

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Third
Legislature*

OF THE

STATE OF MAINE

Volume III

June 16 to July 8, 1967

Index

1st Special Session

October 2 and October 3, 1967

2nd Special Session

January 9 to January 26, 1968

KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Friday, June 23, 1967

Senate called to order by the President.

Prayer by Rev. Walter R. Brown of Randolph.

Reading of the Journal of yesterday.

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

Bill, "An Act repealing Economic and Recreational Development in Oxford County." (H. P. 1201) (L. D. 1708)

In House, June 12, Passed to be Engrossed As Amended by Committee Amendment "A" (H-410)

In Senate, June 16, Minority—Ought to Pass in New Draft Report Accepted and on June 20, Passed to be Engrossed in non-concurrence.

Comes from the House, that body having adhered.

On motion by Mr. Ferguson of Oxford, the Senate voted to Recede and Concur with the House, and on further motion by the same Senator tabled and assigned for later in today's session.

Bill, "An Act Creating a District Court Division of Northern Androscoggin and Franklin" (S. P. 544) (L. D. 1392)

In Senate, June 19, Indefinitely Postponed.

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

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

Mr. MILLS of Franklin: Mr. President, I move that the Senate Recede and Concur with the House.

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

Mr. LUND of Kennebec: Mr. President, I move that this item lay on the table until the next legislative day.

The PRESIDENT: The Senator from Kennebec, Senator Lund, moves that this Item, 1-B, lay on the table and be specially assigned for the next legislative day.

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

Mr. MILLS of Franklin: I ask for a division, Mr. President.

The PRESIDENT: The Senator from Franklin, Senator Mills, has requested a division on the tabling motion.

As many as are in favor of the tabling motion will stand and remain standing until counted. Those opposed will stand and remain standing until counted.

A division was had. 25 Senators having voted in the affirmative, and five Senators having voted in the negative, the motion to table the bill prevailed.

Bill, "An Act Increasing Compensation of Court Justices and Certain Department Heads." (S. P. 695) (L. D. 1731)

In Senate, June 20, this Bill, reported by the Majority of the State Government Committee — Passed to be Engrossed.

Bill, "An Act Relating to Pay increases for Department Heads and Court Justices." (S. P. 696) (L. D. 1732)

In House, June 22, this Bill, reported by the Minority of the same Committee — Passed to be Engrossed in non-concurrence.

On motion by Mr. Mills of Franklin, the Senate voted to Insist and ask for a Committee of Conference.

Bill, "An Act Providing for an Additional District Court Judge at Large." (S. P. 380) (L. D. 993)

In Senate, June 19, Minority—Ought to Pass report Accepted, and the Bill Passed to be Engrossed.

Comes from the House, Majority—Ought Not to Pass Report Accepted in non-concurrence.

(On motion by Mr. Lund of Kennebec, tabled and specially assigned for Monday, June 26, pending further consideration.)

JOINT ORDER—Relative to Interim Committee study of Highway Revenues and requirements. (H. P. 1223)

In House, June 20, Read and Passed.

In Senate, June 21, Indefinitely Postponed in non-concurrence.

Comes from the House, that body having Insisted and asked for a

Committee of Conference. The Speaker appointed the following Conferees on the part of the House:

Messrs. RICHARDSON
of Cumberland
BRAGDON of Perham
BELIVEAU of Rumford

On motion by Mr. Sewall of Penobscot, the Senate voted to Insist and join in a Committee of Conference.

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

Senators: JOHNSON of Somerset
SEWALL of Penobscot
HILDRETH

of Cumberland
JOINT ORDER—Recalling L. D. 1700 (Salaries of Jury Commissioners and County Officers) from the Governor to the Senate. (S. P. 702)

In Senate, June 21, Read and Passed.

Comes from the House Indefinitely Postponed in non-concurrence.

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

House Paper

Joint Order

ORDERED, the Senate concurring, that the joint standing committee on Appropriations and Financial Affairs be ordered to report a bill to implement vocational training facilities in Northern Kennebec County, said committee to carefully review the alternatives of what direction vocational training in Northern Kennebec County should take in order to conform to the over-all interests and needs of the area under the various programs available by statute or through administration of the Department of Education, recognizing that the school of practical nursing in Waterville should be expanded as an integral part of any program proposed for the area, and that, in its discretion, the committee can suggest to the legislature the feasibility of how best to fund such alternatives as they propose. (H. P. 1230)

Comes from the House Read and Passed.

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

Communication

State of Maine
House of Representatives
Office of the Clerk

June 22, 1967

Hon. Jerrold B. Speers
Secretary of the Senate
103rd Legislature

Sir:

The Speaker appointed on June 21 the following Committee of Conference on the disagreeing action of the two branches of the Legislature on:

Joint Order (H. P. 1213) Relative to Recalling H. P. 1120, L. D. 1592 "An Act Granting Complimentary Fishing Licenses for Certain Maine Residents in Armed Forces" from the legislative files.

Messrs: LEWIN of Augusta
HARVEY of Woolwich
CARRIER of Westbrook

Respectfully
BERTHA W. JOHNSON
Clerk of the House

Which was Read and Ordered
Placed on File.

State of Maine
House of Representatives
Office of the Clerk
Augusta, Maine

June 22, 1967

Hon. Jerrold B. Speers
Secretary of the Senate
103rd Legislature

Sir:

The Speaker appointed on June 22 the following Committees of Conference on the disagreeing action of the two branches of the Legislature on:

Bill "An Act Creating a Second Assistant County Attorney for York County." (S. P. 280) (L. D. 660)

Mrs. FULLER of York
Messrs. DENNETT of Kittery
NADEAU of Sanford

Bill "An Act Relating to Method of Fixing Salaries of Certain State Officials." (S. P. 697) (L. D. 1733)

Messrs. STARBIRD
of Kingman Township

DENNETT of Kittery
PHILBROOK

—of South Portland

Respectfully

BERTHA W. JOHNSON
Clerk of the House

Which was Read and Ordered
Placed on File.

Committee Reports

House

Ought to Pass in New Draft

The Committee on Taxation on Bill, "An Act Applying Sales Tax to Charges for Fabricating Tangible Personal Property." (H. P. 203) (L. D. 292) reported that the same Ought to Pass in New Draft. (H. P. 1207) (L. D. 1719)

Comes from the House, report Read and Accepted and the Bill 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 was Read a Second Time and Passed to be Engrossed in concurrence.

Divided Report

The Majority of the Committee on Senatorial Reapportionment acting in accordance with Joint Order (H. P. 955,) on Bill, "An Act to Establish Single Member Districts for Representatives to the House Based Upon the Existing Apportionment of the House Pursuant to the Constitution of Maine." (H. P. 1209) (L. D. 1721) reported that the same Ought to Pass.

(Signed)

Senators:

MacLEOD of Penobscot

ALBAIR of Aroostook

LUND of Kennebec

HILDRETH

of Cumberland

Representatives:

RICHARDSON

of Stonington

HENLEY of Norway

WOOD of Brooks

LEWIS of Bristol

DENNETT of Kittery

SUSI of Pittsfield

SCOTT of Wilton

The Minority of the same Committee on the same subject matter

reported that the same Ought Not to Pass.

(Signed)

Senators:

DUQUETTE of York

Representatives:

STARBIRD

of Kingman Township

BRENNAN of Portland

BELIVEAU of Rumford

Comes from the House, Majority Ought to Pass report Accepted, and later, the Bill Indefinitely Postponed.

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

Mr. JOHNSON of Somerset: Mr. President, I move that we Insist and ask for a Committee of Conference.

The PRESIDENT: The Senator from Somerset, Senator Johnson moves that the Senate Insist and requests a Committee of Conference.

The Chair recognizes the Senator from Penobscot, Senator MacLeod.

Mr. MacLEOD of Penobscot: Mr. President, I move the Senate accept the Majority Ought to Pass report of the Committee.

The PRESIDENT: The Senator from Penobscot, Senator MacLeod, moves that the Senate accept the Majority Ought to Pass report of the Committee.

The Chair recognizes the Senator from Aroostook, Senator Harding.

