

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

Thursday, May 25, 1967

Senate called to order by the President.

Prayer by Rev. John W. Meisner of Dover-Foxcroft

Reading of the Journal of yesterday.

Papers From The House Non-concurrent Matters

Bill "An Act Relating to Closed Season on Bear." (H. P. 355) (L. D. 502)

In House, April 11, Passed to be Engrossed.

In Senate, May 23, Passed to be Engrossed, As Amended by Senate Amendment "A" (S-173) in non-concurrence.

Comes from the House, that body having Insisted on its former action.

On motion by Mr. Wyman of Washington, the Senate voted to Insist and request a Committee of Conference.

The President appointed the following Conferees on the part of the Senate:

Senators:

ALBAIR of Aroostook

YOUNG of Hancock

WYMAN of Washington

(See action later in today's session.)

Bill "An Act Prohibiting Hunting From or on Public Ways." (S. P. 262) (L. D. 643)

In Senate, May 22, Passed to be Engrossed As Amended by Committee Amendment "A" (S-157)

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

On motion by Mr. Ross of Piscataquis, the Senate voted to Recede and Concur with the House.

Bill "An Act Providing Funds for Roads and Athletic Field at Maine Maritime Academy." (S. P. 208) (L. D. 547)

In Senate, May 19, Ought Not to pass Report Read and Accepted.

Comes from the House, Bill substituted for the Report and Passed to be Engrossed As Amended by House Amendment "A" (H-345) in non-concurrence.

In Senate: Voted to Recede and Concur with the House.

House Papers

Joint Resolution Commending the China Telephone Company.

WHEREAS, telephone communication plays a tremendous part in the every day lives of Maine citizens; and

WHEREAS, the China Telephone Company is dedicating one of the most modern up-to-date dial offices at 12:00 noon today; and

WHEREAS Representative Farrington will have the privilege of making the first call from this office; and

WHEREAS, the House Chairman of Public Utilities Committee Representative WILLIAMS from Hodgdon; Representative SNOW from Caribou of the same Committee and Representative RONALD WIGHT of Presque Isle will be special guests at this dedication; now therefore, be it

RESOLVED: That the 103rd Legislature commend the China Telephone Company officers and directors for their efforts in bringing the citizens within the area of this exchange this most up-to-date telephone service. (H. P. 1173)

Comes from the House, Read and Adopted.

Which was Read and Adopted in concurrence.

Committee Reports

House

Ought to Pass — As Amended

The Committee on Highways on Bill "An Act to Authorize the Reconstruction and Elimination of Hazardous Locations on Portions of State Route 6." (H. P. 404) (L. D. 570)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-339)

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

The Committee on Highways on Bill "An Act Relating to State Aid for Construction of Highways." (H. P. 604) (L. D. 848)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-337)

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

The Committee on Highways on Bill "An Act Providing for Area Directional Signs for Route 6 and Maritime Provinces." (H. P. 831) (L. D. 1239)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-338)

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

The Committee on Taxation on Bill "An Act Relating to Tax Exemption for Benevolent and Charitable Institutions Conducted for Benefit of Non-residents." (H. P. 949) (L. D. 1380)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-340)

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

Divided Report

The Majority of the Committee on Business Legislation on Recommended Bill "An Act Relating to Countersigning Fees for Insurance Agents and Brokers." (H. P. 875) (L. D. 1287)

Reported that the same Ought Not to Pass.

Signed:

Senators:

KATZ of Kennebec
HARDING of Aroostook
MacLEOD of Penobscot

Representatives:

SULLIVAN of Portland
FECTEAU of Biddeford
GAUTHIER of Sanford
SCOTT of Wilton

SCOTT of Presque Isle
TRASK of Milo

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

Signed:

Representative:

HARRIMAN of Hollis

Comes from the House, Minority Report Ought to Pass Accepted, and the Bill Passed to be Engrossed As Amended by House Amendment "B" H-330.

(On motion by Mr. MacLeod of Penobscot, tabled and specially assigned for Wednesday, May 31, pending acceptance of either report.)

Divided Report

The Majority of the Committee on Highways on Recommended Bill "An Act Removing Tolls from Augusta Memorial Bridge." (H. P. 349) (L. D. 497)

Reported that the same Ought to Pass.

Signed:

Senators:

FERGUSON of Oxford
ROSS of Piscataquis
GREELEY of Waldo

Representatives:

CROCKETT of Freeport
NADEAU of Biddeford
BURNHAM of Naples
WOOD of Brooks

The Minority of the same Committee on the same subject matter, reported that the same Ought Not to Pass.

Signed:

Representatives:

McNALLY of Ellsworth
DUDLEY of Enfield
WALTZ of Waldoboro

Comes from the House, the Majority Report Ought to Pass Accepted and the Bill Passed to be Engrossed

The Senate voted to accept the Majority Ought to Pass Report of the Committee. The Bill was read once and tomorrow assigned for second reading.

Senate

Leave to Withdraw

Mr. Couturier for the Committee on Towns and Counties on Bill "An

Act Increasing Salaries of Clerk of Courts and Deputy Clerk of Courts, Penobscot County." (S. P. 169) (L. D. 340)

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

Mr. Couturier for the Committee on Towns and Counties on Bill "An Act Increasing Salary of Register of Deeds of Penobscot County." (S. P. 184) (L. D. 374)

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

Mrs. Sproul for the Committee on Towns and Counties on Bill "An Act to Increase the Salaries of Certain County Officers of Waldo County." (S. P. 368) (L. D. 963)

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

Mrs. Sproul for the Committee on Towns and Counties on Bill "An Act Increasing Salaries of Certain County Officers of Franklin County." (S. P. 416) (L. D. 1045)

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

Mrs. Sproul for the Committee on Towns and Counties on Bill "An Act Increasing Salaries of Certain County Officials in Androscoggin County." (S. P. 569) (L. D. 1439)

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

Which reports were Read and Accepted.

Sent down for concurrence.

Ought to Pass in New Draft

Mr. Hoffses for the Committee on Inland Fisheries and Game on Bill "An Act to Clarify Errors and Inconsistencies in the Fish and Game Laws." (S. P. 454) (L. D. 1167)

Reported that the same Ought to Pass in New Draft, under the same title (S. P. 660) (L. D. 1678)

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

Second Readers

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

House

Bill "An Act to Provide for the Issuance of Weapons Permits to Certain Non-resident Employees." (H. P. 1172) (L. D. 1670)

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

House — As Amended

Bill "An Act to Grant Public Utilities Commission Control Over Cooperatives." (H. P. 1168) (L. D. 1669)

Bill "An Act Providing Funds for Relocating of Maine Central Railroad Tracks in Livermore Falls." (H. P. 822) (L. D. 1230)

Bill "An Act Providing Hospital Insurance Benefits Under Social Security Act for State Employees." (H. P. 1065) (L. D. 1532)

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

Senate

Bill "An Act Relating to Emergency Admittance of Paupers to Hospitals." (S. P. 659) (L. D. 1676)

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

Sent down for concurrence.

Senate — As Amended

Bill "An Act Relating to Reports of School Administrative Units." (S. P. 534) (L. D. 1369)

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

Sent down for concurrence.

