

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Third
Legislature*

OF THE

STATE OF MAINE

Volume II

May 10 to June 15, 1967

**KENNEBEC JOURNAL
AUGUSTA, MAINE**

SENATE

Wednesday, May 10, 1967

Senate called to order by the President.

Prayer by the Reverend Father Frederick Doherty of Augusta.

Reading of the Journal of yesterday.

Papers from the House
Non-concurrent matter

Bill "An Act to Authorize Food Stamp Program in Sagadahoc County. (H. P. 660) (L. D. 915)

In Senate, Passed to be Engrossed As Amended by House Amendment "A" in concurrence.

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

(On motion by Mr. Brewer of Sagadahoc, tabled and specially assigned for Thursday, May 11, pending further consideration.)

Senate Papers

With the approval of the Committee on Reference of Bills, Pursuant to Joint Rule No. 10, Mr. Beckett of Washington presented, Bill "An Act Describing Indian Voting Districts. (S. P. 639)

And the Committee on Reference of Bills suggested this Bill be referred to the Committee on Senatorial Reapportionment.

Which was referred to the Committee on Senatorial Reapportionment and ordered printed.

Sent down for concurrence.

With the approval of the Committee on Reference of Bills, Pursuant to Joint Rule No. 10, Mr. Barnes of Aroostook presented Bill "An Act Providing for the Purchase of Land by the Seed Potato Board. (S. P. 640)

And the Committee on Reference of Bills suggested this Bill be referred to the Committee on Agriculture.

Which was referred to the Committee on Agriculture and ordered printed.

Sent down for concurrence.

Orders

On motion by Mr. Hildreth of Cumberland, ORDERED, the

House concurring, that the Joint Standing Committee on State Government be directed to re-advertise for public hearing S. P. 561, L. D. 1433, Bill "An Act to Extend the Life of the State Transportation Commission," for the purpose of supporting airline service from points within the State of Maine to destinations outside the State of Maine and generally westerly thereof. (S. P. 641)

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

Mr. HILDRETH of Cumberland: Mr. President and Members of the Senate: Maine has a unique opportunity to establish regulated and regular commercial airline service from cities within the State of Maine to points west of Maine, such as Albany, Cleveland and Chicago. Both Mohawk Airlines and Northeast have shown an interest in such a proposition. The decision, of course, is up the Civil Aeronautics Board which would have to investigate the need for air transportation between Maine and points west.

In order to be successful, Maine would have to involve itself in such an investigation and become an active participant. It's a little like joining in a law suit and requires funds to marshal evidence and put on a case.

The purpose of this Order to re-advertise L. D. 1433 for public hearing is to create a vehicle and provide these funds in full through a combination of lapsed balances, some new appropriation and possibly a small expenditure from the contingent account. This bill sponsored by the good Senator from Kennebec, Senator Katz, provides such a vehicle whereby the necessary funds for professional presentation of Maine's case before the C.A.B. may be raised with a minimum impact upon the money problems facing this Legislature. A great deal of work has already gone into this project, and it has the support of the Governor and the Chairmen of both the Aeronautics Commission and the State Transportation Commission. If Maine's presentation is successful, it seems obvious that all of the state will benefit

to some degree, but particularly the Bangor, Portland and Lewiston areas.

Probably the Aeronautics Commission and the State Transportation Commission will support the request of Mohawk Airlines which seems more interested in flights directly from Maine westward rather than via Boston. There apparently is also a possibility of eastward flights to the Maritime Provinces. This whole project has been cleared with the Attorney General, who suggested L. D. 1433 as the ideal vehicle to provide the authority and funds. The bill could be amended or redrafted without detracting in any way from its original purpose.

It is possible the State Government Committee could advertise it for hearing early next week. By that time, we could have prepared an amendment or redraft containing the language to provide the funds and authority needed to make an adequate presentation in behalf of expanded air service for the State of Maine. I hope this order will receive passage.

Which was passed and sent down for concurrence.

Mr. ROSS of Piscataquis presented the following Order and moved its passage:

WHEREAS, the members of this Senate were the guests of our generous fellow-member, Senator Byron Young of Hancock, at the delicious and bountiful lobster feast on Tuesday noon, and

WHEREAS, this pleasant occasion served both as a pleasant break in the pressure of our duties here, and as a matter on which we could join in complete harmony and accord, therefore, it is hereby

ORDERED, that we, the members of the 103rd Senate of the State of Maine unite in expressing to Senator Young our thanks and appreciation.

Which was Read and Passed.

Committee Reports

House

Referred to the 104th Legislature

The Committee on Judiciary on Bill "An Act Creating the Uniform

Federal Tax Lien Registration." (H. P. 938) (L. D. 1354)

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

Comes from the House, report Read and Accepted.

The Committee on Liquor Control on Bill "An Act Relating to Intoxication in Liquor Licensed Premises." (H. P. 533) (L. D. 763)

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

Which reports were referred to the 104th Legislature in concurrence.

Leave to Withdraw

The Committee on Legal Affairs on Bill "An Act Relating to Operating Business on Sundays and Holidays." (H. P. 967) (L. D. 1409)

Reported that the same should be granted Leave to Withdraw.

Comes from the House, report Read and Accepted.

The Committee on Legal Affairs on Bill "An Act to Create the Caribou Parking District." (Emergency) (H. P. 1011) (L. D. 1503)

Reported that the same should be granted Leave to withdraw.

Comes from the House, report Read and Accepted.

Which reports were Read and Accepted in concurrence.

Ought Not to Pass

The Committee on Legal Affairs on Bill "An Act to Provide for a Lien for Hospital Services on Recoveries from Third Persons." (H. P. 901) (L. D. 1314)

Reported that the same Ought Not to Pass.

Comes from the House, Bill Substituted for the Report, and Passed to be Engrossed As Amended by House Amendment "A" (H-253)

Mr. Stern of Penobscot moved that the Senate accept the Ought Not to Pass report of the Committee.

(On motion by Mr. MacLeod of Penobscot, tabled and specially assigned for Friday, May 12, pending the Motion by Mr. Stern of Penobscot that the Senate accept the Ought Not to Pass report of the Committee.)

The Committee on Judiciary on Bill "An Act Relating to Appeal

by Municipalities from Valuations of Board of Equalization." (H. P. 364) (L. D. 511)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

The Committee on Legal Affairs on Bill "An Act Relating to Underwater Swimming and Diving." (H. P. 1012) (L. D. 1477)

Reported that the same Ought Not to Pass — As Covered by other Legislation.

Comes from the House, report Read and Accepted.

The Committee on Legal Affairs on Bill "An Act Providing for Election of Chief of the Portland Police Department." (H. P. 1013) (L. D. 1478)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

The Committee on Liquor Control on Bill "An Act to Provide Graduated License Fees for Retail Stores Selling Malt Liquor." (H. P. 1040) (L. D. 1512)

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

Comes from the House, report Read and Accepted.

The Committee on Liquor Control on Bill "An Act Revising Liquor Local Option Questions Two and Four." (H. P. 680) (L. D. 952)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

The Committee on Liquor Control on Bill "An Act Defining Hotel Under Liquor Laws" (H. P. 803) (L. D. 1179)

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 Permitting the Use of the Reformatory for Women for the Confinement of Federal Prisoners." (H. P. 1109) (L. D. 1578)

Reported that the same Ought to Pass.