Mr. HARDING of Aroostook: Mr. President and Members of the Senate: I come from one of the cities that would be divided into districts and I haven't heard any desire, not only from my own, but from any city in the state, that would like to be divided into these districts to represent the House. It seems that the desire, if there is any, that these cities and towns be divided comes from outside of those particular areas. It seems to me that these cities and towns, they are the ones that are affected, and that their will should be the one that should prevail, and it is on this basis that I would oppose the motion that the good Senator from Penobscot, Senator MacLeod, has made, and I would request a division.

Thereupon, on motion by Mr. Johnson of Somerset, tabled and specially assigned for later in today's session pending the motion of the Senator from Penobscot, Senator MacLeod, that the Senate accept the Majority Ought to Pass report of the Committee.

Senate

Conference Committee Report

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill, "An Act to Appropriate and Provide Moneys for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1968 and June 30, 1969." (S. P. 597) (L. D. 1575) have had the same under consideration and ask leave to report that the Senate Recede from its action whereby it Passed the Bill to be Enacted, that it further Recede from its action whereby it Passed the Bill to be Engrossed, that it further Recede from its action whereby it Adopted Senate Amendment "A" as amended by House Amendment "A" thereto and House Amendment "B" thereto, that it further Recede from its action whereby it Adopted House Amendment "B" to Senate Amendment "A", that it Indefinitely Postpone House Amendment "B" to Senate Amendment "A", that it Adopt Conference Committee Amendment "A" to Senate Amendment "A", that it Adopt Senate Amendment "A" as amended by House Amendment "A" thereto, and Conference Committee Amendment "A" thereto, that it Recede from its action whereby it Adopted House Amendment "B", that it Adopt Conference Committee Amendment "A" to House Amendment "B", that it Adopt House Amendment "B" as Amended by Conference Committee "A" thereto, that it Adopt Conference Committee Amendment "A", and that it Pass the Bill to be Engrossed as Amended by: Senate Amendment "A" as Amended by House Amendment "A" thereto and Conference Committee Amendment "A" thereto; and House Amendment "B" as amended by Conference Committee Amendment "A" thereto; and Conference Committee

Amendment "A" that the House Recede and Concur with the Senate.

J. HOLLIS WYMAN
SAM A. R. ALBAIR
KENNETH P. MacLEOD
Committee on part of Senate
HARRISON RICHARDSON
HORACE H. DRUMMOND
J. RICHARD ROY

Committee on part of House

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

Mr. JOHNSON of Somerset; Mr. President, I move we accept the Committee Report.

The PRESIDENT: The Senator from Somerset, Senator Johnson, moves that we accept the Conference Committee Report.

The Chair recognizes the Senator from Aroostook, Senator Harding.

Mr. HARDING of Aroostook: Mr. President and Members of the Senate: I would ask before we vote on this if someone might explain what has happened. I would like to think that I — I guess it's true, I have been told this that I am the least common denominator, that if I can understand it, anyone can understand it — and at this time I can't understand it. There may be a lot of people who do. I hope so, anyway. So I would raise this question. There must be someone here who has some idea as to what has happened, and before we vote on it, Mr. President, I would ask if someone would be kind enough to give us an explanation.

The PRESIDENT: The Senator from Aroostook, Senator Harding, has posed a question to any member of the Senate who may answer if he or she desires.

The Chair recognizes the Senator from Penobscot, Senator MacLeod.

Mr. MacLEOD of Penobscot: Mr. President, in the absence of the Senate Chairman of this Conference Committee, I will attempt to briefly explain what action the Conference Committee took at our meeting last night. It sounds rather complicated to read it in the calendar. It is not that complicated at all.

The changes that were made in this document briefly are as fol-

lows: Number one, we reduced the Property Management Division appropriation by \$34,000 since we found we could save some money up in Northern Maine since the sanitarium is going to be closed. On the General Purpose Subsidy for Schools, we reduced this from \$10,000,000 to approximately \$8,600,000. This was done by taking the factor of 45 per cent in the old L. D. 636 which was attached to this document and reducing that factor to 35 per cent. This is the maximum increase any school administrative district or school administrative unit could receive in any one year. We also eliminated the one cent cigarette tax from the bill. This reduces the total revenues by approximately \$2,500,000. If you recall, the Governor, in his original message asked for a two cent hike on cigarettes which would produce about \$5,000,000 in revenues. By taking this out of this document, this leaves this amount of money available to the Executive for the next biennium, which I assume this is one of those sin taxes that if there is any real drive or effort made, this can be passed, so this should be a relatively easy \$5,000,000 in new revenues available to the Executive next year, but what we didn't do in our Conference Committee Report when we fooled around with this document, was that we didn't reduce the school subsidies by more than \$1,400,000. The cities and towns of the state in the second year of the biennium will receive an additional \$3,600,000 in school subsidies over and above the present statute by raising the foundation program from 255 to 320 with the limiting factors of 35 per cent the first year and 25 per cent the next year, etc. So there will still be substantial relief for the property taxpayer of the State of Maine.

We still left in this document that the state pick up the share that the towns have been paying 18 per cent ADC which is a further relief for the cities and towns of the state. Still in this document is a pay raise for state employees who all the studies show are among the lowest paid in the nation. We

still left in a very fine staff for an oceanography program. In other words, the guts and the meat of this document are still there, but we did come up with some sort of a compromise. The Governor has been so worried about having a major tax he says two years from now, well, we are giving him \$5,000,000 right here available, and by reducing the school subsidies this year, it will reduce the impact of this in the second biennium.

But, we are still offering to the people of Maine a compromise to try and get along with the Minority Party and I would hope that they would go along with it, and we came out with this compromise within hours after it failed of enactment in the House. We didn't wait. We all want to go home, but we want to go home with some progress, and if you adopt this Conference Committee Report, and send it over to the House, I feel that it will receive a far more favorable reception today than it has received in the past because it has indicated the Republican Leadership is willing to compromise. Thank you very much.

The PRESIDENT: The pending question is the motion of the Senator from Somerset, Senator Johnson, that we accept the report of the Conference Committee.

The Chair recognizes the Senator from Aroostook, Senator Harding.

Mr. HARDING of Aroostook: Mr. President and Members of the Senate: On this Conference Committee, unfortunately, as far as the part of the House is concerned, there were not contained on that Committee the people who had in mind what the objections were insofar as the Democratic members of the House are concerned nor the Governor. The make-up of the Committee was rather unusual. I would just point out that usually you have the people on the Committee who are on the prevailing side. One of the members on the Committee on the prevailing side actually spoke for and attempted to get this bill passed as it was and then switched his vote at the last minute. Another member on the Conference Committee on the

part of the House was a member of the Majority Party. The only member of the Minority Party was a member who unfortunately has not been able to attend the Legislature very much this session, and I am sure was not very familiar with the problems that the Minority Party saw in this particular bill. I know that it is a pure coincidence and has nothing to do with why the two members of the Conference Committee were chosen. Two are from the Sidney area, one is from Sidney and the other one is from Winslow. The Sidney Airport is at issue here, but I am sure that had nothing to do with their choice.

However, we are right back where we started as far as this is concerned. I think that there is one thing the Majority Party and the Minority Party were agreed on, and that was on this cigarette tax and this was eliminated. The factor reducing the increase that any municipality could get from 45 per cent to 35 per cent, that would help in this biennium only. It does nothing to close the revenue gap which will be had for the next year which is one of the big objections which the Minority Party has raised. It does nothing to change the situation which is inevitable of having a major tax increase this year and a major tax increase two years from now.

With the greatest respect, I feel we are right back where we started and my suggestion is that this would probably get a poorer reception in the other branch today or tomorrow, whenever it is taken up, than it did before, and I would ask that when the vote is taken, that it be taken by a division.

The PRESIDENT: Is the Senate ready for the question? The pending question is the motion of the Senator from Somerset, Senator Johnson, that the Senate accept the Conference Committee Report.

As many as are in favor of accepting the report will stand and remain standing until counted. Those opposed will stand and remain standing until counted.

A division was had. 20 Senators having voted in the affirmative, and

10 Senators having voted in the negative, the motion to accept the Conference Committee Report prevailed.

Thereupon, the Senate voted to recede from its action whereby it passed this bill to be enacted, then it voted to recede from its action whereby the bill was passed to be engrossed, then it voted to recede from its action whereby it adopted Senate Amendment "A" as amended by House Amendment "A" and House Amendment "B" thereto. Then it further voted to recede from its action whereby it adopted House Amendment "B" to Senate Amendment "A".