Enactors

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

An Act Relating to Advertising and Promotion of Tourism into the New England Region. (H. P. 342) (L. D. 490)

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

An Act Relating to Survey of Private Sewage Disposal Systems by Department of Health and Welfare (H. P. 910) (L. D. 1320)

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

An Act Relating to Eligibility for Office of Bank Commissioner. (S. P. 632) (L. D. 1633)

(On motion by Mr. Johnson of Somerset, tabled and specially assigned for Wednesday, May 31, pending Enactment.)

An Act Relating to Eligibility for Benefits Under Employment Security Law by Those Attending Vocational Training Courses. (H. P. 1163) (L. D. 1664)

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

An Act Appropriating Funds to Operate the Board of Pesticides Control. (S. P. 650) (L. D. 1658)

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

Orders of the Day

The President laid before the Senate the first tabled and today assigned matter (H. P. 671) (L. D. 943) House Reports — from the Committee on Inland Fisheries and Game on Bill, "An Act Relating to Wearing Fluorescent Clothing When Hunting in Southwestern Zone for Two Years." Majority Report, Ought to Pass as Amended by Committee Amendment "A" Filing H-300; Minority Report, Ought Not to Pass.

Tabled — May 16, 1967 by Senator Johnson of Somerset.

Pending — Motion by Senator Farley of York to Accept the Majority Ought to Pass report as Amended by Committee Amendment "A" Filing H-300.

On motion by Mr. Johnson of Somerset, the Senate voted to accept the Majority Ought to Pass, As Amended, Report of the Committee and the bill was read once. Committee Amendment "A" was Read and Adopted. House Amendment "A" was Read and Adopted, and the Bill, As Amended, tomorrow assigned for second reading.

The President laid before the Senate the second tabled and today assigned matter (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.

Tabled — May 19, 1967 by Senator Harding of Aroostook.

Pending — Motion by Senator Anderson of Hancock to Indefinitely Postpone.

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

Mr. HARDING of Aroostook: Mr. President and Members of the Senate: I have contacted the Attorney General's Office in regards to this measure so that I would be sure that my interpretation was correct as to the effects of this constitutional amendment.

I find that this constitutional amendment as proposed is offensive to some members of the Legislature because it would reduce the age at which a person can legally consume liquor from 21 to 20. Now an amendment is being prepared which will take care of this so that this would not be the result if this was passed. This amendment is now being prepared, incidentally.

Now, I wouldn't mind if this were held over until tomorrow, but the Senator from Penobscot, Senator Stern, so many times has said that he doesn't like to have these things come up on Friday, so I will throw myself on the mercy of the Senate here and hope that someone would make the proper motion so that we might take care of this matter on Wednesday.

Thereupon, on motion by Mr. Hildreth of Cumberland, retabled and specially assigned for Wednesday, May 31, pending the motion to indefinitely postpone.

The President laid before the Senate the third tabled and today assigned matter (H. P. 901) (L. D. 1314) Bill "An Act to Provide for a Lien for Hospital Services on Recoveries from Third Persons."

Tabled—May 23, 1967 by Senator Stern of Penobscot.

Pending—Enactment.

On motion by Mr. Stern of Penobscot, and under suspension of the rules, the Senate voted to reconsider its action whereby it

passed to be engrossed L. D. 1314, Bill "An Act to Provide for a Lien for Hospital Services on Recoveries from Third Persons."

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

Mr. STERN of Penobscot: Mr. President, I present Senate Amendment "A" and move its adoption, and I would like to speak on it.

Senate Amendment "A", Filing S-189, was read by the Secretary as follows:

SENATE AMENDMENT "A" to H. P. 901, L. D. 1314, Bill "An Act to Provide for a Lien for Hospital Services on Recoveries from Third Persons."

Amend said Bill by adding at the end the following underlined section:

'§3416. Lien release

In the event of a disputed or doubtful claim, the court shall have the authority to establish the amount which should be paid by the third person or his insurance carrier only for the purpose of releasing the lien.'

Mr. STERN of Penobscot: Mr. President, and fellow Members of the Senate: I believe in the principle that if you can't beat 'em join 'em. I guess there isn't much dispute that we all seem to be willing to help the hospitals. I know I have over the years as much as any attorney practicing law today.

This amendment which I proposed, in my humble opinion, does not hurt the hospitals in any way. In fact it helps them to a great degree in particular circumstances. As you recall, we debated this quite thoroughly, and there are many times when the bill of the hospital is quite large and the liability is quite small. The hospital under those circumstances, if they insist upon the full amount of the lien, invariably nine times out of ten, if it forces the plaintiff to proceed to trial, loses everything. This amendment would only in the event of a disputed or a doubtful claim, it would permit the court, and I am sure that all of you will agree that the court would be very mindful of the protection of the hospital,

that only in a doubtful claim if the court could set an amount that he felt would be reasonable to allow only for the purpose of releasing the lien. This would mean that no matter what happened that the hospital would still have the right to proceed to sue the debtor. So, in my opinion this in effect would give the hospital everything to gain and nothing to lose, and it would prevent the hospital in any disputed, real disputed, claim to control the conduct of the case.

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

Mr. HILDRETH of Cumberland: Have we adopted the amendment now?

The PRESIDENT: No, the amendment has been read but not adopted.

Thereupon, on motion by Mr. Hildreth of Cumberland, tabled and specially assigned for Wednesday, May 31, pending adoption of Senate Amendment "A".

The President laid before the Senate the fourth tabled and today assigned matter (H. P. 515) (L. D. 728) Bill "An Act Relating to Wages Paid for Benefits and Eligibility Under Employment Security Law."

Tabled—May 23, 1967 by Senator Good of Cumberland.

Pending—Consideration.

(In Senate—May 9, 1967 Passed to be Engrossed.)

(In House — May 17, 1967 Passed to be Engrossed as Amended by House Amendment "A". Filing (H-310.)

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

Mr. GOOD of Cumberland: Mr. President, the essence of this Bill is an amendment which is a very important amendment to both industry and to labor. It didn't have a public hearing so it needs quite a bit of research at this time. Therefore, I would hope that someone would table this for further study until next Wednesday. Thank you.

Thereupon, on motion by Mr. Johnson of Somerset retabled and specially assigned for Thursday,

June 1, pending further consideration.

The President laid before the Senate the fifth tabled and today assigned matter (S. P. 568) (L. D. 1438) Bill "An Act Relating to Retirement Benefits for Policemen and Firemen of the Lewiston Police and Fire Departments Under the State Retirement System."

Tabled—May 23, 1967 by Senator Good of Cumberland.

Pending—Passage to be Engrossed.

On Motion by Mr. Couturier of Androscoggin retabled and specially assigned for Wednesday, May 31 pending Passage to be Engrossed.

The President laid before the Senate the sixth tabled and today assigned matter (H. P. 1132) (L. D. 1608) Bill "An Act Relating to Weight and Weight Tolerance of Vehicles."

Tabled—May 23, 1967 by Senator Beckett of Washington.

Pending — Motion by Senator Lund of Kennebec to Indefinitely Postpone.

