

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

Friday, May 26, 1967

Senate called to order by the President.

Prayer by the Rev. Fred H. More of Augusta.

Reading of the Journal of yesterday.

On motion by Mr. Ross of Piscataquis, out of order and under suspension of the rules,

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Wednesday, May 31, at ten o'clock in the morning. (S. P. 663)

Which was Read and Passed and sent forthwith to the House for concurrence.

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

Bill "An Act to Authorize Construction of Self-Liquidating Student Housing and Dining Facilities for the State Colleges and the Issuance of Not Exceeding \$5,400,000 Bonds of the State of Maine for the Financing Thereof." (H. P. 1160) (L. D. 1659)

In Senate, May 19, Passed to be Engrossed.

Comes from the House Passed to be Engrossed As Amended by House Amendment "A", (H-354) as Amended by House Amendment "A" thereto (H-357) in non-concurrence.

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

Mr. BERRY of Cumberland: Mr. President, I move the Senate Recede and Concur.

The PRESIDENT: The Senator from Cumberland, Senator Berry, moves that the Senate now Recede and Concur.

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ of Kennebec: Mr. President, I wonder if Senator Berry could explain the implication of the amendment, please.

The PRESIDENT: The Senator from Kennebec, Senator Katz, has addressed a question to the Senator from Cumberland, Senator Berry, who may answer or not as he desires.

Mr. BERRY: Mr. President and Members of the Senate: The House Amendment, which is H-354, has added to the bond issue for self-liquidating housing vocational institute facilities at South Portland and Bangor.

The PRESIDENT: Is it now the pleasure of the Senate to Recede and Concur?

The motion prevailed.

Bill "An Act Relating to Interest on Judgments." (S. P. 642) (L. D. 1647)

In Senate, May 17, Indefinitely Postponed.

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

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

Mr. BERRY of Cumberland: Mr. President, I move the Senate Adhere.

The PRESIDENT: The Senator from Cumberland, Senator Berry, moves that the Senate Adhere.

The Chair recognizes the Senator from Kennebec, Senator Lund.

Mr. LUND of Kennebec: Mr. President, there is an amendment which is in the process of being reproduced which takes care of some of the objections which I raised the other day, and today I would hope that someone would table this bill until later in today's session.

Thereupon, on motion by Mr. Brewer of Sagadahoc, tabled and specially assigned for Wednesday, May 31, pending further consideration.

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

In Senate, April 25, Passed to be Engrossed.

Comes from the House, Passed to be Engrossed As Amended by House Amendments "A" (H-252) and "B" (H-356) in non-concurrence.

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

Bill "An Act Revising the Credit Union Law." (H. P. 963) (L. D. 1406)

In House, May 23, Passed to be Engrossed As Amended by

Committee Amendment "A" (H-291)

In Senate, May 24, Bill and Reports Indefinitely Postponed in non-concurrence.

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

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

Mr. ROSS of Piscataquis: Mr. President, I move the Senate Adhere to its former action.

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

Mr. MILLS of Franklin: Mr. President, I move that the Senate Insist and Join in a Committee of Conference.

The PRESIDENT: The Senator from Franklin, Senator Mills, moves that the Senate Insist and Join in a Committee of Conference.

The Chair recognizes the Senator from Penobscot, Senator MacLeod.

Mr. MacLEOD of Penobscot: Mr. President, I request a division.

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

As many as are in favor of the motion of the Senator from Franklin, Senator Mills, that the Senate Insist and Join in a Committee of Conference will stand and remain standing until counted. Those opposed will stand and remain standing until counted.

A division was had. Six Senators having voted in the affirmative, and 22 Senators having voted in the negative, the motion to Insist and Join in a Committee of Conference did not prevail.

Thereupon, the Senate voted to Adhere.

Bill "An Act Relating to Right to Vote on Approval of Final Urban Renewal Plans." (H. P. 829) (L. D. 1237)

In House, May 19, Passed to be Engrossed.

In Senate, May 22, Report "B" Ought Not to Pass- Accepted.

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

(On motion by Mr. Good of Cumberland, tabled and specially assigned for Thursday, June 1st, pending further consideration.)

Bill "An Act Relating to Disposition of Tax on Transient Rentals under Sales Tax Law." (H. P. 1110) (L. D. 1577)

In House, April 14, Passed to be Engrossed

In Senate, May 24, Indefinitely Postponed in non-concurrence.

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

On motion by Mr. Albair of Aroostook, the Senate voted to Adhere to its former action.

House Papers Joint Orders

ORDERED, the Senate concurring, that the Legislative Research Committee is directed to study, with the cooperation of the Public Utilities Commission, Maine's electric power rates; and be it further

ORDERED, that the Committee report its findings, together with any necessary recommendations or implementing Legislation, at the next regular or special session of the Legislature. (H. P. 1179)

Comes from the House, Read and Passed.

(On motion by Mr. Johnson of Somerset, placed on the Special Legislative Research Table, pending consideration.)

ORDERED, the Senate concurring, that Bill "An Act Providing for a New Charter for the City of Waterville." (H. P. 945) (L. D. 1385) be recalled from the Engrossing Department to the Senate. (H. P. 1180)

Comes from the House, Read and Passed.

Which was Read and Passed in concurrence.

Committee Reports House Leave to Withdraw

The Committee on Towns and Counties on Bill "An Act Increasing Salary of Deputy Clerk of Courts of Cumberland County." (H. P. 295) (L. D. 415)

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

Comes from the House, report Read and Accepted.

The Committee on Towns and Counties on Bill "An Act Increasing Salary of Clerk of Courts of Cumberland County." (H. P. 296) (L. D. 416)

Reported that the same should be granted Leave to Withdraw as covered by other legislation. Comes from the House, report Read and Accepted.

The Committee on Towns and Counties on Bill "An Act Increasing Salary of Superior Court Messenger of Cumberland County." (H. P. 333) (L. D. 467)

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

Comes from the House, report Read and Accepted.

The Committee on Towns and Counties on Bill "An Act Increasing Salary of Judge of Probate of Kennebec County." (H. P. 391) (L. D. 538)

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

Comes from the House, report Read and Accepted.

The Committee on Towns and Counties on Bill "An Act Increasing Salaries of Clerk of Courts and Deputy Clerk of Courts, Kennebec County." (H. P. 556) (L. D. 788)

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

Comes from the House, report Read and Accepted.

The Committee on Towns and Counties on Bill "An Act Increasing Salaries of Certain County Officials of Cumberland County." (H. P. 558) (L. D. 790)

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

Comes from the House, report Read and Accepted.

The Committee on Towns and Counties on Bill "An Act Increasing Salaries of County Commissioners, Treasurer and Sheriff of Kennebec County." (H. P. 646) (L. D. 901)

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

Comes from the House, report Read and Accepted.

Which reports were Read and Accepted in concurrence.

Ought Not to Pass

The Committee on Taxation on Bill "An Act Providing for a Luxury Tax on Luggage, Jewelry, Furs and Toilet Preparations." (H. P. 426) (L. D. 590)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

Which report was Read and Accepted in concurrence.

Ought to Pass As Amended

The Committee on Education on Bill "An Act Increasing Indebtedness of Baileyville School District." (H. P. 1142) (L. D. 1628)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-349)

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

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

Ought to Pass in New Draft

The Committee on Health and Institutional Services on Bill "An Act Revising the Laws Relating to Physical Therapists." (H. P. 986) (L. D. 1466)

Reported that the same Ought to Pass in New Draft under the same title (H. P. 1177) (L. D. 1675)

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

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

Divided Report

The Majority of the Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Funds for Time and a Half Overtime for State Employees." (H. P. 51) (L. D. 76)

Reported that the same Ought to Pass.

(Signed)

Senators:

BERRY of Cumberland
DUQUETTE of York
ALBAIR of Aroostook

Representatives:

BRAGDON of Perham
BIRT of E. Millinocket
HUMPHREY of Augusta
JALBERT of Lewiston
SCRIBNER of Portland

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

(Signed)

Representatives:

DUNN of Denmark
HINDS of South Portland

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

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

Divided Report

The Majority of the Committee on Labor on Bill "An Act Relating to Minimum Wage Law." (H. P. 1008) (L. D. 1475)

Reported that the same Ought Not to Pass.

(Signed)

Senators:

GOOD of Cumberland
NORRIS of Oxford
JOHNSON of Somerset

Representatives:

EWER of Bangor
COUTURE of Lewiston
BEDARD of Saco

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

(Signed)

Representatives:

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

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

The Senate voted to Accept the Majority Ought Not to Pass Report of the Committee.

Divided Report

The Majority of the Committee on Taxation on Bill "An Act Providing for a State Income Tax." (H. P. 290) (L. D. 410)

Reported that the same Ought Not to Pass.

(Signed)

Senators:

WYMAN of Washington
YOUNG of Hancock

Representatives:

HANSON of Gardiner
ROSS of Bath
ROBINSON of Carmel
DRIGOTAS of Auburn

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

(Signed)

Senators:

FARLEY of York

Representatives:

HARRISMAN of Hollis
SUSI of Pittsfield
COTTRELL of Portland

Comes from the House Minority Report Ought to Pass Accepted. Later Indefinitely Postponed.

(On motion by Mr. Snow of Cumberland, tabled and specially assigned for Wednesday, May 31, pending Acceptance of Either Report.)

Divided Report

The Majority of the Committee on Towns and Counties on Bill "An Act Relating to Joint State and Municipal Purchasing." (H. P. 335) (L. D. 469)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-325)

(Signed)

Senators:

COUTURIER of
Androscoggin
MILLS of Franklin

Representatives:

CROMMETT of
Millinocket
WIGHT of Presque Isle
MEISNER of
Dover Foxcroft

ROBERTSON of Brewer
 SNOWE of Auburn
 NADEAU of Sanford
 FARRINGTON of China

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

(Signed)

Senator:

SPROUL of Lincoln

Comes from the House, Majority Ought to Pass report Read and Accepted and the Bill Passed to be Engrossed As Amended by Committee Amendment "A" (H-325) and by House Amendment "A" (H-348)

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

Mrs. SPROUL of Lincoln: Mr. President, Members of the Senate: Perhaps the reason for the Minority Report requires a few words of explanation. This bill would provide for purchasing by any political subdivision of the State at the State level.

I opposed the bill for two reasons. One, it was my feeling that it was just as well to leave some things at the local level, and one of them was purchasing. Another reason was that the Purchasing Department head of the State was slightly in opposition, and I had the feeling he might be more so, and the reason for that was that apparently he didn't feel that he could handle this. In other words, he could see in the future a good deal of purchasing done at the State level and not have adequate staff to take care of it.

Since then the House has placed an amendment on this which would provide for increased staff at the State level. I still do not like the bill, but some of my objections have been removed. I still don't like the bill, so I can't make the motion for accepting the Majority Report. I move the Minority Report.

