

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Third
Legislature*

OF THE

STATE OF MAINE

Volume II

May 10 to June 15, 1967

**KENNEBEC JOURNAL
AUGUSTA, MAINE**

SENATE

Thursday, June 15, 1967

Senate called to order by the President.

Prayer by Rev. Paul F. Keirstead of Gardiner.

Reading of the Journal of yesterday.

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

Bill "An Act Relating to Unjustified and Justified Abortions." (S. P. 215) (L. D. 478)

In Senate, June 6, Passed to be Engrossed.

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

On motion by Mrs. Sproul of Lincoln, the Senate voted to Adhere to its former action.

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, June 9, Passed to be Engrossed

As Amended by House Amendment "B" (H-387) and As Amended by House Amendment "A" (H-354)

As Amended by Senate Amendment "A" (S-250) thereto.

Comes from the House, Passed to Be Engrossed As Amended by House Amendment "D" (H-425) in non-concurrence.

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

Bill "An Act Revising Laws Relating to Licensed Small Loan Agencies." (H. P. 463) (L. D. 681)

In Senate, June 8, Passed to be Engrossed

As Amended by Committee Amendment "A" (H-318)

As Amended by Senate Amendment "B" (S-246) thereto, and As Amended by Senate Amendment "C" (S-247)

Comes from the House, Passed to be Engrossed As Amended by Committee Amendment "A", as amended by Senate Amendment

"B" and House Amendment "A" thereto H-415 and As Amended by Senate Amendment "C" (S-247), as amended by House Amendment "A" (H-416) thereto, in non-concurrence.

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

**Committee Reports
House
Leave to Withdraw**

The Committee on State Government on Resolve, Proposing an Amendment to the Constitution Providing for the Appointment of Judges and Registers of Probate. (H. P. 10) (L. D. 22)

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

Comes from the House report Read and Accepted.

Which report was Read and Accepted in concurrence.

Ought to Pass - As Amended

The Committee on State Government on Bill "An Act Entering the State of Maine Into the New England Interstate Planning Compact." (H. P. 620) (L. D. 876) reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-423)

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

Which report was Read and Accepted and the Bill read once. Committee Amendment "A" was Read and Adopted. Then, under suspension of the rules, the Bill was given its Second Reading, and the Bill Passed to be Engrossed, As Amended, in concurrence.

Out of Order and under suspension of the rules, Mr. Lund of Kennebec presented the following Order and moved its passage:

Order

On motion by Mr. Lund of Kennebec

ORDERED, the House concurring, that the Legislative Research Committee be, and hereby is, directed to study the subject matter of the 'Resolve, Proposing an

Amendment to the Constitution to Provide for Municipal Home Rule,' Legislative Document No. 146, introduced at the regular session of the 103rd Legislature, to determine whether the best interest of the State would be served by the enactment of such legislation; and be it further

ORDERED, that the Committee report its findings and recommendations to the 104th Legislature. (S. P. 688)

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

Ought to Pass in New Draft

The Committee on State Government on Recommended Bill "An Act Relating to Temporary Loans by State." (H. P. 1026) (L. D. 1492)

Reported that the same Ought to Pass in New Draft, under the same title: (H. P. 1203) (L. D. 1712)

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

Which Report was Read and Accepted, and the Bill, in New Draft read once. Under suspension of the rules, the Bill was given its Second Reading and Passed to be Engrossed, in New Draft, in concurrence.

Ought to Pass in New Draft

Bill "An Act Relating to Membership of Aeronautics Commission." (H. P. 200) (L. D. 289)

Reported that the same Ought to Pass in New Draft, under New Title: "An Act Relating to Duties of State Transportation Commission." (H. P. 1204) (L. D. 1713)

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

Which Report was Read and Accepted, and the Bill, in New Draft, Read Once. Under suspension of the rules, the Bill, in New Draft was given its Second Reading and Passed to be Engrossed in concurrence.

Senate Leave to Withdraw

Mr. Berry for the Committee on Appropriations and Financial Affairs on Bill "An Act to Authorize the Establishment of a Regional Vocational Education Center in Aroostook County and the Issuance of Not Exceeding One Million Five Hundred Thousand Dollar Bonds of the State of Maine for the Partial Financing Thereof." (S. P. 188) (L. D. 423)

Reported that the same should be granted Leave to Withdraw.

Which report was Read and Accepted.

Sent down for concurrence.

Ought to Pass

Mr. Lund for the Committee on Senatorial Reapportionment on Bill "An Act Describing Indian Voting Districts." (S. P. 639) (L. D. 1645)

Reported that the same Ought to Pass.

Which report was Read and Accepted and the Bill Read Once. Under suspension of the rules, the Bill was given its Second Reading and Passed to be Engrossed.

Sent down for concurrence.

Ought to Pass — As Amended

Mr. Mills for the Committee on Judiciary on Bill "An Act to Conform the Statutes with the Amendments to the Rules of Civil Procedure." (S. P. 428) (L. D. 1082)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (S. P. 268)

Which report was Read and Accepted and the Bill Read Once Committee Amendment "A", Filing S-268, was Read by the Secretary as follows:

COMMITTEE AMENDMENT "A" to S. P. 428, L. D. 1082, Bill, "An Act to Conform the Statutes with the Amendments to the Rules of Civil Procedure."

Amend said Bill by inserting after section 1, the following sections:

'Sec. 2. R. S., T. 14, §1204, amended. The 6th and 7th sentences of section 1204 of Title 14 of the Revised Statutes are repealed, as follows:

Sec. 3. R. S., T. 14, §1204, amended. The first sentence of the

2nd paragraph of section 1204 of Title 14 of the Revised Statutes, as amended by section 13 of chapter 356 of the public laws of 1965, is further amended to read as follows:

Whenever by reason of the prospective length of a civil trial or other civil cause the court in its discretion shall deem it advisable, it may direct that jurors in addition to the regular panel be called and impaneled to sit as alternate jurors.