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

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

Ought to Pass — As Amended

The Committee on Claims on Resolve, to Reimburse James Robinson of Palmyra for Property and Well Damage by Highway Construction. (H. P. 94) (L. D. 122)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-257)

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

The Committee on Claims on Resolve, to Reimburse Raymond Goodwin of Kittery for Well Damage Resulting from Highway Construction. (H. P. 441) (L. D. 616)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-256)

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

The Committee on Indian Affairs on Bill "An Act Relating to Police Officers of Indian Tribes." (H. P. 750) (L. D. 1097)

Reported that the same Ought to Pass, As Amended by Committee Amendment "A" (H-261)

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

The Committee on Labor on Bill "An Act Clarifying Compensation for Occupational Disease Under Workmen's Compensation Act." (H. P. 650) (L. D. 903)

Reported that the same Ought to Pass As Amended by Committee Amendment "A"

Comes from the House, report Read and Accepted, and the Bill Passed to be Engrossed As Amended by House Amendment "A" (H-269)

Which report was Read and Accepted in concurrence and the Bill read once. House Amendment "A" was read.

(On motion by Mr. Good of Cumberland, tabled pending the adoption of House Amendment "A".)

The Committee on Legal Affairs on Bill "An Act Relating to Meetings of Board of Veterinary Examiners." (H. P. 1071) (L. D. 1536)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-233)

Comes from the House, report Read and Accepted and the Bill Passed to be Engrossed As Amended by Committee Amendment "A" as Amended by House Amendment "A" (H-264) thereto.

The Committee on State Government on Bill "An Act Relating to Length of Leases by State for State Facilities." (H. P. 379) (L. D. 526)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-262)

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

The Committee on State Government on Bill "An Act to Provide for an Economic Survey to Establish an Industrial Foreign Trade Zone." (H. P. 1029) (L. D. 1495)

Reported, that the same Ought to Pass As Amended by Committee Amendmend "A" (H-263)

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

(On motion by Mr. Hildreth of Cumberland, tabled and specially assigned for Friday, May 12, pending second reading.)

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

Ought to Pass in New Draft

The Committee on Indian Affairs on Bill "An Act Relating to Clerks

of Indian Tribes and Excise Taxes on Motor Vehicles Paid by Members of Passamaquoddy Tribe of Indians." (H. P. 745) (L. D. 1067)

Reported that the same Ought to Pass in New Draft under New Title: An Act Relating to Clerks of Indian Tribes and Excise Taxes Paid by Residents of the Various Indian Reservations. (H. P. 1146) (L. D. 1637)

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

The Committee on Indian Affairs on Bill "An Act Relating to the Education of Indian Children Living on Reservations." (H. P. 434) (L. D. 697)

Reported that the same Ought to Pass in New Draft under the same title: (H. P. 1145) (L. D. 1636)

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

The Committee on Legal Affairs on Bill "An Act Authorizing the Leasing of Air Rights by Municipalities." (H. P. 526) (L. D. 757)

Reported that the same Ought to Pass in New Draft, under the same title: (H. P. 1113) (L. D. 1582)

Comes from the House, report Read and Accepted and the Bill, in New Draft, Passed to be Engrossed, as Amended by House Amendment "B" (H-273)

The Committee on State Government on Bill "An Act to Establish the Maine Municipal Police Training Council." (H. P. 725) (L. D. 1049)

Reported that the same Ought to Pass in New Draft under New Title: An Act to Establish the Maine Law Enforcement Training Council. (H. P. 1148) (L. D. 1639)

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

The Committee on State Government on Bill "An Act Relating to the Financing of the State Liquor Commission." (H. P. 1024) (L. D. 1490)

Reported that the same Ought to Pass in New Draft under the same title; (H. P. 1147) (L. D. 1638)

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

Which reports were Read and Accepted in concurrence, and the Bills in New Draft Read Once and tomorrow assigned for Second Reading.

Divided Report

The Majority of the Committee on Labor on Bill "An Act Relating to Certain Disqualifications of Benefits under Employment Security Law (H. P. 227) (L. D. 317)

Reported that the same Ought Not to Pass

(Signed)

Senators:

JOHNSON of Somerset
GOOD of Cumberland

Representatives:

DRUMMOND of Sidney
HOOVER of Phillips
HUBER of Rockland
DURGIN of Raymond

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

(Signed)

Senator:

NORRIS of Oxford

Representatives:

EWER of Bangor
COUTURE of Lewiston
BEDARD of Saco

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

In Senate: Majority Ought Not to Pass report Accepted in concurrence.

Then on motion by Mr. Johnson of Somerset, the Senate voted to reconsider its action whereby it accepted the Majority Ought Not to Pass report of the Committee.

On further motion by the same Senator, tabled and specially assigned for Friday, May 12, pending acceptance of either report.

Senate

Ought Not to Pass

Mr. Sewall for the Committee on Natural Resources on Bill "An Act Relating to a Study of Air Pollution. (S. P. 344) (L. D. 928)

Reported that the same Ought Not to Pass as Covered by other Legislation.

Which report was Read and Accepted.

Send down for concurrence.

Ought to Pass in New Draft

Mr. MacLeod for the Committee on Education on Bill "An Act to Revise the Laws Relating to Authority for Granting Degrees and to Approval of Degree-Granting Institutions. (S. P. 533) (L. D. 1368)

Reported that the same Ought to Pass in New Draft, under the same title, (S. P. 637) (L. D. 1641)

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

Mr. Katz for the Committee on Education on Bill "An Act Changing the Foundation Program Per Pupil Allowances. (S. P. 256) (L. D. 636)

Reported that the same Ought to Pass in New Draft, under the same title, (S. P. 638) (L. D. 1642)

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

Mr. KATZ of Kennebec: Mr. President, this is a complicated bill. On the desk of every Senator tomorrow morning will be a synopsis of the changes in the law that this bill makes. Also on your desk will be a list of every city and school administrative district in the State, showing exactly how this change in the foundation program affects your constituents.

You know, of course, that as sponsor of L. D. 636 relating to school subsidies that I'm obviously in favor of its passage, and referring to the Committee report I would like to tell you why. First, this Legislature has its own set of responsibilities, and there, high on the list, is their continued support of education. In his special message on Human and Cultural

Resources on January 26th of this year, Governor Curtis said: "We should increase our state subsidies to cities and towns. The state's share of public school education now averages only 29 per cent. It should eventually be 35 to 40 per cent. I encourage this Legislature to give every consideration to further increasing the state's aid to cities and towns for the 1969-1971 biennium."

Ladies and gentlemen, today as on January the 26th, I am confused as to how this Legislature is expected to live up to its responsibilities by passing along the problem to the next Legislature. According to the Governor, Maine's municipalities should receive no increase in state aid in the second year of this biennium. This means that local property taxes which approached an increase of three-and-a-half million dollars in 1967 will be faced with an increase of some ten million dollars in 1968 in the cost of education. What the Governor has said to us, in effect what this extra ten million dollars will place on an already staggering property tax is interesting, but he can offer no money. "If they should survive" he said, "great things may be in store for them in 1969 and 1970."

