up was Cony, and I think they were all set before they got here as to what position they were going to take. But I think that if we are going to recognize these children as being adults at the age of 20, I think they should be allowed to vote.

The PRESIDENT: The pending question is on the motion of the Senator from Kennebec, Senator Lund, that we accept the Ought to Pass in New Draft Report.

The Chair recognizes the Senator from York Senator Farley.

Mr. Farley of York: Mr. President and Members of the Senate: I am going to support the Senator from Washington County, also for reasons of my own family who never took to the ballot young. Some never voted until the age of 23. I am a firm supporter of the square in the ballot the Senator from Cumberland County spoke about.

I am the father of ten children, and I am a little disturbed today with a great many of the youngsters of that age throughout the country, not so much in our own state, but I think that they possibly would create a lot of trouble to us in our own home towns and cities in voting. I for one — possibly not many of you here are

going to agree with me — but I am disgraced, as a father who lost a son in the service, who saw eight more go into the service, and a grandson leave a week ago for France, at the actions that are going on — small in the State of Maine, but large in the country. First, and last of all, myself and my children are Americans. If they have to go they are going to go, and a great many enlisted. That means a lot to me this morning in supporting the gentleman, the Senator from Washington County, and I hope his motion passes.

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from Aroostook, Senator Harding.

Mr. Harding of Aroostook: Mr. President and Members of the Senate: I rise today to support the motion of the Senator from Kennebec, Senator Lund, for the report which he signed.

I must disagree at this time with the thoughts which have been expressed by the Senator from York, Senator Farley. I have had occasion to deal, not only with my own children, but with the children throughout the County and I have had occasion to visit with them. Also, you have seen children from all over the State of Maine visit this Legislature. I submit to you that we have every right to be proud of the children of this State, and it troubles me greatly when a handful of children can cast aspersions upon thousands of others. I think the children who are unruly are an exception to the rule, and most of our children are a credit to themselves, to their parents, and to the State of Maine.

The point I intend to make this morning is one which I think is very important, of getting our children, not only getting them interested in their government, but keeping them interested in their government. I have found, in talking with high school groups, that there is a great deal of interest in the government. For the average boy or girl graduating from high school at the age of 18 or 19 there is a period of two or three years during which he cannot actively express his interest in government by voting or partici-

pating in it. I think by reducing this age by one year that it enables the boy or girl to participate that much more quickly in government, and I think that is valuable. So, I support this bill and the Senator from Kennebec this morning, and I hope the Senators will support him also.

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from Somerset, Senator Johnson.

Mr. JOHNSON of Somerset: Mr. President and Members of the Senate: I would like to voice my support for Senator Lund's motion. I think that, regardless of the number of children who came to the hearing, I would feel that these people today from 18 on are fulfilling their obligations to their country. They are a wonderful group of young people, regardless of the areas we read about in the papers where there is difficulty, and I would feel that people who accept responsibilities, as young people do, to the draft and the war, that they should be afforded the privilege of voting at a younger age. I would think that the compromise of one year, to the age of 20 instead of 18, would be a step in the direction to give them this opportunity to voice their opinion in state, county, local and national government.

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

Mr. WYMAN of Washington: Mr. President, may I ask that when the vote is taken it be taken by a division.

The PRESIDENT: The Senator from Washington, Senator Wyman, has asked that when the vote is taken it be taken by a division.

The Chair recognizes the Senator from York, Senator Farley.

Mr. FARLEY of York: Mr. President and Members of the Senate: In answer to the Majority Leader of the Senate, who I have the highest respect for, a boy or girl of the age of 18 is denied in the State of Maine to have a glass of beer or a drink of liquor. I was one of those who strongly opposed it and was glad it was defeated.

In so far as those heading in the service, and I have got my own, if they are physically fit, that is it. Their education doesn't come down on the line. It is "Are you physically fit to pass the examination to enter the service of your country?" I still would vote with the gentlemen from Washington County.

The PRESIDENT: Is the Senate ready for the question? As many as are in favor of the motion of the Senator from Kennebec, Senator Lund, that we accept Report "A", Ought to Pass in New Draft, will rise and stand in their places until counted. Those opposed to the motion will stand and remain standing until counted.

A division was had, 17 Senators having voted in the affirmative, and 15 Senators having voted in the negative, the motion prevailed.