Then the Senate voted to indefinitely postpone House Amendment "B" to Senate Amendment "A". The following Conference Committee Amendment "A" to Senate Amendment "A" was adopted:

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

Amend said Amendment by striking out all of the 19th, 20th and 21st lines (19th, 20th and 21st lines in L. D. 1682) and inserting in place thereof the following:

'All Other *36,068,789 36,410,017
*(\$3,100,000 of this amount shall carry into the fiscal year ending June 30, 1969 to be expended for the same purposes.)'

Further amend said Amendment by striking out all of the 37th line (same line in L. D. 1682) and inserting in place thereof the following:

'Total Department of Education
45,753,612 46,425,793'

Further amend said Amendment by striking out all of the 78th line (same line in L. D. 1682) and inserting in place thereof the following:

'Total—Section A
\$112,106,684 \$117,741,004'

Further amend said Amendment by striking out in the 2nd line of the last paragraph of that part design-

nated "§3723" the underlined figure "45%" and inserting in place thereof the underlined figure '35%'

Further amend said Amendment by striking out all of the 20th and 21st lines from the end (19th and 20th lines in L. D. 1682) and inserting in place thereof the following: 'Amounting to \$114,632,819 for the fiscal year ending June 30, 1968, and \$121,923,336 for the fiscal year ending June 30, 1969'

Then the Senate voted to Adopt Senate Amendment "A" as amended by House Amendment "A" thereto, and Conference Committee Amendment "A" thereto. Then, the Senate further voted to recede from its former action whereby it Adopted House Amendment "B" and the following Conference Committee Amendment "A" to House Amendment "B" was adopted:

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

Amend said Amendment by striking out all of that part designated "Section G."

Then the Senate voted to Adopt House Amendment "B" as Amended by Conference Committee Amendment "A" thereto, and it further voted to Adopt the following Conference Committee Amendment "A":

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

Amend said Bill in Section A under the caption "FINANCE AND ADMINISTRATION, DEPARTMENT OF" by striking out all of the paragraph entitled "Property Management Division" and inserting in place thereof the following:

'Property Management Division
Personal
Services (120) 527,624 (120) 536,390

All		
Other	168,743	169,851
Capital		
Expenditures	10,000	5,000'

Further amend said Bill by correcting the totals of "Total Department of Finance and Administration" and by correcting the totals of "Totals—Section A" and by correcting the totals in the next to the last paragraph affected by the adoption of this amendment.

Then the Bill, As Amended, was Passed to be Engrossed.

On motion by Mr. Johnson of Somerset, sent down forthwith for concurrence.

Enactors

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

An Act Adopting the Uniform Arbitration Act. (S. P. 263) (L. D. 644)

An Act Relating to Public Higher Education (S. P. 497) (L. D. 1256)

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

An Act Relating to Issuing of Parking System Revenue Bonds and Water and Sewer System Revenue Bonds by Municipalities. (S. P. 541) (L. D. 1398)

An Act Relating to Audits for Judiciary, Legislature and Executive. (S. P. 690) (L. D. 1725)

An Act Relating Annual Estimates for County Taxes. (H. P. 1217) (L. D. 1730)

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

Emergency

An Act Establishing the Maine Planning Commission on Criminal Law Administration. (H. P. 583) (L. D. 815)

This, being an emergency measure and having received the affirmative vote of 30 members of the Senate, was Passed to be Enacted; and, having been signed by the President, was by the Secretary presented to the Governor for his approval.

Emergency

An Act Relating to Publication of Legal Notices. (H. P. 1182 (L. D. 1684)

This, being an emergency measure and having received the affirmative vote of 30 members of the Senate, was Passed to be Enacted; and, having been signed by the President, was by the Secretary presented to the Governor for his approval.

Bond Issue

An Act to Authorize Bond Issues in the Amount of \$4,380,000 to Provide Funds for School Building Construction Under the Provisions of Section 3457 of Title 20, R. S. (H. P. 300) (L. D. 435)

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

Bond Issue

An Act to Authorize Bond Issues in the Amount of \$270,000 to Provide Funds for the Construction of Regional Technical and Vocational Centers Under the Provisions of Section 2356-B of Title 20, R. S. (H. P. 399) (L. D. 565)

On motion by Mr. Johnson of Somerset and under suspension of the rules, the Senate voted to reconsider its action whereby it passed this bill to be engrossed.

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

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

Senate Amendment "B" to Committee Amendment "A", Filing S-296, was read by the Secretary as follows.

SENATE AMENDMENT "B" 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 "\$325,000"

Further amend said Amendment by striking out in the 6th line the figure "\$215,000" and inserting in place thereof the figure '\$325,000'

Further amend said Amendment by striking out in the last line the figure "\$215,000" and inserting in place thereof the figure '\$325,000'

Then the Senate voted to reconsider its action whereby it Adopted Committee Amendment "A".

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

Sent down for concurrence.

Orders of the Day

The President laid before the Senate the first tabled and today assigned matter,

(H. P. 1045) (L. D. 1517) Bill, "An Act Relating to Hours of County Officers of Androscoggin County."

Tabled — June 22, 1967 by Senator Boisvert of Androscoggin.

Pending — Consideration.

(In Senate — June 9, 1967 Passed to be Engrossed as Amended by Committee Amendment "A" Filing H-396.)

(In House — June 15, 1967 Passed to be Engrossed as Amended by Committee Amendment "A" and as Amended by House Amendment "B" Filing H-417 in Non Concurrence.)

On motion by Mr. Boisvert of Androscoggin, the Senate voted to recede from its action whereby the Bill was passed to be engrossed, and further voted to recede from its former action whereby it adopted Committee Amendment "A".

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

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

Senate Amendment "A", Filing S-297, to House Amendment "B" was read by the Secretary as follows:

SENATE AMENDMENT "A" to HOUSE AMENDMENT "B" to H. P. 1045, L. D. 1517, Bill, "An Act Relating to Hours of County Offices of Androscoggin County."

Amend said Amendment by adding at the end, before the single quotation mark, the following: **"This section shall not apply to the office of sheriff, judge of probate and county attorney."**

House Amendment "B" was read by the Secretary.

Senate Amendment "A" to House Amendment "B" was adopted, and House Amendment "B", as Amended, was adopted in non-concurrence.

Thereupon, the Bill, as Amended, was Passed to be Engrossed in non-concurrence and sent down forthwith for concurrence.

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

Mr. MILLS of Franklin: Mr. President, on the motion that I may make in regard to possible reconsideration of Item 8-5, H. P. 1217, L. D. 1730, "An Act Relating to Annual Estimates for County Taxes," I would like to move for reconsideration, and explain my motion.

I have noted that this L. D. 1730 operates on the same section of the statutes that the line budgeting statute, which is already on the books, already passed into law, operates upon. I am a little apprehensive that there may be conflicting action. I have no motives in regard to anything but orderly legislation in this particular bill. I know that if you have two statutes going into effect on the same day, and they conflict with each other, it is sort of a statutory problem. I don't want to have this reconsidered unless I have to, but I would like a little time, Mr. President, to check that out so that perhaps the document wouldn't leave the body — if you have got an appropriate motion — I don't want to have to back up and do this unless it is absolutely necessary.

The PRESIDENT: The Chair would suggest that the Senator has two courses of action: one, to move reconsideration, and the other is to give the Secretary notice of his

desire to hold the bill for reconsideration.

Mr. MILLS: I will give that notice. Thank you, Mr. President.

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

Mr. GOOD of Cumberland: Mr. President, I rise for the purpose of making a motion to reconsider. I would inquire as to whether or not the Senate has in its possession S. P. 456, L. D. 1133, "An Act Relating to Coverage Under Employment Security Law"?

The PRESIDENT: The Chair would reply in the affirmative, this Bill having been enacted yesterday and having been held for reconsideration at the request of the Senator from Cumberland, Senator Good.

The Chair recognizes that Senator.

Mr. GOOD of Cumberland: Mr. President and Members of the Senate: Yesterday an attempt was made to offer an amendment to this bill, although it was never offered. So at this time I will be offering an amendment, provided the Senate goes along with the motion.