Sec. 4. R. S., T. 14, §1204, amended. The last sentence of section 1204 of Title 14 of the Revised Statutes, as amended by section 13 of chapter 356 of the public laws of 1965, is repealed and the following sentence enacted in place thereof:

The Supreme Judicial Court shall by rule provide the number of alternate jurors.

Sec. 5. R. S., T. 14, §1302, repealed and replaced. Section 1302 of Title 14 of the Revised Statutes, as amended by section 14 of chapter 356 of the public laws of 1965, is repealed and the following enacted in place thereof:

§1302. Peremptory

In addition to challenges otherwise provided, any party to a civil action may peremptorily challenge such number of jurors and alternate jurors in such manner and order as the Supreme Judicial Court shall by rule provide.'

Further amend said Bill by renumbering sections 2 and 3 to be sections 6 and 7.

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

Mr. Lund for the Committee on State Government on Resolve, Proposing a Constitutional Amendment Repealing the Offices of Judges and Registers of Probate as Constitutional Officers. (S. P. 238) (L. D. 563) reported that the same Ought to Pass As Amended by Committee Amendment "A" (S-264)

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

Mr. LUND of Kennebec: Mr. President and Members of the

Senate: I think this is also a very important piece of legislation, and I think the Senate is entitled to a brief explanation as to what this concerns. Both the Republican and Democratic Platforms last year contained provisions of one sort or another relative to Probate Court reform, and earlier this session we authorized a study to be conducted during the session to see if it will be possible to establish a system of full-time judges and to lay the groundwork this session. Due to limitations of time, as you may have noticed if you have had the opportunity to examine the report that was on your desk yesterday, the Committee, although they studied the problem, was not able to come up with a concrete recommendation as to which of several alternatives might be followed in improving our Probate Courts.

However, one thing is clear and that is we cannot by statute change our Probate Courts until such time as the Constitutional provisions regarding the Probate Courts are changed. Therefore, the State Government Committee has taken a bill submitted by Senator Harding, and have added to this bill provisions for the elimination of the Constitutional provisions regarding the Probate Courts. This passage of this measure would repeal the provision from the Constitution, and Committee Amendment "A" would delay the expected date of that repeal until such time as the Legislature determines and provides for an alternate solution to the problem. In other words, this will have the effect of repealing the Constitutional provision as to Probate Courts, but leaving them in effect until such times as the Legislature takes further action. This would appear to be a logical first step toward Probate Court reform at this time.

Thereupon, the Senate voted to accept the Ought to Pass, As Amended, Report of the Committee and the Resolve was given its First Reading. Committee Amendment "A", Filing S-264, was read by the Secretary as follows:

COMMITTEE AMENDMENT
"A" to S. P. 238, L. D. 563,

Resolve, Proposing a Constitutional Amendment Repealing the Offices of Judges and Registers of Probate as Constitutional Offices.

Amend said Resolve in next to the last paragraph by striking out in the last line (same in L. D. 563) the words and figures "February 1, 1969" and inserting in place thereof the words 'at such time as the Legislature by proper enactment shall establish a different Probate Court system with full-time judges'

Committee Amendment "A" was Adopted, and the Resolve, As Amended, tomorrow assigned for Second Reading.

Final Reports

The following committees submitted their Final Reports:

The Committee on Industrial and Recreational Development.

The Committee on Senatorial Reapportionment.

The Committee on Taxation.

Which reports were Read and Accepted.

Sent down for concurrence.

Second Reader

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

"An Act to Amend the Maine Recreation Authority Law." (S. P. 682) (L. D. 1715)

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 to Authorize General Fund Bond Issue in Amount of Two Million Eight Hundred and Thirty-Seven Thousand Five Hundred Dollars and to Appropriate Moneys for Construction, Extension and Improvement for Airports. (H. P. 1166) (L. D. 1667)

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

An Act Appropriating Funds for Operation of the Governor's Advisory Committee on Education. (S. P. 645) (L. D. 1651)

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

An Act Providing Vocational Education Loan Funds. (H. P. 882) (L. D. 1294)

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

An Act Relating to Salary and Expenses of Third Member of Atlantic Sea Run Salmon Commission. (H. P. 1195) (L. D. 1698)

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

Resolve, Reimbursing Certain Municipalities on Account of Property Tax Exemptions of Veterans. (S. P. 173) (L. D. 365)

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

Tabled—June 13, 1967 by Senator Johnson of Somerset.

Pending—Enactment.

On motion by Mr. Johnson of Somerset, retabled and specially assigned for Monday, June 19, pending Enactment.

The President laid before the Senate the second tabled and today assigned matter, (S. P. 460) (L. D. 1136) Senate Reports—from the Committee on Towns and Counties on Bill "An Act Relating to County Audits and County Capital Reserve Accounts." (Majority Report, Ought Not to Pass; Minority Report, Ought to Pass.)

Tabled—June 13, 1967 by Senator Couturier of Androscoggin.

Pending—Acceptance of either Report.

The PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Couturier.

Mr. COUTURIER of Androscoggin: Mr. President, I yield to the Senator from Oxford County, Senator Ferguson.

Thereupon, on motion by Mr. Ferguson of Oxford, the Senate

voted to accept the Majority Ought Not to Pass Report of the Committee.

The President laid before the Senate the third tabled and today assigned matter, (H. P. 33) (L. D. 53) Bill "An Act Relating to Assistant County Attorneys."

Tabled—June 14, 1967 by Senator Johnson of Somerset.

Pending—Consideration.

(In Senate—June 9, 1967 Passed to be Engrossed as Amended by Committee Amendment "A" H-64 and as Amended by Senate Amendments "A", Filing S-76; "B", Filing S-182; "C", Filing S-252; "D", Filing S-254.)

(In House—June 13, 1967 House Insisted and asked for a Committee of Conference.)

On motion by Mr. Johnson of Somerset, the Senate voted to join in a Committee of Conference.