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

Mr. BECKETT of Washington: Mr. President, I yield to the Senator from Somerset, Senator Johnson.

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

Mr. JOHNSON of Somerset: Mr. President, I am speaking now in favor of L. D. 1608, An Act which Relates to Weight and Weight Tolerance of Vehicles. I see here that the pending motion is to indefinitely postpone. I would oppose that motion.

This particular Bill is a combination of two Bills and it does bring under the frozen road winter allowance plus the 110 per cent tolerance, or the 10 per cent tolerance, those vehicles which we feel are deserving of this consideration. When we consider one or two other types of people who transport certain commodities, we denied them this right because we

felt they could weigh. For example, the people who transport petroleum products felt they should come under this law and we gave this very serious consideration, but we felt that these people could weigh their product. They knew what a gallon of gasoline weighed, whether it was frozen or whether the temperature — gasoline, of course, doesn't freeze, but if the temperature was way down below zero gasoline contracts and it takes up less space. At the same time, in the summer time, gasoline expands and takes up more space. They felt they would be entitled to it, this 10 per cent tolerance which we denied, because the point of this Bill is to bring those under the Bill that are not able to or have no idea what their actual weight is. And the items that we brought under the Bill were in one place, one outfit in South Paris that hauls ore to a refinery. They had no way of knowing that the weight was in the quarry, so we felt that they should come under this law.

Another item that we put under here was sawed lumber and dimension lumber which in various stages of drying, the weight does vary. We figured out that — I may be wrong, but we think now we are not discriminating against these other people, and we feel that any other type of commodity or product, and so forth, can be weighed and we feel that they would not be entitled to this consideration. But on these items that I have mentioned we felt that the haulers of these products should be allowed this 10 per cent consideration. I would object very strenuously to the motion to postpone.

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

The Chair recognizes the Senator from Kennebec, Senator Lund.

Mr. LUND of Kennebec: Mr. President, I would like to pose a question to Senator Johnson or some other member of the Committee that considered this because it is a very confusing area. I have here a statement from David Stevens, the Chairman of the

State Highway Commission in regard to L. D. 104, which I understand was one of the Bills that went into this redraft. And his statement is as follows: "If L. D. 104 is enacted, it will result in certain three-axle trucks hauling rocks or minerals extracted from mines or quarries being permitted to carry tandem axleloads of at least 45,800 pounds or 43 per cent in excess of the limit advocated by the American Association of State Highway Officials, and 27 per cent in excess of the tandem axle loads allowed under the State of Maine law without exception." Now, this statement was applied to L. D. 104, and I would like to inquire whether this statement also applies to the bill which is now under consideration?

The PRESIDENT: The Senator from Kennebec, Senator Lund, has posed the question to the Senator from Somerset, Senator Johnson, who may answer if he so desires.

Mr. JOHNSON of Somerset: I would like to say in reference to the question of the good Senator from Kennebec, Senator Lund, that probably one of the easiest ways to confuse someone is to ask them a question of which you are able to pick out and know the answer yourself. I think that is fair; it has been done. I would say this, that if that would apply to this particular item that we have included then it would apply to all the others. The same argument has been used for years. Now we have allowed these other vehicles hauling stone, and so forth and so on, to do this same thing. Now, why should we object to allowing these people hauling ore and sawed lumber the same privilege? I hope that partially answers the question.

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

Mr. LUND of Kennebec: Mr. President and Members of the Senate: I assume the answer to the question is probably yes. And I will tell you very frankly I don't know the answer because this is exactly one of the evils of the present structure of weight tolerances that we have here in Maine. Either by design or by accident, they have become so complicated

and complex that even when he is writing about it the Chairman of the State Highway Commission indicates some uncertainty as to what the actual limits are. And if you will look at some of the statements Mr. Stevens has made you will see that this is so.

As I understand it, the original theory of this weight tolerance was advanced because it was thought that in the case of pulpwood haulers and people who were hauling forest products from the woods, they would load their truck up one night, perhaps, and it might rain or snow during the night and their load would be inevitably increased, and they were the original beneficiaries of this weight tolerance thing.

Now, as to weight tolerance itself, I would like to point out that there is nothing magical about this. If the speed limit is 60 miles an hour and you want to be sure that you don't exceed it, you just drive 55, that's all. And if the weight limit is a certain poundage and you want to be sure that you don't exceed you allow a tolerance under that limit. But in its application in the exceptions that seeded into this law over the years, the whole idea of tolerance has lost its meaning and what it now means is a license to overload. I would suggest to the Senate that passage of this amendment as it applies to products which are not one with the original thought of ice and snow forming, this original thought doesn't apply any more. People need not leave trucks loaded with ore parked overnight, so that the adoption of this amendment would add another absurdity to an already ridiculous law, and I hope the Senate won't stand for it.

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, — The Chair recognizes the Senator from Oxford, Senator Ferguson.

Mr. FERGUSON of Oxford: Mr. President and Members of the Senate: I notice that this Bill came before the Transportation Committee and I was one of the original members in the other

body that gained the exemption of the tolerance for the wood haulers and others that we felt it should have such as loading of various pieces of wood that would gain weight over night and also the difference in weight from, we will say, oak and fir and other species.

Senator Johnson from Somerset has stated that this would be for December, January and February when the highways are frozen, but it goes a little further than that. They do pay \$25.00 extra fee for these three months.

I am very much concerned as to the volume of exemptions we are getting in the statute now under our highway program. I will remind you that this Bill is very closely associated to a Bill we debated in the Senate the other day, L. D. 1594. It is a question of which is the worst of the two evils. This Bill is more acceptable to me than 1594 on weights violation. Certainly if we pass L. D. 1594, which is going to cost the highway revenue the sum of 50 or \$55,000.00 a year, then we perhaps should give this serious consideration when the other one comes back so the Senate get rid of it. I don't have a very strong feeling on this particular bill, but I do have very strong feelings on 1594. This would take care of some of the, or most of the, items that the Transportation Committee was trying to take care of in 1594. It would also go a lot further than L. D. 1608.

I suppose I have left you confused because I haven't made it very clear whether I am for or against this Bill, but it is a Bill I don't have very strong feelings about. I would certainly rather see this Bill be enacted into law than the other Bill that will be back here in a few days for enactment.

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from Androscoggin, Senator Couturier.

Mr. COUTURIER of Androscoggin: Mr. President, could the Chair tell us what the report of the Committee was on this Bill?

The PRESIDENT: The Chair rec-

ognizes the Senator from Aroostook, Senator Barnes.

Mr. BARNES, of Aroostook: I request that when the vote is taken we have a division.

The PRESIDENT: Is the Senate ready for the question?

The pending motion is that of the Senator from Kennebec, Senator Lund, that the Bill be indefinitely postponed. The Senator from Aroostook, Senator Barnes, has requested that the vote be taken by division.

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

A division was had. No Senators having voted in the affirmative, and 28 Senators having voted in the negative, the motion to indefinitely postpone did not prevail.

Thereupon, the Bill was Passed to be Enacted,

And, having been signed by the President, was by the Secretary presented to the Governor for his approval.

The President laid before the Senate the seventh tabled and today assigned matter (H. P. 771) (L. D. 1118) Bill "An Act Relating to Nonlapsing Funds for Land in Town of Wells for Park Purposes."