My concept of responsibility is very different, and I am confident that this Legislature will share this feeling. I feel that I have a responsibility now to help towns and cities in this state by sharing in the increased cost of education. My sense of responsibility does not permit me to say to them, "This is your problem, stew in it." My sense of responsibility is influenced by what our neighboring State of Vermont is doing. Vermont's expenditures for public education are averaging about \$100 more per pupil than ours, and where we are now picking up 28 or 29 per cent of this cost at state level, Vermont is now picking up 40 per cent.

I am supporting L. D. 636 because it will give additional state money to almost every town and village in Maine. This additional state contribution will not be an extra expenditure. What it will do

is to shift the greatest share of the burden from the shoulder of the harassed property owner to the broader shoulders of the state, and if it turns out that a state tax is necessary to shift this burden, then I shall vote for it.

On motion by Mr. Katz of Kennebec, the Senate voted to Accept the Ought to Pass in New Draft report of the Committee. The Bill, in New Draft, was read once and tomorrow assigned for second reading.

Divided Report

Five members of the Committee on Labor on Bill "An Act Relating to Coverage Under Employment Security Law." (S. P. 456) (L. D. 1133)

Reported that the same Ought to Pass.

(Signed)

Senators:

JOHNSON of Somerset
NORRIS of Oxford

Representatives:

EWER of Bangor
COUTURE of Lewiston
BEDARD of Saco

Five members of the same Committee on the same subject matter reported that the same Ought Not to Pass.

(Signed)

Senator:

GOOD of Cumberland

Representatives:

DRUMMOND of Sidney
HOOVER of Phillips
HUBER of Rockland
DURGIN of Raymond

(On motion by Mr. Johnson of Somerset, tabled and specially assigned for Friday, May 12, pending acceptance of either report.)

Second Readers

Bill "An Act Relating to Weight Violations of Trucks." (H. P. 1122) (L. D. 1594)

(On motion by Mr. Mills of Franklin, tabled and specially assigned for Friday, May 19, pending passage to be engrossed.)

Bill, "An Act Relating to Registration of Farm Motor Trucks Having Two or Three Axles." (H. P. 669) (L. D. 924)

Which was read a Second Time.

Mr. Barnes of Aroostook offered Senate Amendment "A", Filing S-120 and moved its adoption.

Senate Amendment "A" Filing S-120 was read by the Secretary as follows:

SENATE AMENDMENT "A" to H. P. 669, L. D. 924, Bill, "An Act Relating to Registration of Farm Motor Trucks Having Two or Three Axles."

Amend said Bill by inserting before the enacting clause, the following:

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

Whereas, a major portion of farm motor trucks used in connection with operation of farms will be precluded from the following legislation due to the close of the normal harvest season before enactment; and

Whereas, the following legislation is vitally necessary to prevent possible undue hardship on many Maine citizens; 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,

further amend said Bill by adding at the end the following:

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

Senate Amendment "A" was Adopted, and the Bill, As Amended, Passed to be Engrossed in non-concurrence.

Sent down for concurrence.

Bill "An Act Relating to Guides Under Fish and Game Laws." (H. P. 353) (L. D. 500)

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

Bill "An Act Exempting Water Sold for Human Consumption from Sales Tax." (H. P. 331) (L. D. 465)

Bill "An Act Requiring Childhood Education Programs for Five-year Olds." (H. P. 978) (L. D. 1420)

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

Sent down for concurrence.

House — As Amended

Resolve to Reimburse Enzly Nason of Linneus for Well damage by Highway Maintenance. (H. P. 1051) (L. D. 1523)

Resolve to Reimburse L. D. Durgin, of Limington, for Well Damage Resulting from Highway Construction. (H. P. 401) (L. D. 567)

Resolve to Reimburse Marguerite Spohrer of York for Well Damage Resulting from Use of Salt on Route 1. (H. P. 93) (L. D. 121)

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

Resolve Regulating Fishing in Fish River Falls, Aroostook County, and Long Pond, Kennebec County. (H. P. 505) (L. D. 718)

Which was Read a Second Time and Passed to be Engrossed As Amended by Senate Amendment "A" (S-115) in non-concurrence.

Sent down for concurrence.

Senate

Bill "An Act Creating the Uniform Rendition of Prisoners as Witnesses in Criminal Proceedings Act." (S. P. 546) (L. D. 1394)

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

Sent down for concurrence.

Senate — As Amended

Bill "An Act Relating to Amount of Wages Subject to Trustee Process." (S. P. 377) (L. D. 991)

Bill "An Act Relating to Certificates of Organizations of Corporations Filed Prior to January 1, 1966." (S. P. 318) (L. D. 841)

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

Sent down for concurrence.

Enactors

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

An Act Relating to Membership of State Soil and Water Conserva-

tion Committee. (S. P. 50) (L. D. 40)

(On motion by Mr. Berry of Cumberland, placed on the Special Appropriations Table.) (See action later in today's session.)

An Act Relating to Annual Post-audit for Municipalities. (H. P. 166) (L. D. 229)

An Act Permitting Municipalities to Raise Money for Blood Service Programs. (S. P. 185) (L. D. 375)

An Act Relating to Duties of Deputy County Treasurer. (H. P. 334) (L. D. 468)

An Act to Protect Intake of Public Water Supply. (S. P. 276) (L. D. 656)

An Act Providing Funds for Support of Civil Air Patrol. (S. P. 295) (L. D. 734)

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

An Act Relating to Payments of Accounts and Claims Against a County or Municipality. (S. P. 521) (L. D. 1341)

An Act Relating to Compensation for Full-time Deputy Sheriffs and Chief Deputies. (H. P. 950) (L. D. 1381)

An Act Relating to Banks Participating in Public Agencies. (H. P. 961) (L. D. 1404)

An Act Relating to Furnishing of Service by Public Utilities. (H. P. 1130) (L. D. 1606)

An Act Relating to Weight and Weight Tolerance of Vehicles. (H. P. 1132) (L. D. 1608)

(On motion by Mr. Lund of Kennebec, tabled pending Enactment.)

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

Resolve in Favor of Paul V. Douglass of Winslow for Well Damage by Highway Construction. (H. P. 402) (L. D. 568)

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

Resolve Authorizing Construction of a Ferry Boat for the Maine State Ferry Service. (H. P. 465) (L. D. 678)

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

Emergency

An Act Creating the Town of Old Orchard Beach School District. (H. P. 1082) (L. D. 1547)

This being an emergency measure and having received the affirmative vote of 32 members of the Senate, was Passed to be Enacted, and, having been signed by the President, was by the Secretary presented to the Governor for his approval.

Emergency

An Act Relating to Computation of State Aid for School Administrative District No. 12 (Jackman and Moose River) (S. P. 598) (L. D. 1579)

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

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. (S. P. 599) (L. D. 1580)

Comes from the House, having Failed of Final Passage.

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

Mr. LUND of Kennebec: Mr. President, I move indefinite postponement of this bill and all of its accompanying papers.

The PRESIDENT: The Senator from Kennebec, Senator Lund, moves that 8-16 be indefinitely postponed.

The Chair recognizes the Senator from Aroostook, Senator Harding.

Mr. HARDING of Aroostook: Mr. President, Members of the Senate, I rise to oppose the motion of the Senator from Kennebec, Senator Lund. I thought we were on the same team here a few days ago. Apparently, his mind has been changed, and it seems to me that I have heard no arguments that would change my view on this. We think that the average young man and woman now are able to assume the responsibilities of adulthood at the age of 20. It seems to me that this is a progressive piece of legislation, and I would ask, Mr. President, that when the vote is taken that

it be taken by the yeas and the nays, and I would hope that you vote against the motion of the Senator from Kennebec, Senator Lund.

