

# 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, June 2, 1967

Senate called to order by the President.

Prayer by Rev. Douglas H. Robbins 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 Monday, June 5, at 10 o'clock in the morning. (S. P. 664)

Which was Read and Passed.

Sent forthwith to the House for concurrence.

**Papers From The House  
Non-concurrent Matter**

Bill "An Act Relating to Powers of Administrative Hearing Commissioner Concerning Minors Under the Liquor Laws." (H. P. 1159) (L. D. 1656)

In House, May 16, Passed to be Engrossed.

In Senate, May 24, Passed to be Engrossed in concurrence

Comes from the House, Engrossment Reconsidered, and Passed to be Engrossed As Amended by House Amendment "A" (H-380) in non-concurrence.

(On motion by Mr. Johnson of Somerset, tabled and specially assigned for Monday, June 5, pending further consideration.)

**House Paper**

Bill "An Act to Establish the Division of Municipal Affairs in the Executive Department." (H. P. 1184) (L. D. 1686)

Comes from the House referred to the Committee on State Government.

Which was referred to the Committee on State Government in concurrence.

**Joint Order**

**ORDERED**, the Senate concurring, that there is appropriated from the Legislative Appropriation the sum of \$200 to each of the Indian representatives to aid in

defraying expenses incurred while representing their tribes at the One Hundred and Third Legislature. (H. P. 1189)

Comes from the House, Read and Passed.

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

Joint Resolution Relative to Commending the Grange in Recognition of the 100th Anniversary of the National Grange.

In the year of our Lord One Thousand Nine Hundred and Sixty-seven, We, the members of the Senate and House of Representatives of the State of Maine in the One Hundred Third Legislative Session assembled, do honor and congratulate the National Grange on its completion of 100 years of service.

WHEREAS, the Order of Patrons of Husbandry, better known as the Grange, is celebrating its first century of service; and

WHEREAS, this rural organization was founded on principles that are called the "Declaration of Independence of the American Farmer" and endorses the motto "In Essentials Unity, in Non-essentials Liberty, In all Things Charity" and seeks the greatest good for the greatest number; and

WHEREAS, on April 17, 1967, a commemorative National Grange stamp was issued with suitable ceremonies in the Department of Agriculture which is most appropriate inasmuch as the Grange was instrumental in elevating the United States Department of Agriculture to cabinet status; and

WHEREAS, the Grange has made significant contributions to the development of rural America and an informed citizenry; and being interested in the home, church, educational, social, economic and legislative needs of the farmer; and

WHEREAS, the Grange has always been interested in advancing the highest in moral and spiritual values; now, therefore, be it

**RESOLVED**: that we, the Members of the Legislature of the State of Maine, salute the Maine State Grange and the National Grange

for their contribution to the economic and social welfare of Maine's agricultural industries and in aiding the family farmer; and be it further

**RESOLVED:** that copies of this resolution be transmitted to the Maine State Grange and to the National Grange.

Name: Herbert L. Hanson  
Town: Solon

(H. P. 1188)

Comes from the House, Read and Adopted.

Which was Read and Adopted in concurrence.

#### Order

On motion by Mr. Hildreth of Cumberland,

WHEREAS, it appears to the Senate of the One Hundred and Third Legislature that the following is an important question of law and the occasion is a solemn one, and

WHEREAS, there has been introduced and is now pending before the Legislature Senate Paper 34, Legislative Document Number 33, "An Act Defining Industrial Project Under Industrial Building Authority Law", to which said bill committee Amendment "A" (Filing No. S-192) has been reported and is pending before the Legislature; and

WHEREAS, it is important that the Legislature be informed as to the constitutionality of the proposed bill and the accompanying Amendment "A"; therefore be it

**ORDERED,** that in accordance with Section 3 of Article VI of the Constitution of Maine, the Justices of the Supreme Judicial Court are hereby respectfully requested to give the Senate their opinion on the following questions:

1. Are the definitions of "industrial project", as set forth in Sec. 1 of Legislative Document 33 as amended by Committee Amendment "A", constitutional and within the authority granted to the Legislature by section 14-A of Article IX of the Constitution of Maine?

2. Does Sec. 2 of Legislative Document 33 as amended by Committee Amendment "A" violate the Constitution in providing for direct loans to applicants and

dispensing with the necessity of a local development corporation?

Which was Read and Passed.

At this point the President appointed Mr. Katz of Kennebec as President pro tem. Mr. Katz was escorted to the rostrum by the Sergeant-at-arms, the President retiring.

#### Committee Reports House Ought Not to Pass

The Committee on Taxation on Bill "An Act Establishing a Highway Use Tax." (H. P. 1036) (L. D. 1528)

Reported that the same Ought Not to Pass.

Comes from the House, Read and Accepted.

Which was Read and Accepted in concurrence.

The Committee on Labor on Bill "An Act Relating to Minimum Wages for Firemen." (H. P. 516) (L. D. 729)

Reported that the same Ought Not to Pass.

Comes from the House, Bill Substituted for the Report, and Passed to be Engrossed And Amended by House Amendment "A" (H-352)

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

Mr. GOOD of Cumberland: Mr. President and Members of the Senate: This bill was before the Legal Affairs Committee and it was the desire of the firemen that their wages be averaged out. Some weeks they worked 36 hours, some weeks they worked perhaps 48 hours, and some weeks they worked as much as 72 hours, and they were getting unequal checks, so they said we would like to have our pay checks averaged out and that was the purpose of the bill. So we reported it out and it received unanimous passage. Then the firemen changed their minds, and they said "we don't want the bill," so before it was put on the docket, we all changed our vote to it Ought Not to Pass to please the firemen.

Now we understand that they have changed their minds again and they would like to have it aver-

aged out with an amendment making it permissible upon the part of the municipality whether they want to do this or not. So instead of having the words in there saying that the "municipality shall do this," the amendment says that the "municipality may do this." So, we hope at this particular time by substituting the bill for the report, we are not only pleasing the firemen, but we are also pleasing all the municipalities in the State of Maine. Therefore, I move that we substitute the bill for the report.

Thereupon, the Senate voted to substitute the bill for the report and the bill was read once. House Amendment "A" was Read and Adopted, and the Bill, As Amended, tomorrow assigned for Second reading.

#### **Ought to Pass — As Amended**

The Committee on Judiciary on Bill "An Act Relating to Joint Accounts in Banks and Loan and Building Associations." (H. P. 1001) (L. D. 1463)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-362)

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 and the bill Read Once, Committee Amendment "A" was Read and Adopted, and the Bill, As Amended, tomorrow assigned for Second Reading.

#### **Ought to Pass in New Draft**

The Committee on Appropriations and Financial Affairs on Bill "An Act to Authorize General Fund Bond Issue in Amount of One Million Seven Hundred and Ninety-five Thousand Dollars and to Appropriate Moneys for Construction, Extension and Improvement for Airports." (H. P. 824) (L. D. 1232)

Reported that the same Ought to Pass in New Draft under a new title: "An Act to Authorize General Fund Bond Issue in Amount of Two Million Eight Hundred and Fifteen Thousand Dollars and to Appropriate Moneys for Construction, Extension and Improve-

ment for Airports." (H. P. 1166) (L. D. 1667).