Tabled—May 24, 1967 by Senator Sproul of Lincoln.

On motion by Mrs. Sproul of Lincoln, the Senate voted to Recede and Concur with the House.

The President laid before the Senate the eighth tabled and today assigned matter (S. P. 136) (L. D. 266) Senate Report—Ought to Pass as Amended by Committee Amendment "A", Filing S-179, from the Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Operating Funds for Vocational Educational Institute in Washington County."

Tabled—May 24, 1967 by Senator Snow of Cumberland.

Pending—Acceptance of Report.

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

Mr. SNOW of Cumberland: Mr. President, I would move we accept the unanimous Ought to Pass Report of the Committee, and I would like to speak briefly to my motion.

The PRESIDENT: The Senator from Cumberland, Senator Snow, moves that the Senate now accept the Ought to Pass, As Amended, Report of the Committee.

The Chair recognizes the Senator.

Mr. SNOW: Mr. President, I think that many of us are aware that the placement of this sort of institution in Washington County would be of great value to that county and would serve an area of the State well which has long been pointed at as an area which needs help. I would hope, however, that when the institution is located that it might be located in conjunction with Washington State College at Machias so that we may enjoy the benefits of coordinating two State institutions.

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

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: The Appropriations Committee sort of spontaneously developed the idea of locating two vocational school additions close to the State colleges. As a matter of fact, we drafted language to require this, thinking that it would be economy of operation in view of utilities, roads, and sharing of facilities.

However, subsequently the Department of Education pointed out that there are objections to this and they are significant ones. There is a disparity here of objectives in training programs, the disparity in ages — a disparity in the years of a program of vocational institutes which are generally two-year or one-year courses, and the state colleges are four. The idea seemed laudable, but to date the Board of Education in selecting the sites for the location of these schools has done a very good job, and the Appropriations Committee felt it ad-

visable to continue to leave the selection of the actual site locations to the Board of Education.

The PRESIDENT: The pending question is the motion of the Senator from Cumberland, Senator Snow, that we accept the Ought to Pass, As Amended, Report of the Committee.

As many as are in favor of the motion will say "Yes"; Opposed "No".

A viva voce vote being had, the Ought to Pass, As Amended, Report of the Committee was accepted, and the Bill was read once.

Committee Amendment "A", Filing S-179, was read by the Secretary as follows:

COMMITTEE AMENDMENT "A" to S. P. 136, L. D. 266, Bill "An Act Appropriating Operating Funds for Vocational Educational Institute in Washington County."

Amend said Bill in the 2nd line (same in L. D. 266) by striking out the figure "\$100,000" and inserting in place thereof the figure '\$25,000'

Further amend said Bill by adding at the end the following: "The breakdown shall be as follows:

1968-69	
EDUCATION, DEPARTMENT OF	
Washington County Vocational	
Technical Institute	
Personal Services	(2) \$14,600
All Other	8,400
Capital Expenditures	2,000
	\$25,000'

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

The President laid before the Senate the ninth tabled and today assigned matter (H. P. 611) (L. D. 854) House Reports—from the Committee on Legal Affairs on Bill "An Act Relating to Charging Fees for Services to Persons Acting as Subjects for Student Instruction and Training in Beauty Schools." Majority Report—Ought to Pass; Minority Report, Ought Not to Pass.

Tabled—May 24, 1967 by Senator Berry of Cumberland.

Pending—Acceptance of Either Report.

On motion by Mr. Hoffses of Knox, retabled and specially assigned for Friday, May 26, pending acceptance of either report.

The President laid before the Senate the tenth tabled and today assigned matter (H. P. 192) (L. D. 281) House Report—Ought Not to Pass from the Committee on Judiciary on Bill “An Act Prohibiting the Destruction of Political Posters and Signs.”

Tabled—May 24, 1967 by Senator MacLeod of Penobscot.

Pending—Acceptance of Report.

On motion by Mr. MacLeod of Penobscot, retabled and specially assigned for Friday, May 26, pending acceptance of report.

The President laid before the Senate the eleventh tabled and today assigned matter (H. P. 215) (L. D. 305) House Reports—from the Committee on Election Laws on Bill “An Act Relating to Applications for and Marking of Absentee Ballots.” Majority Report, Ought to Pass as Amended by Committee Amendment “A”, Filing H-108; Minority Report, Ought Not to Pass.

Tabled—May 24, 1967 by Senator Ferguson of Oxford.

Pending—Motion by Senator Anderson of Hancock to Indefinitely Postpone.

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

Mr. FERGUSON of Oxford: Mr. President, I now yield to the Senator from Hancock, Senator Anderson.

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

Mr. Anderson of Hancock was granted unanimous consent to withdraw his motion to indefinitely postpone.

On motion by Mr. Ferguson of Oxford, the Senate then voted to accept the Majority Ought to Pass As Amended Report of the Committee, and the bill was read once.

Committee Amendment “A”, Filing H-108 was Read.

On further motion by Mr. Ferguson, the Senate voted to indefinitely postpone Committee Amendment “A”.

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

Senate Amendment “A”, Filing S-188, was read by the Secretary as follows:

SENATE AMENDMENT “A” to H. P. 215, L. D. 305, Bill “An Act Relating to Applications for and Marking of Absentee Ballots.”

Amend said Bill in the Title by striking out the words “and Marking off”

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

‘Sec. 1. R. S., T. 21, §1253, sub-§1, repealed and replaced. Subsection 1 of section 1253 of Title 21 of the Revised Statutes is repealed and the following enacted in place thereof:

1. Applications available. On the oral or written request of any registered voter, the clerk of the municipality in which said voter is registered, shall furnish a ballot application to said person on which said clerk shall first plainly write or type the name of said applicant in full.

Sec. 2. R. S., T. 21, §1253, sub-§2, amended. The first sentence of subsection 2 of section 1253 of Title 21 of the Revised Statutes is amended to read as follows:

On receipt of a completed application or a request for an absentee ballot signed by the applicant, the clerk shall mail and issue an absentee ballot and return envelope forthwith to him. Requests for absentee ballots may be honored only by the town or city clerk in the municipality involved.’

Senate Amendment “A” was Adopted, and the Bill, As Amended, tomorrow assigned for second reading.

The President laid before the Senate the twelfth tabled and today assigned matter (S. P. 157) (L. D. 328) Senate Reports—from the Committee on Highways on Bill “An Act Relating to Tandem Trailers.” Majority Report, Ought

Not to Pass; Minority Report, Ought to Pass in New Draft.

Tabled—May 24, 1967 by Senator Mills of Franklin.

Pending—Motion by Senator Ferguson of Oxford to Accept the Majority Ought Not to Pass Report.

On motion by Mr. Mills of Franklin, retabled and specially assigned for Wednesday, May 31, pending the motion by Senator Ferguson of Oxford to Accept the Majority Ought Not to Pass Report.

The President laid before the Senate the thirteenth tabled and today assigned matter (S. P. 400) (L. D. 1031) Bill "An Act to Provide for Practice Nursing Course at Central Maine Vocational-Technical Institute."