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

Senators:

VILES of Somerset
ALBAIR of Aroostook
DUQUETTE of York

The President laid before the Senate the fourth tabled and today assigned matter, (S. P. 329) (L. D. 863) Senate Reports—from the Committee on Judiciary on Bill "An Act Providing for a Study for the Creation of a Full-time Prosecuting Attorney System for the State of Maine." Majority Report, Ought to Pass in New Draft; Minority Report, Ought to Pass.

Tabled—June 14, 1967 by Senator Lund of Kennebec.

Pending—Motion by Senator Mills of Franklin to Accept the Majority Ought to Pass in New Draft Report.

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

Mr. LUND of Kennebec: Mr. President and Members of the Senate: This was a Committee redraft of a bill which I sponsored. The original provided for a twelve-man committee to study only the matter of a full-time prosecuting

system of the state. The redraft provides for a nineteen-man committee to study this and some other problems. I am concerned about the size of the committee and its make-up, and I would hope someone would retable this bill until Monday so that I would have the opportunity to present an amendment on this bill.

Thereupon, on motion by Mr. Johnson of Somerset, retabled and specially assigned for Monday, June 19, pending Acceptance of the Majority Ought to Pass in New Draft Report of the Committee.

The President laid before the Senate the fifth tabled and today assigned matter, (H. P. 399) (L. D. 565) House Reports — from the Committee on Appropriations and Financial Affairs on Bill, "An Act to Authorize Bond Issues in the Amount of \$3,000,000 to Provide Funds for the Construction of Regional Technical and Vocational Centers Under the Provisions of Section 2356-B of Title 20, R. S." Report "A", Ought to Pass as Amended by Committee Amendment "A", Filing H-411; Report "B", Ought Not to Pass.

Tabled — June 14, 1967 by Senator Good of Cumberland.

Pending — Motion by Senator Berry of Cumberland to Accept Report "A" Ought to Pass as Amended by Committee Amendment "A", Filing H-411.

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

Mr. GOOD of Cumberland: Mr. President, as you know, I had some questions on this bill. I talked with Commissioner Logan. I talked with President Coles of Bowdoin College. I have been in communication with the principal of Portland High School and those who have charge of Vocational Education in Portland. I have talked with the Senators from Androscoggin, a highly industrialized area, and some of my questions have been answered, and I thank you for permitting me to table it.

The PRESIDENT: The pending question is the motion of the Senator from Cumberland, Senator Berry, that the Senate accept

Report "A" Ought to Pass, As Amended, Report of the Committee.

Thereupon, the Senate voted to accept Report "A" Ought to Pass, As Amended, Report of the Committee, and the Bill was Read Once. Committee Amendment "A" was read by the Secretary.

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

Mr. MILLS of Franklin: Mr. President, I offer Senate Amendment "A" to Committee Amendment "A" and move its adoption, and would speak briefly to my motion.

The PRESIDENT: The Senator from Franklin, Senator Mills, offers Senate Amendment "A" to Committee Amendment "A" and moves its adoption.

Senate Amendment "A" to Committee Amendment "A", Filing S-262, was read by the Secretary as follows:

SENATE AMENDMENT "A" TO COMMITTEE AMENDMENT "A" to H. P. 399, L. D. 565, Bill, "An Act to Authorize Bond Issues in the Amount of \$3,000,000 to Provide Funds for the Construction of Regional Technical and Vocational Centers Under the Provisions of Section 2356-B of Title 20, R. S."

Amend said Amendment by striking out in the 3rd line the figure "\$215,000" and inserting in place thereof the figure '\$270,000'

Further amend said Amendment by striking out in the 6th line the figure "\$215,000" and inserting in place thereof the figure '\$270,000'

Further amend said Amendment by striking out in the last line the figure "\$215,000" and inserting in place thereof the figure '\$270,000'

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

Mr. MILLS of Franklin: Mr. President and Members of the Senate: Last week when the Department of Education was requested to submit a figure to cover the schools in towns and cities that were in the process of setting-up provisions for regional vocational technical centers, in the plans that were well along and advanced in regard to the School Administrative District No. 9 was ap-

parently overlooked. They voted yesterday, as a matter of fact, in School Administrative District No. 9 to bond that district to the extent of \$2,700,000 on representations to the voters that they were included within the plans for vocational schools.

In order to be within this bill and be within the appropriations, it would require the adoption of this amendment. This amendment would set the figure at \$270,000 in lieu of the \$215,000 that now prevails. I did notice this morning in the newspaper that Commissioner Logan included within the plans for the biennium this particular school to which I am now referring, and I am sure that those behind this general movement for vocational regional schools approve of this provision.

Thereupon, the Senate voted to adopt Senate Amendment "A" to Committee Amendment "A". Committee Amendment "A", as amended, was 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. 680) (L. D. 1710) Bill "An Act to Abolish Imprisonment for Debt and to Revise the Laws Relating to Disclosures of Debtors."

Tabled—June 14, 1967 by Senator Harding of Aroostook.

Pending — Passage to be Engrossed.

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

Mr. HARDING of Aroostook: Mr. President and Members of the Senate: I move for the indefinite postponement of this bill and all of its accompanying papers, and I would like to speak to my motion.

The PRESIDENT: The Senator from Aroostook, Senator Harding, moves that this bill and its accompanying papers be indefinitely postponed.

The Chair recognizes the Senator from Aroostook, Senator Harding.

Mr. HARDING of Aroostook: Mr. President and Members of the Senate: I am speaking on this as a member of the Judiciary

Committee. This is a lawyer's bill. It is technical. It is, however, far-reaching, and it seemed to me important that the members of this Senate should understand as best they can — we lawyers outlined it — what the implication of this bill is.