The PRESIDENT: The Senator from Lincoln, Senator Sproul, moves that the Senate now accept the Minority Ought Not to Pass Report of the Committee.

The Chair recognizes the Senator from Franklin, Senator Mills.

Mr. MILLS of Franklin: Mr. President, I have been promising myself for the last few days that I wouldn't be one of those who would rethink my report from a Committee. I must confess that I am not as good an authority on this subject as our splendid Chairman. However, I do notice the absence in the Senate of the other member who joined with me.

This did seem to me to be a worthwhile measure. I couldn't think of any particular objections to it. I thought that group purchasing was a good plan, and for that reason I joined in the Majority Report. However, I have heard mentioned just a moment ago, I won't say one of the bureaucrats, about some State official who had contrived an idea of increasing his personnel through this bill and I sense the Parkinson's Law in operation, and I've given it a little second thought. I would like to have it held possibly until the good Senator from Androscoggin, Senator Couturier, who has vast experience in purchasing matters—he was formerly Mayor of the great City of Lewiston—could be here and could join in this discussion, and I wondered if perhaps our Assistant Floor Leader, under his powers of tabling, might consider holding this for us for our fine Democratic Senator to arrive.

Thereupon, on motion by Mr. Ross of Piscataquis, tabled and specially assigned for Wednesday, May 31, pending the motion of the Senator from Lincoln, Senator Sproul, that the Senate accept the Minority Ought Not to Pass Report of the Committee.

Senate Leave to Withdraw

Mr. Albair for the Committee on Appropriations and Financial Affairs on Bill "An Act to Authorize Bond Issue of Nine Hundred and Eighty Thousand Dollars for Library Needs at the University of Maine and the State Colleges." (S. P. 492) (L. D. 1212)

Reported that the same should be granted Leave to Withdraw.

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

Mr. BERRY of Cumberland: Mr. President, Members of the Senate: It was with considerable regret that this matter was turned out with this report. The library facilities of our higher education institutions are not in the best of condition. Many of them are way, way below what is needed for accreditation purposes, and in order to provide the necessary emergency action to bring them up to where they should be, the proposal was advanced to vote a bond issue. However, faced with the large number of bond issues which are vying for space on the ballot, it seems that this must fall. So with considerable regret, I move that we accept the Committee Report.

Thereupon, the Senate voted to accept the Leave to Withdraw Report of the Committee.

Mr. Couturier for the Committee on Election Laws on Bill "An Act to Hold the Primary Election on the Second Tuesday after Labor Day." (S. P. 2) (L. D. 5)

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

Mr. Hildreth for the Committee on Judiciary on Bill "An Act to Provide Alternative Method of Appeal from Municipal Assessment on Real Estate." (S. P. 547) (L. D. 1445)

Reported that the same should be granted Leave to Withdraw.

Mr. Wyman for the Committee on State Government on Bill "An Act Increasing Salaries of Justices of Supreme Judicial and Superior Courts." (S. P. 74) (L. D. 155)

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

Mr. Wyman for the Committee on State Government on Bill "An Act Increasing Salaries of District Court Justices." (S. P. 75) (L. D. 156)

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

Mr. Wyman for the Committee on State Government on Bill "An Act Increasing Salary of County Attorney of Hancock County." (S. P. 412) (L. D. 1041)

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

Mr. Wyman for the Committee on State Government on Bill "An Act Increasing Salaries of County Attorney and Assistant County Attorney of Aroostook County." (S. P. 174) (L. D. 420)

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

Mr. Wyman for the Committee on State Government on Bill "An Act Increasing Salaries of Members of Industrial Accident Commission." (S. P. 436) (L. D. 1089)

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

Mr. Wyman for the Committee on State Government on Bill "An Act Increasing Salary of the Adjutant General." (S. P. 508) (L. D. 1222)

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

Mr. Wyman for the Committee on State Government on Bill "An Act Increasing Salary of Legislative Finance Officer." (S. P. 348) (L. D. 932)

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

Mr. Wyman for the Committee on State Government on Bill "An Act Increasing Salary of Commissioner of Inland Fisheries and Game." (S. P. 249) (L. D. 609)

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

Mr. Lund for the Committee on State Government on Bill "An Act Increasing Salary of Forest Commissioner." (S. P. 411) (L. D. 1040)

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

Mr. Lund for the Committee on State Government on Bill "An Act Increasing Salary of the Commissioner of Agriculture." (S. P. 481) (L. D. 1202)

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

Mr. Lund for the Committee on State Government on Bill "An Act Increasing Salary of Administrative Hearing Commissioner." (S. P. 483) (L. D. 1204)

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

Mr. Lund for the Committee on State Government on Bill "An Act Increasing Salaries of County Attorney and Assistant County Attorneys of Penobscot County." (S. P. 150) (L. D. 419)

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

Mr. Lund for the Committee on State Government on Bill "An Act Increasing Salary of Insurance Commissioner." (S. P. 283) (L. D. 663)

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

Mr. Lund for the Committee on State Government on Bill "An Act Increasing the Salaries of Justices and Judges of the Supreme, Superior and District Courts." (S. P. 309) (L. D. 748)

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

Which reports were Read and Accepted and sent down for concurrence.

Ought Not to Pass

Mr. Mills for the Committee on Judiciary on Bill "An Act Relating to Valuation for Inheritance Tax Purposes of Joint Bank Accounts." (S. P. 564) (L. D. 1434)

Reported that the same Ought Not to Pass.

Mr. Harding for the Committee on Judiciary on Bill "An Act Relating to Property of Survivor on Joint Bank Deposits and Loan and Building Shares." (S. P. 540) (L. D. 1391)

Reported that the same Ought Not to Pass.

Mr. Harding for the Committee on Judiciary on Bill "An Act Relating to Joint Bank Accounts." (S. P. 539) (L. D. 1390)

Reported that the same Ought Not to Pass.

Which reports were Read and Accepted.

Sent down for concurrence.

Divided Report

The Majority of the Committee on State Government on Bill "An Act to Create the Office of

Ombudsman." (S. P. 439) (L. D. 1091)

Reported that the same Ought Not to Pass.

(Signed)

Senator:

STERN of Penobscot

Representatives:

DENNETT of Kittery

WATTS of Machias

MARTIN of Eagle Lake

STARBIRD

of Kingman Township

PHILBROOK

of South Portland

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

(Signed)

Senators:

WYMAN of Washington

LUND of Kennebec

Representatives:

RIDEOUT of Manchester

CORNELL of Orono

(On motion by Mr. Hildreth of Cumberland, tabled and specially assigned for Thursday, June 1st, pending Acceptance of Either Reporting.)

Ought to Pass

Mr. Lund for the Committee on State Government on Bill "An Act Relating to Appointment of the Deputy Secretary of State." (S. P. 142) (L. D. 270)

Reported that the same Ought to Pass.

Which report was Read and Accepted and the Bill Read once and tomorrow assigned for second reading.

Ought to Pass - As Amended

Mr. Sewall for the Committee on Industrial and Recreational Development on Bill "An Act Defining Industrial Project Under Industrial Building Authority Law." (S. P. 34) (L. D. 33)

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

Which report was Read and Accepted and the Bill Read once. Committee Amendment "A", Filing S-192, was read by the Secretary as follows:

COMMITTEE AMENDMENT
 "A" to S. P. 34, L. D. 33, Bill
 "An Act Defining Industrial
 Project Under Industrial Building
 Authority Law."

Amend said Bill by striking out
 all of the Title and inserting in
 place thereof the following Title:
 'An Act Defining Industrial Project
 and Mortgagor of Agricultural
 Equipment and Documented
 Fishing Vessels Under Industrial
 Building Authority Law.'

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

'Sec. 1. R. S., T. 10, §703, sub-
 §3, C, D, additional. Subsection 3
 of section 703 of Title 10 of the
 Revised Statutes, as amended, is
 further amended by adding 2 new
 paragraphs C and D, to read as
 follows:

C. Any new or used agricultural
 machinery and equipment for
 agricultural purposes of a value not
 less than \$10,000, whether or not
 used on a farm, and shall include
 machinery and equipment used for
 preparing and packaging agricul-
 tural products for marketing.

D. Any fishing vessel documented
 or to be documented as a fishing
 vessel under the laws of the United
 States, which is designed to be
 used for catching, processing or
 transporting fish or any vessel
 outfitted for such activity.

Sec. 2. R. S., T. 10, §703, sub-
 §10, additional. Section 703 of Title
 10 of the Revised Statutes, as
 amended, is further amended by
 adding a new subsection 10 to read
 as follows:

10. Mortgagor of agricultural
 equipment and documented fishing
 vessels. "Mortgagor of agricultur-
 al equipment and documented fish-
 ing vessels" shall mean the origi-
 nal borrower under a mortgage
 and his successors and assigns,
 but for the purposes of encourag-
 ing the making of loans on agri-
 cultural machinery or equipment
 and documented fishing vessels, as
 defined in paragraphs C and D of
 subsection 3, there shall be no
 necessity for the formation of a
 local development corporation and
 said loan may be made directly
 to the applicant.'

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

Ought to Pass in New Draft

Mr. Stern for the Committee on
 State Government on Bill "An Act
 Placing State Highway Department
 Employees on the Merit Service
 Step System." (S. P. 310) (L. D.
 749)

Reported that the same Ought
 to Pass in New Draft, under the
 same title: (S. P. 662) (L. D. 1680)

Mr. Berry for the Committee
 on Appropriations and Financial
 Affairs on Bill "An Act to
 Authorize a Bond Issue in Amount
 of Three Hundred Thousand Dol-
 lars for Capital Improvements,
 Construction Renovations and Re-
 pairs on Public Owned Dams
 Located on Great Ponds." (S. P.
 421) (L. D. 1075)

Reported that the same Ought
 to Pass in New Draft, under a
 New Title: "An Act Providing
 Funds for Re-building Dam on
 Ebeeme Lake in Piscataquis
 County." (S. P. 661) (L. D. 1679)

Which reports were Read and
 Accepted and the Bills, in New
 Draft, Read once and tomorrow as-
 signed for Second Reading.

Committee of Conference

The Committee of Conference on
 the disagreeing action of the two
 branches of the Legislature, on
 Resolve Proposing an Amendment
 to the Constitution Pledging Credit
 of State and Providing for the Issu-
 ance of Bonds Not Exceeding at
 Any One Time Issued and Out-
 standing, Twenty-five million dol-
 lars for Loans to Private Colleges
 for Construction and Expansion of
 Facilities. (S. P. 60) (L. D. 73)

Ask leave to report that they
 are Unable to Agree.

(Signed)

Senators:

MacLEOD of Penobscot
 WYMAN of Washington
 SNOW

On part of the Senate.