Tabled—May 24, 1967 by Senator Snow of Cumberland.

Pending—Passage to be Engrossed.

On motion by Mr. Snow of Cumberland, the Senate voted to Pass the Bill to be Engrossed.

Sent down for concurrence.

The President laid before the Senate the fourteenth tabled and today assigned matter (H. P. 124) (L. D. 150) Bill "An Act Relating to Use of Dealer Registration Plates."

Tabled—May 24, 1967 by Senator Reny of York.

Pending—Consideration.

(In Senate—March 28, 1967 Passed to be Engrossed as Amended by House Amendment "A". Filing H-75.)

(In House—April 21, 1967 Indefinitely Postponed in Non-Concurrence.)

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

Mr. JOHNSON of Somerset: Mr. President, in view of the fact that the House is now considering the omnibus bill which includes this bill, but which we feel there might be some difficulties with, I would ask that someone table this until Wednesday next.

On motion by Mr. Reny of York, retabled and specially assigned for Wednesday, May 31, pending Further Consideration.

The President laid before the Senate the fifteenth tabled and today assigned matter (H. P. 89) (L. D. 186) House Report—Ought to Pass from the Committee on Indian Affairs on Bill "An Act Relating to Compensation and Allowances for Members of the Indian Tribes at the Legislature."

Tabled—May 24, 1967 by Senator Curtis of Penobscot.

Pending—Acceptance of Report.

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

Mr. CURTIS of Penobscot: Mr. President, at this time I would like to yield to Senator Norris.

On motion by Mr. Norris of Oxford, retabled and specially assigned for Wednesday, May 31, pending Acceptance of Report.

The President laid before the Senate the sixteenth 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 — May 24, 1967 by Senator Mills of Franklin.

Pending—Consideration.

(In Senate—May 3, 1967 Indefinitely Postponed in Non-Concurrence.)

(In House—May 16, 1967 Passed to be Engrossed as Amended by House Amendment "A", Filing H-306, in Non-Concurrence.)

Thereupon, on motion by Mr. Mills of Franklin, the Senate voted to Recede.

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

Mr. LUND of Kennebec: Mr. President, I am opposed to the acceptance of the Ought to Pass Report of the Committee. I would like to have the opportunity to debate this at such time as debate is to be had on it. I do not wish to cut off the good Senator prematurely. I would like to inquire, to make a parliamentary inquiry at this time as to what point this matter may be debated?

The PRESIDENT: The Chair would state that it is debatable on the acceptance of the report. If the Bill is accepted the Bill will

be given its first reading, and the Senator presumably will offer an amendment, and it may be debated at that time. It will be assigned for second reading; it will be debatable at second reading. It will also be debatable on the enactment.

Is it now the pleasure of the Senate to accept the Ought to Pass Report of the Committee? As many as are in favor of accepting the Ought to Pass Report of the Committee will rise and stand in their places until counted.

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

MR. MILLS of Franklin: Mr. President, I will make my remarks at this time and assure the good Senator from Kennebec, that I believe from the parliamentary he will have ample opportunity to debate following my remarks. I don't intend to make extensive remarks at this time, Mr. President, because I realize that this matter has been rather fully discussed and debated in the Senate earlier, as it was quite fully discussed and debated in the House. However, I would like to review the situation as it now stands.

There is before us now the Bill, the Committee Report having come from the Committee with a unanimous report. The matter was heard on the merits, as you know, and then subsequently, when it was discussed and debated here before, I felt that the body indicated a reluctance to accept this proposal in its form as submitted, and an amendment was prepared to take care of that objection which seemed to be the basic objection of the body. And that was prepared by the Attorney General's office. That came for discussion last week and it was attacked, and it was turned down. This amendment this morning which is before you, and which is not before you for action, of course, but which has been reproduced, and which is in the possession of the Clerk, just being given to him a moment ago by myself, modifies that amendment to this extent: There was a fear expressed before that the door was being opened too widely. That people with grossly inadequate

preparation might qualify under it, and the proposition of mental retardation was brought into it. I don't know for sure whether it was brought into debate here, but certainly in other parts of the building. That has been taken out and it has been left that the handicapped part with regard to polio or some disabling disease remains in. And, furthermore, that this amendment would only have a standing — this statute would only have a standing for a four-year period.

Now, the reason for this rigamarole about it is, of course this: The argument at first, when the committee report came before you before, was that that this was unconstitutional legislation because it pointed to one individual and it might not stand up if attacked in the courts. Well, we do those things right along; it is not an unusual thing for a legislature to do. So when a constitutional question is raised as it was in this case, the general provision is made sufficiently general to include the individual that you are trying to benefit.

I was just noticing a few moments ago on the postings outside in the corridor, that were signed by the Governor, an Act to allow a gentleman to take the pharmacy examination. Now, I am a lawyer and I have a great deal of pride in my profession. But if I had my choice I think I would rather, — I would be more careful about the man that is fixing up those pills behind the counter, those deadly potions, than the man that is giving me advice on how to draw a deed. And especially this fellow who has qualifications, as I said a few minutes ago, I am not going to get into the merits of it, he has such outstanding qualifications that he would be such a credit to our bar, as I know, that I don't hesitate a bit in recommending it very strongly to you, that you do this.

If you don't do this, Madam Senator and Senators, if you don't do this this morning, you will be flying in the face of a great majority of our combined legislative bodies. At this point 156 people, 156 in the combined bodies, have recorded

their votes. 132 of them have voted for this. 132 to 26 is the way it stands in the combined — at least if this should fail this morning, and I am aware, of course, there has been a concerted organized opposition, — if this should fail, I can say in the record here to this young man that at least he had the overwhelming endorsement of the Maine Legislature despite the fact that perhaps a majority of the Maine Senate would not go along.

As I say, I didn't want to get into the merits too much, because it has been exhaustively gone into, but you know in certain bodies, secret bodies, they have charms and cries and that sort of thing that is supposed to bring help. Well, I am not a biblical scholar, but I have a little familiarity with it. I notice we do have it up there on the rostrum, the Bible, a very fine copy of it, I am sure. The only part of it I was thinking about is the recollection of Jonah, this winter because I know that the "whale" didn't have to swallow as hard as I have had to a good many times. But the part I want to refer to this morning is when St. Paul was up around the Hellespont in Asia Minor and about 200 miles across to Phillipi in Macedonia. And there was trouble over there. This is 1900 years ago. And there was trouble over in Phillipi and Macedonia and St. Paul had a vision, and the vision was a good man from Phillipi said, "Come on over, come over here and help us Macedonians." And all through the years, for 1900 years now, that has been known as the Macedonian cry, and I am giving it to you this morning. Come over and help us, we need your help.

The PRESIDENT: At this time the Chair would like to correct an error that has been made. I would point out to you that this Bill has 22 endorsements, so I think you might understand why even the Chair is confused. It does appear that the Ought to Pass Report has previously been accepted in the House so that the Bill would not be in a posture where the Senator could properly offer a Senate Amendment.

The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: The Senate has taken definitive action on this several times. I think the matter has been carefully explained by the good Senator from Franklin, Senator Mills. I believe that the amendment offered today is intended to accomplish the same thing that the original Bill and the other amendment did. I would move, Mr. President, at this time, that the Bill and all accompanying papers be indefinitely postponed.