I would say first of all that I would be the first to agree that what I call our post-judgment remedies should be studied and they should be updated. Now, I know that when you talk about studies that you get smiles from some people, but we have had studies in this area which have been very productive as far as the State of Maine is concerned in updating our judicial system. I can think of a study which we had as far as the Maine Rules of Civil Procedure were concerned. It was very productive and those rules were adopted. The same is true with the Maine Criminal Rules of Procedure. The same was true with our Maine District Court System. Now, these post-judgment remedies are very important, and I think that this particular bill goes too far, and it says that it is an act to abolish imprisonment for debt, but I am sure that my good friend and colleague, the Senator from Franklin, Senator Mills, is going to speak on this. I am afraid that he will tell you that I have abandoned the ship, but as far as the abolishment for debt, I hesitate to tell you this, but this would not be an abolishment of the imprisonment for debt. And I hope that my good friend won't think that I am telling tales out of school when I tell you this, but in a divorce action, for instance, a lawyer now, and after this passed, he would be able to get a *capias* execution and throw the defendant into jail if he didn't pay his lawyer's fee, and this would be without even going before a disclosure commissioner or anything else. It is just as the judge issues that.

The same is true in a judgment for alimony, for instance. Some woman who has let the alimony build up, and then she sees that her man has got interested in somebody else, and all at once she wants that alimony. She wants every dime of it. They go to court

and they get a judgment and a *capias* execution, and in jail the fellow goes without ever going before a disclosure commissioner. The same is true with non-support, even if you pass this. It troubles me that this particular piece of legislation, and with all due respect to the signers on the other side, I think we are being a little hypocritical. I think that a hospital, for instance, or a merchant along the street should have the same privilege of collecting the bills that are due him as a lawyer perhaps ought to have for collecting the bills due him, but as it now is and this bill would leave it, the lawyer is in a much better position. I am just suggesting this, that under this bill it would be so cumbersome, the procedure would be so long and involved, and there is so little you could do to compel the debtor to pay that I think that most lawyers would just say, "The heck with trying to collect an account," and the people of Maine would suffer in that regard.

Now, however, I do feel that this is a matter that is important and should be studied. I would like to see our courts come out with rules for pro post-judgment remedies which would update our system and make it uniform across the board. I would be glad to accept the same privileges as a lawyer for my fees as the hospital, the doctor or the merchant has as far as getting his fees are concerned.

So, it is on this basis that I do move for the indefinite postponement, and I do this with some trepidation because I think I know what my good friend from Franklin County, Senator Mills, is going to say to me for the position I have taken on this matter.

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

Mr. MILLS of Franklin: Mr. President and Members of the Senate: I enjoy this opportunity to differ with my good friend and colleague on the Judiciary Committee. I was afraid that he and I had been agreeing with each other so much that it has caused some raised eyebrows around here. I want to also assure you that this

isn't any put-up job on disagreement just to cultivate this art of disagreement, because we do very definitely disagree here.

I learned a lesson the other day at the time when I thought I was beaten terribly, and didn't speak with any particular strong feeling, I came out with the most magnificent victory I could possibly have, 25 to 2; whereas a few days before, on an issue which I felt just as strongly about as I do this one, I put everything that I had into it and I got a miserable defeat. So, I can't know as there is a middle course to follow. Of course, naturally, anyone feels very strongly about an issue of this kind, but I will not impose my emotions on you, at least. I will tell you in as reasonable a fashion as I can the history of this and the reason for it.

As you all know, 100 years ago, or so, Charles Dickens wrote some very stirring tales about imprisonment for debt in England and about his own family. You will remember that as a boy he and his family had to live in debtor's prison to quite an extent. In *Dombey and Sons*, and several others of his works, it shows very graphically the imprisonment for debt situation that they had in England. It was due to that work of his, and others, that it was abolished and, likewise, in this country; technically, imprisonment for debt was abolished a long time ago.

But we have this device which is used frequently. It has been studied and shown to be frequent in our practice of imprisoning a man for debt. That is what it amounts to. I will try to explain it as best I can. To back up this assertion that I have just made that it is done frequently, I would cite the fact that last summer a study, sponsored by the Brookings Institution, and using to conduct the study professors, found that in over 200 instances in the State of Maine during the preceding 12 months there had been this imprisonment for debt. I would assert further that, with those actual imprisonments, there must have been well over 1,000 who had gotten to the jail door, at least, before

being relieved of the incarceration by — shall we say, the "blackmail" effect upon the family, or upon friends and relatives, who would come forward and pay these bills, which they in fact and in truth did not owe, to save the incarceration of this person.

Now, let me tell you how it works, and I have seen it from the debtor's side. In many instances a man is sued for a bill, and in our law a man's body is not responsive for that debt. That is, if Senator Rodney Ross owes me some money, owes me a thousand dollars on a note — it probably would be the other way around, I would owe him — but, in any event, if there were money owed between us, he has, under our philosophy of law and under our statutory law, recourse against my property, against my money that I have, against my automobile, and against my wages after he has gotten a judgment against me. But he doesn't have any recourse against my body, under our philosophy and under our concept of things, in the field of contract or, otherwise, in the field of tort where there is an area of wrongdoing involved.

Otherwise, also, as Senator Harding has pointed out, in the area of domestic relations, where the court specifically orders a husband to pay so much money in order to relieve the wife of her expenses in conducting a divorce action. Also it is true in the support of children. But in the area of contract, the grocer's bill, the doctor's bill, the hospital's bill, and anyone else's bill, the note that I might owe to Senator Rodney Ross, there is no recourse against me, against my body. He has no right on that bill and on that contract action to put me in jail. And I wouldn't land in jail on such an action, and none of you would, because you are able to hire lawyers to represent you. You are able also to put up bonds and that sort of thing. But the people of this State who don't have the funds to be represented by counsel, and who don't have, in many instances, the knowledge to know what is going on do find themselves in jail, growing out of

the fact that they owed someone some money, and this is how it happens.

The collection lawyer who specializes in this area of work uses this as a tool. In the Committee it has been described by one who has been a disclosure commissioner for a good many years. He has said to me, "Now, you are going to take away the tool of the young lawyer. The young lawyer has to subsist a good deal on the collection business and, if you pass this bill, you are going to take away one of his tools of practice." Well, I strongly disagree with him. I don't think that there is a young lawyer in the State that has to have this tool in order to survive in his law practice. Furthermore, I don't agree with the philosophy that the laws are designed to give lawyers tools to make a living, especially when it involves incarceration of another human being.