Comes from the House, report Read and Accepted, and the Bill Passed to be Engrossed As Amended by House Amendments B (H-353) C (H-355) D (H-364) E (H-366) and I (H-376)

Which report was Read and Accepted and the bill Read Once. House Amendment "B", "C", "D", "E", "I" were Read and Adopted.

The PRESIDENT pro tem: The President recognizes the Senator from Lincoln, Senator Sproul.

Mrs. SPROUL of Lincoln: Mr. President, I wonder if someone would explain to me just what this does. I don't like to go back to my constituents and say I voted for something I don't have at least some idea just what this does. If someone on the Appropriations Committee would explain, I would appreciate it.

The PRESIDENT pro tem: The Senator from Lincoln, Senator Sproul, poses a question to any member of the Appropriations Committee asking for a brief explanation of this bill.

The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY of Cumberland: Mr. President, these amendments in general do little to the basic bill, with the exception of Waterville and Houlton which have added \$10,000 more I believe to Waterville and Houlton for repaving the runway. The basic bill as reported out by the Appropriations Committee, with the exception of these two items, remains intact, with the exception of these technical amendments. If there is any specific question that the Senator has, I would be glad to answer them, but I would rather not take the time to go through these one by one.

Thereupon, the bill, as amended, was tomorrow assigned for Second Reading.

The Committee on Judiciary on Bill "An Act Relating to Additional Appeals Under Liquor Laws." (H. P. 629) (L. D. 885)

Reported that the same Ought to Pass in New Draft under the same title: (H. P. 1185) (L. D. 1685)

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

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 State Government on Bill "An Act Relating to Dates for Harness Racing Meets. (H. P. 385) (L. D. 532)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-370).

(Signed)

Senator:

STERN of Penobscot

Representatives:

CORNELL of Orono

RIDEOUT, Jr.

of Manchester

WATTS of Machias

STARBIRD, Jr.

of Kingman Township

MARTIN of Eagle Lake

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

(Signed)

Senators:

LUND of Kennebec

WYMAN of Washington

Representatives:

DENNETT of Kittery

PHILBROOK

of South Portland

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

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

Mr. BARNES of Aroostook: Mr. President, I move that we accept the Minority Ought Not to Pass Report of the Committee in concurrence.

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

Mr. STERN of Penobscot: Mr. Chairman and Fellow Members of the Senate: This is Friday. I don't intend to argue too strenuously, but I feel that I owe a duty to my

constituents to get up here to argue in behalf of the Majority Ought to Pass Report of the State Government. We had a lengthy hearing down there, and I was satisfied, and apparently the majority of the committee was satisfied, that to permit racing in Penobscot County which is in our area; the race track would be situated in Carmel, Maine, which is just about thirteen or fourteen miles from Bangor, would be a tremendous boost to the economy of Penobscot County, to the restaurants, to the hotels, without affecting the fairs to any appreciable degree.

It seems strange to me that of the State of Maine some counties object to what other counties would like to do in their area without them being materially affected. We feel that this is not only good for our area, but it would be also good for the State of Maine — that it would attract tourists. It seems to me that this is a bill that would do a great deal of good without doing any harm. I don't think or feel that my good friends, the Senators from Androscoggin have been affected by racing. They don't seem to be affected in York County, and I would urge you to support the Majority Ought to Pass Report.

The PRESIDENT pro tem: The pending question is on the motion of the Senator from Aroostook County, Senator Barnes, to accept the Ought Not to Pass Report.

The Chair recognizes that Senator.

Mr. BARNES of Aroostook: Mr. President, I would respectfully request a division when the vote is taken.

The PRESIDENT pro tem: The Chair recognizes the Senator from Sagadahoc, Senator Brewer.

Mr. BREWER of Sagadahoc: Mr. President, I would just like to pose a question through the Chair. Senator Stern says that this bill does not materially affect the fairs. I have had quite a bit of mail on it, and I just wonder, if I may pose the question, just what affect it would have on our fairs?

The PRESIDENT pro tem: The Senator from Sagadahoc, Senator Brewer, poses a question to any

member of the Senate who may care to answer.

The Chair recognizes the Senator from Penobscot, Senator Stern.

Mr. STERN of Penobscot: Mr. President, I don't think that there is anyone who can give an answer that it would, so the fact that there is no evidence that it would affect the fairs is an argument in favor of this racing meet. I understand what they plan to do there is to really promote a large, attractive area that will interest tourists and people who come there to attend first class and high class racing. I myself wouldn't walk across the street to see a horse race, but I am not opposed if other people enjoy it, because my good friend, Senator Farley, likes horse racing and I am sure that this is probably the only thing that I am for that he will be for. Everything else he has gone against, but I am not opposed to anything because I don't like it and you like it. If I feel that it is for the good of the greatest number of people then I try to forget my own self disinterest, which I did in my argument for liquor and I am doing in my argument horse racing, and I am interested in neither. The only sport I'm interested in is baseball, and I'm afraid we won't have that here for a long, long time. There won't be any major league that will want to come to Maine because you don't do anything to promote the interest of people to come to Maine.

I am serious about this even though I speak facetiously. You want to do everything to detract people from coming here and you want to do nothing to attract them.

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

Mr. BARNES of Aroostook: Mr. President, if this bill is passed it would undoubtedly help the economy of one small section of the state. The state as a whole would be hurt by the passage of this bill. This would put this new race track in direct competition with all the fairs in the State of Maine. Now, I am closely associated with the Northern Maine Fair, and I know what it would do to us. This, in effect, would put them in

direct competition with our race meets for the Northern Maine Fair, also for the Bangor Fair, also for Skowhegan, all the fairs in the State of Maine. This would, in effect, be harmful to the economy of the State of Maine. These fairs are an old, established institution. They have been bringing tourists here for years and years to the State of Maine. A lot of people from out of state come here every year to attend these fairs, and I am opposed to this bill, and I would like to call your attention to the fact that this Minority Report was accepted in the other branch almost two to one.

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

Mr. FARLEY of York: Mr. President and Members of the Senate: Senator Stern has referred to me visiting the horse racing places in the State of Maine. That is true. I only have two hobbies, politics and horse racing. I am only a two-dollar bettor. If they could get ten dollars out of me I could buy the horse, and the driver, and the sulky.

I am going to vote for the bill. If I didn't, I would be a hypocrite because they all know I go to horse races. Horse racing to me is a recreation. I have a lot of fun, I have a lot of sport, and the minimum they can make out of me can pay the doorman who takes the tickets, but I have been associated this winter on the Taxation Committee with as fine a gentleman as there is in the State of Maine, Roosevelt Susi, and to his credit at no time did he ask me anything in reference to this bill.