Representatives:

PIKE of Lubec
 DENNETT of Kittery
 BRAGDON of Perham

On part of the House.

Which report was Read and Accepted.

Sent down for Concurrence.

Final Report

The Committee on Highways submitted its final report.

Which was Read and Accepted.

Sent down for concurrence.

Second Readers

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

House

Bill "An Act Removing Tolls from Augusta Memorial Bridge." (H. P. 349) (L. D. 497)

(On motion by Mr. MacLeod of Penobscot, tabled and specially assigned for Wednesday, May 31, pending Passage to be Engrossed.)

House — As Amended

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

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

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

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

Bill "An Act Relating to Wearing Fluorescent Clothing When Hunting in Southern Zone for Two Years." (H. P. 671) (L. D. 943)

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

Bill "An Act Relating to Applications for Absentee Ballots." (H. P. 215) (L. D. 305)

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

On further motion by the same Senator, Senate Amendment "A" was indefinitely postponed.

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

Mr. ANDERSON of Hancock: Mr. President, I rise in opposition to the motion.

The PRESIDENT: The motion has been carried. If the Senator wishes to make a motion, he may.

The Chair recognizes the Senator from Oxford, Senator Ferguson.

Mr. FERGUSON of Oxford: Mr. President, Members of the Senate: On the original amendment yesterday, Senate Amendment "A", there were some things that were not clear that did get in the amendment that wasn't to my liking, so I am offering Senate Amendment "B" and move its adoption.

Senate Amendment "B" was read by the Secretary as follows:

SENATE AMENDMENT "B" 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 of"

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, §1, sub-§1, amended. Subsection 1 of section 1 of Title 21 of the Revised Statutes is amended to read as follows:

1. Absentee voter. "Absentee voter" means a person who is unable to cast his ballot in the municipality in which he is registered to vote, for one of the following reasons: Absence from the municipality during the time the polls are open on election day; physical incapacity not adversely affecting his soundness of mind; religious belief which prohibits his doing so. A person who is serving a sentence in a jail or penal institution is not an absentee voter.

Sec. 2. 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 in ink the name of said applicant in full.

Sec. 3. 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 or issue an absentee ballot and return envelope forthwith to him or to a 3rd person designated in the application or request. Requests for absentee ballots may be honored only by the town or city clerk in the municipality involved.'

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

Mr. ANDERSON of Hancock: Mr. President, I move that Senate Amendment "B" be indefinitely postponed.

Thereupon on motion by Mr. Ferguson of Oxford, tabled and specially assigned for Wednesday, May 31, pending the motion of the Senator from Hancock, Senator Anderson, that Senate Amendment "B" be Indefinitely Postponed.

Senate

Bill, "An Act to Clarify Errors and Inconsistencies in the Fish and Game Laws." (S. P. 660) (L. D. 1678)

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

Sent down for concurrence.

Bill, "An Act Relating to Directors of Insurance Companies." (S. P. 386) (L. D. 1020)

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

Mr. KATZ of Kennebec: Mr. President, I present Senate Amendment "A" and move its adoption.

Senate Amendment "A", Filing S-190, was read by the Secretary as follows:

SENATE AMENDMENT "A" to S. P. 386, L. D. 1020, Bill, "An Act Relating to Directors of Insurance Companies."

Amend said Bill by striking out everything after the enacting

clause and inserting in place thereof the following:

'Sec. 1. R. S., T. 24, §517, amended. The last sentence of section 517 of Title 24 of the Revised Statutes is repealed and the following enacted in place thereof:

The meetings of the directors may be held within or without the State.

Sec. 2. R. S., T. 24, §538, additional. Title 24 of the Revised Statutes is amended by adding a new section 538, to read as follows: §538. Private and special life insurance company charters; confirmation.

This title shall not be held to affect provisions enacted before June 1, 1967 in life insurance company charters created by private and special law inconsistent with this Title, but their principal place of business shall be located within the State, unless prior written consent otherwise is given by the commissioner and a majority of the directors of such companies shall at all times be citizens of this State.'

Senate Amendment "A" was Adopted, and the Bill, As Amended, passed to be Engrossed and sent down for concurrence.

Senate - As Amended

Bill "An Act Appropriating Operating Funds for Vocational Educational Institute in Washington County." (S. P. 136) (L. D. 266)

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 Application of State Aid for School Construction. (S. P. 13) (L. D. 29)

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

An Act Relating to Municipal Financing of Industrial and Recreational Projects. (S. P. 193) (L. D. 545)

An Act to Classify the Waters of First Pond (Billings Pond) in Blue Hill, Hancock County. (H. P. 638) (L. D. 894)

An Act Concerning Duty of Reasonable Care to Social Invitee. (S. P. 432) (L. D. 1086)

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

Mr. MILLS of Franklin: Mr. President, I was just reading a letter from the Attorney General's office and I noticed that they are concerned about Item 8-4. It is coming along as an enactor and they say they are going to take steps to hold it up as an enactor, and they haven't done it apparently. I would be glad to have it done. Perhaps Senator Harding would put it on the table for a few days so that we can consider the objections that the Attorney General's Department may have to it.

On motion by Mr. Harding of Aroostook, tabled and specially assigned for Thursday, June 1st, pending Enactment.

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

An Act Establishing the Maine Medical Laboratory Act. (S. P. 475) (L. D. 1208)

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

An Act Relating to the Protection of Trade Secrets. (H. P. 943) (L. D. 1375)

An Act Relating to Enactment of Municipal Zoning (H. P. 853) (L. D. 1386)

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

An Act to Expand the Territory of the York Water District and to Modernize its Charter. (H. P. 1136) (L. D. 1618)

An Act Creating the Pest Control Compact. (S. P. 630) (L. D. 1631)

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

An Act Relating to the Water and Air Environmental Improvement Commission. (S. P. 635) (L. D. 1635)

(On motion by Mr. Sewall of Penobscot, tabled and specially assigned for Thursday, June 1st, pending Enactment.)

An Act Concerning the Practice of Public Accountancy. (H. P. 1153) (L. D. 1649)

An Act Relating to Reimbursing Municipalities by State for Property Tax Exemption of Veterans. (S. P. 653) (L. D. 1661)

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

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

Resolve, Reimbursing Certain Municipalities for the Control of Dutch Elm Disease. (S. P. 627) (L. D. 1629)

(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. 1162) (L. D. 1663) Bill "An Act Relating to Realty Subdivisions in Municipalities and Unorganized Territory." Tabled May 22, by Senator Hildreth of Cumberland, pending Passage to be Engrossed.

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

Mr. HILDRETH of Cumberland: Mr. President, I move the pending question.

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

The Chair recognizes the Senator from Somerset, Senator Viles.

Thereupon, on motion by Mr. Viles of Somerset, retabled and specially assigned for Wednesday, May 31, pending Passage to be Engrossed.

The President laid before the Senate the second tabled and today assigned matter (H. P. 1021) (L. D. 1509) House Reports from the Committee on State Government on Bill "An Act Creating the Maine Board of Auctioneers." Majority Report, Ought Not to Pass;

Minority Report, Ought to Pass. Tabled May 24 by Senator Katz of Kennebec Pending Acceptance of Either Report.

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

Mr. KATZ of Kennebec: Mr. President, I move acceptance of the Minority Ought to Pass Report and would like to speak.

The PRESIDENT: The Senator from Kennebec, Senator Katz, now moves that the Senate Accept the Minority Ought to Pass Report of the Committee.

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ of Kennebec: Mr. President and Ladies and Gentlemen: I guess that it is not generally known, but the field of auctioneering is one of the oldest professions in the world. I notice confirmation from Senator Stern who has knowledge on this matter so I feel confident that this is probably true.

Presently in the State of Maine all that is necessary for one to become an auctioneer is to walk into the Secretary of State's office and say "I would like to become an auctioneer." Pay the necessary fee and take an examination. Now, the examination consists of answering, I think, three questions, the answers to which are printed on the back of the application. It's almost incongruous, if indeed an examination is necessary, that it be taken in this form.

This bill would seek to set up a board of auctioneers, essentially an opportunity to police within the industry. Perhaps all of you have been to an auction, but I can assure you if you haven't that all the traditional safeguards that one associates with buying merchandise are removed when you buy at an auction, the ability to make up your mind with calm deliberation, the ability to deal with an established firm with a name and a reputation you know, the ability to buy brand name merchandise; all this is destroyed at an auction.

As Maine becomes more oriented towards summer visitors, the summer time auction is going to become increasingly important,

and I think the image of the State of Maine can best be enhanced by having a degree of professionalism in this field. It is anticipated there is no cost to the State in this legislation. It is anticipated also that it will be self-policing. There will be no attempt to restrict competent people from the field, but to hopefully protect the public from abuses that presently take place in states that are not restricted insofar as the auctioneer is concerned.

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

Mr. STERN of Penobscot: Mr. President, before someone tells me that my name is on the Majority Ought Not to Pass Report, I want to explain I don't know how it got there. It must have been one of my lapses because I remember distinctly, when arguing before the Committee on State Government, that only a short time before, I think the Committee will bear me out, that I got stung or stuck for \$1,200 for an oriental rug from an auctioneer of reputation and who told me that it was proper and all that, and I have a personal interest in this. I am for all of these auctioneers and for this particular bill, and this is one of the very few times I find myself agreeing with Senator Katz. He is a man of great wisdom and I feel that we ought to particularly in this particular bill accept the Minority Ought to Pass Report, despite the fact that you find my name on the Ought Not to Pass.

The PRESIDENT: The pending question is on the motion of the Senator from Kennebec, Senator Katz, that the Senate accept the Minority Ought to Pass Report of the Committee.

As many as are in favor of accepting the Minority Ought to Pass Report will say "Yes"; those opposed "No".

A viva voce vote being had, the Minority Ought to Pass Report of the Committee was accepted and the Bill read once, and tomorrow assigned for second reading.

The President laid before the Senate the third tabled and today assigned matter (H. P. 33) (L. D.

53) Bill, "An Act Relating to Assistant County Attorneys." Tabled May 24 by Senator Johnson of Somerset, pending Passage to be Engrossed.

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

Mr. JOHNSON of Somerset: Mr. President, I present Senate Amendment "B" and move its adoption.

Senate Amendment "B" filing S-182 was read by the Secretary as follows:

SENATE AMENDMENT "B" to H. P. 33, L. D. 53, Bill, "An Act Relating to Assistant County Attorneys."

Amend said Bill in section 1 by striking out all of the last paragraph and inserting in place thereof the following:

'County attorneys are authorized to appoint assistants as follows:

Androscoggin	2
Aroostook	1
Cumberland	3
Kennebec	1
Penobscot	2
Somerset	1
York	1'

Senate Amendment "B" was Adopted.