The PRESIDENT: The pending question is the motion of the Senator from Cumberland, Senator Berry, that the Bill and accompanying papers be indefinitely postponed.

The Chair recognizes the Senator from Kennebec, Senator Lund.

Mr. LUND of Kennebec: Mr. President and Members of the Senate: I cannot claim the classical learning that my colleague may have for I too feel like giving the Macedonian cry.

This is not a popular issue to be debating. The popular thing is to help the fellow who is having difficulty. However, there are some very serious basic weaknesses with this type of legislation, and that is what is causing all the trouble. It is true that the amendment which is about to be offered, or is in the process of being offered, does eliminate the problem of mental defectives being eligible. But if you consider the amendment for a minute, it applies to people who have had polio or some disabling disease. It would not give benefit to persons who might have been amputated as the result of an accident and could not attend a law school. It seems to me that the weakness of this approach would become more apparent to members of the Senate, as apparent as it is, anyway, that if we were to consider the general application of this type of philosophy, and suppose we were to take this same amendment and apply it to the requirements of people who are going to practice medicine, engineering, osteopathy, and architecture; if we were to suddenly drop the barriers as to any of these important professions

for the benefit of some individual, I think that, if an attempt were made in legislation, this would not obtain the approval of our very warm-hearted members of the Judiciary Committee nor the legislature either.

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

Mr. HARDING of Aroostook: Mr. President and Members of the Senate: I don't know what the result is going to be in a vote this morning. I stand on this in favor of the amendment which has been proposed, and I stand opposed to the motion which the Senator from Cumberland, Senator Berry, has made to indefinitely postpone this matter.

I would only say this: that we are concerned here not with the practice of medicine or osteopathy but with the practice of law. There are many qualities that go into making up a good lawyer. One of those qualities, I suggest to you, of which I know of no substitute, is the quality that a man has had to suffer in his lifetime. The matters which come across a lawyer's desk are not easy matters to make decisions on. You have to defend people in criminal cases, advise people in custody cases, and divorce matters and death actions. This matter of suffering is an important thing. I think that this young man would bring this quality to the Maine Bar and we will be proud of him. This is only a question of letting him have the opportunity to take the bar exam, and it is only for a question of four years. Our laws are full of exceptions to fit particular needs. This Legislature in its wisdom makes the particular exceptions. And so I am pleased, if I stand here alone, to stand with this man. The Judiciary Committee has heard the matter. Their feeling was unanimously in favor of it. And so I would hope that this body would have the compassion this morning to give this young man this opportunity.

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from Franklin, Senator Mills.

MR. MILLS of Franklin: May we

have a roll call, Mr. President?

The PRESIDENT: The Senator from Franklin, Senator Mills, has requested that the vote be taken by the yeas and nays. In order for the yeas and nays to be entertained there must be the expressed desire of at least one-fifth of the members present. As many as are in favor of the vote being taken by the yeas and nays will stand and remain standing until counted. A sufficient number having arisen the vote will be taken by the yeas and nays.

The Secretary will call the roll.

ROLL CALL

YEAS: Senators Albair, Beckett, Berry, Brewer, Curtis, Good, Greeley, Hildreth, Lund, MacLeod, Sewall, Viles, Wyman, Young, and the President, Mr. Campbell.

NAYS: Senators Anderson, Barnes, Boisvert, Couturier, Farley, Ferguson, Girard, Harding, Johnson, Mills, Norris, Reny, Ross, Snow, Sproul, Stern.

ABSENT: Senators Duquette, Hoffses, Katz.

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

Thereupon, House Amendment "A" was Read.

On motion by Mr. Mills of Franklin, House Amendment "A" was Indefinitely Postponed.

Thereupon, Mr. Mills of Franklin presented Senate Amendment "A" and moved its adoption.

Senate Amendment "A" Filing S-185, was read by the Secretary as follows:

SENATE AMENDMENT "A" to H. P. 514, L. D. 727, Resolve, Permitting R. Dean Seguin of South Paris to Take the Examination for Admission to Practice Law.

Amend said Resolve by striking out all of the Title and inserting in place thereof the following:

'An Act Relating to Qualifications of Applicants for Examination for Admission to Practice law.'

Further amend said Resolve by striking out everything after the Title and inserting in place thereof the following:

'Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., T. 4, §804, amended. The 2nd paragraph of section 804 of Title 4 of the Revised Statutes is amended by adding after the first sentence, a new sentence, as follows:

Notwithstanding the foregoing educational and study requirements, an applicant who suffers from polio or other similarly disabling disease and who has a high school education or possesses a certificate of equivalency of a high school education and who has studied law diligently and in good faith for at least 4 years, which study shall be by instruction and completion of a course in law from a correspondence law school, shall, if otherwise qualified, qualify to take the bar examinations.

Sec. 2. Application. This Act shall be effective for only 4 years.'

Senate Amendment "A" was adopted, and the Bill as Amended Passed to be Engrossed in Non-concurrence.

Sent down for concurrence.

The **PRESIDENT:** The Chair recognizes the Senator from Androscoggin, Senator Boisvert.

Mr. BOISVERT of Androscoggin: Mr. President, I rise to inquire whether the Senate is in possession of L. D. 1318.

The **PRESIDENT:** The Chair would reply that the Senate has it in its possession, it having been held for the purpose of reconsideration.

The Chair recognizes the Senator from Androscoggin, Senator Boisvert.

Mr. BOISVERT: Mr. President, I now move that the Senate reconsider its action whereby it accepted the Ought Not to Pass Report.

The **PRESIDENT:** The Senator from Androscoggin, Senator Boisvert, moves that the Senate now reconsider its action whereby it accepted the Ought Not to Pass Report of the Committee.

The Chair recognizes the Senator from Hancock, Senator Anderson.

Mr. ANDERSON of Hancock: Mr. President, I move a division on the motion to reconsider L. D. 1318.

The **PRESIDENT:** The Senator from Hancock, Senator Anderson, has requested that the vote be taken by a division. The pending question is on the motion of the Senator from Androscoggin, Senator Boisvert, that the Senate reconsider its action whereby it accepted the Ought Not to Pass Report of the Committee.

Mr. Johnson of Somerset moved that this matter be retabled and specially assigned for Wednesday, May 31, pending the motion of the Senator from Androscoggin, Senator Boisvert, that the Senate reconsider its action whereby it accepted the Ought Not to Pass Report of the Committee.

The **PRESIDENT:** For what purpose does the gentleman arise?

Mr. ROSS of Piscataquis: Mr. President, I request a division.

The **PRESIDENT:** The Senator from Piscataquis, Senator Ross, has requested a division.

As many as are in favor of Tabling this matter until May 31 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. 17 Senators having voted in the affirmative, and 13 Senators having voted in the negative, the motion to table prevailed.

The President laid before the Senate the second tabled and unassigned matter (H. P. 569) (L. D. 801) House Reports — from the Committee on Agriculture on Bill, "An Act to Create a State Wide Milk Marketing and Producer Pool." Majority Report, Ought Not to Pass; Minority Report, Ought to Pass in New Draft (H. P. 1131) (L. D. 1607) under same title.