I know the fairs need help and they get a nice stipend from the State of Maine from the pari-mutual betting, but I go into a horse race — I don't care if the horse comes in in 2:35 or 2:99 as long as the number that I bought he carried in the race, but as I understand this bill in itself, they are to be far different horses. Horses will possibly be in classes of 2:04, 2:07 or 2:09 and that is stepping pretty fast. As I said, I don't care

how long it takes my horse to run the mile as long as I can make the two dollars.

To tell the truth, I happened to attend the fair in Cumberland which I think is a very fine race track and the unfortunate part about it, I hit the double for \$648 the first night and I thought I was a hero when Uncle Sam came along; I hit another bracket and I learned a lesson. I argued with the Internal Revenue fellow. The State of Maine gives me a right to bet our mutuals. I bet my money; why does the Government want to take all I have earned? He said, "You've got to pay," and that is what I did.

I was brought up with horses. I love horses and I like to see a horse run. A lot of people say they are crooked, but I don't say that because I only have two dollars invested and I wouldn't have much of an argument with them anyway. As I say, I think that the gentleman who had the bill down in the Bangor section is very sincere and honest. He has horses of his own, and I think they are horses that are a little faster. There are a great many horses in a race. There will be eight. There will be four in there over their heads, so there are only four horses that you have to bet on.

There are plenty of horses for the fairs. There are plenty of horses that you could bet on. The timing doesn't mean anything, and I thought this gentleman had a very good bill. I have some very, very good friends connected with the fairs.

Then you look at it another way. We, in York County, have no fairs. We have to depend to go to gamble either to Gorham or to Scarborough Downs. That's where they run the horses with just a fellow on its back there, and they don't have any wagon or anything else. They call them flat races. But if Gorham was to go out, I don't know where we would go to go to a horse race outside of York County unless we go fifty miles. That's a little too far to go to spend two dollars. I think I have talked enough about it. I think

Senator Stern put me on the spot because he saw that picture there of Senator Anderson and myself in the Fish and Game Committee with the moose up front and he back with the bobcat. When the vote is taken, I'm going to vote with Senator Stern.

The PRESIDENT pro tem: Is the Senate ready for the question? The pending question is the motion of the Senator from Aroostook, Senator Barnes, that the Senate accept Minority Ought Not to Pass Report. The Senator has asked for a division.

As many as are in favor to accept the Ought Not to Pass Report will please stand and remain standing until counted. Those against the motion?

A division was had. 16 Senators having voted in the affirmative, and 12 Senators having voted in the negative, the motion to accept the Ought Not to Pass Report prevailed.

#### Divided Report

The Majority of the Committee on Taxation on Recommended Bill "An Act Relating to Trade-in Credit for Watercraft Under Sales Tax." (H. P. 47) (L. D. 66)

Reported that the same Ought to Pass.

(Signed)

Representatives:

HANSON of Gardiner  
SUSI of Pittsfield  
ROBINSON of Carmel  
DRIGOTAS of Auburn  
ROSS of Bath  
HARRIMN of Hollis

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

(Signed)

Senators:

WYMAN of Washington  
FARLEY of York  
YOUNG of Hancock

Representative:

COTTRELL of Portland

Comes from the House, Indefinitely Postponed.

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



### Divided Report

The Majority of the Committee on Taxation on Bill "An Act to Remove Sales Tax Exemptions on Rentals, Repairs, Installation and Servicing of Tangible Personal Property." (H. P. 123) (L. D. 149)

Reported that the same Ought Not to Pass.

(Signed)

Senators:

WYMAN of Washington  
YOUNG of Hancock

Representatives:

HANSON of Gardiner  
SUSI of Pittsfield  
ROBINSON of Carmel  
ROSS of Bath  
HARRIMAN of Hollis

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

(Signed)

Senator:

FARLEY of York

Representatives:

DRIGOTAS of Auburn  
COTTRELL of Portland

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

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

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

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

The Chair recognizes the Senator from York, Senator Farley.

Mr. FARLEY of York: Mr. President and Members of the Senate: As a member of the Taxation Committee and a signer of the Minority Report, I do so in behalf of the Governor of the State of Maine which is his program relative to his budget of finances for the State of Maine for the next two years. Many, many bills came before the Taxation Committee, but they were mostly for exemptions and they were in the big figures. This bill itself was presented by one of the Governor's

men, one of his party, presented in very good shape. At first there were objections to it by some of the people who were interested, but later it had been amended so that they were appreciative of what was happening in it. I myself think it's a good bill. I think that those who don't have an automobile are not going to get hurt. Those who don't drink are not going to get hurt. Those who don't smoke cigarettes are not going to get hurt. This bill in itself is going to be for those who have automobiles, trucks, or what have you, and it is supposed to bring into the Governor's Budget close to two-and-a-half million dollars.

In behalf of the Governor and his program, I was more than pleased to sign my name to the Minority Report Ought to Pass. I think we are now coming to a stage here when really something has got to be done in anticipation of taxes coming in to run the government for the State of Maine. I find no one in my community who opposes the Governor's financial program for his budget. We are all here now, and it looks to me it's going to be the longest stretch that I have served in the State Senate. I have always been a member of the Minority Party here, but the Majority Party has got to come to terms somewhere in behalf of the tax program so that some of us can get out of here and get home to tend to our business and go to a horse race now and then. Thank you.

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

Mr. HARDING of Aroostook: Mr. President and Members of the Senate: I rise to oppose the motion of the good Senator from Washington, Senator Wyman, and I know that this is going to be one of those efforts which is not going to be too productive, but I do wish to point out to the members of the Senate and perhaps to the people of Maine a slight difference in the way that the Governor's tax measures have been brought before this Legislature for action and the way that the Majority Leadership's tax

proposals are being brought before the Legislature.

You will notice that the Governor's tax measures have been brought up here all alone standing here waiting for people to come to their rescue and say "I'm in favor of this tax measure," and the Majority Leadership has told the people of Maine that we are going to make a real honest effort to pass the Governor's tax program. When the Governor's tax program came for enactment here, for discussion here, it was brought up very promptly, and then it went to the other body. There the Minority Leadership wanted to table it for a day or so to rally support, but it was too much in a hurry, too much of a rush, it had to be voted right promptly.

Now as contrasted with that method of handling the Governor's tax matters, having them come out and be passed along, let's see how it works the other way. As I understand it, and I think this will happen in this next matter we are going to take up, which is an act increasing the sales tax, and I believe that probably will be indefinitely postponed, because in the House, as I understand it, the tax increase is going to be sandwiched in with a \$227,000,000 appropriation on one end and \$15,000,000 on the other end, with the good old MTA as a steam locomotive dragging her all along, but I do understand that some of the steam is lacking. Although this has been tabled over there for a day or so, it may not be voted even today. It still lacks some of the steam. So I would just point this out, and I do believe with all of the steam on both ends of this thing that still a penny tax is not going to get through, and this may be one of those taxes that we will be talking about later. So, I just pointed this out for whatever it may be worth and I know that what I am saying here is not going to change a single mind or a single vote here in this Senate today.

