

# 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

Thursday, June 29, 1967

Senate called to order by the President.

Prayer by Brigadier Alfred Davey of the Salvation Army, Augusta.

Reading of the Journal of yesterday.

### Papers from the House Non-concurrent matters

Bill "An Act to Authorize Bond Issue in Amount of One Million One Hundred and Fifty Thousand Dollars for Construction at Pine-land Hospital and Training Center and of Regional Care Facilities for the Severely Mentally Retarded at Bangor." (S. P. 371) (L. D. 984)

Recalled from the files by Joint Order (H. P. 1193)

Comes from the House, Passed to be Engrossed As Amended by House Amendment "B" (H-473) in non-concurrence.

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

Bill "An Act to Authorize the Issuance of Bonds in the Amount of Sixteen Million Eight Hundred Thousand Dollars on Behalf of the State of Maine to Build State Highways." (H. P. 1174) (L. D. 1673)

In Senate, June 9, Passed to be Engrossed in Concurrence.

Comes from the House, Passed to be Engrossed As Amended by House Amendment "B" (H-471) in non-concurrence.

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

Mr. FERGUSON of Oxford: Mr. President and Members of the Senate: I will move that we Recede and Concur with the House, and I would like to say a few words to my motion.

The PRESIDENT: The Senator from Oxford, Senator Ferguson, moves that the Senate now Recede and Concur with the House.

The Chair recognizes the Senator from Oxford, Senator Ferguson.

Mr. FERGUSON of Oxford: Mr. President, I am sorry to see this action taken by the other branch, in cutting this Bond Issue for highways back for the next two

years from \$16,800,000 to \$12,800,000. This is just \$4,000,000 that we are going to be short for highway construction aids. As you know, we have quite a program, we have a good state program going. There are six areas that the state gets into in building highways, namely: the interstate highways, your primary, your secondaries, special state aid and town road improvement, also your allocation to the various municipalities for matching funds. We hope that the highway construction will be able to keep up with federal funds, some of these funds receive 90 per cent for the interstate, 50 per cent on the primary and secondaries.

We all have the State Highway Commission's program from our pre-legislative session, and on this appears the various projects that the Highway Commission has outlined for the next two years. Also there is another very important item in the program here, that \$6,000,000 for the supplemental budget, which certainly is going to be cut back and feel the effect of this cut by the other branch.

Therefore, it is getting late in the session, and there is nothing more we can do but to act on this bill.

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

Thereupon, on motion by Mr. Ferguson of Oxford, the Senate voted to Recede and Concur with the House.

### Senate Paper Joint Resolution

WHEREAS, it has been learned that the Town of Mars Hill will celebrate its One Hundredth Anniversary on July 4, 1967; and

WHEREAS, this historic event will usher in a new era of progress and achievement to this typical Aroostook town that has already greatly advanced in its community facilities, services and general economy; and

WHEREAS, its agricultural products, particularly potatoes, are not only of significant benefit to the economy of the State of Maine but are well known to foreign countries and the nation as well; and

WHEREAS, Mars Hill ideally provides a four-season vacationland for the hunter, fisherman, skier or camper, which has developed our tourist industry through its picturesque beauty and natural setting; and

WHEREAS, the citizens of this community have contributed with pride their full share to help earn for themselves and the county the distinction of being the "The Potato Empire of the World"; now, therefore, be it

**RESOLVED:** that the Members of the Senate and House of Representatives of the 103rd Maine Legislature unite in commending the Town of Mars Hill and its citizens for an excellent record of achievement during the past One Hundred years and extend their continued support and encouragement for the future; and be it further

**RESOLVED:** that engrossed copies of this Resolution, duly authenticated by the Secretary of the Senate, be transmitted forthwith by the Secretary of the Senate to the Honorable KENNETH IRVINE, the Town Manager, and members of the Board of Selectmen in token of this event. (S. P. 711)

Which was Read and Adopted.  
Sent down for concurrence.

### Committee Reports House

#### Conference Committee Report

The Committee of Conference on the disagreeing action of the two branches of the Legislature, on Bill "An Act Providing for a Tax on Real Estate Transfers." (H. P. 1143) (L. D. 1627)

Ask leave to report that the House Recede from Passage to be Engrossed and recede from Adoption of House Amendment "A"; that the House Indefinitely Postpone House Amendment "A", Adopt Conference Committee Amendment "A", submitted herewith, and Pass the Bill to be Engrossed As Amended by Conference Committee Amendment "A"; (H-470)

That the Senate Recede from Passage to be Engrossed, Adopt Conference Committee Amendment

"A" and Pass the Bill to be Engrossed as Amended by Conference Committee Amendment "A". (H-470)

(Signed)

PERCY K. HANSON  
SEVERIN M. BELIVEAU  
JOHN T. QUINN

—Committee on part of House.