Tabled — May 11, 1967 by Senator Johnson of Somerset.

Pending — Motion by Senator Girard of Androscoggin to Accept the Majority Ought Not to Pass Report.

On motion by Mr. Johnson of Somerset, the Senate voted to accept the Majority Ought Not to Pass Report of the Committee.

The President laid before the Senate the third tabled and un-

signed matter (H. P. 869) (L. D. 1281) House Report — Ought Not to Pass from the Committee on Appropriations and Financial Affairs on Bill, "An Act to Authorize Bond Issue in the Amount of Eight Hundred and Fifty Thousand Dollars for Construction of Dormitories at Stevens Training Center."

Tabled — May 12, 1967 by Senator Greeley of Waldo.

Pending — Acceptance of Report.

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

The President laid before the Senate the fourth tabled and unassigned matter (S. P. 299) (L. D. 738) Senate Report—Ought Not to Pass from the Committee on Inland Fisheries and Game on Bill "An Act Increasing all Resident Fish and Game Licenses."

Tabled—May 12, 1967 by Senator Hoffses of Knox.

Pending—Acceptance of Report.

On motion by Mr. Hoffses of Knox, retabled and specially assigned for Wednesday, May 31, pending Acceptance of Report.

The President laid before the Senate the fifth tabled and unassigned matter (S. P. 300) (L. D. 739) Senate Report—Ought Not to Pass from the Committee on Inland Fisheries and Game on Bill "An Act to Increase Resident Hunting and Fishing Licenses."

Tabled—May 12, 1967 by Senator Hoffses of Knox.

Pending—Acceptance of Report.

On motion by Mr. Hoffses of Knox retabled and specially assigned for Wednesday, May 31, pending Acceptance of Report.

The President laid before the Senate the sixth tabled and unassigned matter (S. P. 514) (L. D. 1227) Senate Report—Ought Not to Pass from the Committee on Towns and Counties on Bill "An Act Relating to Penalty for Exceeding Appropriation for Economic and Recreational Development in Oxford County."

Tabled—May 12, 1967 by Senator Ferguson of Oxford.

Pending—Acceptance of Report.

On motion by Mr. Norris of Oxford, retabled and specially assigned for Thursday, June 1st, pending Acceptance of Report.

The President laid before the Senate the seventh tabled and unassigned matter (H. P. 457) (L. D. 631) Bill "An Act Creating County Commissioner Districts."

Tabled—May 12, 1967 by Senator Hildreth of Cumberland.

Pending—Assignment for 2nd Reading.

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

Mr. JOHNSON of Somerset: Mr. President, I move this item lie on the table unassigned.

The PRESIDENT: For what purpose does the gentleman arise?

Mr. FERGUSON of Oxford: The timing of this particular matter.

The PRESIDENT: The Chair will advise the Senator that if the motion to table unassigned is defeated, then the Senator may make a motion and set a specific time.

The pending question is the motion of the Senator from Somerset, Senator Johnson, that this item number seven be tabled unassigned.

As many as are in favor of the motion will say "Yes"; those opposed "No".

A viva voce vote being had, the motion prevailed.

The President laid before the Senate the eighth, tabled and unassigned matter (S. P. 386) (L. D. 1020) Senate Report—Ought to Pass from the Committee on Business Legislation on Bill "An Act Relating to Directors of Insurance Companies."

Tabled—May 19, 1967 by Senator Katz of Kennebec.

Pending—Acceptance of Report.

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

Mr. MacLEOD of Penobscot; Mr. President, I move that the Senate now accept the Ought to Pass Report of the Committee.

The PRESIDENT: The Senator from Penobscot, Senator MacLeod, now moves that the Senate accept

the Ought to Pass Report of the Committee.

The Chair recognizes the Senator from Franklin, Senator Mills.

Mr. MILLS of Franklin: Mr. President, I presume, Mr. President that the Chairman of the Committee knows what he is doing, but Senator Katz isn't here, and if there is any question about it, I would like to table this until he arrives. But if Senator MacLeod has noticed that he is not here, and he is clear on it, why it doesn't bother me any.

The PRESIDENT: The pending question is the motion of the Senator from Penobscot, Senator MacLeod, that the Senate accept the Ought to Pass Report of the Committee. Is this the pleasure of the Senate?

The motion prevailed and the bill was read once.

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

Mr. MacLEOD of Penobscot: Mr. President, I want to assure the members of the Senate, and I want to assure particularly the Senator from Franklin, that on this one particular item I did know what I was doing.

Thereupon, the Bill was tomorrow assigned for second reading.

The President laid before the Senate the ninth tabled and unassigned matter (S. P. 373) (L. D. 986) Senate Report—Ought to Pass as Amended by Committee Amendment "A", Filing S-159, from the Committee on Business Legislation on Bill "An Act Reducing Maximum Amount and Duration of Small Loans and Establishing Equitable Rates for Small Loan Agencies."

Tabled—May 19, 1967 by Senator Katz of Kennebec.

Pending—Acceptance of Report.

On motion by Mr. Johnson of Somerset, retabled and specially assigned for Wednesday, May 31, pending Acceptance of Report.

The President laid before the Senate the tenth tabled and unassigned matter (S. P. 609) (L. D. 1603) Senate Reports—from the Committee on Public Utilities on

Bill "An Act Authorizing Joint Rates Between Certain Transportation Carriers." Majority Report, Ought to Pass; Minority Report, Ought Not to Pass, referred to Study Committee.

Tabled—May 19, 1967 by Senator Lund of Kennebec.

Pending—Acceptance of Either Report.

On motion by Mr. Lund of Kennebec, retabled and specially assigned for Friday, May 26, pending Acceptance of Either Report.

The President laid before the Senate the eleventh tabled and unassigned matter (H. P. 1053) (L. D. 1527) House Report — Ought to Pass in New Draft under New Title (H. P. 1161) (L. D. 1662) from the Committee on Legal Affairs on Bill, "An Act to Create a Hospital Administrative District in Washington County."

Tabled — May 19, 1967 by Senator Wyman of Washington.

Pending — Acceptance of Report.

On motion by Mr. Wyman of Washington, retabled and specially assigned for Wednesday, May 31, pending Acceptance of Report.

The President laid before the Senate the thirteenth tabled and unassigned matter (H. P. 345) (L. D. 493) House Report — Ought to Pass as Amended by Committee Amendment "A", Filing H-317, from the Committee on Business Legislation on Bill, "An Act Establishing Maximum Legal Interest Rate on Personal Loans in Excess of One Thousand Dollars."

Tabled — May 23, 1967 by Senator MacLeod of Penobscot.

Pending — Acceptance of Report.

On motion by Mr. Johnson of Somerset, retabled and specially assigned for Wednesday, May 31, pending Acceptance of Report.

The President laid before the Senate the fourteenth tabled and unassigned matter (S. P. 296) (L. D. 735) Bill, "An Act Providing for Associate Degree in Nursing at Fort Kent and Aroostook State Colleges."

Tabled — May 23, 1967 by Senator Albair of Aroostook.

Pending — Passage to be En-grossed.