In debate yesterday it was pointed out that this bill reduces the coverage under the Unemployment Security Law if an employer has one employee. That bill was passed to be enacted yesterday. We are not objecting to that at this time, or at a later date. This bill also changed some of the present law other than that. For the first time, it included in the law a provision that if an employer paid as little as \$450 in wages in the quarter he would be subject to the payment of unemployment security moneys for all of his employees. There was a further change in the bill, reducing from the present law, where an employee must be employed for at least 20 weeks, down to 13 weeks. Then there was a further change in the law which seemed to be objectionable, and that is what we are trying to correct mainly here by the amendment. If the present bill were passed in its present form, a new employer coming under this coverage—and there is over 11,100

of them—would not only have to pay unemployment funds for the current year, but also for the preceding year. So this amendment, if adopted, would do the following: It would leave the 20 weeks after 20 weeks, and it would leave the monetary \$450 out of the new law and keep it as it is in the present law. And there is a provision in here which says "However, no contribution shall become due and payable from those employers covered by this paragraph for the calendar year 1967." So this would become operative in 1968. They won't have to go back this year, and certainly not back into 1966.

This amendment, by the way, was prepared by one of the members of the Employment Security Commission. I believe that the Republican and Democrat Leaders of the Senate have discussed this with some of the members of the Maine Employment Security Commission, or those in the know anyway, and I assume that they are in agreement that the bill would be improved if the amendment was adopted. So, at this time I would make the following motions: One would be that we reconsider our action whereby the bill was passed to be enacted. Then I would move that we suspend the rules for the purpose of reconsidering our action whereby the bill was passed to be engrossed, and then I would offer the amendment. So I at this time move that the Senate reconsider its action whereby this bill was passed to be enacted.

The PRESIDENT: The Senator from Cumberland, Senator Good, moves that the Senate now reconsider its action whereby this bill was passed to be enacted. Is this the pleasure of the Senate?

The motion prevailed.

Thereupon, on 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.

Mr. Good of Cumberland then presented Senate Amendment "A" and moved its adoption.

Senate Amendment "A", Filing S-248, was read by the Secretary as follows:

SENATE AMENDMENT "A" to S. P. 456, L. D. 1133, Bill, "An Act Relating to Coverage Under Employment Security Law."

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

'An Act Relating to Definition of Employer under Employment Security Law.'

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

'Sec. 1. R. S., T. 26, §1043, sub-§9, ¶A, repealed and replaced. Paragraph A of subsection 9 of section 1043 of Title 26 of the Revised Statutes is repealed and the following enacted in place thereof:

A. Prior to January 1, 1968, any employing unit which for some portion of a day, but not necessarily simultaneously, in each of 20 different weeks, whether or not such weeks are or were consecutive, within either the current or the preceding calendar year, has or had in employment 4 or more individuals, irrespective of whether the same individuals are or were employed in each such day;

Sec. 2. R. S., T. 26, §1043, sub-§9, ¶A-1, additional. Subsection 9 of section 1043 of Title 26 of the Revised Statutes is amended by adding a new paragraph A-1, to read as follows:

A-1. On and after January 1, 1968, any employing unit which for some portion of a day, but not necessarily simultaneously, in each of 20 different weeks, whether or not such weeks are or were consecutive, within either the current or the preceding calendar year, has or had in employment one or more individuals, irrespective of whether the same individuals are or were employed in each such day. However, no contributions shall become due and payable from those employers covered by this paragraph for the calendar year 1967;

Sec. 3. R. S., T. 26, §1222, sub-§2, repealed and replaced. Subsection 2 of section 1222 of Title 26 of the Revised Statutes is repealed and the following enacted in place thereof:

2. Termination of employer's coverage.

A. Except as otherwise provided in subsection 3, an employing unit shall cease to be an employer subject to this chapter as of the first day of January of any calendar year, only if it files with the commission, prior to the 31st day of January of such year, a written application for termination of coverage, and the commission finds that there were no 20 different days, each day being in a different week within the preceding calendar year, within which such employing unit employed one or more individuals in employment subject to this chapter. For the purpose of this subsection, the 2 or more employing units mentioned in section 1043, subsection 9, paragraph B or C or D shall be treated as a single employing unit.

B. The commission may upon its own motion terminate coverage of any employer when the commission finds that there were no 20 different days, each day being in a different week within the preceding calendar year, within which such employing unit employed one or more individuals in employment subject to this chapter; and the commission may, upon its own motion terminate the coverage of an employing unit which had become an employer by virtue of subsection 3, as of January 1st of any calendar year when such employing unit has, by virtue of approval of its election to become a subject employer, been such a subject employer for the 2 or more preceding calendar years.

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

Sent down forthwith for concurrence.

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

Mr. SEWALL of Penobscot: Mr. President, I would like to inquire whether or not the Senate has in its possession S. P. 635, L. D. 1635, "An Act Relating to the Water and Air Environmental Improvement Commission"?

The PRESIDENT: The Chair will reply in the affirmative, this matter having been held at the request of the Senator from Penobscot, Senator Sewall, for possible reconsideration.

The Chair recognizes the same Senator.

Mr. SEWALL: Mr. President, I now move that the Senate reconsider its action whereby it receded and concurred with the House.

Thereupon, the Senate voted to reconsider its action whereby it voted to recede and concur.

On further motion by the same Senator, the Senate voted to recede from its action whereby it passed the Bill to be engrossed, and further voted to recede from its action whereby it adopted Senate Amendment "B".

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

Senate Amendment "A", Filing S-292, to Senate Amendment "B" was read by the Secretary as follows:

SENATE AMENDMENT "A" to SENATE AMENDMENT "B" to S. P. 635, L. D. 1635, Bill, "An Act Relating to the Water and Air Environmental Improvement Commission."

Amend said Amendment by striking out all of the 3rd and 4th paragraphs and inserting in place thereof the following:

'Further amend said Bill in section 5 by striking out in the 5th and 6th lines of the 6th paragraph of that part designated "\$363" (5th line in L. D. 1635) the underlined words and figures "**During at least 16 hours of any 24-hour period**" and inserting in place thereof the underlined punctuation and words '**, subject, however, to normal natural variations,**'

Further amend said Bill in section 5 by striking out in the 4th and 5th lines of the 9th paragraph of that part designated "\$363" (4th line in L. D. 1635) the underlined words and figures "**during at least 16 hours at any 24-hour period**" and inserting in place thereof the underlined punctuation and words '**, subject, however, to normal natural variations,**'

Senate Amendment "A" to Senate Amendment "B" was adopted, and Senate Amendment "B", as Amended, was adopted.

House Amendment "F" was read by the Secretary.

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

Sent down forthwith for concurrence.

On motion by Mr. Johnson of Somerset, the Senate voted to take from the table the seventh unassigned matter, (H. P. 1186) (L. D. 1687) Bill, "An Act Increasing Salary of Mayor and Councilmen, Reducing the Number of Members on the City Council, Increasing the Term of Office of Mayor, City Council, Board of Police and Board of Education, Wardens and Ward Clerks of the City of Biddeford, Changing Date of Election, and Providing for Electing Civil Service Commission for the Fire Department of the City of Biddeford."

Tabled — June 14, 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.

On motion by Mr. Ross of Piscataquis,

Recessed until three o'clock this afternoon.

(After Recess)

Called to order by the President.

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

Mr. JOHNSON of Somerset: Mr. President, I move that we recess for ten minutes for the purpose of having a Republican caucus in the Judiciary Room.

Thereupon, recessed for ten minutes.

(After Recess)

Called to order by the President.

Out of order and under suspension of the rules, on motion by Mr. Sewall of Penobscot:

ORDERED, the House concurring, that Bill, "An Act Relating to Election of School Board of City of Old Town," S. P. 352, L. D. 936, be recalled from the Governor to the Senate. (S. P. 704)

Which received Passage and was sent down forthwith for concurrence.

Out of order and under suspension of the rules, on motion by Mr. Ross of Piscataquis,

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Monday, June 26, at one o'clock in the afternoon.

On motion by Mr. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table L. D. 81, "An Act Relating to Exceptional Children."

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

Mr. BERRY: Mr. President, I move the Senate indefinitely postpone this Act.

The PRESIDENT: The Senator from Cumberland, Senator Berry, moves that this bill be indefinitely postponed. Is this the Pleasure of the Senate?

The Chair recognizes the Senator from Aroostook, Senator Harding.