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

Mr. JOHNSON of Somerset: Mr. President, with reference to this

bill, An Act to Remove Sales Tax Exemptions of Rentals, Repairs, Installations, etc., what we are speaking about now is a piecemeal type of a tax. It is, as the gentleman from Aroostook said, part of the Governor's tax program. There have been approximately four or five items in the program and every one is probably as regressive as the other.

Now, let's take this particular bill here and I would like to say, and I will agree, that nobody likes to pay any taxes. As far as I think all of us are concerned, we are willing to face up to our responsibilities and we are willing to provide the money to provide the services that we are giving the people of this state. Now this particular bill here has one item which says "repairs". Now repairs could mean any type of repair, repair to a water pump, a stove in a house, an automobile. As near as I can figure out when repairs have got to be done, they have got to be done right away. You can't wait. An elderly couple, we'll say, who lives up here a few miles, the water pump goes in the middle of the day, they can't wait for three or four days of a month to figure out how they are going to pay for it, etc, and this will add a tax to this problem that they have got to live with, they've got to do it right away. If they are going in to buy a pair of shoes and they figure the tax is going to be forty of fifty cents on it, they can wait a week or two weeks, but in this case they cannot.

Now, there are many vague areas of this particular bill and I don't think any of us really know just what areas are going to get involved with taxes. Now, as far as I am concerned, with reference to the other tax, I think the gentleman from Aroostook has conceded that there will be a tax either this biennium or the next biennium and it will be a major tax. I will say this, that it is a wonderful thing perhaps for us that we are actually in a sense getting the Governor off the hook because he will probably run in the election in 1970 and he is going to be coming up there with a tax and people aren't going to like it. They probably

won't like it this time. However, the same thing occurred, I believe, in 1956, when the Republicans passed the bill increasing the sales tax over the objection of the Governor and it made him look good because he got all this money to spend and people got the results of this tax.

I would say that I would certainly support the motion of the Senator from Washington, Senator Wyman.

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

Mr. FARLEY of York: Mr. President, in answer to the Majority Leader in using the term of Democrat, I think the Majority Leader steps just two steps too far. It must be remembered that we now have a Governor. He is going to be Governor for four years whether anybody likes it or doesn't like it, but we are here as a body of men of both political parties in the interests of the citizens of the State of Maine. I have been here when there has been a more capable leadership of the Republican Party than there is here today, and I say that humbly because I think that the Majority Leader and the members of this Senate that I am with here today is as fine a group that I ever served in the State Senate with, because each and every one will speak to you and this and that, and I am sure that in my days of '55, '57 and '59 a great many never did.

I was told only a short while ago here by a former Governor of the State of Maine, of the Republican political party, that regardless who the Governor is, he is going to get his budget, and he is going to get his tax program. Because after all the Governor of the State of Maine has a lot of power, far more power than we have got here in this Senate or the lower branch. He is the Commanding Chief of the State of Maine. He has to rise to a lot of occasions that none of us in either branch has to do. I have said here before to you that I supported another candidate. He was defeated and I was elected. Possibly it would have been better if I had been beaten and I would have stayed

home and he had been elected Governor. Politics is only a hobby to me. You have seen me here when I have voted against my own party. I think more of the citizens of the State of Maine than I do of any political party because, after all, they are the backbone of the State of Maine and I am only one small fellow.

This bill in itself is not much. It is only two and a half million dollars. The Senator talks about paying taxes. I am in the trucking business and, regardless of what I buy in my business, there are certain things on which I pay a sales tax to the State of Maine, plus eight or ten per cent to the federal government. Here is an example: if I buy a canvas in the City of Portland, from Ferris Brothers, which costs us \$200, we pay the State of Maine \$8, we pay the United States Government \$16. But what do we do and what can other people do when you pay a tax when you are in business, but add on that income tax and take it away from the government, and a great many of them do it at the end of the year.

I am probably going too far to think that this Senate here this morning is going to vote for that, but I heartily endorse my floor leader, the Senator from Aroostook County, and I mean no harm to one of the finest that I have been in this Senate with, the Majority Leader, Harvey Johnson, from Somerset County.

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

Mr. HARDING of Aroostook: Mr. President and Members of the Senate: This whole argument resolved itself to one thing. I will agree that the State of Maine is going to have a major tax increase in 1969. I do not agree, however, and this is the issue that the people of Maine are interested in, and I do not agree that we need a major tax now as is proposed by the Republican Leadership, and a major tax in 1969 which would be absolutely necessary if their program goes through. This is what I'm opposed to; two major taxes back to back.

The PRESIDENT pro tem: The pending question is the motion of the Senator from Washington, Senator Wyman, that the Senate Ought Not to Pass Report of the Committee.

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

The Chair being in doubt orders a division.

All those in favor of the Ought Not to Pass motion will please stand and remain standing until counted. Those opposed?

A division was had. 18 Senators having voted in the affirmative, and 12 Senators having voted in the negative, the motion to accept the Ought Not to Pass Report prevailed.

#### Divided Report

The Majority of the Committee on Taxation on Bill "An Act Increasing the Sales Tax." (H. P. 288) (L. D. 408)

Reported that the same Ought to Pass.

(Signed)

Senators:

WYMAN of Washington  
YOUNG of Hancock

Representatives:

HANSON of Gardiner  
ROSS of Bath  
SUSI of Pittsfield  
ROBINSON of Carmel  
COTTRELL of Portland

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

(Signed)

Senator:

FARLEY of York

Representatives:

DRIGOTAS of Auburn  
HARRIMAN of Hollis

Comes from the House, Indefinitely Postponed.

On motion by Mr. Wyman of Washington, the Senate voted to Indefinitely Postpone in concurrence.

#### Senate

##### Leave to Withdraw

Mr. Berry of the Committee on Appropriations and Financial Affairs on Bill "An Act to

Authorize Bond Issue in the Amount of Eight Million Two Hundred Five Thousand Dollars for Capital Improvements, Construction, Renovations and Repairs at the University of Maine." (S. P. 350) (L. D. 934)

Reported that the same should be granted Leave to Withdraw as Covered by Other Legislation.

Which Report was Read and Accepted. Sent down for concurrence.

Mr. Duquette of the Committee on Appropriations and Financial Affairs on Bill "An Act to Authorize the Construction of a Research and Advanced Study Building for the University of Maine at Portland and the Issuance of Not Exceeding One Million Eight Hundred Thousand Dollar Bonds of the State of Maine for Financing Thereof." (S. P. 468) (L. D. 1160)

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

(On motion by Mr. Albair of Aroostook, tabled and specially assigned for Wednesday, June 7, pending Acceptance of Report.)

##### Ought to Pass As Amended

Mr. Katz for the Committee on Education on Bill "An Act Creating the Maine Higher Education Development Authority." (S. P. 495) (L. D. 1257)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (S-215)

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

Mr. SNOW of Cumberland: Mr. president and Members of the Senate: I would hope that the Senate will accept the Ought to Pass Report of the Committee. I believe it is entitled to a brief explanation of the nature of this legislation.