Thereupon, the Resolve in New Draft 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. 1350) House Report — Ought Not to Pass from the Committee on Education on Bill, "An Act Relating to Unity Institute." Tabled April 20 by Senator Greeley of Waldo, pending the Motion of Senator Katz of Kennebec to Accept the Ought Not to Pass Report.

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

Mr. GREELEY of Waldo: Mr. President, I now move that we substitute the bill for the report.

The PRESIDENT: The Senator from Waldo, Senator Greeley, now moves that we substitute the Bill for the Ought Not to Pass Report.

The Chair recognizes the Senator from Waldo, Senator Greeley.

Mr. GREELEY: Mr. President and Members of the Senate: This legislation has to do with a school down in my county, and I feel maybe that I should get up and try to go to bat for the little school of Unity Institute. Speaking of going to bat, I hope I fare better than the mighty Casey did because I understand he struck out.

This legislation, L. D. 1350, is permissive legislation to grant Unity Institute the right to be called a college. This is a new-born institution. They started construction in May, 1966. They reconstructed a couple buildings to build a dormitory, and they also constructed a new building, which includes six classrooms, a library and a laboratory. They have spent over \$300,000.

This school was started by a small group of people in the Town of Unity, and the school opened in September, last Fall, with a little less than 40 students. Today they have 54. Now, if this legislation is passed, it will make them eligible for higher education loans and also to apply for surplus property.

At the hearing, I understand the people in Unity must have made a pretty good impression before the Committee because, in reading the record from the other branch of the Legislature, I find some of the members of the Committee seemed to have quite a lot of sympathy for what they were doing. I think that one member of the Committee claimed that they laid awake nights until they voted on this bill. I talked with another member of the Committee, and he told me that they thought they were doing an amazing job, and they even used the word "fantastic."

I can understand why they agree to this because this school has signed up for teaching this next Fall 14 teachers, 11 with Master's Degrees, three with a Doctor's Degrees. They also have two part-time teachers, both of which are teaching part-time at the University of Maine, but they are putting more time into Unity Institute than they are in the University of Maine.

Now, since this hearing, which I think was three weeks ago last Thursday, another incident has come up. This school has decided to come up with a two year course in Forestry. Mr. Clare Wood, who is Administrator of this Institute, wrote to every pulp and paper industry in the State of Maine to inquire of their opinion of what they thought was the need for this

kind of a school. Every pulp and paper industry that he wrote to answered that they thought there was a need, and that they would do everything they could to help. One of the questions that Mr. Wood asked of these people was "Where could we find a teacher to teach this subject?" Well, the Great Northern Paper Company has supplied a teacher, and he will be there next Fall to teach this course, and he also has a Master's Degree. Beyond that, the Oxford Paper Company is talking of setting up a \$500 scholarship for a student in Oxford County who wants to attend this school.

These people have done a wonderful job down there, and they have done it on their own. There is no appropriation for it required in this bill, which is one strong point for the bill. I think that the people in Unity should have some kind of an award for what they have done. If we don't have more schools like this where are we going to send the graduates of these high schools? Certainly our present colleges can't take care of them. I hope that when the vote is taken, Mr. President, we can act favorably on the bill, and I move that we vote by division.

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

Mr. KATZ of Kennebec: Mr. President and ladies and gentlemen: It is my impression that this bill has been lobbied better than the public power issue, so I think that brief remarks might be pertinent.

I look upon the job of Chairman of Education as one that requires a devotion to what one thinks is best for the State, and perhaps, I think, the responsibility lies on the Chairman's shoulders much more heavily than on the shoulders of those who have no particular interest in education bills individually. Let me tell you what the State Law is, because I think it is important. This is a State Law that was not imposed by the State Department of Education or the State Board of Education. It is a State Law which was enacted and passed by previous

legislators. First, in order for an institution to be called a college it must be a degree-granting institution. Unity Institute is not a degree-granting institution. Second, in order for an institution to become a degree-granting institution it must be in business for at least two years. Unity Institute has been in business a matter of some months. Third, in order to become a degree-granting institution, the law very clearly spells out a procedure the Legislature wanted institutions to follow. It starts at the door to the Secretary of State's office, and it is a reasonable procedure. Unity Institute has not even attempted to pursue present state laws and procedures. They have not gone to the Secretary of State, they have not made any requests. In other words, Unity Institute, although it is all the things the good Senator has insisted they are, they are dedicated, good, honest, solid people, on three different counts this bill is in violation of existing State Law. I hope that Unity Institute fares well, but in conscience to those who depend upon the State Law for an interpretation of what a college is, I would urge you to vote against the motion of the gentlemen that the bill be substituted for the report.