Mr. HARDING of Aroostook: Mr. President and Members of the Senate: I would ask for an explanation, if I might, from the Chairman of the Appropriations Committee or some other member of the Senate as to what the purpose for removal of this at this time and indefinite postponement is?

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

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: There is somewhere in the vicinity of \$6,000,000 worth of L. D.'s on the Special Appropriations Table, and under no circumstances will money anywhere approaching this amount be available.

The PRESIDENT: Is it now the pleasure of the Senate that this bill be indefinitely postponed?

The motion prevailed.

Sent down forthwith for concurrence.

On motion by Mr. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table L. D. 119, "Resolve Providing Funds for the Narragagus River Water Control Program."

On further motion by the same Senator, Indefinitely Postponed and sent down forthwith for concurrence.

On motion by Mr. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table L. D. 896, "Resolve Providing Funds for Fisheries Instructions and Literature Publication and Dissemination."

On further motion by the same Senator, Indefinitely Postponed and sent down forthwith for concurrence.

On motion by Mr. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table L. D. 1016, "Resolve Providing for a Retirement Allowance for Lois B. Goodwin."

On further motion by the same Senator, Indefinitely Postponed and sent down forthwith for concurrence.

On motion by Mr. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table L. D. 862, "An Act Providing Funds for Casco Bay Island Development Association Vacation and Conference Center on Peaks Island."

On further motion by the same Senator, Indefinitely Postponed and sent down forthwith for concurrence.

On motion by Mr. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table L. D. 982, "An Act Appropriating Funds to Expand Services for Eye Care and Special Services Division of the Department of Health and Welfare."

On further motion by the same Senator, Indefinitely Postponed and sent down forthwith for concurrence.

On motion by Mr. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table L. D. 1345, "An Act Relating to Law Clerks for the Judiciary."

On further motion by the same Senator, Indefinitely Postponed and sent down forthwith for concurrence.

On motion by Mr. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table L. D. 674, "An Act Relating to Payment of Funeral Expenses for Recipients of Aid to Aged, Blind and Disabled."

On further motion by the same Senator, Indefinitely Postponed and sent down forthwith for concurrence.

On motion by Mr. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table L. D. 978, "Resolve Relating to Retirement and Pension of Steven A. Regina of Saco."

On further motion by the same Senator, Indefinitely Postponed and sent down forthwith for concurrence.

On motion by Mr. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table L. D. 19, "Resolve in Favor of the City of Augusta."

On further motion by the same Senator, indefinitely postponed and sent down forthwith for concurrence.

On motion by Mr. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table L. D. 978, "Resolve Relating to Housing and Meal Expenses for Legislators."

On further motion by the same Senator, indefinitely postponed and sent down forthwith for concurrence.

(At Ease)

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

Mr. BERRY of Cumberland: Mr. President, I move the Senate take from the Special Appropriations Table L. D. 1, "An Act to Provide Funds for Blind Children's Education."

The PRESIDENT: The Senator from Cumberland, Senator Berry, moves that the Senate now take from the Special Appropriations Table L. D. 1. Is this the pleasure of the Senate?

The Chair recognizes the Senator from Aroostook, Senator Harding.

Mr. HARDING of Aroostook: Mr. President and Members of the Senate: In my lifetime I think that I have suffered as many defeats, as many reverses, as any man in this room or any woman in this room. I have always felt that the mark of a man was his ability to accept reverses. That is the way that life is and that is the way that politics is. I know that there are people who are disappointed here today that things have not gone as they would wish in this Legislature.

As I have understood the rules of politics, it is that sometimes you win, sometimes you do not win, and sometimes you have to compromise. There is available funds to properly do the things which need to be done for the State of Maine. We may disagree as to what particular measure that we would use to raise these funds, but there are ample measures available. I can assure you that this is the concern of the Democratic Party and the concern of the Governor of this state. I also can assure you that there are people now working on alternatives which will be offered to this Legislature on Monday.

I say this to you, speaking not as a Minority Leader, but only as a man, that if today we act impetuously because we have not been able to have our way, we will regret it as a Legislature, the individuals who have done it will regret it as individuals, and the State of Maine will be the loser.

I do not believe that the State of Maine will ever forgive a political party or an individual who acts impetuously on the matters facing this State.

You have seen me since the beginning of this session defeated time after time. There is no one in this room who has been defeated any more consistently on matters than have I. I have tried, however, to keep my sense of proportion and realize what exists here. I would only ask that the Majority Party have the same feeling and the same compassion. It is true that you have not always prevailed, but you have prevailed in the overwhelming number of cases. The times that we have prevailed have been in the very, very minute number of cases.

I pick this particular bill to mention what is going on here - I know it, the press knows it, all Maine will know it - I do not believe that they will forgive us for acting at this particular time, especially when we know, and I now advise you, of what will be happening. I think it well that we just take a pause, a recess, what have you, we go home for the weekend, we consider these matters, we come back and take them up one by one. I think that is how we would best serve the people of this State. In fact, I say this with all the sincerity that I have at my command, that if you defeat measures like this out of impetuosity, because you have not been able to prevail, that anyone who votes this way will find it hard to go back and face his constituents and explain to them why he did it.

Mr. President, when the vote is taken on this I would ask that it be taken by the "Yeas" and the "Nays," and I would ask that you oppose indefinite postponement of this bill.

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

Mr. MacLEOD of Penobscot: Mr. President and Members of the Senate: I rise here this afternoon as a Senator from Penobscot County, as a Senator representing the State of Maine, and I also rise here as a man.

On the 23rd of June, which is today, in the House this morning the Minority Leadership spoke of a tax plan, the three percent, so-called, tax plan, that sometime

next week they may have had enough research done on so they might be able to present it to this Legislature. On Friday afternoon, June 23rd, this afternoon, the Minority Leader of the Senate stands up and says that if we will wait until Monday there will be a plan presented to this Legislature. I don't know what his plan would contain.

I only know this: that we have been here for six months, and we have presented a program that would do a lot in many areas, including the L. D. under consideration, but also for emotionally disturbed children, mentally retarded children, increased subsidies, we all know what the program contained, and he has opposed this program right down the line.

This L. D. has a particular emotional appeal, but I don't think that it has any more emotional appeal than if we brought in a bill to do something for the emotionally disturbed or as Senator Katz on television talked about, the 13-year old boy who came into his office and he wouldn't be admitted to school this Fall, and his parents didn't know which way to turn, and was the State going to have a program that would be able to help this 13-year old boy.

The implication of the Minority Leader today is that we are acting impetuously, we were acting without any heart, when we indefinitely postponed this L. D. I think the Minority Party has had every chance in the world in the past six months to offer constructive alternatives to the Republican Program after their own program went down the drain and didn't get the full support of their own party. No alternatives were forthcoming. When there is no alternative, and when our own program that we tried so hard to pass had no support whatsoever from the Minority Party, just because of the pressure from the Executive because he had made a campaign promise, this is the reason why we are having to take these worthwhile L. D.'s off the table and move for indefinite postponement, not because any of the Republican Senators here or any of the Demo-

crat Senators here like to see legislation like this go down the drain.

We have responsibilities as State Senators, and the House has the same responsibilities, to operate and run the State of Maine and appropriate the funds and approve the programs necessary, and appropriate the taxes or pass the tax measures to pay for these programs. If anyone can stand here this afternoon and say that the Republican Party has not made a sincere and determined effort to do this then they are lying; we have gone all the way. The new fiscal year starts next week, so it is about time that we got down to business. And part of the business, distasteful though it is, is indefinite postponement of worthwhile L. D.'s such as this.

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

Mr. LUND of Kennebec: Mr. President, I have the greatest sympathy for the viewpoint expressed by the good Senator from Aroostook, Senator Harding, but I think his sentiments might better have been expressed by some member of the other body in support of votes for revenue measures being consistently defeated over there.

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

Mr. KATZ of Kennebec: Mr. President, I have refrained from partisanship comment this session, from partisan comment, and yet I can't help but say now that I have in front of me page after page of meaningful programs that are important to the State of Maine, including Kitty Carswell's bill we are discussing now. I can't help but remember that there wasn't a single penny in the Governor's program for one of these L. D.'s.

I have been sitting here investing six months of my lifetime too, and I have been waiting for some indication from the front office that all this talk of compromise was going to have some executive leadership behind it. If there has been any subsequent suggestions since January as to a specific program I haven't heard it.