As we all know, the Federal Government has taken an increasing interest in the support of education at all levels. Currently they are investing in higher education in Maine at the rate of several millions of dollars each year. Under the law, as it now exists, these moneys are disbursed by the State Board of Education. The State

Board of Education is not happy with this situation. It does not feel that it should be disbursing funds and allocating funds to institutions under its control and to institutions outside of its control at the same time. Therefore, the State Board of Education also favors this legislation which would set up a 10-man body to allocate federal funds as they are appropriated within the State of Maine. The amount of money requested to administer this is some \$31,500 for the biennium. I would hope that the Senate will support the Ought to Pass Report of the Committee.

Thereupon, the Report was Accepted and the Bill Read Once.

Committee Amendment "A" Filing S-215, was read by the Secretary as follows:

**COMMITTEE AMENDMENT**  
"A" to S. P. 495, L. D. 1257, Bill, "An Act Creating the Maine Higher Education Development Authority."

Amend said Bill in section 1 by striking out all of subsection 2 of that part designated "§2821" (same in L. D. 1257) and by renumbering subsections 3 to 8 to be subsections 2 to 7.

Further amend said Bill in section 2 by striking out in the 7th line (6th line in L. D. 1257) the word "school" and inserting in place thereof the following: "**higher education**"; and by striking out in the last line (same in L. D. 1257) the word "school" and inserting in place thereof the following: "**higher education**".

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

#### Ought to Pass as Amended

Mr. Harding for the Committee on Judiciary on Bill "An Act Relating to Foreclosure of Bonds for Deeds and Contracts for Sale of Real Estate." (S. P. 336) (L. D. 869)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (S-216)

Which Report was Read and Accepted.

Committee Amendment "A", Filing No. S-216, was read by the Secretary as follows:

**COMMITTEE AMENDMENT**  
"A" to S. P. 336, L. D. 869, Bill, "An Act Relating to Foreclosure of Bonds for Deeds and Contracts for Sale of Real Estate."

Amend said Bill in the 12th line (8th line of L. D. 869) by striking out the underlined figure and word "**6 months**" and inserting in place thereof the underlined figure and word '**60 days**'; and by striking out in the 19th line (14th line of L. D. 869) the underlined figure and word "**6-months**" and inserting in place thereof the underlined figure and word '**60-day**'

Committee Amendment "A" was adopted and the Bill, as Amended, tomorrow assigned for Second Reading.

#### Ought to Pass as Amended

Mr. Mills for the Committee on Judiciary on Bill "An Act Relating to Competence to Stand Trial and Release of Persons Found Not Guilty by Reason of Mental Disease or Defect." (S. P. 361) (L. D. 965)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (S-217)

On motion by Mr. Lund of Kennebec, tabled and specially assigned for Monday, June 5, pending Acceptance of Report.

#### Divided Report

The Majority of the Committee on Appropriations and Financial Affairs on Bill "An Act Providing a Bond Issue in the Amount of Fifty-nine Thousand Dollars for Constructing a Day School in Central Maine for the Mentally Retarded." (S. P. 466) (L. D. 1158)

Reported that the same Ought Not to Pass.

(Signed)

Senators:

BERRY of Cumberland  
DUQUETTE of York

Representatives:

BRAGDON of Perham  
DUNN of Denmark  
BIRT of E. Millinocket  
HINDS of So. Portland  
SCRIBNER of Portland

The Minority of the same Committee on the same subject

matter reported that the same Ought to Pass.

(Signed)

Senator:

ALBAIR of Aroostook

Representatives:

HUMPHREY of Augusta

JALBERT of Lewiston

(On motion by Mr. Albair of Aroostook, tabled until later in today's session.)

At this point the President resumed the Chair, and the President pro tem, Mr. Katz, retired amid the applause of the Senate.

### Second Readers

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

#### House

Bill "An Act Relating to the Appointment of Clerks of the Judicial Courts." (H. P. 246) (L. D. 354)

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

#### House - As Amended

Bill "An Act Relating to Joint State and Municipal Purchasing." (H. P. 335) (L. D. 469)

Bill "An Act Providing Funds for Residential Facility for Mentally Retarded Children in Aroostook County." (H. P. 659) (L. D. 914)

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

Bill "An Act Revising the Drug, Narcotic and Pharmacy Laws." (H. P. 1176) (L. D. 1674)

Bill "An Act Relating to Compensation and Allowances for Members of the Indian Tribes at the Legislature." (H. P. 89) (L. D. 186)

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

Sent down for concurrence.

#### Senate

Bill "An Act to Create the Office of Ombudsman." (S. P. 439) (L. D. 1091)

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

Sent down for concurrence.

### Enactors

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

An Act Relating to Meetings of the Advisory Council of the Department of Economic Development. (S. P. 86) (L. D. 167)

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

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

An Act Eliminating Tolls from Bridge Across Jonesport Reach. (S. P. 335) (L. D. 868)

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

An Act Relating to Notice of Legislative Hearings. (S. P. 347) (L. D. 931)

(On motion by Mr. Berry of Cumberland, tabled and specially assigned for Wednesday, June 7, pending Enactment.)

An Act Relating to Reimbursement to Towns for Construction of and Snow Removal from Highways. (S. P. 360) (L. D. 957)

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

An Act to Provide for Practical Nursing Course at Central Maine Vocational-Technical Institute. (S. P. 400) (L. D. 1031)

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

An Act Relating to Coverage Under Employment Security Law. (S. P. 456) (L. D. 1133)

(On motion by Mr. Good of Cumberland, tabled and specially assigned for Tuesday, June 6, pending enactment.)

An Act Relating to Pecuniary Injuries in Actions for Injuries Causing Death of a Minor. (S. P. 504) (L. D. 1219)

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

An Act to Provide for a Lien for Hospital Services on Recoveries from Third Persons. (H. P. 901) (L. D. 1314)

An Act to Provide a Feasibility Study for Express Highway Through Washington County. (S. P. 519) (L. D. 1339)

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

An Act Relating to Tax Exemption for Benevolent and Charitable Institutions Conducted for Benefit of Nonresidents. (H. P. 949) (L. D. 1380)

An Act Providing for the Purchase of Land by the Seed Potato Board. (S. P. 640) (L. D. 1646)

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

An Act Relating to Snow Removal from State Highways. (S. P. 658) (L. D. 1671)

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

#### Orders of the Day

The President laid before the Senate the first tabled and today assigned matter, (H. P. 511) (L. D. 724) Bill "An Act Relating to Complaints and Violations Under Motor Vehicle Sales Finance Act."

Tabled—May 31, 1967 by Senator Hildreth of Cumberland.

Pending—Enactment.

On motion by Mr. Hildreth of Cumberland, retabled and specially assigned for Monday, June 5, pending Enactment.

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

Tabled — May 31, 1967 by Senator Reny of York.

Pending — Consideration.