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

Mr. SNOW of Cumberland: Mr. President and Members of the Senate: I rise in support of the Senator from Kennebec, Senator Katz. I think there briefly are three points I should like to raise. We have been quite liberal in the past week in granting exceptions to the laws of the State as they relate to colleges and to other educational matters. We recently granted Beals Business School in Bangor the privilege of issuing degrees, which was an exception to the law. We did the same for Bliss College in Lewiston. We recently enacted a measure which would permit Bristol High School to expand, again contrary to the provisions of the law enacted by an earlier legislature.

Now, in the case of Unity, Senator Katz and I and other members

of the Education Committee were truly impressed by the presentation made by the people from this school. We were impressed by their dedication and we were impressed by their qualifications. We believe Unity Institute is doing a fine job and will do an even better job for the young people who attend.

I think I might have been tempted to favor this exception to the law had the people from Unity not said to the Committee that they expected to continue in operation and they expected to continue to grow whether or not this Legislature granted this exception to the law. Now, this year, with the small student body which has been described, Unity Institute has operated in the red. Their enrollment for next year, we are told, is such as to insure their operating in the black, and they probably will be able to return the money which the Institute has lost this year. So, I see no real emergency here. I believe that Unity should follow the law as others have done. When the vote is taken I hope you will support the unanimous Ought Not to Pass Report of the Committee on Education.

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

Mr. ANDERSON of Hancock: Mr. President and Members of the Senate: I had occasion to visit Unity Institute yesterday, and I was very favorably impressed with what I saw. I simply want to concur with the remarks of Senator Greeley.

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from Knox, Senator Hoffses.

Mr. HOFFSES of Knox: Mr. President and Members of the Senate: It was my good fortune to visit Unity Institute on Sunday afternoon. I have been somewhat reluctant to become involved in any of these school issues, but I do believe that perhaps this warrants a very few remarks on my part.

I was educated in a small country school where there were eight grades. We all had an opportunity to better our education by listening

to the children in the upper grades. We had an opportunity to become more individualistic in our thoughts, words and our actions. Being a typical Down East Yankee, I cherish those rights. I believe that these smaller institutions have a tendency to cultivate those rights, and from those institutions perhaps some of the very able leaders of the country may emerge.

This Institute has a small enrollment. It has a large faculty. The children will have an opportunity to receive more individual attention from the faculty inasmuch as they do not have such large classes to attend to, and they can devote more time to those children, and I believe that they will be benefited by it. And I am wholeheartedly in accord with these smaller colleges and institutions to provide a better education for the masses of young children which are coming along today. We cannot hope to house and to educate all of our young children in the present higher institutions which we have in this State without tremendous financial expansion.

This Institute has pulled itself up by its bootstraps, and to grant permissive legislation calling this Institution a college will enable them to have further expansion programs in the future. They have indicated to me that that is just exactly what they intend to do. And as far as the remarks of the good Senator from Cumberland, when he referred to them as saying that they were going to progress in spite of what this Legislature does, I admire those people for their tenacity, and it shows real down-east Yankee ingenuity and persuasion.

I would have to mention one remark which the good Senator from Kennebec made in regards to lobbying. I have not been lobbied to the extent on this Institute as on public power and some of the other legislation, and I am voting in favor of the motion of the Senator from Waldo.

The PRESIDENT: The Chair recognizes the Senator from York, Senator Farley.

Mr. FARLEY of York: Mr. President and Members of the Sen-

ate: I am going to support the Senator from Kennebec County. I agree with his remarks on lobbying. My telephone has rung since Saturday until I left yesterday. But I think I have stood, in all the terms that I have been in the legislative body, by a member of my party who was on the Education Committee, and I stand here this morning full-square with a member, Senator Snow from Cumberland County.

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

Mr. MacLEOD of Penobscot: Mr. President and Members of the Senate: I was one of the ten signers of the "Ought Not to Pass" Report on this Bill and it was as difficult a decision for me as it was for several on the Committee because of the many worthwhile arguments put up by the proponents of this bill, and I do feel that the Institute will survive, as the Senator from Cumberland pointed out, regardless of what we do here this morning.