I can assure the Senator from Aroostook this hurts me more than it hurts him. There are quite a few meaningful educational measures in front of us that are obviously going down the drain, and with each and every one part of my life goes down too. Sure it would be nice if we took these up one at a time in leisurely debate just like he did last session in the last thirty minutes of the session when they went down with rapidity that probably was unparalleled in legislative history.

I think we are all doing our job here, and pseudo-partisanship at this time certainly rings a pretty sour note.

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

Mr. HARDING of Aroostook: Mr. President and Members of the Senate: I think it has been evident from the press releases that have gone out that the Chief Executive of this State has attempted time after time to work out a compromise program with the leadership of the Legislature. That has not been productive. The only proposal which has been forthcoming from the Majority Leadership has been this program, "take this or take nothing." This is not the way that things work in the legislative field. There must be compromise. I would tell you there is a letter in the works right now, in transit from the Governor of this State to the Legislative Leaders, mentioning the fact that he is concerned about the situation which exists and that he is submitting a program. I say to you that it is most unfortunate if we act hastily in this regard, because the Governor has been willing to compromise, but no Minority Party can come forward with tax programs unless the Majority Party is willing to accept them and try to get them passed. We know in times past that this is the way it has worked. The Majority Party and the Minority Party have agreed upon a tax measure which was acceptable to both and they both have got behind it to be passed.

Thus far we have not been able to find a tax measure which both parties would agree on. The Gover-

nor's program was voted down by the Majority Party. The Majority Party then came forward with their program, which was not acceptable. But this does not mean that all compromise is out the window and that we now can do nothing further. We can do something further.

Now this program which we are defeating at this time is a program that has already been launched. It is the only program of its kind in the state, and it needs expanding. I assure you that there are tax measures that the Minority Party will work for, support practically to a man, and it is possible to do these things which need to be done for the State of Maine. I only ask that we not act in the heat of anger and in the heat of retribution at this time to destroy some things that would be of immeasurable benefit to the people of Maine.

It is difficult to find a tax measure that everyone agrees on. This has been true for time immemorial. But the people here, the legislative leaders here know how you get a tax measure passed, and it must be by an agreement, a compromise of both political parties. I suggest to you that this can be done, and it is unnecessary to act hastily at this particular time. So, I would hope that you would vote against this measure so that we can go home over the weekend and think about this thing, and come back and do the job which the people of Maine expect us to do.

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

Mr. Snow of Cumberland: Mr. President, I would move that we adjourn, and I would speak to my motion.

The PRESIDENT: The Senator from Cumberland, Senator Snow, moves that we adjourn.

The Chair recognizes the Senator from Penobscot, Senator MacLeod.

Mr. MacLEOD: Point of order.

The PRESIDENT: The gentleman may state the point of order.

Mr. MacLEOD: I understand that a motion to adjourn is not debatable.

The PRESIDENT: The Chair will so rule. It is not debatable.

The Chair recognizes the Senator from Somerset, Senator Johnson.

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

The PRESIDENT: As many as are in favor of adjournment will stand and remain standing until counted. Those opposed will stand and remain standing until counted.

A division was had. Seven Senator having voted in the affirmative, and 23 Senators having voted in the negative, the motion to adjourn did not prevail.

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

Mr. FARLEY of York: Mr. President and Members of the Senate: I think I spoke here a few weeks ago on terms that we here in this body somewhere could get along and come through with something that would be acceptable to the Governor of the State of Maine.

I served in this Senate for three terms under the presiding officer, the Honorable Robert Haskell and the Honorable John Reed. Under the Honorable Robert Haskell, in order to meet the appropriations and put into effect one of the most gigantic school bills in the State of Maine, the Sinclair Act, which to my mind had bullets shot through it at the time, it necessitated that we did have a non-partisan group of Democrats and Republicans to work with the Honorable Robert Haskell and the Honorable Edmund Muskie. From it we came out with a program, and we increased the sales tax a penny. At that time it was two cents. But you all remember this, that when the Honorable Edmund Muskie was elected Governor of the State of Maine he was deprived of the money that was supposed to be coming in 1951 from the net value of the automobile, he was also deprived of the money that came out of the cigar tax at the end of the term of the Honorable Governor Burton Cross. So when we came in here we were pretty nearly as bad off as we were in 1951 under the Honorable Governor Payne I think the presiding officer knows himself just what we were up against at

that time. Finally the sales tax went through and there was enough money for Governor Payne to go along with a program that would be faithful to the citizens of the State of Maine.

I have stood here and I have been willing to go along with any member of this Senate to try and reach something that can get us home and get us home in our business. But we are still fighting the Governor in the corner Office, and the quicker that we find out and learn that he is going to be here for four years, the better, and nobody is going to put him out. And I sustain the motion of the Minority Floor Leader.

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

Mr. HARDING of Aroostook: Mr. President and Members of the Senate: As an example of the attempts which the Chief Executive of the State has made to resolve these issues I read into the record a letter which he wrote on May 26, 1967 to the President of the Senate and the Speaker of the House.

"Gentlemen:

"Pursuant to our conversation, I am hereby submitting for your consideration a tentative proposal for an expanded financial program. Since the convening of the 103rd Legislature I have carefully listened to legislative proposals and legislative debates, and it would appear desirable to add additional funds to such areas as school operating subsidies, the State University, State employees, and minor adjustments in other areas.

"As we discussed, projections from the State Budget Office indicate that the legislative proposal will leave the 104th Legislature with a \$46,000,000 deficit, even with a 5 percent sales tax in effect. This would require the burden of two major tax increases in two consecutive sessions. My tentative proposal is one way that it would be possible to have an expanded program without resorting to the 5 percent sales tax.

"It does appear that with no new taxes over and above those which I originally suggested it would be possible to reach a general fund appropriation of \$231,000,000. I

recognize, as you do, that there are worthwhile and important projects represented by items in L. D.'s before the Legislature and items deleted from L. D. 1575.

"There are a number of alternative revenue measures before this Legislature, other than an increase in the sales tax or a personal income tax, which could, if necessary, finance these proposals and should be considered for that purpose, I am sure that the leadership of both parties and this administration could write a proposal which can receive legislative support and be acceptable to the people of Maine.

"I stand ready to offer the assistance of this administration at any time you feel it could be helpful.

Respectfully yours,
Kenneth M. Curtis
Governor"

This was nearly a month ago, but the Governor stands now ready to compromise to work out something as he did at this time. Again I plead with you to vote against this proposal so that we can act, not in anger, but in consideration of these very important things which are pending before this Legislature.

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

Mr. KATZ of Kennebec: Mr. President, I am confused by the reading of this letter. I presumed I was going to hear a specific proposal for a specific compromise. As I understand it, the Governor urged to reconsider his program and pass it, including the measure for the taxation of services and tangible properties that got the overwhelming support of 39 members of the House. May I pose this as a question through the Chair to the Senator from Aroostook?

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

Mr. HARDING of Aroostook: Mr. President and Members of the Senate: I can only tell you, in answer to the question, that the Chief Executive now is working on two alternative programs, which he will submit to the Legislature for their consideration this coming Monday.

In that program will be a considerable amount of money for worthy L. D.'s like this one.

The PRESIDENT: The pending question is the motion of the Senator from Cumberland, Senator Berry, that this item, L. D. 1, be taken from the Special Appropriations Table. The Senator from Aroostook, Senator Harding, has requested that the vote be taken by the "Yeas" and "Nays." In order for the "Yeas" and "Nays" to be entertained there must be the expressed desire of at least one-fifth of the members present.

The Chair recognizes the Senator from Aroostook, Senator Harding.

Mr. HARDING of Aroostook: Mr. President, I withdraw the motion for the "Yeas" and "Nays" on taking this matter from the table.

The PRESIDENT: Is it now the pleasure of the Senate that this bill be taken from the Special Appropriations Table?

The motion prevailed.

The PRESIDENT: The Senator from Cumberland, Senator Berry, now moves that this item, L. D. 1, be indefinitely postponed and be sent forthwith to the House.

The Chair recognizes the Senator from Aroostook, Senator Harding.

Mr. HARDING of Aroostook: Mr. President, I rise to oppose the motion of the Senator from Cumberland, Senator Berry, and I would ask when the vote be taken it be taken by the "Yeas" and the "Nays." And I would ask that you vote against indefinite postponement.