PETER MILLS  
BYRON P. YOUNG  
DONIA J. GIRARD

Committee on part of Senate.

Comes from the House, Report Read and Accepted.

The PRESIDENT: Is it the pleasure of the Senate to accept the report of the Conference Committee?

The Chair recognizes the Senator from Franklin, Senator Mills.

Mr. MILLS of Franklin: Mr. President, at the proper juncture, I think that some consideration should be given to our Committee Report — our Conference Committee Amendment "A" — and that is first the Conference Committee Report should first be accepted and then the next thing that would happen would be that this amendment be put before the Senate, would it not Mr. President? I will tell the whole story now. This amendment, I have just been going over it and it has something in it that puzzles me; the effective date. I would like to invite Brother Stern's and some of the other lawyers' attention to this to see if it bothers them the way it does me. Section 2, the effective date it says, "This act shall become effective on January 1, 1968". This is House Filing Number 470, and the effective Section 2 says, "This act shall become effective on January 1, 1968, except as the deeds acknowledged or recorded prior to that date". Well, I can't fathom that language. I think it is a mistake, and Mr. President, that Committee Report ought to go on the table at this time or the amendment ought to go on the table if it is going to be separately put.

For the time being, I would like to ask the Majority Floor Leader if he would put the whole thing on the table for the time being.

Thereupon, on motion by Mr. Johnson of Somerset, tabled until later in today's session pending acceptance of the 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 Court Justices and Certain Department Heads." (S. P. 695) (L. D. 1731)

And

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

ask leave to report: that the House Recede from its action whereby it Accepted the Minority Report and Recede from its action whereby the Bill, (S. P. 696) (L. D. 1732) was Passed to be Engrossed: that the House Concur with the Senate in Accepting the Majority Report (S. P. 695) (L. D. 1731) that the House Adopt Conference Committee Amendment "A" (S-307), submitted herewith, and Pass the Bill to be Engrossed as amended by Conference Committee Amendment "A";

that the Senate Recede from its action whereby it Passed the Bill (S. P. 695) (L. D. 1731) to be Engrossed, Adopt Conference Committee Amendment "A" and Pass the Bill to be Engrossed As Amended by Conference Committee Amendment "A".

(signed)

J. HOLLIS WYMAN  
BENNETT KATZ  
EDWARD STERN  
Committee on part of Senate  
E. A. HARRIMAN  
WILBUR H. PHILBROOK  
S. GLENN STARBIRD, Jr.  
Committee on part of House

Which Conference Committee Report was Read and Accepted. Then, the Senate voted to recede from its former action whereby it Passed this bill to be Engrossed.

Conference Committee Amendment "A", Filing S-307, was read by the Secretary as follows:

CONFERENCE COMMITTEE AMENDMENT "A" to S. P. 695, L. D. 1731, Bill, "An Act Increasing

Compensation of Court Justices and Certain Department Heads."

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

**Sec. 1. R. S., T. 3, §163, sub-§7, amended.** The last sentence of subsection 7 of section 163 of Title 3 of the Revised Statutes, as amended by section 4 of chapter 412 of the public laws of 1965, is further amended to read as follows:

He (Director of Legislative Research) shall receive a salary of \$14,000 per year and any necessary traveling expenses;

(There is appropriated from the General Fund the sum of \$1,000 for the fiscal year ending June 30, 1969 to carry out the purposes of this section.)

**Sec. 2. R. S., T. 3, §163, sub-§15, amended.** The 4th sentence of subsection 15 of section 163 of Title 3 of the Revised Statutes, as amended by section 1 of chapter 341 of the public laws of 1965, is further amended to read as follows:

He (Legislative Finance Officer) shall receive a salary of \$13,000 per year and any necessary traveling expenses which shall be paid from the legislative appropriation.

**Sec. 3. R. S., T. 4, §4, amended.** The first sentence of section 4 of Title 4 of the Revised Statutes, as amended by section 5 of chapter 412 of the public laws of 1965, is further amended to read as follows:

The Justices of the Supreme Judicial Court shall each receive an annual salary of \$20,000 and the Chief Justice of the Supreme Judicial Court shall receive an annual salary of \$21,500.

**Sec. 4. R. S., T. 4, §102, amended.** The first sentence of section 102 of Title 4 of the Revised Statutes, as repealed and replaced by section 3 of chapter 513 of the public laws of 1965, is amended to read as follows:

Each of the Justices of the Superior Court shall receive an annual salary of \$19,500.