I would like to take exception, if I may, and I'm probably wrong as usual — to some of the remarks the Senator from Cumberland, Senator Snow, made regarding Beals Business School. This was not an exception to the law. The degree granting privilege is in the hands of the legislature, and the legislature saw fit to grant the degree to this institution. It was an exception to an adverse report from the State Board of Education, but it was not an exception to the law. L. D. 1368, after surgery is performed on it, may give Unity Institute the right to use the word "college" after the proper application to the State Board of Education, and this could be done shortly after the legislature adjourns. So, they don't have a hopeless cause and they might well be able to use the term "college" within a short time after we leave here. So, I support the unanimous "Ought Not to Pass" Report.

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

Mr. CURTIS of Penobscot: Mr. President, I would like to make

a few remarks in defense of Unity. I might say that I have not been lobbied on this item. Before I came down here I was very convinced of the sincerity and the interest and the efforts of the Town of Unity and of its citizens and of those who have organized this college. I feel they deserve a great deal of credit. I know a few years ago that Unity was left off the map by error. I hope we don't leave them off the map today and lend them our support — the support I believe they need.

I don't know how many of you may have seen the Fall issue of the Maine Digest which I have in my hand, but there is a very fine article in there concerning this college, and one or two statements which I think bear repeating. "All but two of the instructors have Master's Degrees and the other two will receive their Master's Degrees shortly." Also a statement in recognition for the efforts came out not long ago from Dr. John J. Hardy, Regional Director for the New England Region of the United States Department of Education, saying that "This is the finest planning for a small college I have seen in twenty years." I think that is quite a statement. I personally would like to support this bill, and I think it would be a great help to them and I think they need it. I think they will serve our youth, give them individual attention, and they will be a credit to our state. I realize that laws have been made, and I don't like to say that they ought to be broken, but I think that we can make exceptions. The legislature made these previous laws. The legislature is now in session here today and I think that what we do will be done freely and what we think is in the best interest of the citizens and education in the state. Thank you.

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

Mr. STERN of Penobscot: Mr. President and Fellow Members of the Senate: I didn't intend to rise and speak on this, but I will admit I don't know nothing about education. Although I have the highest

respect for the good Senator Snow and Senator Katz and usually I have gone along with them 90 per cent of the time, but in this particular case, I feel I must go along with my good friend, the Senator from Waldo. I have read in the paper recently, and I am sure you have all read of the thousands of students who are unable to get into the college of their choice, and I do know from experience and in talking to people they try to get influence to get into the University of Maine, who would gladly go to any institution of higher learning just for the opportunity to go to college. Now, I do understand from the remarks of Senator Katz that the Unity Institute does not have the right to grant degrees. I don't think that the fact that you call them a college is going to give them that right to grant degrees, but I do feel that if you permit them to use the name college, it's going to give them that extra impetus, that extra proof to attract these groups of students who cannot get into another college who would have the benefit of an education, and I think that both sides who have studied this matter have indicated that it is only a short time before they will meet all the necessary requirements.

I feel that we should give that extra push, the help to Unity Institute by permitting them to use the name college, and let me add this. You know, the fact that you call them a college isn't a magic word. Perhaps many of you and your children despite the fact you call Unity Institute a college would not want to go to that college because of certain characteristics, so I feel that taking everything into consideration, we should give Unity Institute that extra help which they need now.

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

Mr. SNOW of Cumberland: Mr. President, I would like to stand corrected by the Senator from Penobscot, Senator MacLeod. I intended to refer to this as an exception to the recommendations of the State Board of Education, and, if indeed, we do act to grant Unity this privilege, it will be the

fourth time we have taken exception from their recommendations. Now, this concerns me. They are a diligent and a conscientious group of people to whom we have given a great deal of responsibility. I think, I do not always agree with them, I know other members of the Senate do not always agree with them, but it is perhaps not entirely reasonable within the short space of ten days to find that their recommendations on four different occasions cannot be upheld.

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

Mr. KATZ of Kennebec: Mr. President, Ladies and Gentlemen: I think that I would like to point out that upon passage of this bill this morning an amendment will be offered by the diligent Senators from Aroostook to give the same privilege to the John Fitzgerald Kennedy Institute, and I want to say that I shall support this amendment, and I hope that this is germane. The John Fitzgerald Kennedy Institute has thirteen students, which is in Aroostook where education opportunities are needed in abundance. (Laughter) Sometime something which is intended to be said one way comes out another. But I would solicit the support of all the people who plan to support Unity to lend their support also, if we vote this thing, to the thirteen students of the John Fitzgerald Kennedy Institute. So let's be consistent here this morning.