The PRESIDENT: The pending question is the motion of the Senator from Cumberland, Senator Berry, that this bill be indefinitely postponed: The Senator from Aroostook, Senator Harding, now requests that the vote be taken by the "Yeas" and the "Nays." In order for the "Yeas" and "Nays" to be entertained there must be the expressed desire of at least one-fifth of the members present.

As many as are in favor of the vote being taken by the "Yeas" and "Nays" will stand and remain standing until counted.

Obviously a sufficient number having arisen, a roll call is ordered. Again, the pending motion is the motion of the Senator from

Cumberland, Senator Berry, that this item, L. D. 1, be indefinitely postponed. Those in favor of indefinite postponement will answer "Yes" when their names are called; those opposed to indefinite postponement "No." The Secretary will call the roll.

ROLL CALL

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

NAYS: Senators Boisvert, Couturier, Duquette, Farley, Harding, Mills, Norris, Reny, and Snow.

ABSENT: Senators Brewer, Girard and Stern.

A roll call was had. 22 Senators having voted in the affirmative, and nine Senators having voted in the negative, the motion prevailed and the Bill was Indefinitely Postponed and sent down forthwith for concurrence.

On motion by Mr. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table L. D. 382, "An Act Reactivating the Governor's Committee on Children and Youth."

On further motion by the same Senator, Indefinitely Postponed and sent down forthwith for concurrence.

On motion by Mr. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table L. D. 1002, "An Act Relating to the Administration of the Aid to Dependent Children Program."

On further motion by the same Senator, Indefinitely Postponed and sent down forthwith for concurrence.

On motion by Mr. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table L. D. 708, "Resolve to Authorize a Professional Review and Analysis of Maine's World Trade Potential."

On further motion by the same Senator, Indefinitely Postponed and sent down forthwith for concurrence.

On motion by Mr. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table L. D. 912, "An Act Providing Funds for a Redevelopment Plan of the Portland and South Portland Waterfront."

On further motion by the same Senator, Indefinitely Postponed and sent down forthwith for concurrence.

On motion by Mr. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table L. D. 734, "An Act Providing Funds for Support of the Civil Air Patrol."

On further motion by the same Senator, Indefinitely Postponed and sent down forthwith for concurrence.

On motion by Mr. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table L. D. 1471, "An Act Establishing a Consumers' Council."

On further motion by the same Senator, Indefinitely Postponed and sent down forthwith for concurrence.

On motion by Mr. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table L. D. 437, "An Act Relating to Reimbursement of Board for Secondary School Pupils."

On further motion by the same Senator, Indefinitely Postponed and sent down forthwith for concurrence.

(At Ease)

On motion by Mr. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table L. D. 1079, "An Act Authorizing Use of Electronic Voting Systems in Elections."

On further motion by the same Senator, the Senate voted to Indefinitely Postpone the Bill. Sent down forthwith to the House for concurrence.

On motion by Mr. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table L. D. 1069, "An Act Revising the Law Relating to Dealers in Securities."

On further motion by the same Senator, the Senate voted to Indefinitely Postpone the Bill. Sent down forthwith to the House for concurrence.

On motion by Mr. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table L. D. 916, "Resolve for Construction and Erection of a Statue to the Maine Lobstermen in Washington, D. C."

On further motion by the same Senator, the Senate voted to Indefinitely Postpone the Resolve. Sent down forthwith to the House for concurrence.

On motion by Mr. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table L. D. 1589, "An Act Relating to Fallout Shelters in Public School Buildings."

On further motion by the same Senator, the Senate voted to Indefinitely Postpone the Bill. Sent down forthwith to the House for concurrence.

On motion by Mr. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table L. D. 1631, "An Act Creating the Pest Control Compact."

On further motion by the same Senator, the Senate voted to Indefinitely Postpone the bill. Sent down forthwith to the House for concurrence.

On motion by Mr. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table L. D. 1688, "An Act Relating to Restoration of Service under the State Retirement Law."

On further motion by the same Senator, the Senate voted to Indefinitely Postpone the Bill. Sent down forthwith to the House for concurrence.

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

take from the Special Appropriations Table L. D. 1683, "An Act Appropriating Funds to County of Lincoln, Town of Wiscasset and Town of Westport for Reimbursement of Funds Expended on Westport-Wiscasset Bridge Span."

On further motion by the same Senator, the Senate voted to Indefinitely Postpone the bill. Sent down forthwith to the House for concurrence.

On motion by Mr. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table L. D. 1294, "An Act Providing Vocational Education Loan Funds."

On further motion by the same Senator, the Senate voted to Indefinitely Postpone the Bill. Sent down forthwith to the House for concurrence.

(At Ease)

On motion by Mr. Johnson of Somerset, the Senate voted to take from the table the fifth tabled and unassigned matter (H. P. 12) (L. D. 24) Bill "An Act Repealing the Law Requiring Assessment of Municipalities in Aid to Dependent Children Grants."

On further motion by the same Senator, the Senate voted to Indefinitely Postpone the Bill. Sent down forthwith to the House for concurrence.

The President laid before the Senate Item 1-A of the Advanced Journal Bill, "An Act Repealing Economic and Recreational Development in Oxford County." (H. P. 1201) (L. D. 1708) tabled earlier in today's session by the Senator from Oxford, Senator Ferguson.

On further motion by the same Senator, the Senate voted to reconsider its action whereby it receded and concurred with the House. On further motion by the same Senator, the Senate voted to recede from its action whereby it passed the bill to be engrossed. Then, on further motion by the same Senator, the Senate voted to recede from its action whereby it accepted the Minority Report.

On further motion by the same Senator, the Senate then voted to accept the Majority Ought to Pass, As Amended, Report and the Bill was Read Once. Committee Amendment "A" was Read and Adopted.

Thereupon, Mr. Ferguson of Oxford, offered Senate Amendment "A" and moved its adoption.

Senate Amendment "A", Filing S-260 was read by the Secretary as follows:

SENATE AMENDMENT "A" to H. P. 559, L. D. 791, Bill "An Act Decreasing Annual Expenditure for Economic and Recreational Development in Oxford County."

Amend said Bill in the Title by striking out the words "Decreasing Annual Expenditure for" and inserting in place thereof the words 'Relating to'

Further amend said Bill by inserting at the beginning of the first line the underlined abbreviation and figure 'Sec. 1.'

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

'Sec. 2. R. S., T. 10, § 911, amended. Section 911 of Title 10 of the Revised Statutes, as enacted by chapter 122 of the public laws of 1965, is amended by adding at the end the following new paragraph:

Any county commissioner of Oxford County who exceeds the appropriation authorized by this section shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than \$300 or by imprisonment for not more than 30 days, or by both.'

Senate Amendment "A" was adopted. Under suspension of the rules, the Bill was Read a Second Time, and the Bill, As Amended, was Passed to be Engrossed in non-concurrence. Sent down for concurrence.

The PRESIDENT laid before the Senate Item 6-2, Bill "An Act to Establish Single Member Districts for Representatives to the House Based Upon the Existing Apportionment of the House Pursuant to the Constitution of Maine." (H. P. 1209) (L. D. 1721) tabled earlier in today's session by the Senator from Somerset,

Senator Johnson, pending the motion of the Senator from Penobscot, Senator MacLeod, that the Senate accept the Ought to Pass Report of the Committee.

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

Mr. LUND of Kennebec: Mr. President, I move the acceptance of the Ought Not to Pass Report in concurrence.

The PRESIDENT: The Chair would advise the Senator that the pending motion is the acceptance of Ought to Pass Report, and the first motion would have to be disposed of before we could accept the other report.

The Chair recognizes the Senator from Penobscot, Senator MacLeod.

Mr. MacLEOD of Penobscot: Mr. President and Members of the Senate: Recognizing what the pending motion is, I would still like to inquire through the Chair of our esteemed Chairman as to why he wants to accept the Minority Ought Not to Pass Report.

The PRESIDENT: The Senator from Penobscot, Senator MacLeod, poses a question through the Chair to the Senator from Kennebec, Senator Lund, who may answer if he so desires.

Thereupon, on motion by Mr. Lund of Kennebec, retabled until later in today's session, pending the motion of the Senator from Penobscot, Senator MacLeod, that the Senate accept the Ought to Pass Report of the Committee.