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

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: I rise to oppose the motion for indefinite postponement of the bill. I think it represents a great progressive movement in the right direction. I believe the matter has been well debated as the good Senator from Aroostook has stated. This is a compromise between voting and assuming maturity rights at 18. I personally would support wholeheartedly a bill which goes even further than this one does. I believe we have a debt that we owe to our young people who are shouldering responsibilities at age 21. I would hope that we are not taking action here in the spirit of defeatism. I think that we should stand and be counted, and I would urge you very strongly to vote for the young people of the State of Maine.

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

Mr. GOOD of Cumberland: Mr. President, when this bill was first debated in the Senate, I opposed the bill, and I am going to at this time vote in favor of the bill. I opposed the bill because of the fact that the Republican Party was in favor of removing the party box at the top, but because of a veto, this failed of passage. I felt, as the rest of the Republicans did, that by the removal of the party box at the top of the ballot we would be encouraging our voters to think about whom they were voting for, either Republican or Democrat, and would thus make a better selection than they would if the party box was at the top and they would mark the party box for all the candidates in that particular party. So I felt at that time when we first debated this in the Senate that since our young people were not given the encouragement to think, I was not in favor of reducing the voting age. However, I believe that the

advantages of encouraging our young people to participate in politics, and the hope that sometime we can remove the party box at the top, I am going to change my position and vote in favor of reducing the age of our young people to 20 to vote.

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

Mr. JOHNSON of Somerset: Mr. President and Members of the Senate: I feel I would like to support the stand of Senator Good and Senator Berry in opposition to the indefinite postponement. I know it has been debated. I think that one of the problems that was not mentioned by anyone is the fact that we here today are passing tax bills and we are spending all kinds of money, and there are many of us here who will not be around long enough to pay for all these things, and it would seem to me that regardless of whether these young people vote right or wrong, that at least they will have had a voice in selecting the people who pass their laws. I would hope that the motion fails.

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

Mr. LUND of Kennebec: Mr. President and Members of the Senate: By late explanation for my motion, I would like to state that my position as to the merits of this legislation has not changed. I still think it is worthy legislation. My motion was based on perhaps a feeling of practical necessity of the situation. As I recall, this measure passed this body by a majority when it was here the other day. If there is the support for this — if there appears to be — I will be very happy to, and I do hereby withdraw my motion.

Thereupon, Mr. Lund of Kennebec was granted unanimous consent of the Senate to withdraw his motion to indefinitely postpone the bill and all of its accompanying papers.

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

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

ate: Assuming that the next vote to be taken will be the enactment of this constitutional amendment, and I will be voting against the enactment of that amendment, I feel I should state my reasons. I am not opposed to young people voting, and I am not opposed to young people or I would not be the father of six children. But my boy was here from overseas last Fall about a month prior to election and voted absentee ballot before he went back overseas to Viet Nam for the first time. And this is a subject at the time that was being discussed in our living room and I asked him if he felt the voting age should be lowered to 18, and he said "If you weren't active in politics dad, I probably wouldn't be voting this time. I might be voting two or three years from now, when I knew what was going on but I wouldn't vote now." And he has been exposed probably to more politics than the average young man, being in my house. I don't think that he is any different than most young people. They are accepting the responsibility of serving their country in the armed forces. They are willing to accept orders. They are willing to carry out those orders, but in most ways they are not mature enough to accept the responsibility of voting. This is why I will be voting against this constitutional amendment. Thank you.

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

Mr. HARDING of Aroostook: Mr. President, I move for enactment, and I would like to speak to my motion.

The PRESIDENT: The pending question before the Senate is on the passage to be enacted of the Resolve. The Senator from Aroostook, Senator Harding, may proceed.

Mr. HARDING: Mr. President, I believe that it has been the history of this nation that when given responsibility, those to whom we have given responsibility have rallied and have exercised it wisely. I think there are many times when many of us are reluctant to accept responsibilities in office. I

think this is true with our young people. When you ask them if they want responsibilities of adulthood, many of them would like to postpone it. But I believe that if we give it to them, they will exercise it and do credit to their state. I cannot overemphasize the point in comparing that I feel that it is still important that these young people have the opportunity to vote and get them interested in their government before they lose interest, and in two or three years after they leave high school many of them do lose interest. I would like to see them keep this interest up and participate in their government because we need them, and again, Mr. President, when the vote is taken I would ask that it be taken by the yeas and nays, and I hope that this Senate will give the young people of this state their support, and I don't think that we should look to what is going to happen in the other body. I think we ought to vote here as to how we feel about the subject matter, and let's take the other battle when we come to it. Thank you.

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

Mr. ANDERSON of Hancock: Mr. President, I move indefinitely postponement of L. D. 1580. When the vote is taken, I move that it be taken by the yeas and nays.

The PRESIDENT: The Senator from Hancock, Senator Anderson, moves that this bill be indefinitely postponed. The same Senator requests that the vote be taken by the yeas and nays.

As many as are in favor that the vote be taken by the yeas and nays will stand and remain standing in their places until counted. Obviously more than one-fifth of the Senators having stood, the vote will be taken by the yeas and nays.

The Chair recognizes the Senator from Lincoln, Mrs. Sproul.

Mrs. SPROUL of Lincoln: Mr. President, I am more concerned about this legislation because it affects not only the right to vote, but also it concerns minors' rights to enter into contracts, and I would ask the question of someone on

the Judiciary Committee who would presumably know the effect of this more than I would. Isn't this going to affect some contracts of minors that have been entered into, presumably now at the age of 20, whether he wants to abide by the contract or not. I would like somebody to answer my question.

The PRESIDENT: The Senator from Lincoln, Mrs. Sproul, has posed a question through the Chair to anyone who wishes to answer.

The Chair recognizes the Senator from Penobscot, Senator Stern.

Mr. STERN of Penobscot: Mr. President, considering myself an ex-officio and at present an honorary member of the Judiciary Committee, I might answer that question. I would say that it is my opinion that if this legislation is passed that it would not affect contracts that were entered into prior to the effective date of this act. This is similar to the arguments that were involved into a great deal at the last session, if you remember, about comparative negligence, and the Supreme Court in that case, that where a case where comparative negligence had occurred before that, the Supreme Court said that it did not apply. It had nothing to do with the past.

The PRESIDENT: Is the Senate ready for the question? The pending question is on the motion of the Senator from Hancock.

The Chair recognizes the Senator from Cumberland, Senator Hildreth.

Mr. HILDRETH of Cumberland: Mr. President, as a member of the Judiciary Committee which did not hear this bill, but looking closely at the bill, I would like to register a point of dissenting opinion to the legal opinion just expressed, and I would move that this item be tabled until the next legislative day so the legal minds assembled here can find some agreement on the legal effects of this bill.

On motion by Mr. Hildreth of Cumberland, tabled and specially assigned for Thursday, May 11, pending the motion of the Senator from Hancock, Senator Anderson, that the bill and accompanying papers be indefinitely postponed.

Orders of The Day

The President laid before the Senate the first tabled and today assigned matter. (S. P. 542) (L. D. 1443) Senate Report — Ought Not to Pass from the Committee on Judiciary on Bill "An Act Relating to Highway Advertising Control." Tabled May 2, 1967 by Senator Good of Cumberland, Pending Acceptance of Report.