The PRESIDENT: Is the Senate ready for the question? The pending question is the motion of the Senator from Waldo, Senator Greeley that we substitute the Bill for the "Ought Not to Pass" report. The same Senator has requested a division.

As many as are in favor to substitute the Bill for the Report will stand and remain standing until counted. As many as are opposed will now stand.

A division was had. 25 Senators having voted in the affirmative and 7 Senators having voted in the negative, the motion to substitute the Bill for the "Ought Not

to Pass" report prevailed, and the Bill was given its first reading.

Mr. ALBAIR of Aroostook presented Senate Amendment "A" and moved its adoption.

Senate Amendment "A" Filing S-83 was read by the Secretary as follows:

SENATE AMENDMENT "A" to H. P. 934, L. D. 1350, Bill, "An Act Relating to Unity Institute."

Amend said Bill in the Title by striking out the period at the end and inserting in place thereof the following: 'and John F. Kennedy Institute.'

Further amend said Bill by inserting at the beginning of the first line (same in L. D. 1350) the underlined abbreviation and figure 'Sec. 1.'

Further amend said Bill by adding at the end the following section:

'Sec. 2. John F. Kennedy Institute designated John F. Kennedy College. Notwithstanding the Revised Statutes, Title 20, section 2203, John F. Kennedy Institute in Fort Kent shall henceforth be designated John F. Kennedy College and shall be eligible for state and federal surplus property. It shall be eligible for aid under any Maine Higher Education Loan Authority Act, notwithstanding any provision to the contrary in said Act.'

Senate Amendment "A" was adopted. House Amendment "B" was Read and Adopted, and the Bill, As Amended, tomorrow assigned for second reading.

The President laid before the Senate the third tabled and today assigned matter (H. P. 925) (L. D. 1357) House Report That the Bill should be referred to the Committee on Legal Affairs from the Committee on Towns and Counties on Bill, "An Act Relating to Pensions for Members of the Police Department and Fire Department of the City of Auburn and Their Beneficiaries." Tabled April 21 by Senator Couturier of Androscoggin pending Acceptance of Report.

On motion by Mr. Couturier of Androscoggin, the Senate voted to refer this Bill to the Committee on Retirement and Pensions.

The President laid before the Senate the fourth tabled and today assigned matter (H. P. 514) (L. D. 727) Resolve, Permitting R. Dean Seguin of South Paris to Take the Examination for Admission to Practice Law. Tabled April 21 by Senator Harding of Aroostook pending the motion by Senator Mills of Franklin to pass the Resolve to be Engrossed.

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

Mr. HARDING of Aroostook: Mr. President, I tabled this bill at the request of the Senator from Cumberland, Senator Hildreth, who I think has something to say about it. I am not sure that I am going to agree with his remarks, but I will now yield to the Senator from Cumberland, Senator Hildreth.

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

Mr. HILDRETH of Cumberland: Mr. President and Members of the Senate: I, in turn, will now yield to the Senator from Franklin, Senator Mills, who I understand does have a proposal.

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

Mr. MILLS of Franklin: Mr. President, this matter has been on the table. I had it on the table since the 23rd of March until the other day. When I took it off the table the other day, I intended no surprise, and I would have cleared it further with Senator Hildreth if I had known of his interest. I don't know what had been said several weeks ago, but I was going to take it up this morning and go along with it if I could, but just prior to coming into session, I was relayed a message from another member of the Committee, the Judiciary Committee, from the House who requested that it be held unassigned for a little period longer. He didn't tell me just how much longer, but he had an amendment that he wants to clear with the Attorney General's Department and to propose. I think now that I disqualify myself from further tabling this measure, and I would yield to Senator Hildreth that he

set this on the table himself unassigned.

On motion by Mr. Hildreth of Cumberland, retabled unassigned pending Passage to be Engrossed.

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

Mr. JOHNSON of Somerset: Mr. President, is the Senate in the possession of S. P. 609, Bill, "An Act Authorizing Joint Rates Between Certain Transportation Carriers"?