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

Mr. JOHNSON of Somerset: Mr. President, with reference to Item 8-2 on the calendar, I believe I tabled that earlier in today's session, if I'm not mistaken.

The President laid before the Senate Item 8-2 An Act Relating to Public Higher Education. (S. P. 497) (L. D. 1256) tabled earlier in today's session by the Senator from Somerset, Senator Johnson, pending enactment.

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

Mr. JOHNSON of Somerset: Mr. President, I yield to the Senator from Kennebec, Senator Katz.

On motion by Mr. Katz of Kennebec, and under suspension of the rules, the Senate voted to reconsider its action whereby it passed this bill to be engrossed. Then the same Senator presented Senate Amendment "C" and moved its adoption.

Senate Amendment "C", Filing S-298, was read by the Secretary as follows:

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

Amend said Bill by striking out all of section 41.

Further amend said Bill by renumbering sections 42 to 44 to be sections 41 to 43.

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

Mr. KATZ of Kennebec: Mr. President, perhaps in this moment of tension, Mr. President, I should explain so everyone will know that there is no great moment to this. This amendment removes from this bill reference to the Maine Maritime Academy, and this makes it consistent with L. D. 1258, which we have already passed to be engrossed.

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

Sent down for concurrence.

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

Mr. MILLS of Franklin: Mr. President, if it is in order, I would like to take from the table L. D. 1730, "An Act Relating to Annual Estimates for County Taxes," which I believe I tabled earlier today.

The PRESIDENT: The Senator from Franklin, Senator Mills, moves that we take from the table — the Chair would inquire from the Senator whether this was tabled for disposition later in today's session?

Mr. MILLS of Franklin: Yes, 8-5 Mr. President, I thought there was a conflict between this and another

act that had been passed earlier and I find there is not. It should be enacted now. I believe I put that on the table for this purpose.

The PRESIDENT: The Chair would advise the Senator that this was passed to be enacted and then was held at the request of the Senator. Does the Senator wish to reconsider, or what is the the motion?

Mr. MILLS of Franklin: Mr. President, just stop holding it. I'm sorry.

The PRESIDENT: We'll stop holding it.

Out of Order Under Suspension of the Rules

The following papers were taken up.

Papers From The House Non-concurrent Matters

Bill "An Act to Correct Errors and Inconsistencies in the Public Laws", (S. P. 543) (L. D. 1444)

In Senate, June 20, Passed to be Engrossed as Amended by Committee Amendment "A"

Comes from the House, Passed to be Engrossed As Amended by Committee Amendment "A" and House Amendment "B" and House Amendment "D" in non-concurrence.

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

Mr. MILLS of Franklin: Mr. President, this would be a good one to hold till later, and I wish the Assistant Floor Leader would put this on the table because it will keep cropping up before the end of the session, other errors and omission we might need to add by amendment, and I wondered if it could be held.

Thereupon on motion by Mr. Ross of Piscataquis, tabled and specially assigned for Monday, June 26, pending further consideration.

Committee Reports House Ought to Pass As Amended

The Committee on Appropriations and Financial Affairs on Recommended Bill "An Act to Authorize a Bond Issue in Amount of

Seven Hundred and Fifty Thousand Dollars for Construction of a Dormitory at Maine Maritime Academy," (H. P. 343) (L. D. 491)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-465)

Comes from the House, 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. Then under suspension of the rules, the Bill was Read a Second Time, and the Bill, As Amended, was Passed to be Engrossed in concurrence.

**Senate
Conference Committee Report**

The Committee of Conference on the disagreeing action of the two branches of the Legislature, on Bill "An Act Increasing Compensation of Members of the Legislature" (S. P. 167) (L. D. 138)

Report that the members are Unable to Agree.

(signed)

Senators

KATZ
MacLEOD
SNOW

Senate

Representatives:

DENNETT
HARRIMAN
RIDEOUT, Jr.

House

Which Report was Read and Accepted.

Enactors

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

An Act Classifying Certain Inland Waters of the Androscoggin River Basin. (S. P. 140) (L. D. 268)

(On motion by Mr. Johnson of Somerset, t a b l e d , unassigned, pending Enactment.

An Act Relating to Adoption. (H. P. 895) (L. D. 1296)

An Act Relating to Service on Nonresidents in Motor Vehicle Accidents. (H. P. 941) (L. D. 1373)

An Act to Establish the Division of Municipal Affairs in the

Executive Department. (H. P. 1184) (L. D. 1686)

On motion by Mr. Johnson of Somerset, the Senate voted to Indefinitely Postpone this bill. Sent down for concurrence.

An Act Enabling Municipalities to Create Historic Districts and to Provide for the Preservation of Historic Buildings and Places. (H. P. 1216) (L. D. 1729)

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

Emergency

An Act Creating the Maine Ocean Science Council. (H. P. 1210) (L. D. 1722)

On motion by Mr. Johnson of Somerset, the Senate voted to Indefinitely Postpone this bill. Sent down for concurrence.

Bond Issue

An Act to Authorize Bond Issue in Amount of One Million One Hundred Thousand Dollars for Land and Classroom Building for University of Maine in Augusta. (S. P. 526) (L. D. 1362)

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

Constitutional Amendment

Resolve, Proposing a Constitutional Amendment Repealing the Offices of Judges and Registers of Probate as Constitutional Officers. (S. P. 238) (L. D. 563)

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

Mrs. SPROUL of Lincoln: Mr. President and Members of the Senate: For reasons which I put forth in reference to the Clerk of Courts, namely: that these are offices which would be taken off the ballot and I object to this. I might be able to swallow, shall we say, taking the Judge of Probate off the ballot as I know that presents a problem in some counties, but to take the Register of Probate off also, who does not even need to be a lawyer, I just can't go along. I know no one wants

to listen to a debate this late time in the day, so I will merely go on record as opposing this measure.

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

Mr. LUND of Kennebec: In order that there won't be any misunderstanding as to the effect of the passage of this Constitutional Resolve, the Committee Amendment, which is attached to it, makes the effect of it so that these offices will not be changed until such time as the Legislature takes action following the Constitutional change. In other words, there is a saving provision on this so that passage of the Constitutional change will not eliminate the office of either the Judge or Register of Probate, but will make those offices in such a position the next Legislature can take action with them. As the Senate is probably aware, it is unconstitutional to pass a law in advance of the Constitutional change. You can't abolish them by statute and then hope that the Constitution will be changed at a later time, so in order to make any changes at all for these offices, it is necessary to take this first step which is, I believe, in line with the recommendation of the Study Committee that worked with this problem.

Thereupon, on motion by Mr. Berry of Cumberland, placed on the Special Appropriations Table.

Constitutional Amendment

Resolve, Proposing Amendments to the Constitution Relating to Temporary Loans in Anticipation of State Tax Revenues and Limitations Thereon. (H. P. 1206) (L. D. 1717)

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

An Act to Create the Department of Alcoholic Beverages. (H. P. 1218) (L. D. 1734)

Comes from the House, having Failed of Enactment.

(On motion by Mr. Hildreth of Cumberland, tabled and specially assigned for Monday, June 26, pending Enactment.)

The President laid before the Senate Item 6-2, Bill "An Act to Establish Single Member Districts for Representatives to the House Based Upon the Existing Apportionment of the House Pursuant to the Constitution of Maine." (H. P. 1209) (L. D. 1721) Tabled earlier in this afternoon's session by the Senator from Kennebec, Senator Lund.

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

Mr. MacLEOD of Penobscot: Mr. President and Members of the Senate: Our respected esteemed Chairman of Reapportionment, Senator Lund, has convinced me beyond a shadow of a doubt this L. D. has less chance of getting a two-thirds vote in the House than 1575 had of getting 101 votes, so I withdraw my motion to accept the Majority Ought to Pass Report.

The PRESIDENT: The Senator from Penobscot, Senator MacLeod, withdraws his motion that the Senate accept the Majority Ought to Pass Report of the Committee.

Thereupon, on motion by Mr. Lund of Kennebec, the Senate voted to accept the Minority Ought Not to Pass Report of the Committee.

The adjournment Order having been received from the House, on motion by Mr. Ross of Piscataquis.

Adjourned until Monday, June 26, at one o'clock in the afternoon.