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

Mr. FERGUSON of Oxford: Mr. President, Members of the Senate: I offer Senate Amendment "A" to L. D. 53 and move its adoption.

Senate Amendment "A", Filing S-76, was read by the Secretary as follows:

SENATE AMENDMENT "A" to H. P. 33, L. D. 53, Bill, "An Act Relating to Assistant County Attorneys."

Amend said Bill in section 1 by striking out all of the 2nd paragraph of that part designated "§553" (same in L. D. 53) and inserting in place thereof the following underlined paragraph:

'County attorneys are authorized to appoint assistants as follows:

Androscoggin	2
Aroostook	1
Cumberland	3
Kennebec	1
Oxford	1

Penobscot 2
York 1'

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

Sent down for concurrence.

The President laid before the Senate the fourth 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 25, 1967 by Senator Hoffses of Knox, pending Acceptance of Either Report.

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

Mr. HOFFSES of Knox: Mr. President and Members of the Senate: I move we accept the Minority Report and I would like to speak to that motion.

The PRESIDENT: The Senator from Knox, Senator Hoffses, moves that the Senate now accept the Minority Ought Not to Pass report of the Committee.

The Chair recognizes the Senator from Knox, Senator Hoffses.

Mr. HOFFSES of Knox: Mr. President, and Members of the Senate: Some of you may be wondering why I am taking so keen an interest in this legislative document pertaining to hairdressing. I am sure you all agree that I do not look like a hairdresser. I can assure you that I am not a hairdresser. I am, however, married to a hairdresser who has held a license for several years and, aware of the fact that she is not present in the Senate chambers, I am going to go further by saying that that license she has held has been for 32 years. I have been subjected, shall we say, to the matter of beauty culture for quite a number of years.

The law which was passed in the 102nd Legislature upgraded the profession. I believe that there can be further upgrading of the profession. I believe that the

young students in these schools deserve every bit of instruction and education that they can get before going out into the field as a licensed beautician.

We have had here one Bill which has created quite a bit of interest and lobbying, and that is: to permit a particular individual to take a bar examination. Several members of the bar have objected strenuously to permitting this individual to take the bar examination. Their arguments, I believe, have been quite well founded in that they do not wish to have the laws and the regulations governing that very dignified profession of law downgraded and this is a very definite graphic example where we have the same thing pertaining to the beauty profession.

Now, I might say, first off, that there are no beauty schools in Knox County. There are no beauty schools in any of the contiguous counties to Knox. So I am not pleading a case that will in any way whatsoever affect my spouse's business or the business of any of the constituents in Knox County who have beauty parlors. I would like that to be very definitely impressed upon your mind.

Now, the purpose of requiring these schools to charge a very small fee only for the materials used is that those instructors may devote more time to the students, that those students may be better trained and properly prepared when they go out into the field of beauty culture and seeking a job.

These young students are paying, and I believe that that will be brought out a little later, the amount that they are paying to these schools for this instruction. They are paying a good fee and they deserve a great deal of attention, that they may be qualified to practice the care of hair and of beauty culture.

The schools are very much opposed to this legislative document because they are not only going to receive a very substantial tuition fee but they are going to get quite a bit more than the actual cost of material as they take in these customers into their schools to have their hair done to

be done under the guidance and direction of these instructors by the pupils. Now if a school is going to be primarily interested in the customer, that they may get more customers and run them through the shop faster, of course, their revenue is going to be very definitely increased. Now you might say that these pupils have to, after a nine-month course, must apply for a license before the board. They do apply for a license. They are adequately trained to pass the board examination that we now have. But when they go out and hire out as a licensed beautician and get into some of these shops where some special attention is required, they have not had the satisfactory training. They are not able to do the job. Consequently, the owner of that shop after some cases where this has happened, they must relieve that young lady of her duties and she goes in search of a job in another shop. And after this had gone on she ultimately finds that she is not qualified, that she cannot get a job in a high-classed beauty parlor, and she ends up, after spending her time and her money, perhaps waiting on tables in some restaurant.

The argument may be brought forth that people can get their hair done in these schools for less money than they would have to pay in a licensed shop. Now, if that is the case, these schools are defeating their own purpose when they are training these girls to go out and to hire out in a licensed shop. They are standing around waiting for some customer to come in to pay the full price and the school is operating training another girl and charging a cut-rate price to that customer, so that she is not going to the licensed school. So the young lady that has been trained and is across the street in a licensed shop is standing waiting for those customers which are not coming in because they are going to a school and are getting their hair done at a cut-rate price. If the schools feel that they must take in customers to have as subjects to train these young girls, then I believe that they should charge the going rate that the

regular beauty parlors who are licensed are charging for those customers. So I would, therefore, urge you that you accept the Minority Ought Not to Pass Report of this bill.

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from Penobscot, Senator Stern.

Mr. STERN of Penobscot: Mr. President, fellow Members of the Senate: I ought to have my head examined for getting up to argue on this bill; it is that controversial. The only reason I am getting up is because I happen to be one of the signers of the Majority Ought to Pass Report in the Committee, and I feel I must get up and uphold the prestige of the Majority of that Committee.

You know, my good friend Senator Hoffses says he is married to a hairdresser. I am married to a woman who frequents the hairdresser so frequently that she is going to be elected an honorary member of the hairdressers. That's all I have been hearing through my wife; the hairdressers are telling my wife what to do here.

And that's nothing. I just found out just a few days ago when I got a call from a relative who is in the business and who is against my stand. And I say, "How come you didn't talk to me about this before?" She says, "I didn't even know you were in the legislature." That's true.

At any rate, I am going to be a non gratis persona, whatever that is, once I get through. Some of the lawyers may tell you what that means. But, nevertheless, I will state how the majority of the committee felt. I hope there are no hairdressers in the room as I tell you how we feel and why we took the stand we did.

This meeting was a tremendous hearing. We had all the hairdressers, I think, in the State of Maine. But this particular bill as I understand it, seeks to repeal this law which was passed by the 102nd Legislature, which prohibited beauty schools from receiving any fee for services rendered on an individual who is acting as a subject for student instruction

except for the reasonable cost of the supplies and materials used. Now, this is where the rub came in. This law never even got off its feet.

The lawyer didn't have anything better to do; it went to the Supreme Court for an injunction. And the Supreme Court held part of it invalid. And I have a great deal of admiration and respect for the Supreme Court when they render a decision, except when they decide against me. But at any rate, this is what they said, and I will quote: "The record does establish, however, that the list of proposed reasonable costs of supplies does not take into account all of the products which the schools use and the cost of the several products to the schools with the least purchasing power. Whether or not such a list is possible presents a serious question. The variable factors involved in the needs of a particular model, the number of applications to be derived from a bottle of given fluid weight, a quart, a gallon, are marked. The necessity of a school applying many different products, not only to meet the patron's request, but to teach the techniques of such application increases the complication. Unless the reasonable cost for application for all of these products is determined it would be natural for the school to use only those products which fell within the list of costs to figuratively subsidize the cost of more expensive preparations, if and when such were demanded by the model. Once a list of reasonable costs is determined and accepted by the industry the task of enforcing the regulation will be formidable." I am quoting to you from the Supreme Court decision.

Now, there are other factors that to me, and which struck me forcibly, was the fact that these students receive a training as part of their instruction. And they do work on subjects, and I think, from what little I know about the subject, that there are many people who prefer to go to the hairdressers rather than to the schools who have students who will work on them. I have been trying to get my wife for a long, long time to go to

these schools. It is so much cheaper; I would save so much money. But she refuses to go on the grounds of the theory that there is a danger inherent in some of these students working on her, and the fact they charge so little is not going to change her mind. So you see there are people; this just illustrates there is an economic problem.

I don't know why the hairdressers are worried about the competition they are going to get from a school by some student who is going to work on the subject. I can readily understand why some of you ladies are more or less hesitant in going to a school even though you can get it for practically nothing, to let some kid or let some student work on you at great risk to your health and your beauty and everything else. So I can't see the need for the worry or the fear of the hairdressers to restrict these students from working on subjects.

Now, there is another matter. Apparently there is some amendment. You know another reason I hate to argue this Bill is I am a very good friend of Senator Hoffses' wife, and I know she will be unhappy, but what is right is right, I feel that — there is some amendment that someone put on my desk here, I don't know whether it was a hairdresser or somebody from the school. But at any rate, I looked at it and, to me, it is a foolish amendment. It has no teeth in it. It means nothing. It says something to the effect that a school may charge for reasonable cost of supplies and materials used on a person, and so forth and so on. But the thing that strikes my attention is the fact that it also says, "Any school making such charge for supplies and materials shall file with the State Board of Hairdressers on or before January 1st, 1968, and at least annually thereafter, a schedule of necessary charges to be used." What does this mean? It has no teeth in it. Suppose they do not do it? You know, I am a little upset by what Senator Hoffses stated about the Board of Bar Examiners, and so

forth, in this matter that came up. This is entirely different.

You know there has been a lot of us, many of us, who would have been much better attorneys than we are if in the course of our instruction we had had some course, and I understand they are doing that today, to give these lawyers a chance while they are in school to have practical instruction, practical training, by going and arguing some case before the court. I wish that we had had that opportunity. He likens that similar to the Board of Bar Examiners, and it is so entirely different, because the thing that caused me to be so strongly against the hairdressers was the Board of Hairdressers themselves. I couldn't imagine a board — and they got up there and they had the effrontery to get up before our committee and start telling the committee how these students don't get the proper training. We don't think they are eligible to pass or they lack so many hours here or they can't do this and they can't do that. This is not a fault of anybody but the State Board of Hairdressers, if these students did not get the proper training, and the actual time that they were working on subjects took away from their studies. Why, this should be controlled by the Board of Hairdressers and if they are unable to pass the exam they should not qualify. What kind of nonsense is this? This is what they said to us before the committee; that they felt that these students were lacking in the proper training, and I think I asked one of them, "If you felt that they were lacking in the proper training why didn't you flunk them?" I don't remember getting a proper answer or maybe she answered me, and the battery in my hearing aid ran down. But this is a problem. And I say to you that if there is any strength to what the Board of Hairdressers has to say with regard to student training, they are the ones to control whether or not a student should pass.

Now, another factor — you know, the way I am arguing this someone is going to think I

have a personal interest, which I don't. I really don't. I am sorry that I have to get up and argue this this way. But, there is another factor, and that is that these students pay about—I don't know about every school today — about \$500.00 for tuition. Do you know that if they were not permitted to continue in this course of instruction, and that they could not participate in the manner they have been accustomed to participate, and actually have student instruction, that these fees, as I understand, would have to go up, would necessarily have to go up to approximately \$1,500.00 to \$2,000.00, which would be prohibitive. I am not going to say any more; I have said enough.

THE PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from Cumberland, Senator Good.