On motion by Mr. Albair of Aroostook, and under suspension of the rules, the Senate voted to reconsider its action whereby it adopted Committee Amendment "A".

Then Mr. Albair of Aroostook presented Senate Amendment "A" to Committee Amendment "A" and moved its adoption.

Senate Amendment "A", Filing S-187, was read by the Secretary as follows:

Senate Amendment "A" to COMMITTEE AMENDMENT "A" to S. P. 296, L. D. 735, Bill, "An Act Providing for Associate Degree in Nursing at Fort Kent and Aroostook State Colleges."

Amend said Amendment by inserting after the 2nd paragraph the following:

'Further amend said Bill in the 7th line (6th line in L. D. 735) by striking out the punctuation and words " , together with one-year clinical training,"'

Further amend said Amendment by striking out all of that part designated "Sec. 2." and inserting in place thereof the following:

'Sec. 2. Appropriation. There is appropriated to the Department of Education from the Unappropriated Surplus of the General Fund the sum of \$30,500 for the fiscal year ending June 30, 1968 for capital expenditures under this Act.

There is also appropriated to the Department of Education from the General Fund the sum of \$29,212 for the fiscal year ending June 30, 1968 and \$76,215 for the fiscal year ending June 30, 1969 to carry out the purposes of this Act. The breakdown shall be as follows:

Department 1967-68 1968-69
EDUCATION, DEPARTMENT OF
Personal Services

	(5)	\$19,212	(9)	\$57,215
All Other		10,000		19,000
		<hr/>		<hr/>
		\$29,212		\$76,215

On motion by Mr. Snow of Cumberland, tabled and specially assigned for Friday, May 26, pending Adoption of Senate Amend-

ment "A" to Committee Amendment "A".

The President laid before the Senate the fifteenth tabled and unassigned matter (H. P. 1169) JOINT RESOLUTION Relating to Expressing Legislative Opinion to Congress Concerning Federal Grant-in-Aid Programs.

Tabled — May 23, 1967 by Senator Hildreth of Cumberland.

Pending — Adoption.

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

Mr. HILDRETH of Cumberland: Mr. President, some weeks ago the Senate and House passed a Joint Resolution referring to the Legislative Research Committee the question of Maine's involvement in Federal Grant-in-Aid programs as opposed to Tax-Sharing programs on the grounds that this does have a great deal of potential meaning for the State of Maine, and is worth studying.

This Resolution would memorialize Congress to the effect that Maine is in favor of Tax-Sharing programs as opposed to Federal Grant-in-Aid programs. In other words, without any such study, it would put us on record as taking this position. I don't think that we want to do this at this time, and I would, therefore, move that this Joint Resolution be indefinitely postponed.

The PRESIDENT: The Senator from Cumberland, Senator Hildreth, moves we now indefinitely postpone the Resolution.

The Chair recognizes the Senator from Penobscot, Senator MacLeod.

Thereupon motion by Mr. MacLeod of Penobscot, retabled and specially assigned for Friday, May 26, pending the motion of the Senator from Cumberland, Senator Hildreth, that the Resolution be indefinitely postponed.

The President laid before the Senate the sixteenth tabled and unassigned matter (H. P. 882) (L. D. 1294) Bill, "An Act Providing Vocational Education Loan Funds."

Tabled — May 23, 1967 by Senator Katz of Kennebec.

Pending — Passage to be En-grossed.

On motion by Mr. Mills of Franklin, retabled and specially assigned for Friday, May 26, pending Passage to be Engrossed.

The President laid before the Senate the seventeenth tabled and unassigned matter (S. P. 140) (L. D. 268) Bill, "An Act Classifying Certain Inland Waters of the Androscoggin River Basin."

Tabled — May 23, 1967 by Senator Johnson of Somerset.

Pending — Passage to be Engrossed.

On motion by Mr. Johnson of Somerset, retabled, unassigned, pending Passage to be Engrossed.

The President laid before the Senate the eighteenth tabled and unassigned matter (S. P. 219) (L. D. 482) Bill, "An Act Reclassifying Certain Tidal Waters of Cumberland County."

Tabled May 23, 1967 by Senator Johnson of Somerset, pending Enactment.

Pending — Enactment.

On motion by Mr. Johnson of Somerset, retabled, unassigned, pending Enactment.

The President laid before the Senate the nineteenth tabled and unassigned matter (H. P. 280) (L. D. 400) Bill "An Act Classifying Certain Inland Waters of the Presumpscot River Basin."

Tabled—May 23, 1967 by Senator Johnson of Somerset.

Pending—Enactment.

On motion by Mr. Johnson of Somerset, retabled, unassigned, pending Enactment.

The President laid before the Senate the twentieth tabled and unassigned matter (H. P. 946) (L. D. 1377) Bill "An Act to Enable City of Portland to Establish Sewer Service Charges."

Tabled—May 23, 1967 by Senator Johnson of Somerset.

Pending — Passage to be Engrossed.

On motion by Mr. Johnson of Somerset, retabled, unassigned, pending Passage to be Engrossed.

The President laid before the Senate the twenty-first tabled and unassigned matter (S. P. 498) (L. D. 1259) Bill "An Act Relating to Public Policy on Higher Education."

Tabled—May 23, 1967 by Senator Johnson of Somerset.

Pending—Enactment.

On motion by Mr. Johnson of Somerset, retabled, unassigned, pending Enactment.

The President laid before the Senate the twenty-second tabled and unassigned matter (S. P. 358) (L. D. 966) Senate Report—Ought to Pass as Amended by Committee Amendment "A", Filing S-176, from the Committee on Education on Bill "An Act to Correct Errors and Inconsistencies in the Education Laws."

Tabled—May 24, 1967 by Senator Johnson of Somerset.

Pending—Acceptance of Report.

On motion by Mr. Johnson of Somerset, retabled, unassigned, pending Acceptance of Report.

The President laid before the Senate the twenty-third tabled and unassigned matter (H. P. 667) (L. D. 922) Bill "An Act Relating to Appropriation to Maine Institution for the Blind."

Tabled—May 24, 1967 by Senator Greeley of Waldo.

Pending — Passage to be Engrossed.

On motion by Mr. Greeley of Waldo, the Senate voted to Pass the Bill to be Engrossed.

The President laid before the Senate the twenty-fourth tabled and unassigned matter (S. P. 541) (L. D. 1398) Bill "An Act Relating to Issuing of Parking System Revenue Bonds and Water and Sewer System Revenue Bonds by Municipalities."

Tabled—May 24, 1967 by Senator Johnson of Somerset.

Pending — Passage to be Engrossed.

On motion by Mr. Johnson of Somerset, retabled and specially assigned for Thursday, June 1st, pending Passage to be Engrossed.

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

On motion by Mr. Wyman of Washington, the Senate voted to reconsider its action of earlier in today's session whereby the Senate voted to Insist and ask for a Committee of Conference on Bill,

"An Act Relating to Closed Season on Bear" (H. P. 355) (L. D. 502).

On further motion by the same Senator, the Senate voted to Recede and Concur with the House.

On motion by Mr. Ross of Piscataquis,

Adjourned until 9:30 o'clock tomorrow morning.