On motion by Mr. Good of Cumberland, the Senate voted to accept the Ought Not to Pass Committee Report.

Sent down for concurrence.

The President laid before the Senate the second tabled and today assigned matter, (H. P. 551) (L. D. 783) House Report - Ought to Pass in New Draft Under same Title (H. P. 1127) (L. L. 1660) from the Committee on State Government on Bill "An Act Relating to Approval of Plans and Competitive Bids Under Bureau of Public Improvements Law." Tabled May 3 by Senator Berry of Cumberland, Pending Acceptance of Report.

On motion by Mr. Berry of Cumberland, retabled and specially assigned for Tuesday, May 16.

The President laid before the Senate the third tabled and today assigned matter, (H. P. 751) (L. D. 1098) Bill "An Act Appropriating Funds to Update the Surveys of Penobscot Tribal Lands." Tabled May 4 by Senator Beckett of Washington, Pending Passage to be Engrossed.

On motion by Mr. Beckett of Washington, the Bill was passed to be Engrossed in concurrence.

The President laid before the Senate the fourth tabled and today assigned matter, (H. P. 681) (L. D. 953) Bill "An Act Relating to Functions of State Political Conventions." Tabled May 5 by Senator MacLeod of Penobscot, Pending Adoption of House Amendment "A" Filing H-245.

On motion by Mr. MacLeod of Penobscot, House Amendment "A" was adopted. Thereupon, under suspension of the rules, the Bill was given its second reading

and was passed to be Engrossed in concurrence.

The President laid before the Senate the fifth tabled and today assigned matter, (S. P. 90) (L. D. 171) Senate Reports — from the Committee on State Government on "Resolve, Proposing an Amendment to the Constitution Providing for Annual Legislative Sessions." Majority Report, Ought Not to Pass; Minority Report, Ought to Pass. Tabled May 5 by Senator Wyman of Washington, Pending Acceptance of Either Report.

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

Mr. WYMAN of Washington: Mr. President, I move that we accept the Ought Not to Pass Report of the Committee.

The PRESIDENT: The Senator from Washington, Senator Wyman, now moves that we accept the Ought Not to Pass Report of the Committee.

The Chair recognizes the Senator from Aroostook, Senator Harding.

Mr. HARDING of Aroostook: Mr. President, I move that this item lie on the table and be specially assigned for Friday, May 12.

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

Mr. JOHNSON of Somerset: Mr. President, I request that the vote be taken by a division.

The PRESIDENT: The Senator from Somerset, Senator Johnson, has requested that the vote be taken by a division.

As many as are in favor of the motion to table this matter will stand and remain standing in their places until counted. Those opposed to the motion will stand and remain standing until counted.

A division was had. Nine Senators having voted in the affirmative, and 21 Senators having voted in the negative, the motion to table did not prevail.

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

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: I would speak in opposition to the motion. I believe that the

annual sessions has been a custom with which perhaps we have become a little bit tolerant. I believe that the multi-million dollar operating budget of the State of Maine today deserves more attention from the elected representatives of the people than it did fifty years ago or more.

It has become very apparent that the Legislature is an extremely effective tool in the efficient operation of our state departments. And I can cite no better example than the huge sigh of relief which emanates from the state office building when we finally adjourn. We may leave here with mixed feelings, but I can tell you that the department heads do not share these same feelings. Why? I do not wish to imply that the answer is that they will intentionally circumvent certain rules in ways that the Legislature did not visualize. But I do say that the watchful eye of the Legislature is the most effective means of establishing economy in our State Government. And, until such measures can be taken, I believe that annual sessions are well worth the rather small proportionate cost involved. I believe we have a great deal at stake here, and I would hope that you will subscribe to the theory that annual legislative sessions will go a long way toward promoting better government and that they will more than repay their costs.

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

Mr. SNOW of Cumberland: Mr. President and Members of the Senate: I rise to second the remarks of the Senator from Cumberland, Senator Berry. I would like to speak from my experience as a former Chairman of the Education Committee and a present member of the Education Committee. This Committee has been involved in guiding policies which effects the expenditure of over \$100,000,000 for the biennium. It strikes me, as a member of this Committee, that I would like to have more opportunity to work on the measures which determine the policies which come before us, and I believe that annual sessions,

working in this direction, would be to the benefit of the people of the State of Maine.

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

Mr. HARDING of Aroostook: Mr. President and Members of the Senate: I rise to oppose the motion which has been made by the good Senator from Washington, Senator Wyman, that the Ought Not to Pass Report be accepted. I will try to speak briefly.

I would like to mention the National Legislative Leaders' Conference, which I have attended in the past two years, and some of the program which has been taken up there. The people who attended these conferences were from both the Republican Party and the Democratic Party; it was about evenly divided. These opinions which I am talking about were the unanimous opinions of those in attendance. First of all, they felt it was a very essential thing for the legislatures to meet annually because, whether we like it or whether we don't, the legislatures throughout this nation are not held in high regard by the people. Now, there are many things we can do about this. I think a part of this is in the nature of the legislative process itself, in that all the doubts, all the arguments and all the problems are resolved behind closed doors, and so the executive program comes out and it is a program in which the people seem to be united. Where with the legislature all of our doubts are debated before the people and they feel as though they know what we are doing. Nevertheless, they felt there was validity to the argument that the legislatures were not meeting their responsibilities by not meeting annually because, whether we like it or whether we don't — of course, we do not — knowledge and power go hand in hand, and if you don't know what is going on it is very difficult for you to do something about it.

We are talking here in the State of Maine about being responsible for allocating expenditures in the next biennium of both federal and state money of over \$400,000,000.

If you were to ask any business executive in this state "Do you think that your corporation's board of directors or stockholders should meet every two years?" They would ridicule you, because your problems have a way of coming up annually. We in the Legislature shirk our responsibility in thinking that we can come here in 75 or 80 days out of 750 days and decide these great issues for the State of Maine. This we cannot do. You people here, you members of the Senate, you best know how many bills come up. How many of these bills do you know the details of and are able to talk intelligently on and know the pros and cons of them? You know the answer to that, and I know the answer to that. The suggestion is made that if we do come here annually and apply ourselves we have a better opportunity to learn about these things.

Now, I have heard it said that too much money has been spent on studies and so on. Well, I think this is one of the great opportunities that we have in annual sessions. You run into problems that are very complex, you have an interim committee do a study on them, your same legislature comes back, and you are able to deal with those problems because the people who are on that interim committee and who worked on the study are back here and they can explain the results of the study. And some of the studies which have been made — I know it has been stated a lot of money has been wasted — I can think of a study which was made about our retirement system back in '54. The results of that study were ignored by the next legislature. Had they been followed, the retirement fund of the state employees would now be anywhere from — the lowest estimate was \$25,000,000—to \$50,000,000 greater. Now, these are some of the things which we could have taken advantage of.

So, I think that we as members of this Legislature have responsibilities to our people and we should exercise it and be here and try to figure out what is going on.

As Senator Berry so ably mentioned, the department heads here of course are not happy when the Legislature is around, because we are the conscience of the people, and we are the only conscience of the people that are going to apply themselves to those department heads to see that they are doing their job and being responsible to the people. And so they are very happy when we are not here because then they can control the establishment.