MR. GOOD of Cumberland: Mr. President, Members of the Senate: This Bill is a little confusing. The Senator from Penobscot, Senator Stern, says that he should have his head examined because he is supporting the Majority Ought to Pass Report. From the look of that handsome head of hair of his, why it probably has been examined by, or it looks as though it had been, by a hairdresser. This is one of the few instances when Senator Stern and I are on opposite sides of a Bill.

I support Senator Hoffses motion that the Bill ought not to pass. In passing, I would like to pay a compliment to the Senator from Penobscot, Senator Stern, for the excellent work that he has done on the committee. I certainly appreciated the use of the brilliant mind of his.

My reason for supporting the Senator from Knox, Senator Hoffses, is that I am also supporting the action of the last session of the Legislature, as I have in some instances before. I thought that they made an excellent decision, and that their decision should at this time be sustained. And when you vote on this I hope that your vote will be yes, that it ought not to pass. It is a little confusing, isn't it? May I

change that motion to indefinite postponement, then we will understand what we are doing. So I will make the motion that this bill be indefinitely postponed, which is the same as Senator Hoffses has made. I think we understand that motion a little better, that the Bill be indefinitely postponed.

The Senator from Penobscot, Senator Stern, took part of my argument away. I thought he was on my side for a moment. He said the Bill never got off the ground, and I agree it never got off the ground; it was tied up in court, and at this time we should give it at least another two years to get off the ground. Thank you, Senator Stern. He said that the Supreme Court held that it was valid. I agree with that. He mentions an amendment. Well, of course, the amendment isn't before the Senate at this time, and if our motion prevails and the Bill is indefinitely postponed, you won't have to bother about the amendment. And perhaps that would be a good way of avoiding the amendment to indefinitely postpone the Bill.

Now, he said, the good Senator from Penobscot, Senator Stern, that it would be beneficial to the attorneys when they went to Law School if they had some practical experience or more practical experience than they get, and I agree with that. But there was nothing in the law that was passed by the last session of the Legislature that said that they couldn't use models, that they couldn't get practical experience. It just simply said you can't charge for this. Now, let's see, what did the last session of the Legislature say, so we will know what we are voting on here? The last Legislature said this: and I agree with this, and therefore, this is why I am in favor of indefinite postponement of this bill "No such school"—and this is the essence of the whole Bill, this is what you postpone, and you will agree with me you will vote for indefinite postponement, and you will agree with the last session of the Legislature when they said this: "No such school nor any student registered therein nor any other

person shall charge, either directly or indirectly, or receive any fee for any services rendered on any person acting as a subject for student instruction and training." Now, we believe that should be sustained and they should not be charging. Now, if they want to run a school they can have the — and they are not interested in a profit motive, they can refrain from charging for these subjects.

Now, we did have a big hearing. There were two or three hundred persons in attendance. And both sides were ably represented by counsel, and there was some evidence brought out by those who testified that the schools were more concerned than they should be with the customers from whom they were receiving a fee.

Now, how much tuition do these students pay? Is there a necessity for a fee? And, of course, the hairdressers object to changing the law; they agree with the last session of the Legislature because they feel that it is unfair competition. These beauty schools are not only getting tuition they are also charging the subjects. I have a brochure here from the Magic Circle, Incorporated, dated February, 1967. Mr. Bernard's School of Hair Fashion in a city nearby, and under the editorial they say tuition for this coming year will be \$1,000, we know this amount is high, however, we want to continue to offer the best possible education in this country. I have no doubt but what these beauty schools are doing an excellent job. We just simply felt that they could do a better job if they had more time to devote to their students rather than to the customers.

THE PRESIDENT: The Senator from Cumberland, Senator Good, moves that the Bill and accompanying papers be indefinitely postponed.

The Chair recognizes the Senator from Penobscot, Senator Stern.

MR. STERN of Penobscot: Mr. President, you know I want to sit down and take it easy and want to go home; this is Friday. But the remarks of my good friend Senator Good, has compelled me

to get up again, and I have to answer because I don't want anyone to think I am stupid. Incidentally, that reminds me of a story to illustrate the point.

This fellow was going up by the State Hospital here, and he had a flat tire, so he takes his tire off and takes off the nuts and he puts them down on the cement there and they roll into the sewer. So he gets his tire back on and he wants to get downtown and can't think of getting back downtown, and begins scratching his head. Suddenly one of the inmates looked down and says, "Why don't you take off one of the nuts from each tire and put it on this one and this way that will enable you to get where you want to go." And the fellow thought that was a pretty good idea so he takes off one nut from one wheel and another nut, and he screws it on this new tire and he starts to go downtown and he stops and looks up and says, "Look, what's a fellow like you doing in there?" He says, "Well, I may be crazy, but I am not stupid." I say to you, ladies and gentlemen, I have to answer this. I may be crazy for getting up here to argue this darn thing, but I am not stupid.

I am going to read to you the Supreme Court decision. Now mind you, they want to indefinitely postpone this Bill which means to put it back where it started, with all the trouble that it had previously and it will go back into the Supreme Court because I am quoting to you again, and this is from the decision. You will have to go through the same process: "Once a list of reasonable costs is determined, and accepted by the industry, the task of regulation will be formidable. These things, however, are for the legislative consideration." My good friend, Senator Good, wants us to throw it back into the Supreme Court's lap. And it will come back here again for the next session of the Legislature. Now, what kind of nonsense is that? The Supreme Court spells it out and says this is a formidable task. It is a serious question, and it is something that

should be remedied by the Legislature. Do you want to throw it back into the Supreme Court and have them throw it back again to us? Well, that's all right with me; I don't expect to be here at the next session. In closing, in this particular case, the Supreme Court says, this list of prices, and you are going to have the same thing over, submitted to the public hearing on November 3, 1965, to be effective November 16, 1965, and appearing in the record of the case as Plaintiff's Exhibit 1, do not meet the requirements of the statute, and an injunction only against the enforcement of the referenced price list is ordered. Now, you are going to have this problem because it is a serious problem in the beauty schools, because there are so many variable factors in making up the price, this is going to be nigh impossible. So I urge you not to throw it back into the lap—oh, I've got a wonderful argument—don't give it back to the lawyers—the lawyers are going to make money on it. And this is one thing you people have been taking a stand on, anything that is good for the lawyers is bad. So I urge you, since the lawyers are going to get rich on this, vote against it.

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from Knox, Senator Hoffses.

Mr. HOFFSES of Knox: Mr. President and Members of the Senate: First of all, I would pose a question, or perhaps I should say a statement of fact. And I am sure that the good Senator from Penobscot, Senator Stern, will not deny this fact. That of the two committees of which the good Senator from Penobscot is a member, namely, Legal Affairs and State Government, and the other committee of which he has quite frequently referred to himself as an honorary member of, the Judiciary Committee, I think perhaps the good Senator will agree that this hearing on this L. D. was the best looking hearing that we have had all year. Now the matter of subjects has been mentioned quite frequently. If

you will, please, let us go back to this time when my spouse was studying this profession some 32 years ago. She attended one of if not the best recognized school of beauty culture in the country. At that time they had subjects were acting as subjects, were the other pupils. They worked upon each other's head and hair and did not work upon the general public.

Senator Stern, I haven't forgotten the statement you made a little earlier that you were going to leave at 11:30. If I talk long enough you may leave, and then we will have a chance of winning this discussion. Those pupils who were acting not only as pupils, but were acting as subjects, were receiving much closer attention by the instructors than the general public being used as a subject is today.

Now there has been a great deal of confusion in regards to this Bill. This is a negative Bill, and those who think they are voting no are voting yes, and those who are voting yes think they are voting no. The idea of this Bill, and I was most pleased that the good Senator from Cumberland made the motion of indefinite postponement, this Bill would reveal the law which was passed two years ago by the Democratic controlled 102nd Legislature. Now I am amazed that the good Senator from Penobscot, who was a member of that body then, is making such remarks as he has just made in regards to the action of the 102nd Legislature. I believe that the law that is on the books, notwithstanding the decision handed down by the Supreme Court, should remain, and I urge you to support the motion of the good Senator from Cumberland that this Bill and accompanying papers be indefinitely postponed, and I would request a division.

The PRESIDENT: Is the Senate ready for the question? The pending question is on the motion of the Senator from Cumberland, Senator Good, that the Bill and accompanying papers be indefinitely postponed. The Senator from Knox, Senator Hoffses, has requested that the vote be taken by a division.

As many as are in favor of the indefinite postponement of the Bill will rise and stand in their places until counted. Those opposed will rise and stand in their places until counted.

A division was had. Eight Senators having voted in the affirmative, and 22 Senators having voted in the negative, the motion to indefinitely postpone did not prevail.

Thereupon, the Senate voted to accept the Majority Ought to Pass Report of the Committee, and the Bill was read once.

House Amendment "A" was read and adopted.

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

Mr. HOFFES of Knox: Mr. President, I offer Senate Amendment "A" and move its adoption.

Senate Amendment "A", filing S-191, was read by the Secretary as follows:

SENATE AMENDMENT "A" to H. P. 611, L. D. 854, Bill, "An Act Relating to Charging Fees for Services to Persons Acting as Subjects for Student Instruction and Training in Beauty Schools."

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

R. S., T. 32, §1553, amended. The first paragraph of section 1553 of Title 32 of the Revised Statutes, as amended by chapter 349 of the public laws of 1965, is further amended to read as follows:

No school of hairdressing and beauty culture shall be approved by the State Board of Hairdressers until it shall attach to its staff a physician duly licensed to practice medicine in the state where the school is located, and familiar with the installation and use of electrical appliances adapted to hairdressing and beauty culture, nor unless it has a minimum requirement of a continuous course of study of 1,500 hours distributed over a term of not less than 9 months, including practical demonstrations, written or oral tests and theoretical and practical instruction in sanitation, sterilization and the use of antiseptics, cosmetics and electrical appliances, which

course of study and instruction shall be subject to the approval of said board. Practical demonstrations will include supervised practice which shall consist of rendering service to persons other than fellow students, but such practice shall be of a clinical nature and under the direct supervision of a duly licensed instructor. No such school, nor any student registered therein nor any other person shall charge, either directly or indirectly, or receive any fee for any services rendered on any person acting as a subject for student instruction and training. A school may charge for the reasonable cost of supplies and materials used on a person acting as a subject for student instruction and training. Any school making such charge for supplies and materials shall file with the State Board of Hairdressers on or before January 1, 1968, and at least annually thereafter, a schedule of maximum charges to be used in practical demonstrations. Such schedule shall be submitted on forms provided by the board and a copy thereof shall be kept on display at the school premises. Time spent in any out-of-state school of hairdressing and beauty culture may be credited in full or in part against said 1,500 hours, subject to the decision and approval of the board. No school of hairdressing and beauty culture shall be an approved school until approval shall be recorded in the records of said board and until it shall receive a certificate of approval issued by said board. The fee for such certificate shall be \$200 and it shall be good for one year from the date when issued, unless sooner suspended. Said certificate may, so long as such school continues to meet the approval of said board, be renewed from year to year upon payment of a fee of \$35 but not exceeding \$50 for each renewal. When the board believes a license should be suspended or revoked it shall file a statement or complaint with the Administrative Hearing Commissioner designated in Title 5, chapters 301 to 307. No person shall be engaged to instruct in any of the branches of hairdressing and beauty culture as defined in sec-

tion 1551 unless said instructor has a certificate to practice hairdressing and beauty culture under this chapter, excepting physicians as specified.'