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

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

On motion by Mr. Reny of York, retabled and specially assigned for Monday, June 5, pending consideration.

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

Tabled — May 31, 1967 by Senator Albair of Aroostook.

Pending — Acceptance of Report.

On motion by Mr. Albair of Aroostook, the Senate voted to accept the Ought to Pass as Amended Report of the Committee, and the Bill was read once.

Committee Amendment "A", Filing No. S-159, was read by the Secretary as follows:

COMMITTEE AMENDMENT "A" to S. P. 373, L. D. 986, Bill, "An Act Reducing Maximum Amount and Duration of Small Loans and Establishing Equitable Rates for Small Loan Agencies."

Amend said Bill by striking out all of section 1 and inserting in place thereof the following: (same in L. D. 986)

'Sec. 1. R. S., T. 9, §3001, amended. Section 3001 of Title 9 of the Revised Statutes is amended to read as follows:

#### § 3000. Compliance required

No loan of the amount of \$2,000 or less, for which a greater rate of interest, consideration or charges than is permitted by chapters 281 to 289, has been charged, contracted for or received, wherever made, shall be enforced in this State. Every person in anywise participating therein in this State shall be subject to chapters 281 to 289. The foregoing shall not apply to loans legally made in any state to a person who is at that time a resident of that state, which has in effect a regulatory small loan law similar in principle to chapters 281 to 289.

Any mail order loan made to a person residing in this State shall

be governed by chapters 281 to 289.'

Further amend said Bill in section 2 by striking out in the 6th line (5th line in L. D. 986) the underlined figure "\$1,000" and inserting in place thereof the underlined figure '\$2,000'

Further amend said Bill in section 3 by striking out in the last line (next to last line in L. D. 986) the underlined figure "\$1,000" and inserting in place thereof the underlined figure '\$2,000'

Further amend said Bill by striking out all of section 4 (same in L. D. 986)

Further amend said Bill in section 5 by striking out in the 7th line (6th line in L. D. 986) the underlined figure "\$1,000" and inserting in place thereof the underlined figure '\$2,000'

Further amend said Bill in section 6 in the 7th line (6th line in L. D. 986) by striking out the underlined figure "\$1,000" and inserting in place thereof the underlined figure '\$2,000'; and by striking out in the 11th, 12th and 13th lines (9th and 10th lines in L. D. 986) the underlined words and figures "\$150, 2 per cent per month on that part of the unpaid principal balance in excess of \$150, but not exceeding \$300," and inserting in place thereof the underlined figure '\$300'; and by striking out in the 16th line (13th line in L. D. 986) the underlined figure "\$1,000" and inserting in place thereof the underlined figure '\$2,000'; and by striking out in the 18th line (14th line in L. D. 986) the underlined figure "6 per cent" and inserting in place thereof the underlined figure '8 per cent'

Further amend said Bill in section 7 by striking out in the last line (same in L. D. 986) the underlined figure "\$1,000" and inserting in place thereof the underlined figure '\$2,000'

Further amend said Bill by renumbering sections 4 to 7 to be section 3 to 6.

Committee Amendment "A" was adopted, and the Bill, as Amended, tomorrow assigned for Second Reading.

The President laid before the Senate the fourth tabled and today

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

Tabled—May 31, 1967 by Senator Albair of Aroostook.

Pending—Acceptance of Report.

On motion by Mr. Albair of Aroostook, the Senate voted to accept the Ought to Pass as Amended Report of the Committee, and the Bill was read once.

Committee Amendment "A" was read and adopted, and the Bill, as Amended, tomorrow assigned for Second Reading.

The President laid before the Senate the fifth tabled and today assigned matter, (H. P. 468) (L. D. 681) House Report—Ought to Pass as Amended by Committee Amendment "A" Filing H-318 from the Committee on Business Legislation on Bill "An Act Revising Laws Relating to Licensed Small Loan Agencies."

Tabled—June 1, 1967 by Senator Katz of Kennebec.

Pending—Acceptance of Report.

On motion by Mr. Katz of Kennebec, the Senate voted to accept the Ought to Pass as Amended Report of the Committee, and the Bill was read once.

Committee Amendment "A" was read and adopted, and the Bill, as Amended, tomorrow assigned for Second Reading.

The President laid before the Senate the sixth tabled and today assigned matter, (S. P. 550) (L. D. 1447) Senate Reports—from the Committee on Legal Affairs on Bill "An Act Providing for the Registration of Land Surveyors." Majority Report, Ought Not to Pass; Minority Report, Ought to Pass as Amended by Committee Amendment "A", Filing S-205.

Tabled—June 1, 1967 by Senator Farley of York.

Pending—Motion by Senator Good of Cumberland to Accept the Minority Report Ought to Pass as



Amended by Committee Amendment "A", Filing S-205.

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

Mr. FARLEY of York: Mr. President and Members of the Senate: I tabled this bill yesterday in the absence of Senator Stern of Penobscot County. I now yield to Senator Stern.

Thereupon, on motion by Mr. Stern of Penobscot, retabled and specially assigned for Monday, June 5, pending Motion by Senator Good of Cumberland to Accept the Minority Report Ought to Pass as Amended by Committee Amendment "A", Filing S-205.

The President laid before the Senate the seventh tabled and today assigned matter, (S. P. 352) (L. D. 936) Senate Reports—from the Committee on Legal Affairs on Bill "An Act Relating to Election of School Board of City of Old Town." Report "A", Ought to Pass; Report "B" Ought Not to Pass as Amended by Committee Amendment "A" Filing S-150; Report "C", Ought Not to Pass.

Tabled—June 1, 1967 by Senator Farley of York.

Pending—Motion by Senator Sewall of Penobscot to Accept Report "A", Ought to Pass.

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

Mr. FARLEY of York: Mr. President, I now yield to Senator Stern from Penobscot County.

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

Mr. STERN of Penobscot: Mr. President, a point of information: There are three reports here, A, B, and C. I wonder what the report was that I signed.

The PRESIDENT: The Senator signed Report "B", Ought Not to Pass as Amended by Committee Amendment "A". That report was signed by the Senator from Lincoln, Mrs. Sproul, the Senator from Penobscot, Senator Stern, and the Representative from Rumford, Mr. Beliveau. The Senator from Penobscot, Senator Sewall, has moved acceptance of Report "A",

which is Ought to Pass without amendment.

Mr. STERN: Mr. President and Members of the Senate: I want to speak briefly on this. Although I know my good friend, Senator Sewall, comes from Old Town, this is in my county and I feel that I should explain perhaps why there is this variance in these reports.

I felt that the school board, which has been in there since only December, 1966, I think, were put in there under an election, an election of the people. There is a lot of feeling apparently in Old Town. We don't have problems like that in Bangor. In Old Town they take their politics seriously, just like they do in Lewiston. All my report wanted to do was to permit the people—we don't want these people from Old Town coming down here every session—what I felt should be done is to permit the people of Old Town to vote on this, whether or not they want it, or how they want it. That is all my report is. Therefore, I oppose the motion of my good friend, Senator Sewall, that it should be changed. I don't know how they want it changed, but it doesn't make any difference, it hasn't been in there long enough to be tested. Report "B" says merely that we feel that this should go to the people to decide: do they want it appointed, do they want it elected, do they want to elect it from the wards? If we permit this to go on they are going to get as bad as Lewiston.