As I said a moment ago, I will state how it works. A collection lawyer has a bill and he brings a suit. Many time these suit papers are ignored or, even if they are not ignored, the summons that issues in pursuance to the suit, a judgment is rendered by the court that so much money is owed. As I said, that gives a judgment of the court which says that the man's property is subject to levy for the debt that the court has determined to be due, and that is all it says. And that is all, under our theory and our practice and our philosophy of law, that the creditor is entitled to; nothing against a man's body. But there is a right, and a proper and a correct right, which the creditor then has, operating through his lawyer, to find out what those property affairs are of the debtor, to find out and to discover what he may have for property. That procedure is carried out through a disclosure commissioner, who is appointed by the Governor for a period of seven years, and also ex-officio our district judges, if there is no disclosure commissioner in the area, function in that regard, and the probate judges may. But I would say that in most of the cases, probably 99 percent of these cases, they are handled

by the disclosure commissioner who, also contrary to the thinking of a good many of us, operates on a fee basis. The last one that I had knowledge of received five dollars apiece for each one of his cases. He is paid, of course, by the creditor's lawyer.

Many of us feel that the sooner we get away from the fee basis for the functioning of our Judicial System the better off we are going to be, because it puts too much of a premium on successful functioning for the benefit of the plaintiff who is bringing the action. Just the same in the old days, under the fish and game laws, the trial justices, you will recall, who were finding people guilty quite regularly, the game wardens would travel by three or four of them in order to get to that trial justice and the Legislature stepped in and changed the law so that there wouldn't be any premium on successful prosecution. So it is with disclosure commissioners. The fee system is wrong. It should be corrected. We can't do everything in one session of the Legislature, and there is no recommendation for it in this session pending. But the creditor's lawyer has a right to order the debtor in before the disclosure commissioner so that under oath he may determine what he has got for property. And the sheriff who serves these papers also is on a fee basis paid by the creditor's lawyer.

Some of us lawyers run a land office business in this collection field. One of the more successful ones in our area told me one time, "Don't let anyone ever tell you there isn't money in collections." I am sure that he has made it very profitable, the one to whom I am referring. Now, he pays the officer, he pays the disclosure commissioner, and those people function for the man who is paying them to quite an extent. I mean, they are cooperative. If you were a deputy sheriff and you had a bundle of these disclosure commissioner papers in your hand, five or six of them, and you were getting five dollars apiece for them, and the lawyer who was giving them to you was going to give you a lot more the next week maybe,

or another month, and if you didn't function quite as well as he thought you ought to, they would go to another deputy sheriff, you might be inclined to protect your income by carrying out his instructions to quite an extent. And they do that.

Of course, this poor fellow that doesn't know the law and doesn't know what his rights are, who gets the service of this disclosure summons, the first thing he does is ask the officer "What do I do now?" The officer says "Well, call up the creditor's lawyer." So, there is no time in this whole proceeding when that debtor needed a lawyer of his own any more than right then. He is being directed by one of the officers of our State - and I say this without any equivocation whatsoever, because I have seen it happen many, many times - he is being directed by this deputy sheriff, or constable it might be, to go into the jaws of the creditor's lawyer. So the man calls up the creditor's lawyer and he says "What do I do now? I have got this disclosure paper, and what do I do? It has got some dates on it, and I don't understand the legal language." He wouldn't understand it. It has got some seals and that sort of thing, and he has no comprehension of how drastic a remedy this creditor's lawyer is going to have against him. He is told by the creditor's lawyer "Send me five dollars a week and everything will be all right, and you don't need to go to the hearing." I know that. I have had the debtors come in many, many times and tell me this, that that was the specific instructions they had gotten. So he doesn't go to the hearing after having been advised not to go to the hearing. What happens? The creditor's lawyer goes to the hearing, and this man then becomes in contempt of the disclosure commissioner. Now, at that point the disclosure commissioner can do one of two things. And one of those things he never, never does. He may do what this proceeding is supposed to carry out. He may issue a *capias*, which is an arrest order. He may issue a *capias* and order that man brought in before him to do what

the proceedings were set up to do; that is, disclose his property affairs because, bear in mind, there is no basic right to an action against his body under these circumstances for that debt. It is only to make him disclose and tell what he has so that the creditor may take it, may seize it, as he would have a right to do under these actions. The disclosure commissioner, as I say, might do that, might order him brought in before him and be examined. But that is inconvenient, and that doesn't serve the purpose of the creditor's lawyer.

Now, this is what we are trying to get at in this bill. This is what we are trying to eliminate. This may not be done to a married woman. A married woman may not be then found in contempt and put in jail by the creditor's lawyer, but you or I may.

The other action which the disclosure commissioner may take is to declare him in contempt and pass over to the creditor's lawyer an arrest order, whereby the creditor's lawyer can put him in the county jail, board him there, pay the board to the sheriff. They have a fund set up for this very purpose. The lawyer that I am thinking of has one in Franklin County, one in Penobscot County, and one in a county in the middle and, I think, several around. There are a number of boarders in these jails that owe their incarceration to these particular activities. So, the creditor's lawyer gets this paper, this contempt citation, and he can take it and give it to the sheriff. Many, many times the man does not go to jail, of course, because there is an uncle or an aunt or someone somewhere who wants enough to see him free to pay the bill that that person does not owe. In that respect this is a blackmail procedure.

According to these studies of the Brookings Institution of last year, there were well over 200 of them last year that couldn't raise the money and did end up in the jail.

I know the hospitals of the State have our greatest sympathy, and they are charitable in nature, and many of us are distressed when we find that some of them are

using these procedures, through collection lawyers, to incarcerate those who have been unable to pay their hospital bills. I have news reports in front of me of the jailing of several. I have ministers very much disturbed over Thanksgiving when men are picked up and put in jail because they couldn't pay their hospital bills, and coming around and asking if there isn't something in the Maine law that will give them relief. Well, of course, there is, if the man has the money to pay for it. But his very trouble arises because he doesn't have any money. After he is incarcerated in jail if he can get himself two justices of the peace to sit with him in the jail and send out notices, which are somewhat involved, to the creditor's lawyer after several days, and to call for a judicial proceeding there in the jail, which takes time and money of professional people, if he can do that he can perhaps arrange to get himself the poor debtor's oath after making a full disclosure. But many times he cannot. His recourse is either to that or to the bankruptcy court. It is pretty difficult to get him into the bankruptcy court when it costs fifty dollars for a filing fee for straight bankruptcy, and it costs fifteen dollars for the filing fee for a wage earner plan, and a lawyer isn't able to put in his time continually on these matters without compensation, of course, and still make a living himself.