Thereupon, on motion by Mr. Stern of Penobscot, retabled and specially assigned for May 31, the motion of the Senator from Knox, Senator Hoffses, that the Senate adopt Senate Amendment "A".

The President laid before the Senate the fifth 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 25 by Senator MacLeod of Penobscot, pending Acceptance of Report.

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

The President laid before the Senate the sixth tabled and today assigned matter (S. P. 609) (L. D. 1608) 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 25 by Senator Lund of Kennebec pending Acceptance of Either Report.

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

Mr. LUND of Kennebec: Mr. President and Members of the Senate: This bill represents an important step in co-ordinating our transportation facilities in the State of Maine. There have been some objections raised to the bill. We anticipate that we will offer an amendment at the second reading which will take care of some of the objections in the bill. However some of the opposition to the bill isn't going to be satisfied, as far as we can tell, with the bill in any form. However, it has been on the table for some time, and the session is late and I, therefore, now move acceptance of the Majority Ought to Pass Report.

The PRESIDENT: The Senator from Kennebec, Senator Lund, now moves that the Senate accept the Majority Ought to Pass Report.

The Chair recognizes the Senator from York, Senator Reny.

Mr. RENY of York: Mr. President and Members of the Senate: In order to have time to study this amendment, I would move that this bill be tabled until Thursday, June 1st.

The PRESIDENT: The Senator from York, Senator Reny, moves that this item, Number 6, be retabled and specially assigned for June 1st, pending the motion of the Senator from Kennebec, Senator Lund, that the Senate accept the Majority Ought to Pass Report.

The Chair recognizes the Senator from Aroostook, Senator Barnes.

Mr. BARNES of Aroostook: Mr. President, I am opposed to the tabling motion, and I ask for a division.

The PRESIDENT: The Senator from Aroostook, Senator Barnes, has requested a division. Is the Senate ready for the question?

As many as are in favor of retabling and specially assigning the matter to June 1st will stand and remain standing until counted. Those opposed will stand and remain standing until counted.

A division was had. 10 Senators having voted in the affirmative, and 20 Senators having voted in the negative, the motion to table the matter did not prevail.

Thereupon, 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.

The President laid before the Senate the seventh tabled and today assigned 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 25 by Senator Snow of Cumberland, pending Adoption of Senate Amendment "A" to Committee Amendment "A", Filing S-187.

On motion by Mr. Snow of Cumberland, the Senate voted to Adopt Senate Amendment "A" to Committee Amendment "A".

On further motion by the same Senator, the Senate voted to Adopt Committee Amendment "A" as amended by Senate Amendment "A", and the Bill, As Amended, was Passed to be Engrossed in nonconcurrence. Sent down for concurrence.

The President laid before the Senate the eighth tabled and today assigned matter (H. P. 1169) Joint Resolution Relating to Expressing Legislative Opinion to Congress Concerning Federal Grant-in-Aid Programs. Tabled May 25 by Senator MacLeod of Penobscot, pending Motion by Senator Hildreth of Cumberland to Indefinitely Postpone.

Thereupon, the Senate voted to ly Postpone.

The President laid before the Senate the ninth tabled and today assigned matter (H. P. 882) (L. D. 1294) Bill "An Act Providing Vocational Education Loan Funds." Tabled May 25 by Senator Mills of Franklin, pending Passage to be Engrossed.

On motion by Mr. Katz of

Kennebec, retabled and specially assigned for Thursday, June 1st, pending Passage to be Engrossed.

On motion by Mr. Johnson of Somerset, the Senate voted to take from the table the first tabled and unassigned matter (S. P. 597) (L. D. 1575) Bill, "An Act to Appropriate Moneys for the Expenditures of State Government and for other Purposes for the Fiscal Years Ending June 30, 1968 and June 30, 1969." Tabled April 25 by Senator Johnson of Somerset pending Enactment.

On further motion by the same Senator, and under suspension of the rules, the Senate voted to reconsider its action whereby this bill was Passed to be Engrossed.

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

Mr. JOHNSON of Somerset: Mr. President, I now present Senate Amendment "A" to L. D. 1575 and move its adoption, and I would like to speak briefly.

Senate Amendment "A" was read by the Secretary as follows:

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

Amend said Bill in the Title by inserting after the word "Appropriate" the words 'and Provide'

Further amend said Bill in Section A by striking out the following caption and lines:

"DEBT RETIREMENT"

General Fund Bonds

All Other	1,865,000	1,980,000"
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Further amend said Bill in Section A under the caption "EDUCATION, DEPARTMENT OF" by striking out from the paragraph entitled "Subsidies to Cities and Towns for Professional Credits" the line:

"All Other	125,000	125,000"
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and inserting in place thereof the line:

'All Other	125,000	—'
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Further amend said Bill in Section A under the caption "EDUCATION, DEPARTMENT OF" by striking out from the paragraph entitled "General Purpose Subsidies to Cities and Towns" the line:

"All Other	32,968,789	30,868,789"
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and inserting in place thereof the lines:

'All Other	*36,968,789	36,868,789
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*(\$4,000,000 of this amount shall carry into the fiscal year ending June 30, 1969 to be expended for the same purposes.)'

Further amend said Bill in Section A under the caption "EDUCATION, DEPARTMENT OF" by striking out the following paragraph:

"Student Scholarship Administration			
Personal Services	(1)	4,491	(1) 4,721
All Other		72,650	133,100
Capital Expenditures		180	—"

and inserting in place thereof the following paragraph:

'Student Scholarship Administration			
Personal Services	(1)	4,491	—
All Other		72,650	—
Capital Expenditures		180	—,

Further amend said Bill in Section A under the caption "EDUCATION DEPARTMENT OF" by striking out the last line:

"Total Department of Education	42,653,612	41,147,386"
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and inserting in place thereof the line:

'Total Department of Education	46,653,612	46,884,565'
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Further amend said Bill in Section A under the caption "HEALTH AND WELFARE, DEPARTMENT OF" by striking out from the paragraph entitled "Aid to Dependent Children" the line:

"All Other	1,000,000	1,000,000"
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and inserting in place thereof the line:

'All Other	1,000,000	1,900,000';
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and by striking out the lines:

"Total Department of Health and Welfare	14,717,908	15,334,194"
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and inserting in place thereof the lines:

'Total Department of Health and Welfare	14,717,908	16,234,194'
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Further amend said Bill in Section A under the caption "INTEREST ON BONDS" by striking out the following lines:

"General Fund Bonds		
All Other	1,058,817	984,425"

and inserting in place thereof the lines:

'General Fund Bonds		
All Other	800,849	1,803,956'

Further amend said Bill in Section A under the caption "UNIVERSITY OF MAINE" by striking out the lines:

"Administration		
All Other	9,574,322	10,728,472
(includes \$25,000 for State Technical Services Act)"		

and inserting in place thereof the lines:

'Administration		
All Other	10,574,322	11,528,472
(includes \$25,000 for State Technical Services Act)'		

Further amend said Bill in Section A under the caption "UNIVERSITY OF MAINE" by striking out the line:

"Total University of Maine	9,913,204	11,100,294"
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and inserting in place thereof the lines:

'Oceanography		
All Other	200,000	200,000
Total University of Maine	11,113,204	12,100,294'

Further amend said Bill by striking out the last line of Section A:

"Total—Section A	\$109,929,652	\$111,723,066"
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and inserting in place thereof the line:

'Total—Section A	\$113,006,684	\$118,199,776'
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Further amend said Bill in Section B under the caption "ATTORNEY GENERAL" by striking out the figure "(3)" which appears twice after the words "Personal Services" and inserting in place thereof the figure "(4)" twice; and by striking out all the paragraph at the end and inserting in place thereof the following paragraph:

'Provides three additional Assistant Attorneys General, one Account Clerk, conversion of a part-time Assistant Attorney General to full time, salary increases and related travel and office expense'

Further amend said Bill in Section B under the caption "CONTRIBUTIONS AND TRANSFERS TO OTHER FUNDS" by striking out from the paragraph entitled "To Highway Fund" the lines:

"General Fund's share of State Police Costs	112,767	96,098
Provides funds for twenty-eight new State Troopers and a twenty-year retirement program for State Police Officers"		

and inserting in place thereof the lines:

'General Fund's share of State Police Costs	81,064	72,197
Provides funds for fifteen new State Troopers and a twenty-year retirement program for State Police officers'		

Further amend said Bill in Section B under the caption "CONTRIBUTIONS AND TRANSFERS TO OTHER FUNDS" by striking out the last line:

"Total Contributions and Transfers	148,517	131,848"
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and inserting in place thereof the line:

'Total Contributions and Transfers	116,814	107,947"
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Further amend said Bill by striking out the last line of Section B:

"Total—Section B	\$2,427,838	\$2,706,233"
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and inserting in place thereof the line:

'Total—Section B	\$2,396,135	\$2,682,332"
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Further amend said Bill by striking out the last paragraph, before the emergency clause, and inserting in place thereof the following:

'Section C

1967-68

1968-69

Subsection 1

Relating to Automobile Mileage Allowance for State Employees.

R. S., T. 5, § 8, amended. The first sentence of section 8 of Title 5 of the Revised Statutes is amended to read as follows: The State shall pay for the use of privately owned automobiles for travel by employees of the State in the business of the State not more than 9c per mile.

\$25,000

\$25,000

Subsection 2

Appropriating Moneys to Provide Uniforms for employees of Maine State Ferry Service.

Appropriation. There is appropriated from the General Fund the sum of

\$5,000 for the fiscal year ending June 30, 1968, for the purpose of providing uniforms for Employees of the Maine State Ferry Service.

\$5,000

Subsection 3

Relating to State Police Retirement Benefits Under the Maine State Retirement System.