The PRESIDENT: The reply is in the affirmative, the Bill having been held for consideration at the request of the Senator from Somerset, Senator Johnson.

Mr. JOHNSON: Mr. President, as one of those who voted in opposition to the reception of this bill, I now move that the Senate reconsider its action whereby it voted that this bill not be received.

The PRESIDENT: The Senator from Somerset, Senator Johnston, moves that the Senate reconsider its action on Friday last whereby the Senate voted that this bill not be received.

As many as are in favor of reconsideration, say "Yes". Those opposed "No".

A viva voce vote being taken, the motion to reconsider prevailed.

With the approval of the Committee on Reference of Bills, pursuant to Joint Rule No. 10, Mr. Johnson of Somerset then presented Bill, "An Act Authorizing Joint Rates between Certain Transportation Carriers. (S. P. 609).

Which was referred to the Committee on Public Utilities and sent down for concurrence.

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

Mr. BERRY of Cumberland: Mr. President, May I inquire if the Senate is in possession of S. P. 582, L. D. 1546, Bill, "An Act Appropriating Moneys for Research Study of Pesticides?"

The PRESIDENT: The Chair will advise the Senator that this paper was recalled to the Senate from the Legislative files by Joint Order

605 and is presently in the possession of the Senate.

On motion by Mr. Berry of Cumberland and under suspension of the Rules, the Senate voted to reconsider its action whereby the bill was placed on file.

On further motion by the same Senator, the bill was tabled pending Enactment.

On motion by Mrs. Sproul of Lincoln, the Senate voted to take from the table the 25th tabled and unassigned matter (S. P. 48) (L. D. 38) Bill, "An Act Increasing Minimum Wages." Tabled April 12 by Senator Sproul pending Passage to be Engrossed.

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

Senate Amendment "A" Filing S-88 was read by the Secretary as follows:

SENATE AMENDMENT "A" to S. P. 48, L. D. 38, Bill, "An Act Increasing Minimum Wages."

Amend said Bill by inserting at the beginning of the first line (same in L. D. 38) the underlined abbreviation and figure 'Sec. 1.'

Further amend said Bill in the 8th line (7th line in L. D. 38) by inserting after the word "employer" the underlined words and figures 'whose gross income for each fiscal year exceeds \$250,000 for each retail establishment'

Further amend said Bill in the 13th line (12th line in L. D. 38) by inserting after the word "week" the underlined words and figures 'for any other retail establishment presently covered by the Act it shall be unlawful for any employer to employ an employee at less than the rate of \$1.25 per hour'

Further amend said Bill by adding at the end (same in L. D. 38) a new section, as follows:

'Sec. 2. R. S., T. 26 §665, sub-§1, amended. The first sentence of subsection 1 of section 665 of Title 26 of the Revised Statutes, as amended by section 6 of chapter 410 of the public laws of 1965, is further amended to read as follows:

Every employer subject to this subchapter shall keep a true and

accurate record of the hours worked by each employee and of the wages paid and in addition shall submit to the commissioner a sworn statement that the gross income does not exceed the sum of \$250,000 for each retail establishment for the fiscal year in question, such records to be preserved by the employer for a period of at least 3 years; and shall furnish to each employee with each payment of wages a statement which shall clearly show the hours, total earnings and itemized deductions.'

On motion by Mr. Harding of Aroostook, the bill was tabled and specially assigned for Thursday, May 4, pending the motion by Mrs. Sproul of Lincoln that the Senate adopt Senate Amendment "A".

Mr. HILDRETH of Cumberland was granted unanimous consent to address the Senate.

Mr. HILDRETH of Cumberland: I would merely like to call the attention of the Members of the Senate to the document that was placed upon our desks this morning entitled "Outdoor Recreation for Maine 1966." This document is part of a continuing effort on the part of the State Park and Recreation Commission cooperating with other state agencies to develop plans and diagrams toward the orderly and sensible establishment of recreational facilities in the State of Maine, keeping in mind the growing potential that we have and the increased population which comes to Maine in the summer to enjoy these facilities. Oftentimes these reports, I feel, are rather quickly done and perhaps don't contain a great deal of useful information. I've looked this one over, and I think it's an exception and I believe that it is one that is worth your reading in spite of the fact that you probably all are flooded under by other reading material that has been presented to you. Thank you.

On motion by Mr. Ross of Piscataquis,

Adjourned until 9:30 o'clock tomorrow morning.