Now, let's get around to what this bill would do. And I want to tell you who has worked on this bill with us. The professors at the University of Maine Law School. This is a technical area. It is a difficult area to legislate properly in. But it has been studied and worked over by two of the text writers, men who have written some of the law books of our State, some of the texts interpreting the laws of our State, have gone over this with a fine-toothed comb, and have given it their approval as technically and properly drawn. This is what would happen if this legislation which I am speaking to you about today were to be adopted. If this subject involved were served with a subpoena he would

be notified on the face of the subpoena that he must show up, that he must be there. If he is not there, in bold type it would say "You will be subject to arrest." If he did not show up at the hearing, then the disclosure commissioner could arrest him, and is ordered to arrest him in such a way that he would not be held for a long period of time before coming in to him. And that would be not before seven o'clock in the morning, as you will notice from the draft of the bill, of the day set for his appearance. The disclosure commissioner would be directed to use these powers of his to bring that man in where he belonged and to give the creditor only what he is entitled to, which is a full and complete disclosure of the man's property affairs. You know, after that disclosure is made the man is ordered to turn over whatever property he shows up with that is not subject to exemption under our laws. Then if he refused to do that he would be in contempt and he could be properly punished. But he could not be lulled, as he is now in many, many instances over the State, into a state of comatose acquiescence, from what the officer and the collection lawyer tells him, getting himself into default and into jail.

As I say, I know that the lawyers of this State don't need this tool in order to survive. If they did need this tool in order to survive then their survival shouldn't be encouraged. I am sure that lawyers who must have this in order to get along shouldn't be encouraged further in the practice of law.

I do urge you to adopt it. I know it is a humanitarian measure. I like to think that Senator Harding this morning hasn't deserted the ship. I am not going to accuse him of that, because he has been such a good friend and such a good colleague on the Judiciary Committee this winter and we have agreed so many times. But I do like to think, Senator Harding, that you are leaving the Democratic Party right now. I like to think, Senator Harding, that the party of Thomas Jefferson, Andrew Jackson, the great F.D.R., and Robert Kennedy, they are not standing be-

hind you this morning, those great humanitarians, I am sure. I am sure, Senator Harding, that I have had to take the burden of maintaining the traditions of your great party, in this measure, at least. I also say that they are the traditions of my party, the party of Abraham Lincoln, who wrote the Emancipation Proclamation.

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

Mr. HILDRETH of Cumberland: Mr. President and Members of the Senate: As a signer of the Majority Ought to Pass Report, I will simply say that I endorse the very brief remarks of the Senator from Franklin, Senator Mills.

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

Mr. LUND of Kennebec: Mr. President and Members of the Senate: I rise to join in my seatmate's opposition to the motion to indefinitely postpone this bill, not just because he is my seatmate and within striking range, but because I sponsored, at the request of the Androscoggin County Bar Association, a bill along similar lines to reform some of our present collection procedures. This bill was reported out of the Committee, I believe, Ought Not to Pass as covered by other legislation. Having been deprived of the chance to defend that bill, I must defend this one.

The merits of the bill have been very ably explained by the good Senator from Franklin. I would like to comment very briefly on the point made by the good Senator from Aroostook, Senator Harding. Senator Harding pointed out that the opportunity to imprison still remained in connection with attorneys fees, but I would hasten to point out to the members of the Senate that this is not just the way it sounds because there is a little more to it than that. In a situation where an attorney sued for his fee, in the case where he had rendered service to somebody and the person didn't pay, the attorney would be in exactly the same position as anybody else who chose to sue for his fees, be he doctor, merchant, or what have

you. The only situation where an attorney has the opportunity to imprison for his fees, other than that of an ordinary situation, as Senator Harding well knows, is where there is a court order for the payment of those fees, and where the failure to pay those fees is regarded by the court as contempt. This is the basis for imprisonment for failure to pay an attorney's fee. There is a justification for this, and I would like to try and explain it to the Senate, if I might, today.

In general, I believe it is limited to a situation of divorce. Let me pose an example for you so you can understand how it is. Our law places the obligation to pay a wife's attorney's fees upon the husband. And where a wife is sued for divorce by her husband, and has no funds of her own, if she goes to an attorney, unless the attorney has some assurance that he will be paid, it may be very difficult for her to obtain counsel. I think society is generally agreed that in this situation a woman should not be deprived of an opportunity to a defense, if she has one, by her inability to get an attorney. So this is, in general, the only situation where an attorney is entitled to a *capias* execution, i.e., imprisonment, in payment of his fee. This is the law today, and this law will continue, as I understand it, under this bill.

I would like to point out that this is not an attempt on the part of attorneys to place themselves in a preferred position, but rather an attempt to assure the woman in a divorce action that she will have counsel when she needs it and that her counsel will be paid.

I won't attempt to go through any other matters regarding this bill because I think it has been ably explained, but I do hope you vote against the indefinite postponement motion.

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

Mr. STERN of Penobscot: Mr. President and Members of the Senate: First, I am a little perturbed and disturbed over the fact that the Judiciary Committee

had the nerve, the audacity, to pass this bill out without taking me into their confidence. I knew very little about it. I just briefly had an opportunity to read this bill. It seems kind of complicated to me. I do want to say, as I have said before, that naturally when a young lawyer starts out he has a lot of bill collections.