R. S., T. 5, § 1121, sub-§ 1, ¶ C, amended. The first 2 sentences of paragraph C of subsection 1 of section 1121 of Title 5 of the Revised Statutes are repealed, and the following enacted in place thereof:

Any member of the State Police who became a member of that department subsequent to July 9, 1943 may retire upon completion of 20 years of creditable service as a state police officer, but must retire upon attainment of age 55, except that any member who is a state police officer on January 1, 1967 and who will not have 20 years creditable service at the time of age 55 is attained may continue in said service until 20 years is attained and forthwith shall be retired. Except that military service credits as allowed under section 1094 shall not be considered as part of the creditable service necessary for the 20 years service as a state police officer, but that any military service creditable under section 1091 shall be considered to be part of the creditable service necessary for the 20 years as a state police officer provided that he was a state police officer at the time of entrance into said military service and upon separation from military service again became a state police officer.

Subsection 4

Appropriating Moneys to Provide for Night Pay Differentials for State Employees.

Appropriation for night pay differentials for state employees. There is appropriated from the General Fund the sum of \$125,000 for the fiscal year ending June 30, 1969 for the purpose of placing into effect, as of the first pay period after the effective date of this Act, a 10c per hour increase under the State Personnel Board's Compensation Plan for Classified Positions, such pay increase for those who, for the year or any part thereof, are regularly employed on night shifts.

Said pay differential shall be applied at the direction of the State Personnel Board, with the right to appeal by the employee or his representative.

The same provisions and standards shall be applied to those employees who

are employed by departments which are supported wholly, or in part, by the General Highway Fund, special revenue funds or other funds.

\$125,000

Subsection 5

Increasing Pay for State Employees.

Sec. 1. Appropriation. There is appropriated from the General Fund the sum of \$1,100,000 for the fiscal year ending June 30, 1969, to effectuate, as of the first pay period in July, 1968, a one-step pay adjustment plan for state employees to be incorporated into the official State Pay Plan, adopted by the State Personnel Board.

Sec. 2. Unclassified employees subject to Governor and Council determination. With respect to unclassified employees whose wage rates are subject to Governor and Council determination, the Governor and Council shall grant similar and equitable treatment.

Sec. 3. Unclassified employees not subject to Governor and Council determination. With respect to unclassified employees whose wage rates are not subject to determination by the Governor and Council, the authorities responsible for determining the wage rates of such employees shall grant similar and equitable treatment.

Sec. 4. Utilization by other funds. Wages of employees in departments supported by the General Highway Fund, Special Revenue Funds or other funds shall not be adjusted from moneys provided for the General Fund Pay Plan, but shall be adjusted from funds available from other sources.

\$1,100,000

Subsection 6

Providing Hospital Insurance Benefits under Social Security Act for State Employees.

R. S., T. 5, c. 101, sub-c. VI-A, additional. Chapter 101 of Title 5 of the Revised Statutes is amended by adding a new subchapter VI-A, to read as follows:

Subchapter VI-A Hospital Insurance

§ 1161. Hospital insurance

Each state employee and teacher shall be entitled to participate in hospital insurance benefits when provided in Title II of the Federal Social Security Act.

Each state employee and teacher shall pay, in a manner prescribed by the board of trustees, and the State shall contribute a like amount which would be required of each state employee and teacher as prescribed in Title II of the Federal Social Security Act when so amended.

The board upon receipt of such contributions shall verify them in accordance with applicable federal regulations and shall forward such contributions to the Secretary of Treasury.

1967-68

1968-69

\$100,000

\$250,000

Subsection 7

Changing the Foundation Program Per Pupil Allowances.

Sec. 1. R. S., T. 20, § 3721, sub-§ 2, amended. The last paragraph of subsection 2 of section 3721 of Title 20 of the Revised Statutes, as amended by section 1 of chapter 320 of the public laws of 1965, is repealed.

Sec. 2. R. S., T. 20, § 3721, sub-§ 3, ¶ B, repealed and replaced. Paragraph B of subsection 3 of section 3721 of Title 20 of the Revised Statutes, as amended by section 2 of chapter 266 of the public laws of 1965, is repealed and the following enacted in place thereof:

B. Employ at least one teacher for each 30 elementary school pupils in average daily membership, except in the kindergarten where the ratio shall not exceed one teacher to 60 pupils, and at least one teacher for each 25 high school pupils. The pupil-teacher ratio shall be determined by dividing the average daily membership of the school by the number of classroom teachers, excluding supervisors, principals, guidance directors and other non-teaching personnel. Any unit maintaining a school with a pupil-teacher ratio higher than that authorized by this section shall have its operational subsidy allocation for the next succeeding biennium reduced by 5%, except that the state board may waive the requirement of the law and this penalty if the local unit gives sufficient evidence that such a waiver is warranted.

Sec. 3. R. S., T. 20, §§ 3722-3723, repealed and replaced. Sections 3722 and 3723 of Title 20 of the Revised Statutes, as amended, are repealed and the following enacted in place thereof:

§ 3722. Allowance

The foundation program allowance for each administrative unit shall be determined as follows:

The average of the 2 preceding years' adjusted resident average daily membership of the pupils attending school in the unit shall be multiplied by the applicable dollar allowance in Table I

below. To this amount shall be added the average of the unit's 2 preceding years' expenditure for tuition and board; the allowable tuition expenditure shall be 90% of the average of the 2 preceding years. To this amount shall be added 90% of the 2 preceding years' expenditures for pupil transportation. The total of these items will be the total foundation program. From this total foundation program shall be subtracted the average of the 2 preceding years' school maintenance incidental receipts, not including tuition receipts, except that income received from a ministerial and school fund shall not be subtracted. A portion of the receipts from Public Law 874 or any penalties applied for illegal expenditures or uncertified teachers shall be deducted from the foundation program allocation in the same proportion as the unit's local effort toward the foundation program was to the total sum of the foundation program in the previous biennium. The board may adjust the effect of the penalties if evidence is submitted that undue hardship or unusual gain would occur in the subsidy of any unit. The net cost thus obtained represents the net foundation program allowance on which state subsidy shall be computed biennially in accordance with this section.

Resident average daily membership, as used in this section, shall represent the sum of the days present and absent of all resident pupils in the schools under consideration divided by the number of days school is maintained. Pupils attending school on a part-time basis shall be counted as .2 of a pupil for each class period which they attend.

TABLE I

The per pupil allowance used in computing the foundation program shall be \$320.

The resident average daily membership in the elementary schools enrolling fewer than 26 pupils shall be adjusted as follows:

Multiply resident average daily membership by

1.50	If the elementary school enrolls from	1 to 10 pupils
1.40	" " " " " "	11 to 15 pupils
1.33	" " " " " "	16 to 20 pupils
1.27	" " " " " "	21 to 25 pupils

The resident average daily membership thus determined and the resident average daily membership in all other units shall be adjusted as follows before

multiplying by the fixed per pupil allowance. The pupils in grades kindergarten through grade 6 shall be multiplied by 1; the pupils in grades 7 and 8 shall be multiplied by 1.2. The adjusted resident average daily memberships in grades kindergarten through 8 shall be added together before multiplying by the per pupil allowance. The resident average daily membership in grades 9 through 12 shall be multiplied by 1.4 before multiplying by the per pupil allowance.

It is the intent of the Legislature that Table I of this section should be revised each biennium to the end that amendments may be enacted consistent with the changes in the educational expenditures of the towns. On or before October 1st of each year prior to the convening of the Legislature, it shall be the duty of the commissioner to make recommendations to the Governor for such revision which may be used as the basis for budget needs and recommendation for state school subsidies for appropriation by the subsequent session of the Legislature.

§ 3723 State support of

On the basis of information available in the office of the commissioner on September 1st for the 2 years next preceding the biennial convening of the Legislature, as provided in returns of education statistics required by him, the commissioner shall apportion subsidies to the school administrative units of the State for each of the next 2 years according to the following plan.

From each unit's foundation program, as defined in sections 3721 and 3722, shall be subtracted the yield of 20 mills times the unit's state valuation. The result shall be the amount of state aid, on the foundation program that the unit is entitled to receive, provided that no unit shall receive less than 20% state aid on its foundation program. The aid to School Administrative Districts shall be computed as follows: The net foundation program of the district shall be distributed among the member municipalities of the district in the same ratio as the average resident pupils of the member municipalities bears to the total average number of resident pupils in the School Administrative District. From the foundation program thus distributed shall be subtracted the yield of 20 mills times the member municipality's state valuation provided that no member municipality shall be required to raise more than 80% of its foundation program.

The aid thus computed for the member municipalities shall be added together and shall be paid to the School Administrative District. In addition, School Administrative Districts shall receive the supplemental aid as provided in section 3456. The valuation used shall be as determined by the Board of Equalization in the statement filed by it, as provided in Title 36, section 381. The computation of state aid for each unit shall be subject to correction in accordance with the final statement filed by the Board of Equalization on December 1st.

The subsidy allocation for a newly formed School Administrative District shall be the sum of the amounts that the towns would have received plus 10% supplemental aid as provided in section 3456. During the succeeding bienniums the School Administrative District aid shall be computed in accordance with this section.

Any administrative unit in which the elementary operating expenditure or secondary operating expenditure, not including debt retirement, capital outlay items, transportation, tuition or community services, exceeded the amount of the foundation program per pupil allowance multiplied by the adjusted pupil count of the previous biennium shall be entitled to an additional subsidy allocation on that part of its average elementary or secondary operational expenditure which exceeded the elementary or secondary foundation program amount of the previous biennium. The amount that the average elementary or secondary operational expenditure exceeded the average elementary or secondary foundation program of the previous biennium shall be multiplied by 4%. The result shall be added to the subsidy allocation.

Whenever any administrative unit's fiscal reports show that the average expenditure for foundation program items during the 2 years preceding the convening of the Legislature was less than the foundation program requirements of the same 2-year period for either elementary or secondary education programs, the unit shall have a portion of the average amount by which it failed to meet the foundation program requirements deducted from its foundation program for the 2 years of the succeeding biennium. If a unit fails to meet the elementary or secondary foundation program requirements as set out in the statutes, the percentage of the amount

to be deducted shall be in the same ratio as the ratio of the unit's local contribution toward the net cost of the foundation program in the previous biennium was to the net cost of the foundation program during the same period of time.

The allowable aid earned by community school districts shall be paid directly to those units.

When a School Administrative District has taken over the operation of the public schools within its jurisdiction, the subsidy payment that would normally be paid to the subordinate administrative units which operated the public schools within the confines of the School Administrative District prior to the formation of said district shall be paid directly to the School Administrative District.

The total salary paid to a superintendent of schools including state and local portions shall be used when computing the general purpose aid of a unit. From the subsidy allocation of each unit shall be deducted that portion of the subsidy that was earned because of the salary of a superintendent of schools. The amount thus deducted shall be paid to the superintendent of schools under section 154.