So I would say to the people here in the Senate that this is a reform measure. I will be frank to say that it is a measure which the Democratic Party has been in favor of for a great many years, and it is one that a large number of Republicans have opposed over the years. I can say this: that of the people that I have talked to before coming to this Legislature, the man in the street, to him it is incomprehensible that a Legislature would consider that they could deal with the affairs of the State, meeting for approximately 80 days, or 100 days with a special session, out of some 750 days. So, I think this is a very thoughtful thing as far as the man in the street is concerned. He wants us to be here and he wants us to do the job.

When the vote is taken, Mr. President, I hope this vote will be taken by the "Yeas and "Nays," and I would hope that you would vote against the motion of the Senator from Washington, Senator Wyman. Let's show the people of Maine that we have confidence in them and we can be here and we are willing to do the job which ought to be done. Thank you.

The PRESIDENT: The Chair recognizes the Senator from Piscataquis, Senator Ross.

Mr. ROSS of Piscataquis: Mr. President, I would like to assure the good Senator from Aroostook, Senator Harding, that to the best of my knowledge we will be here next year. Ever since I have been in the Legislature we have been here every year.

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

Mr. BARNES of Aroostook: Mr. President and Members of the Senate: I am unalterably opposed to this legislation, and I support the Senator from Washington, Senator Wyman. I would like to ask a question through the Chair to anyone who cares to answer it, Senator Harding or any other Senator. How many states in these United States of ours have annual sessions?

The PRESIDENT: The Senator from Aroostook, Senator Barnes, poses a question through the Chair to any Senator.

The Chair recognizes the Senator from Aroostook, Senator Harding.

Mr. HARDING of Aroostook: Mr. President, I believe it is less than half the states which now have provisions in their constitutions for annual sessions. But, as I mentioned, the leaders of all the states believed that annual sessions were a necessity, and they all agreed that they were going to plug and try to get annual sessions for their states.

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

Mr. KATZ of Kennebec: Mr. President and Ladies and Gentlemen: I want to assure the Senator from Aroostook, Senator Harding, that I am going to be with him. I wasn't with him last time. I felt that the Democratic proposal made many, many years ago was far, far premature, but we are gradually approaching the day when it seems to have merit. This is progressive legislation. But, in the event this legislation does not pass, and it looks like the cards may be stacked against it, I can't resist the temptation to throw a couple thoughts at you as to some things we can do and some things that we must do.

How many of you today who are committee chairmen, or who have been committee chairmen in the past felt absolutely confident that you had the situation well under control, that you had all the staff help that you needed, that you had all the help of any kind that you needed to make the most impressive determination that you could as to the rights and wrongs of legislation? You

know, every session it comes up, and we yield to the requests of the Executive or other state departments asking for more staff and more help. But when it comes to the important legislation problems which we have, here we suddenly get chintzy, we suddenly become conscious of the fact of no pay raise, no additional staff, and let's hold the employees salaries of the Legislature down to a level that seems to be, in the case of the committee clerks, at any rate, completely unrealistic.

Ladies and Gentlemen: In the event this Legislature does not pass this amendment, let's at least take a look at the mechanics of the Legislature and try to make our committee work more meaningful and more fruitful by giving us the crew that we need.

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

Mr. STERN of Penobscot: Mr. President and Members of the Senate: I would like to have it noted that both Senator Katz and Senator Berry formerly were on my State Government Committee at the last session. They displayed a great deal of wisdom and intelligence. At this time I am pleased to note that neither of them in their rather definitive processes have diminished whatsoever, and I feel that, despite the fact that they are members of the opposite party, that many of us should listen to their words of wisdom, and I for one would certainly like to support both Senator Berry and Senator Katz. And I feel that this is the time that we should support annual legislative sessions. Just think, if we had annual legislative sessions now we probably would have been out of here a couple months ago.

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

Mr. WYMAN of Washington: Mr. President, I would like to make just one comment. The good Senator from Aroostook, Senator Harding, is worried about the image of the state legislatures. That immediately brings to mind the Massachusetts Legislature, and I suppose perhaps I am more

familiar with that one. Massachusetts has annual sessions, and I think that body may have the worst image of any legislature in the country. Furthermore, they go nearly 52 weeks out of the year, and I think that is one very good reason to oppose this measure.

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

Mr. SNOW of Cumberland: Mr. President, I have down here that there are 19 states which have annual sessions.

The PRESIDENT: The Chair will inquire of the Senator from Aroostook, Senator Harding, whether or not he requests a roll call?

Mr. HARDING: Yes, I do request a roll call, Mr. President.

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

Mr. JOHNSON of Somerset: Mr. President and Members of the Senate: I would support the motion for indefinite postponement of this bill. Someone here said that many department heads could not sleep nights. I would like to say that when this Legislature is in session there are a great many businessmen who can't sleep nights until we close out.

We have a system here where we have a Governor and we have a Council, and we have biennial sessions of the Legislature. We have some who would like to change this so we would have no council and we would not have biennial sessions, but have annual sessions. Now, the way I would look at it is that I have an automobile and, regardless of how old it is, and I trade it in for another one, I am not sure just what I am going to get. I know how my car operates; it operates well, and I know just how far I can go and what I can get out of it. But if I start to change all these things I am not sure just what is going to happen. If something is running smoothly and capably and is doing the job then I would think it should be retained. I support the motion.

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

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: I rise reluctantly for the second time, but if my good friend from Somerset, Senator Johnson, says that the machinery of the State of Maine is functioning smoothly and efficiently and effectively, then I must pick up the gage. This is exactly my reason for supporting annual sessions.

I have historically in the past sessions opposed annual sessions, but I think perhaps in my six years, going on seven, in the State House that I have picked up a little education. I don't believe that I am living in the 100th session of the Legislature when we had a total budget of \$100,000,000. I am a member of the 103rd Legislature where we have a total budget of very close to a quarter of a billion dollars. It has been stated that our biennial business dollar-wise for the State of Maine is at present \$400,000,000. I submit to you that this is big business. This has changed. Maybe it is time to turn in the old car and buy a new one. Maybe the circumstances of the trade are a little bit different. Maybe the load which we are carrying is a little heavier and maybe the road a little rougher. Maybe the shock absorbers are gone, and maybe the tires are wearing thin.

One of our leading editorial writers recently, in discussing the financial picture of the State of Maine, to emphasize the quantity of a billion dollars said to this effect; that if a man paid out a dollar every minute since the time Christ was born he could not accumulate a billion dollars. A dollar a minute since Christ was born, and we are four-tenths of the way toward that figure. I submit this is big business. I submit it is above politics. And

I submit that this is part of an over-all picture to increase the efficiency of government for the people of the State of Maine.

The PRESIDENT: Is the Senate ready for the question? The pending question is on the motion of the Senator from Washington, Senator Wyman, that we accept the Ought Not to Pass Report of the Committee. The Senator from

Aroostook, Senator Harding, has requested that the vote be taken by the "Yeas" and "Nays." In order for the "Yeas" and "Nays" to be entertained it must meet the express desire of one-fifth of the members present. As many as are in favor of taking the vote by the "Yeas" and "Nays" will stand and remain standing until counted.

Obviously more than one-fifth of the Senators present having arisen, the vote will be taken by the "Yeas" and "Nays."