The old law has worked out wonderfully well, in my experience. I don't know too much about this new proposal, but I do know that there are a lot of complications. I know that I protect the infirm, the weak and debtors who owe money. I don't represent the creditors. I don't seem to have too many bill collections. But I do know this: that under the old law - now I understand why my good friend, Senator Farley, feels the way he does about us lawyers airing our difference here in the Legislature - but I do want to give some idea of what my experience has been. If a creditor wanted to put a debtor in jail he would contact the debtor, and the debtor nine times out of ten would come to a lawyer. Now, I represent the debtor, and I would call up Senator Harding, and I would say "Senator Harding, this debtor has nothing. He has a family of five or six children. He has a job that barely suffices to support these children. Now what do you want to do? Do you want to take a dollar a week or two dollars a week, or do you want me to put him through bankruptcy?" Nine times out of ten, I think, Senator Harding would say "Well, we will try that."

Now, the old law was primarily passed for the purpose of enforcing an honest bill against a deadbeat and against people who would have no property but who would have good earnings and would not pay their bills, against fellows like myself who would put all their property in their wife's name and would have nothing to show for it. But I do say this: that 99 times out of 100 when the debtor owes money, and when he is confronted with the old law under a poor debtor's oath—well, I have been practicing 33 years and I only put one man in jail, and that man stayed there long enough to file

a petition in bankruptcy. So it is very rare today that the old law is abused. I don't know of it in our district or our area. I don't know what happens down in Senator Mills' county or up in Aroostook but the attorneys up in Penobscot County very rarely put a debtor in jail, because the debtor has so many things going for him. The debtor today can go in and file a wage earners plan, and he can go through bankruptcy. Senator Mills said something about the required \$50 payment for a bankruptcy fee. He doesn't even need that today. He can file a petition in bankruptcy under a pauper's fee. So everything is going for the debtor.

Now, I couldn't care less what you do on this bill, but I can't even keep up with the laws that this 103rd Legislature is now passing. I don't know too much about this, but I know the old law worked out well in principle and in practice. I don't know what will come of it if we pass this law. But as long as we have lawyers like myself who defend the debtors, the poor and the weak, the debtor never has to worry; he has all the protection in the world.

I do think, from what I know about the old law, and what I don't know about this new law, that we ought to leave things as they are, and not get into a proposition whereby we might be sorry for what we did. I think it does need some study. I certainly knew nothing about it and, therefore, I would want to support Senator Harding's motion for indefinite postponement.

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

Mr. HARDING of Aroostook: Mr. President and Members of the Senate: I will be very brief in my rebuttal of this. I just hope you understand the issues involved, and however you decide this is fine with me. And I mean that sincerely.

I would point out, however, that under the provisions of this bill a person can be imprisoned, unless he provides bond, waiting to be brought before the dis closure commissioner. So, you would still

have imprisonment under this bill, and there is no limit as to how long that would be.

I suggest to you that, under the present procedure, if the man does not appear for the disclosure, if he is arrested he may put up bond which gives him six months. If he just puts up bond, and has two signatories with him, it gives him six months in which he can either file a petition in bankruptcy, a wage earner plan, pay the debt, or he may go before two justices of the peace and take the poor debtor's oath.

One of the things that troubles me under this law is — I will give you this hypothetical — A man could have \$50,000 in paid up life insurance. He and his wife together could have a \$10,000 equity in their real estate, under a law that we just passed here in this Legislature, and if he filed a certificate of exemption with the Registry of Deeds, he could be driving a new Cadillac with a conditional sales contract on it, he could spend his winters in Florida, he could be earning from the Federal Government \$25,000 a year, and under this bill he would get the poor debtor's oath. It seems to me that there should be some provision so that an order could be made against a person in a situation like that to make reasonable payments.

I believe that if you go ahead with this particular bill it will cause so many problems that it would be my prediction that at the next Legislature they would be changed. I do feel, however, that if you do have a study made of the post-judgment remedies, and you do the thorough job which was done on our Maine Civil Rules of Procedure, and our Maine Criminal Rules of Procedure, that you will get something which everyone is agreed is a workable solution, and it will stand the test of time. I do not believe that this bill will stand the test of time.

The PRESIDENT: Is the Senate ready for the question? As many as are in favor of the indefinite postponement of the bill will say yes; those opposed, no.

A viva voce vote being taken, the motion to indefinitely postpone did not prevail.

Thereupon, the bill was Passed to be Engrossed.

Sent down for concurrence.

The President laid before the Senate the seventh tabled and today assigned matter, (H. P. 345) (L. D. 493) Bill, "An Act Establishing Maximum Legal Interest Rate on Personal Loans in Excess of One Thousand Dollars."

Tabled June 14, 1967 by Senator Mills of Franklin.

Pending — Adoption of Committee Amendment "A", Filing H-317.

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

Mr. MacLEOD of Penobscot: Mr. President and Members of the Senate: First, I wish to thank the Senator from Franklin for reminding the Senate of the 25 to 2 vote last week. I have been trying to forget that. I do wish to publicly thank the Senator from Kennebec, Senator Katz, for giving me his sympathy vote.

If Senator Mills does not have an amendment ready — I guess he has — I was going to ask someone to table it because I didn't dare to put the amendment back in. But he is going to, I think.

The PRESIDENT: The pending question is on the adoption of Committee Amendment "A".

Thereupon, Committee Amendment "A" was adopted.

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

Senate Amendment "A", Filing S-269, was read by the Secretary as follows:

SENATE AMENDMENT "A" to H. P. 345, L. D. 493 Bill, "An Act Establishing Maximum Legal Interest Rate on Personal Loans in Excess of One Thousand Dollars."

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

'This section shall not apply to the Motor Vehicle Sales Finance Act, Title 9, chapters 321 to 327, as amended, Home Repair Financing Act, Title 9, chapter 360 and the financing of retail sales.'

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

Mr. MILLS of Franklin: "Mr. President, I would take this opportunity to get into the record that this bill is not intended to, and by this amendment will not, apply to motor vehicle sales financing under the Act, Title 9, chapters 321 to 327, as amended. Also, it doesn't apply, and isn't intended to apply, to the Home Repair Financing Act, Title 9, chapter 360 and the financing of retail sales. There was some question that, without this amendment, by implication it might apply to those, but I am sure that with the adoption of this amendment the intentions of the sponsors will be carried out.