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

Mr. SEWALL of Penobscot: Mr. President and Members of the Senate: I don't know whether that is a pat on the back or not. In any event, I did move acceptance of Report "A". This is to straighten out, in my opinion and in the opinion of many of my constituents in Old Town, an inequity that exists under the present bill, or under the present charter change on the school board.

We have wards in Old Town which vary in size from 500 to over 1500, which works against proper representation on the school board. The report which I support

would simply make the election of the school board in Old Town on an at-large basis rather than on a ward basis. The wards in Old Town serve only one purpose, and that is as a place to vote. Geographically it would be impossible to separate the wards in such a fashion that they would have an equal number of voters because, if we did that, it would defeat the purpose of the wards which are as voting precincts. So, I oppose the position of Senator Stern, and hope you will go along with me on Report "A".

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

Mr. STERN of Penobscot: Mr. President, now that Senator Sewall has spoken he has refreshed my memory somewhat as to what this is all about. Now that I am refreshed a bit, I feel that why should Senator Sewall impose his feelings or his bill on the people of Old Town without giving them a chance to say whether they want it at-large or by wards. That is what my bill does. Let the people decide.

You know, you ought to reconsider what you are saying Senator Sewall. This might affect your being re-elected. Now, I don't think you should oppose the people if they want to have their say as to whether or not they should have it at-large or by wards. So, I welcome your change in your opinion and perhaps let it go to the people. If not, you have spoken.

The PRESIDENT: Is the Senate ready for the question: As many as are in favor of accepting Report "A" Ought to Pass, will say yes. Those opposed, no.

A viva voce vote being taken, the motion to accept Report "A" prevailed, and the Bill was Read Once and tomorrow assigned for Second Reading.

The President laid before the Senate the eighth tabled and today assigned matter, (S. P. 410) (L. D. 1039) Senate Reports — from the Committee on Natural Resources on Bill, "An Act Relating to Pollution Control in Maranacook Lake, Annabessacook Lake and Cobbosseecontee Lake in Kennebec

County." Majority Report, Ought Not to Pass; Minority Report, Ought to Pass.

Tabled — June 1, 1967 by Senator Katz of Kennebec.

Pending—Acceptance of Either Report.

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

Sent down for concurrence.

The President laid before the Senate the ninth tabled and today assigned matter, (H. P. 1147) (L. D. 1638) Bill, "An Act Relating to the Financing of the State Liquor Commission."

Tabled — June 1, 1967 by Senator Wyman of Washington.

Pending — Passage to be Engrossed.

Mr. Wyman of Washington Presented Senate Amendment "A" and moved its adoption.

Senate Amendment "A", Filing No. S-218, was read by the Secretary as follows:

SENATE AMENDMENT "A" to H. P. 1147, L. D. 1638, Bill, "An Act Relating to the Financing of the State Liquor Commission."

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

**R. S., T. 28, § 56, amended.** The 2nd sentence of section 56 of Title 28 of the Revised Statutes is amended to read as follows:

The net profits of the commission shall be general revenue of the State. The commission is authorized to keep and have on hand a stock of wines and spirits for sale, the value of which, **when priced for resale, shall be computed on less carload price quotations f.o.b. warehouse filed by liquor and wine vendors. The inventory value shall be based upon actual cost for which payment may be due and shall not at any time exceed the amount of working capital authorized.**

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

Thereupon, on motion by Mr. Harding of Aroostook, tabled and specially assigned for Tuesday,

June 6, pending Adoption of Senate Amendment "A".

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

Tabled—June 1, 1967 by Senator Norris of Oxford.

Pending—Acceptance of Report.

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

Mr. FERGUSON of Oxford: Mr. President and Members of the Senate: I was in hopes that the parent bill to this would be reported out of the Towns and Counties Committee so that we could have this tagged onto another bill as a penalty. It is pretty important that I know just how this other bill is going to come out of the Committee on Towns and Counties before we take action on this bill. I do hate to keep tabling it, but I was in hopes that somebody would table this bill again so we could have the other bill before us before we act on this one.

Thereupon, on motion by Mr. Norris of Oxford, retabled and specially assigned for Thursday, June 8, pending Acceptance of Report.

The President laid before the Senate the 11th tabled and today assigned matter, (H. P. 1162) (L. D. 1663) Bill "An Act Relating to Realty Subdivisions in Municipalities and Unorganized Territory."

Tabled—June 1, 1967 by Senator Hildreth of Cumberland.

Pending — Passage to be Engrossed.

Mr. Hildreth of Cumberland presented Senate Amendment "B" and moved its adoption.

Senate Amendment "B", Filing No. S-219, was read by the Secretary as follows:

SENATE AMENDMENT "B" to H. P. 1162, L. D. 1663, Bill "An Act Relating to Realty Subdivisions

in Municipalities and Unorganized Territory."

Amend said Bill by striking out all of the title and inserting in place thereof the following: 'An Act Relating to Realty Subdivisions and Dilapidated Buildings in Municipalities.'

Further amend said Bill by inserting after the enacting clause the following:

'Sec. 1. R. S., T. 17, §2851, amended. The first paragraph of section 2851 of Title 17 of the Revised Statutes, as repealed and replaced by chapter 284 of the public laws of 1965, is repealed and the following enacted in place thereof:

**Whenever the municipal officers shall find a building or structure of any portion thereof is structurally unsafe; unstable; unsanitary; constitutes a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment or is otherwise dangerous to life or property, they may after notice and hearing on this matter, adjudge the same to be a nuisance or dangerous and may make and record an order prescribing what disposal shall be made thereof.**

Sec. 2. R. S., T. 17, §2853, amended. Section 2853 of Title 17 of the Revised Statutes, as repealed and replaced by chapter 284 of the public laws of 1965, is amended to read as follows:

**§2853. Municipal officers may order nuisance abated**

If no appeal is filed, the municipal officers of such municipality shall cause said nuisance to be abated or removed in compliance with their order, and all expenses thereof shall be repaid to the municipality by the owner or co-owner within 30 days after demand or a special tax may be assessed by the assessors against the land on which said building was located for the amount of such expenses and such amount shall be included in the next annual warrant to the tax collector of said town for collection, and shall be collected in the same manner as

other state, county and municipal taxes are collected.

Personal property located within said nuisance shall be removed upon written notice of the municipal officers sent by certified mail at least 14 days prior to the abatement of said nuisance. The notice shall be sent to the owner or owners at their last known address and shall specify that unless said personal property is removed it will be disposed of by the municipality.

Further amend said Bill by inserting at the beginning of the first line the abbreviation and figure 'Sec. 3.'

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

Sent down for concurrence.