The pending question again is on the motion of the Senator from Washington, Senator Wyman, that we accept the Ought Not to Pass Report of the Committee. Those in favor of accepting the Ought Not to Pass Report will answer "Yes," and those opposed to the motion, "No." The Secretary will call the roll.

ROLL CALL

YEAS: Senators Anderson, Barnes, Beckett, Curtis, Ferguson, Greeley, Hildreth, Hoffses, Johnson, Lund, MacLeod, Ross, Sewall, Sproul, Viles, Wyman, Young and President Campbell.

NAYS: Senators Albair, Berry, Boisvert, Brewer, Couturier, Duquette, Farley, Girard, Good, Harding, Katz, Mills, Reny, Snow and Stern.

ABSENT: Senator Norris.

A roll call was had, 18 Senators having voted in the affirmative, and 15 Senators having voted in the negative, the Ought Not to Pass Report of the Committee was accepted.

Sent down for concurrence.

On motion by Mr. Ross of Piscataquis, recessed until two o'clock this afternoon.

After Recess

Called to Order by the President.

The President laid before the Senate the sixth tabled and today assigned matter, (S. P. 476) (L. D. 1197) Bill, "An Act Relating to Certification of Qualifications of Candidates for Municipal Office in City of Lewiston." Tabled May 9

by Senator Couturier of Androscoggin, Pending Motion by Senator Good of Cumberland that the Senate Recede and Concur.

(In House — May 5, Ought Not to Pass Report Accepted.)

On motion by Mr. Brewer of Sagadahoc, retabled and specially assigned for Friday, May 12, Pending Motion by Senator Good of Cumberland that the Senate Recede and Concur.

The President laid before the Senate the seventh tabled and today assigned matter, (H. P. 799) (L. D. 1177) Bill, "An Act Relating to Compensation for Appointive Members of the Various Boards and Commissions in City of Lewiston." Tabled May 9 by Senator Johnson of Somerset, Pending Consideration.

(In Senate — May 2, Passed to be Engrossed in Concurrence.)

(In House — May 4, Indefinitely Postponed in Non-concurrence.)

On motion by Mr. Good of Cumberland, the Senate voted to recede and concur.

The President laid before the Senate the eighth tabled and today assigned matter, (H. P. 322) (L. D. 456) House Reports — from the Committee on Labor on Bill, "An Act to Clarify the Meaning of a Labor Dispute Under Employment Security Law." Report "A" Ought to Pass; Report "B" Ought Not to Pass. Tabled May 9 by Senator Johnson of Somerset, Pending Acceptance of either Report.

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

Mr. JOHNSON of Somerset: Mr. President, I move we accept Report "A" Ought to Pass.

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

The Chair recognizes the Senator from Cumberland, Senator Good.

Mr. GOOD of Cumberland: Mr. President, I move that this bill be indefinitely postponed. May I make a point of inquiry? This being a divided report, who voted

for Report "A" and who voted for Report "B"?

The PRESIDENT: The Chair would advise the Senator that Report "A" was signed by the Senator from Somerset, Senator Johnson, the Senator from Oxford, Senator Norris, and Representatives Ewer of Bangor, Bedard of Saco, and Couture of Lewiston. Report "B", Ought Not to Pass, was signed by the Senator from Cumberland, Senator Good, and Representatives Drummond of Sidney, Hoover of Phillips, Huber of Rockland, and Durgin of Raymond.

The Chair recognizes the Senator from Cumberland, Senator Good.

Mr. GOOD of Cumberland: Thank you, Mr. President. Mr. President and Members of the Senate: This bill is an amendment of the Employment Security Law, and that section of the law that disqualifies persons from receiving unemployment compensation. One of the disqualifications under the present law is if there is a labor dispute in operation. And when there is a labor dispute in operation those out on strike are prohibited from receiving unemployment compensation. This bill in itself looks innocent enough but it attempts to define for the first time under the law what is a labor dispute. Heretofore there hasn't been any definition of what is a labor dispute in the Employment Security Law, but this is an attempt to define what is a labor dispute.

Now, over the years, as a result of litigation, the Employment Security Law, by their findings, have made a multiplicity of determinations of what are labor disputes. And this definition of a labor dispute probably would not coincide with what their determinations have been over these many years. Furthermore, the litigation has gone into the courts, and the courts have determined what is a labor dispute, and have disallowed unemployment security benefits under the court interpretations. Now we have a new definition of a labor dispute. The law has worked very well under the present situation. We do not know, with a new definition

of a labor dispute, what trouble we may be getting into as far as the payment of unemployment compensation is concerned. It is possible that we may be getting into a field where you would have to be paying unemployment compensation where there is actually a labor dispute not defined under this terminology as used in this bill. Therefore, I hope that my motion for indefinite postponement does prevail.

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

Mr. JOHNSON of Somerset: Mr. President and Members of the Senate: The good Senator from Cumberland, Senator Good, describes exactly what this bill does. Through the years through litigation certain case histories have been built up so that people today have a feeling that the court can decide what is a labor dispute and what is not a labor dispute.

This section here actually is the language that was used in the National Labor Relations Act as amended by the Taft-Hartley Act and the Landrum-Griffin Act. In other words, who is to be the judge of a labor dispute unless someone can put it in to black and white to decide. This will allow the employment security people to determine whether they should pay unemployment benefits, and there is no doubt in anybody's mind as to what this amendment says, or what the law says. So, I would hope that the motion does not prevail, and I would request a division when the vote is taken.

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

Mr. HILDRETH of Cumberland: Mr. President, I would pose a question through the Chair to the Senator from Somerset, Senator Johnson. I am looking at the bill, and the bill describes a labor dispute as one containing controversy and so forth, concerning representations of persons seeking to change or seeking to rearrange terms or conditions of employment. Then it goes on to say "Regardless of whether or not the disputants stand in a proximate relation of employer and em-

ployee." Now I don't understand what that means, and I am wondering if Senator Johnson would care to explain that.

The PRESIDENT: The Senator from Cumberland, Senator Hildreth, poses a question to the Senator from Somerset, Senator Johnson, which he may answer or not, as he so desires.

The Chair recognizes the Senator from Somerset, Senator Johnson.

Mr. JOHNSON of Somerset: Mr. President, I will say, as I read this, regardless of whether or not the disputants stand in a proximate relation of employer and employee, I will say that I am not an attorney, and I will say that these labor laws have got to be read in many cases from the back to the front to really understand them. This is an exact wording apparently in the federal law, and a judge of our court would be able to determine just exactly what this does. As far as I am concerned, I am not an attorney and I can't figure it out, but I do know that it does tie in with the Federal Labor Relations Act as amended by the Taft-Hartley and the Landrum-Griffin Acts. I hope that in part answers the Senator.

The PRESIDENT: The pending question is on the motion of the Senator from Cumberland, Senator Good, that the bill and its accompanying papers be indefinitely postponed. As many as are in favor of the motion to indefinitely postpone will stand and remain standing until counted. Those opposed to the motion will stand and remain standing until counted.

A division was had. Nine Senators having voted in the affirmative, and 16 Senators having voted in the negative, the motion to indefinitely postpone did not prevail.

Thereupon, Report "A", Ought to Pass, was accepted, the Bill read once and tomorrow assigned for second reading.