The subsidy allocation to any unit in 1968 shall not exceed a 45% increase over the subsidy allocation that was scheduled for payment to that unit in 1968, under the provisions of the statutes that were in force at the time the budget was submitted by the Governor for legislative consideration. Every unit in the State shall receive a subsidy allocation in 1968 which is no less than the amount originally allocated for the unit in 1968 by the budget document which was recommended for legislative consideration. Thereafter, the subsidy allocation to any unit may not increase in any one year, more than 25% over the subsidy allocation paid to that unit during the previous year.

Sec. 4. R. S., T. 20, § 154, amended. The 3rd, 4th and 5th sentences of section 154 of Title 20 of the Revised Statutes are repealed and the following enacted in place thereof:

Upon approval of said certificate, the superintendent so employed shall, on presentation of proper vouchers, receive monthly out of the sum appropriated for general purpose aid for the unit an amount in accordance with section 3723.

Whenever a superintendent of schools serves as a supervising principal as authorized in section 151, subsection 5, the sum paid to such superintendent of schools shall not exceed the amount earned under section 3723 which is attributable to his duties as superintendent of schools.

Sec. 5. Effective date. This subsection 7 of Section C shall become effective July 1, 1968.

	1967-68	1968-69
Total—Section C	\$130,000	\$1,500,000
Amounting to \$115,532,819 for the fiscal year ending June 30, 1968, and \$122,382,108 for the fiscal year ending June 30, 1969.		

Section D

FINANCE AND ADMINISTRATION, DEPARTMENT OF Bureau of Public Improvements

* Repairs and Minor Improvements—state-wide	\$ 400,000	—
DEBT RETIREMENT		
* General Fund Bonds	\$1,557,500	\$1,917,500

*These amounts shall be appropriated from the Unappropriated Surplus of the General Fund.

Section E

R. S., T. 5, § 151-A, additional. Title 5 of the Revised Statutes is amended by adding a new section 151-A, to read as follows:

§ 151-A. Income from temporary investment of bonds

All net income realized from the temporary investment of bond proceeds on general fund bond issues approved by the 103rd Legislature and future Legislatures shall be credited to a special account designated as Debt Service Account, and used only for the retirement of bonds.'

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

Mr. JOHNSON of Somerset: Mr. President, I would like to give a brief explanation of this amendment, and I would like to say that in the beginning we started out in the document budget under Debt Retirement. We have struck this section out and we have taken it up later at the end of the section.

We have amended Section A under the Caption Education Department pertaining to subsidies to cities and towns for corporational credits. We have taken out \$125,000 in the second year of the biennium as we have already taken care of this in another L. D.

We have amended the bill under Caption Education also by striking out under the paragraph General Purposes Subsidiaries to Towns and Cities and inserting the \$4,000-

000 in the first biennium and \$6,000,000 in the second year of the biennium. However, note should be made that the full \$10,000,000 goes into the second year of the biennium.

Under Scholarship Admission we have deleted the \$4,721 and all other \$133,100 in the second year of the biennium.

This actually is a gift program. The amounts stricken will be used as a State program for vocational school loans.

Under Section A of the University of Maine we have added 1 million dollars in the first year of the biennium and \$800,000 in the second year of the biennium.

Also in Section A, University of Maine, we have added Oceanography \$200,000 the first year of the biennium and \$200,000 the second year of the biennium.

We have changed the totals under General Fund Bonds to \$800,-

849 in the first year of the biennium and \$1,803,956 in the second year of the biennium. This is based on a current review bond authorization, plus \$900,000 in the second year of the biennium, which is estimated interest on new bond issues if approved by the voters.

We have clarified under the caption Attorney General by putting in new language to eliminate the provision of a Chief Medical Examiner, which is covered by a separate L. D.

In the section Contributions and Transfers, under other funds, we have deleted 28 state troopers and inserted in place thereof 15 new state troopers and have reduced the totals.

Under Section C relating to mileage allowance for state employees we have added \$25,000 in each year of the biennium.

Under Subsection 2 of Section C we have added an appropriation for the Maine State Ferry Service for the first year of the biennium in the amount of \$5,000.

Subsection 3 relates to the state police retirement benefits.

Subsection 4, an appropriation for night pay differentials for state employees.

Subsection 5, an increase in pay for state employees totalling \$1,100,000 in the second year of the biennium.

Subsection 6 provides hospital insurance benefits for state employees under the Social Security Act . . . \$100,000 in the first year of the biennium and \$250,000 in the second year of the biennium.

Subsection 7 changes the foundation program per pupil allowance. It's a replacement of L. D. 1642, and it includes a grandfather clause to insure that no town gets less than under existing law. Under Section D the first year of the biennium the Bureau of Public Improvements receives \$400,000 for repairs and minor improvements statewide. In the same section. Debt Retirement General Fund Bonds is the amount of \$1,557,500 the first year of the biennium and \$7,917,500 in the second year of the biennium.

These amounts shall be appropriated from the unappropriated surplus of the general fund.

Section E provides that income from temporary investment of bonds on proceeds of General Fund Bond Issues approved by the 103rd Legislature and future legislatures shall be credited to a special account designated as Debt Service Account and used only with retirement of bonds.

This, gentlemen, is a brief explanation. You will have a long weekend to thoroughly study this. I now move the adoption of the amendment.

The PRESIDENT: Is it now the pleasure of the Senate to adopt Senate Amendment "A"?

The Chair recognizes the Senator from Aroostook, Senator Harding.

Mr. HARDING of Aroostook: Mr. President, in the absence of Senator Duquette, who is a member of the Appropriations Committee, and as the Minority Leader, pursuant to joint order, I move that this matter lie on the table and be specially assigned for Thursday next.

The PRESIDENT: The Senator from Aroostook, Senator Harding, moves that this item be tabled and specially assigned for Thursday, June 1st.

The Chair recognizes the Senator from Somerset, Senator Johnson.

Mr. JOHNSON of Somerset: Mr. President, I would request a division on the motion.

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 of the Senator from Aroostook, Senator Harding, that this item be tabled and specially assigned for June 1st will rise and stand in their places until counted. Those opposed will rise and stand in their places until counted.

A division was had. Eight Senators having voted in the affirmative, and 19 Senators having voted in the negative, the motion to table did not prevail.

The PRESIDENT: Is it now the pleasure of the Senate to adopt Senate Amendment "A"?

The Chair recognizes the Senator from Aroostook, Senator Harding.

Mr. HARDING of Aroostook: Mr. President and Members of the Senate: I will be frank to tell you that I do not understand the full import of this legislative document. I had been advised previous to the session that an amendment would be offered, but this is the first time that I have had a chance to look at this. I don't know how many in this Senate have had a chance to look at it previously. It seems to me, however, that it is an unusual situation in this deliberate body when on the important matters, the matters in which there are millions of dollars involved, and on matters on which there is a suggestion of constitutional change, that if the Minority Party asks for a chance to review these matters, to consider them, that this is denied, but on the other matters, which are of lesser importance or very picayune importance, it is generally a courtesy which is granted.

Now, I think it is difficult for any of us to justify, when we go back home to our people, that here is a matter which involves millions of dollars, is very complicated, hardly anyone in the Senate had read it, and someone in the Senate said, "Well, look, before we decide on it, won't you give us a chance to look at it and think about it." And you tell them, "Well my leaders said 'no,' and so I couldn't give them that opportunity." I think it is going to be a very difficult thing to explain, so I would throw myself on the mercy of the Senate because, as I say, I don't understand this document and I don't believe there are very many people here who do.

I would respectfully request that someone in the Senate move this matter lie on the table so that we may have a chance to deliberate on it, consider it, and to offer an amendment if need be. Suppose that some of us wanted to offer an amendment to this now, some change, we have no opportunity to do it. This is not good legislative process, I suggest to you, and it certainly is not in the best in-

terest of the people of the State of Maine. So I humbly make this plea to you.

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

Mr. MILLS of Franklin: Mr. President, I move for tabling until the next legislative day.

The PRESIDENT: The Senator from Franklin, Senator Mills, moves that this item be tabled until the next legislative day. The Senator from Somerset, Senator Johnson, has requested a division.

As many as are in favor of this matter being tabled until the next legislative day will stand in their places until counted. Those opposed to the motion will stand in their places until counted.

A division was had. 15 Senators having voted in the affirmative, and 13 Senators having voted in the negative, the motion to table until the next legislative day prevailed.

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

Mr. LUND of Kennebec: Mr. President, may I inquire if the Senate is in possession of L. D. 1669, "An Act to Grant the Public Utilities Commission Control over Cooperatives"?

The PRESIDENT: The Chair will reply in the affirmative, this matter having been held at the request of the Senator from Kennebec, Senator Lund.

Mr. LUND: May I inquire of the President the status of the bill.

The PRESIDENT: The bill has been passed to be engrossed in both the House and the Senate as amended by House Amendment "A".

On motion by Mr. Lund of Kennebec, the Senate voted to reconsider its action whereby this bill was Passed to be Engrossed.

On further motion by the same Senator, the Senate voted to reconsider its action whereby it Adopted House Amendment "A", and on further motion by the same Senator, House Amendment "A" was indefinitely postponed.

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

Mr. LUND: Mr. President, I now present Senate Amendment "A" and move its adoption.

Senate Amendment "A", Filing S-195, was read by the Secretary as follows:

SENATE AMENDMENT "A" to H. P. 1168, L. D. 1669, Bill, "An Act to Grant Public Utilities Commission Control Over Cooperatives."

Amend said Bill in section 1 by striking out all of the 2nd and 3rd underlined sentences of the first paragraph of that part designated "§2301" and inserting in place thereof the following underlined sentences (same in L. D. 1669): 'No corporation for either or any of such purposes, whether organized or authorized to do business under this section or by special Act of the Legislature, or any person, association or cooperative organized under chapters 221 to 227 shall have authority without the consent of the Public Utilities Commission to furnish its service in or to any city or town in or to which another corporation, person, association or cooperative is furnishing or is authorized to furnish a similar service. No consent from said commission shall be required for any corporation, person, association or cooperative to furnish service in any city or town in which such corporation, person, association or cooperative is furnishing service on the effective date of this Act.'

Further amend said Bill in section 1 by striking out all of the next to the last underlined sentence of that part designated "§2301" and inserting in place thereof the following underlined sentence (same in L. D. 1669): 'If objections are filed, the commission shall immediately set the matter down for hearing, and shall determine which shall serve, and pending the final determination of the right to serve, the commission may order temporary service to be brought to said prospective new service location without prejudice to the rights of any party involved.'

Further amend said Bill by adding at the end, a new section, as follows:

'Sec. 6. Effective date. This Act shall become effective 91 days after the adjournment of the Legislature.'

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

On motion by Mr. Johnson of Somerset, recessed for five minutes.

After Recess

Called to order by the President.

The Adjournment Order having been received from the House, on motion by Mr. Ross of Piscataquis, adjourned until Wednesday, May 31, at ten o'clock in the morning.