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

The Chair recognizes the Senator from Penobscot, Senator MacLeod.

Mr. MacLEOD of Penobscot: Mr. President, none of the Senators in this area seem to have Senate Amendment "A", Filing No. 269. I was wondering if the Secretary would read the amendment.

The PRESIDENT: The Chair will inquire whether any of the Senators have it?

The Chair recognizes the Senator from Franklin, Senator Mills.

Mr. MILLS of Franklin: Mr. President, I did substantially read it a moment ago. It does exactly what I just said. "Amend said Bill by adding at the end the following underlined paragraph:

"This section shall not apply to the Motor Vehicle Sales Finance Act, Title 9, chapter 321 to 327, as amended, Home Repair Financing Act, Title 9, chapter 360 and the financing of retail sales"

That is the end of it. If we could have suspension to let it go, without further delay, I would appreciate it, Mr. President.

Thereupon, under suspension of the rules, Senate Amendment "A" was adopted, notwithstanding that it may not have been distributed, and the Bill, as amended, Passed to be Engrossed in non-concurrence.

Sent down for concurrence.

The President laid before the Senate the eighth tabled and today assigned matter, (S. P. 497) (L. D. 1256) Bill "An Act Relating to Public Higher Education."

Tabled—June 14, 1967 by Senator MacLeod of Penobscot.

Pending—Motion by Senator Katz of Kennebec to suspend the rules and Read Second Time.

Mr. Katz of Kennebec was granted unanimous consent to withdraw his motion to suspend the rules to give the Bill its second reading.

Thereupon, the Bill was read a Second Time.

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

Mr. KATZ of Kennebec presented Senate Amendment "A" and moved its adoption.

Senate Amendment "A", Filing S-270, was read by the Secretary as follows:

SENATE AMENDMENT "A" to S. P. 497, L. D. 1256, Bill "An Act Relating to Public Higher Education."

Amend said Bill by striking out all of section 32.

Further amend said Bill by renumbering sections 33 to 44 to be sections 32 to 43.

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

Mr. KATZ of Kennebec: Mr. President, you might call this bill an errors and inconsistencies bill and this removes the phrasing that would have to do with the appointment of a clerk and treasurer of the Universities of the State of Maine and it is an administrative matter.

Thereupon, Senate Amendment "A" was Adopted.

On further motion by Senator Katz of Kennebec, tabled and specially assigned for Friday, June 16, pending Passage to be Engrossed.

The President laid before the Senate the ninth tabled and today assigned matter, (H. P. 813) (L. D. 1189) Bill "An Act Exempting Gas for Cooking and Heating in Homes from Sales Tax."

Tabled—June 14, 1967 by Senator Wyman of Washington.

Pending—Motion by Senator Farley of York to Indefinitely Postpone Bill and Papers.

On motion by Mr. Johnson of Somerset, retabled, unassigned, pending the motion to Indefinitely Postpone the Bill and Accompanying Papers.

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

Tabled — June 1, 1967 by Senator Johnson of Somerset.

Pending — Passage to be Engrossed.

On motion by Mr. Johnson of Somerset, the Senate voted to Pass the Bill to be Engrossed.

Sent down for concurrence.

The President laid before the Senate the tenth tabled and unassigned matter (H. P. 122) (L. D. 148) House Reports — from the Committee on Taxation on Bill, "An Act to Increase Cigarette Tax Two Cents." Majority Report, Ought Not to Pass as Covered by Other Legislation; Minority Report, Ought to Pass.

Tabled — June 13, 1967 by Senator Johnson of Somerset.

Pending — Motion by Senator Wyman of Washington to Accept Majority Ought Not to Pass Report.

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

The President laid before the Senate the eleventh tabled and unassigned matter (S. P. 34) (L. D. 33) Bill, "An Act Defining Industrial Project Under Industrial Building Authority Law."

Tabled—June 8, 1967 by Senator Johnson of Somerset.

Pending — Passage to be Engrossed.

On motion by Mr. Johnson of Somerset, the Senate voted to Pass the Bill to be Engrossed.

Sent down for concurrence.

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

Mr. JOHNSON of Somerset: Mr. President, is L. D. 1685 in the possession of the Senate?

The PRESIDENT: The Chair will reply in the affirmative, this measure having been held at the request of the Senator from Somerset, Senator Johnson, for reconsideration.

Mr. JOHNSON of Somerset: Mr. President and Members of the Senate: In order to correct the parliamentary procedure, I now move that we reconsider our action whereby we asked for a Committee of Conference.

The PRESIDENT: Is it now the pleasure of the Senate to reconsider its action of yesterday whereby the Senate voted to Insist and Request a Committee of Conference.

The motion prevailed.

Thereupon, on motion by Mr. Johnson of Somerset, the Senate voted to Pass Bill, "An Act Relating to Additional Appeals Under Liquor Laws" to be Enacted, in non-concurrence.

Sent down for concurrence.

On motion by Mr. Johnson of Somerset, the Senate voted to take from the table of unassigned matters (S. P. 498) (L. D. 1259) Bill, "An Act Relating to Public Policy on Higher Education."

Tabled — May 25, 1967 by Senator Johnson of Somerset.

Pending — Enactment.

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

The President laid before the Senate the twenty-first tabled and unassigned matter (S. P. 422) (L. D. 1076) Bill, "An Act Appropriating Funds for Fort Fairfield Municipal Park."

Tabled—June 14, 1967 by Senator Barnes of Aroostook.

Pending—Consideration.

(In Senate — June 7, 1967 Passed to be Engrossed.)

(In House—June 9, 1967 Indefinitely Postponed in Non-Concurrence.)

On motion by Mr. Barnes of Aroostook, retabled and specially

assigned for Monday, June 19, Pending Consideration.

On motion by Mr. Ross of Piscataquis.

Adjourned until 9:30 o'clock tomorrow morning.