The President laid before the Senate Item 6-15 tabled earlier in today's session.

#### Divided Report

The Majority of the Committee on Appropriations and Financial Affairs on Bill, "An Act Providing a Bond Issue in the Amount of Fifty-nine Thousand Dollars for Constructing a Day School in Central Maine for the Mentally Retarded." (S. P. 466) (L. D. 1158) reports that the same Ought Not to Pass.

(Signed)

Senators:

BERRY of Cumberland  
DUQUETTE of York

Representatives:

BRAGDON of Perham  
DUNN of Denmark  
BIRT of E. Millinocket  
HINDS of So. Portland  
SCRIBNER of Portland

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

(Signed)

Senator:

ALBAIR of Aroostook

Representatives:

HUMPHREY of Augusta  
JALBERT of Lewiston

On motion by Mr. Albair of Aroostook, the Senate voted to accept the Minority Ought to Pass

Report of the Committee. The Bill was Read Once and tomorrow assigned for Second Reading.

The PRESIDENT: The Chair is proceeding under Orders of the Day.

The Chair recognizes the Senator from Kennebec, Senator Lund.

Mr. LUND of Kennebec: Mr. President, may I inquire whether the Senate is in possession of L. D. 1603, "An Act Authorizing Joint Rates Between Certain Transportation Carriers"?

The PRESIDENT: The Chair will reply in the affirmative, this bill having been held for further consideration.

Thereupon, on motion by Mr. Lund of Kennebec, the Senate voted to reconsider its action whereby the Bill was Passed to be Engrossed.

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

Senate Amendment "A" to Senate Amendment "A", Filing No. S-220, was read by the Secretary as follows:

SENATE AMENDMENT "A" to SENATE AMENDMENT "A" to S. P. 609, L. D. 1603, Bill, "An Act Authorizing Joint Rates Between Certain Transportation Carriers."

Amend said Amendment by adding at the end, before the single quotation mark, the following:

"In determining public interest, the commission shall take into consideration the effect said through routes and joint rates will have on the potential economic strength of either railroads or motor vehicle common carriers and their importance to the economy of the State, or any part thereof; the benefit to be derived by the public; whether such establishment will facilitate the movement of freight within the State; and other factors or evidence, material and relevant thereto. Such through routes and joint rates shall in no way constitute an unfair or destructive competitive practice."

Thereupon, under suspension of the rules, the Senate voted to reconsider its action whereby it adopted Senate Amendment "A".

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

Mr. LUND of Kennebec: Mr. President and Members of the Senate: This bill was introduced as a result of a recent Supreme Court decision which held that the Public Utilities Commission lacked the statutory authority to allow joint rates and through routes between different modes of transportation. In this particular case it was rail and truck transportation. The Court suggested that the Legislature could take appropriate steps to grant such authority. The public hearing satisfied the Public Utilities Committee that this type of service was used extensively and that many shippers would like to see it continue. This bill does give the Commission the needed authority, and we have been struggling in order to come up with the proper wording for the bill. This amendment apparently satisfies everyone and simply lays down guide lines to make it as easy as possible for the Commission to make a determination as to the meaning of the term "public interest."

Thereupon, Senate Amendment "A" to Senate Amendment "A" was adopted, and Senate Amendment "A", as Amended, was Adopted, and the Bill, as Amended, Passed to be Engrossed.

Sent down for concurrence.

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

Mr. BARNES of Aroostook: Mr. President and Members of the Senate: Last week Representative Robert Soulas from Bangor extended an invitation to the members of that branch to visit with him as his guests for a clam and lobster bake over the Fourth of July in the event that branch was in session at that time. Representative Soulas didn't want to show any partiality so he asked me, on his behalf, to extend the same invitation to this body. It looks now that we might be in a position to accept that invitation.

On motion by Mr. Berry of Cumberland, the Senate voted to

take from the Special Appropriations Table (H. P. 82) (L. D. 112) Bill, "An Act to Allocate Moneys for the Administrative Expenses of the State Liquor Commission for the Fiscal Years Ending June 30, 1968 and June 30, 1969."

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

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

Senate Amendment "A", Filing No. S-208, was read by the Secretary as follows:

SENATE AMENDMENT "A" to H. P. 82, L. D. 112, Bill "An Act to Allocate Moneys for the Administrative Expenses of the State Liquor Commission for the Fiscal Years Ending June 30, 1968 and June 30, 1969."

Amend said Bill by striking out all of the 6th and 7th paragraphs and inserting in place thereof the following:

	1967-68	1968-69
Personal Services	(382) \$2,156,590	(382) \$2,186,559
All Other	925,752	927,185
	<u>\$3,082,342</u>	<u>\$3,113,744</u>

Amounting to \$3,082,342 for the fiscal year ending June 30, 1968 and \$3,113,744 for the fiscal year ending June 30, 1969.'

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

Mr. BERRY of Cumberland: Mr. President, I wish to explain that this amendment does increase funds for the Liquor Commission and, by expanding its activities, will increase revenues to the State.

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

Sent down for concurrence.

On motion by Mr. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table (H. P. 766) (L. D. 1113) Bill "An Act Continuing Governor's

Advisory Council on the Status of Women."

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

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

Senate Amendment "A", Filing No. S-209, was read by the Secretary as follows:

SENATE AMENDMENT "A" to H. P. 766, L. D. 1113, Bill "An Act Continuing Governor's Advisory Council on the Status of Women."

Amend said Bill by inserting at the end of section 9 the following:

'The breakdown shall be as follows:

DEPARTMENT		
	1967-68	1968-69

Governor's Advisory Council on the Status of Women		
All Other	\$1,000	\$2,000'

Further amend said Bill by striking out all of the emergency clause and inserting in place thereof the following:

'**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect July 1, 1967.'

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

Sent down for concurrence.

On motion by Mr. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table (H. P. 866) (L. D. 1279) Bill "An Act Appropriating Moneys for the Continuing Activities of the Committee on Aging."

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

The same Senator presented

Senate Amendment "B" and moved its adoption.

Senate Amendment "B", Filing No. S-210, was read by the Secretary as follows:

SENATE AMENDMENT "B" to H. P. 866, L. D. 1279, Bill "An Act Appropriating Moneys for the Continuing Activities of the Committee on Aging."

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

'**Appropriation.** There is appropriated to the Committee on Aging from the Unappropriated Surplus of the General Fund the sum of \$4,000 for the fiscal year ending June 30, 1968 and \$4,000 for the fiscal year ending June 30, 1969.

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect July 1, 1967.'

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

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: This amendment corrects a mistake in the printing of the bill and puts back the amount of money that was originally appointed by the Committee.

Thereupon, Senate Amendment "B" was adopted.

On further motion by Mr. Berry of Cumberland, 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 Bill as Amended by Senate Amendment "B", was then Passed to be Engrossed in non-concurrence.

Sent down for concurrence.

The adjournment order having been received from the House, on motion by Mr. Ross of Piscataquis, adjourned until Monday, June 5th at ten o'clock in the morning.