The President laid before the Senate the ninth tabled and today assigned matter, (H. P. 207) (L. D. 298) House Reports — from the Committee on Legal Affairs on Bill, "An Act Relating to Education of Members of Lewiston Police

Department." Report "A" Ought to Pass; Report "B" Ought Not to Pass. Tabled May 9 by Senator Good of Cumberland, Pending Acceptance of Either Report.

On motion by Mr. Good of Cumberland, the Senate voted to accept Report "B", Ought Not to Pass, of the Committee in non-concurrence.

Sent down for concurrence.

On motion by Mr. Lund of Kennebec, the Senate voted to take from the table the first tabled and unassigned matter, (H. P. 16) (L. D. 28) House Report — Ought Not to Pass from the Committee on Judiciary on Bill, "An Act Relating to Chemical Tests in Fatal Motor Vehicle Collisions." Tabled February 16 by Senator Lund of Kennebec, Pending Acceptance of Report.

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

Mr. LUND of Kennebec: Mr. President, I now move acceptance of the Ought Not to Pass Report, and I would like to speak to my motion. Members of the Senate: I note with genuine regret the failure of our Governor to reappoint Milt Huntington to the Maine Highway Safety Committee. All the members of the Senate are well aware, I am sure, of the efforts of Mr. Huntington at this session and at past sessions on behalf of highway safety bills. Although in this bill there are many features to which I am opposed, I have been keeping this bill alive so that, in the event the implied consent law is not passed, that there might be some vehicle for providing chemical tests in fatal motor-vehicle accidents.

This bill would provide for tests that would not be admissible in court, but would be available for statistical purposes only. I am sure you are all aware of the great difficulty in getting legislation of this sort successfully through unless someone is actively working on its behalf, I see no prospect of anybody working on its behalf so I, therefore, move acceptance of the Ought Not to Pass Report.

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

Mr. JOHNSON of Somerset: Mr. President, I realize that the Minority Leader has an interest in this bill, and I would ask that it be tabled until Friday.

Thereupon, the Bill was retabled and specially assigned for Friday, May 12, Pending the motion of the Senator from Kennebec, Senator Lund, to accept the Ought Not to Pass Committee Report.

On motion by Mr. Stern of Penobscot, the Senate voted to take from the table the 36th tabled and unassigned matter, (S. P. 616) (L. D. 1610) Bill, "An Act Providing for Reexamination of Accident-prone Drivers." Tabled May 2 by Senator Stern of Penobscot, Pending Passage to be Engrossed.

On further motion by the same Senator, the Bill was passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Berry of Cumberland, the Senate voted to reconsider its action of earlier today whereby Bill, "An Act Relating to Membership of State Soil and Water Conservation Committee," (S. P. 50) (L. D. 40) was placed on the Special Appropriations Table.

On further motion by the same Senator, the Bill was passed to be enacted, and having been signed by the President, was by the Secretary presented to the Governor for his approval.

On motion by Mr. Lund of Kennebec, the Senate voted to take from the table the 30th tabled and unassigned matter (H. P. 360) (L. D. 507) Bill, "An Act Relating to Charges by Camp Owners Under Fish and Game Laws to Hunters or Fishermen." Tabled April 26 by Senator Lund of Kennebec Pending Passage to be Engrossed.

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

Mr. LUND of Kennebec: Mr. President, I would now move indefinite postponement of this bill and all of its accompanying papers. When this bill came before the

Senate, I was somewhat concerned about the contents of the bill because it appeared to be an undue restriction upon competition in the areas providing accommodations to hunters and fishermen. It now appears, after some time having passed, and having conferred with Senator Hoffses, Chairman of the Committee on Inland Fisheries and Game, that the problem that this bill was designed to solve has been taken care of by another bill which has been enacted and that he would join me in my motion to indefinitely postpone this bill.

The PRESIDENT: The pending question is the motion of the Senator from Kennebec, Senator Lund that this bill and its accompanying papers be indefinitely postponed.

The Chair recognizes the Senator from Knox, Senator Hoffses.

Mr. HOFFSES of Knox: Mr. President and Members of the Senate: I rise to concur with the good Senator from Kennebec. The reason for these two legislative documents, and I refer to L. D. 506 and 507, was the stipulation whereby some of these lumbering operations camps were taking in people to house them and feed them while on hunting expeditions and it was felt that a lumbering camp in the process of lumbering operations should remain as such, and that camp owners whose livelihood is derived from this type of enterprise of providing services for the sportsmen, that it was an infringement upon their livelihood. So, L. D. 506 endeavored and did include the word "lumber camp" so that if a lumber camp does wish to continue to take in these sportsmen that they should by all rules and regulations comply with the same restrictions as camp owners, such as inspections and things of that nature. So, this L. D. 506 does very well cover the situation and L. D. 507 is not considered necessary, and I hope that you will go along with the motion of the good Senator from Kennebec that we indefinitely postpone L. D. 507.

The PRESIDENT: As many as are in favor of indefinitely postponing the bill will say "aye". Contrary-minded "no".

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

On motion by Mr. Stern of Penobscot, the Senate voted to take from the table the 23rd tabled and unassigned matter (H. P. 811) (L. D. 1187) House Report Ought Not to Pass from the Committee on Taxation on Bill, "An Act Relating to Distribution of Railroad Stock Tax to City of Bangor." Tabled April 21 by Senator Stern of Penobscot Pending Acceptance of Report.

On further motion by the same Senator, the Senate voted to accept the Ought Not to Pass report of the Committee in concurrence.

On motion by Mr. Ferguson of Oxford, the Senate voted to take from the table the 32nd tabled and unassigned matter (H. P. 493) (L. D. 706) House Report Ought Not to Pass as Covered by Other Legislation from the Committee on Transportation on Bill, "An Act Relating to Weight Tolerances of Vehicles Loaded with S a w e d Lumber." Tabled April 28 by Senator Ferguson of Oxford Pending Acceptance of Report.

On further motion by the same Senator, the Senate voted to accept the Ought Not to Pass report of the Committee.

Mr. Brewer of Sagadahoc was granted unanimous consent to briefly address the Senate.

Mr. BREWER of Sagadahoc: After spending three sessions here and in the other branch and also serving as a School Board member for a number of years prior to that, I feel I have been a responsible legislator as pertains to education matters. I have been somewhat disturbed by inferences in the paper and rumors in relation to the Maine Teachers' Association as it pertains to L. D. 636.

I had a request to attend a regional meeting in W i s c a s s e t Saturday morning, and I would assume that other Senators had that same request in other regional meetings. Now, the purpose of the meeting is to, first acquaint us with L. D. 636, which is a bill I don't believe we need to be acquainted with. We have been living

with it the whole session. We have problems money-wise with it. Now, the second point that they want to make at these regional meetings is what are we going to do about L. D. 636? Now, if they don't like our answers, the inference is that they are going to request the School Boards in the localities to extend the school year one day and make the march on the State House.

I have been disturbed by these remarks, and I plan to attend the regional meeting in Wiscasset and give them my views on their inferences. I think they are making

a very serious mistake, that they consider marching here. As I look around the Senate with all the responsibilities that we have, that when the time comes as far as educational matters are concerned, we will be responsible legislators. I just want that on the record as to my feelings. Now, you may have different feelings as individuals, but those are mine. Thank you.

On motion by Mr. Ross of Piscataquis,

Adjourned until ten o'clock tomorrow morning.