**Sec. 5. Appropriation.** There is appropriated from the General Fund the sum of \$38,500 for the

fiscal year ending June 30, 1969 to the Supreme Judicial and Superior Courts to carry out the purposes of sections 3 and 4. The breakdown shall be as follows:

**SUPREME JUDICIAL AND SUPERIOR COURTS**

	<b>1968-69</b>
Personal Services	\$32,500
All Other	6,000
	<hr style="width: 100px; margin-left: auto; margin-right: 0;"/> \$38,500

**Sec. 6. R. S., T. 4, §157, amended.** The 4th sentence of section 157 of Title 4 of the Revised Statutes, as repealed and replaced by section 5 of chapter 513 of the public laws of 1965, is amended to read as follows:

Each judge shall receive an annual salary of \$15,000 and the Chief Judge shall receive an annual salary of \$16,000.

**Sec. 7. R. S., T. 5, §81, amended.** The first sentence of the 2nd paragraph of section 81 of Title 5 of the Revised Statutes is amended to read as follows:

The Secretary of State shall receive an annual salary of \$13,125.

(There is appropriated from the General Fund the sum of \$625 for the fiscal year ending June 30, 1969 to carry out the purposes of this section.)

**Sec. 8. R. S., T. 5, §121, amended.** The first sentence of the 2nd paragraph of section 121 of Title 5 of the Revised Statutes, as amended by section 6-A of chapter 412 of the public laws of 1965, is further amended to read as follows:

The Treasurer of State shall receive an annual salary of \$10,500.

(There is appropriated from the General Fund the sum of \$500 for the fiscal year ending June 30, 1969 to carry out the purposes of this section.)

**Sec. 9. R. S., T. 5, §191, amended.** The 6th sentence of section 191 of Title 5 of the Revised Statutes, as amended by section 1 of chapter 510 of the public laws of 1965, is further amended to read as follows:

The Attorney General shall have an office in the State Capitol and shall receive an annual salary of \$13,000 in full for all services and in lieu of all fees.

(There is appropriated from the General Fund the sum of \$1,000 for the fiscal year ending June 30, 1969 to carry out the purposes of this section.)

**Sec. 10. R. S., T. 5, §241, amended.** The last sentence of section 241 of Title 5 of the Revised Statutes, as amended by section 2 of chapter 510 of the public laws of 1965, is further amended to read as follows:

He (State Auditor) shall receive an annual salary of \$12,600.

(There is appropriated from the General Fund the sum of \$600 for the fiscal year ending June 30, 1969 to carry out the purposes of this section.)

**Sec. 11. R. S., T. 5, §591, amended.** The last sentence of the first paragraph of section 591 of Title 5 of the Revised Statutes is amended to read as follows:

The public members of the board (State Personnel Board) shall receive \$20 a day for the time actually spent in the discharge of their duties, and their necessary expenses.

(There is appropriated from the General Fund the sum of \$500 for the fiscal year ending June 30, 1969 to carry out the purposes of this section.)

**Sec. 12. R. S., T. 5, §2401, sub-§3, amended.** The first sentence of subsection 3 of section 2401 of Title 5 of the Revised Statutes is amended to read as follows:

The Hearing Commissioner shall receive an annual compensation of \$10,000 and shall be entitled to actual and necessary expenses in the performance of his duties.

(There is appropriated from the General Fund the sum of \$2,000 for the fiscal year ending June 30, 1969 to carry out the purposes of this section.)

**Sec. 13. R. S., T. 7, §1, amended.** The 3rd sentence of section 1 of Title 7 of the Revised Statutes, as amended by section 3 of chapter 421 of the public laws of 1965, is further amended to read as follows:

He (Commissioner of Agriculture) shall receive an annual salary of \$12,600.

(There is appropriated from the General Fund the sum of \$600 for the fiscal year ending June 30, 1969

to carry out the purposes of this section.)

**Sec. 14. R. S., T. 8, §101, amended.** The 2nd sentence of Section 101 of Title 8 of the Revised Statutes is amended to read as follows:

Each member of the commission (Maine State Boxing Commission) shall receive a salary of \$1,000 a year and his reasonable expenses, including transportation, incurred in the performance of his duties.

(There is appropriated from the General Fund the sum of \$450 for the fiscal year ending June 30, 1969 to carry out the purposes of this section.)

**Sec. 15. R. S., T. 12, §501, amended.** The last sentence of section 501 of Title 12 of the Revised Statutes, as last repealed and replaced by section 20 of chapter 513 of the public laws of 1965, is amended to read as follows:

He (Forest Commissioner) shall receive an annual salary of \$14,000.

(There is appropriated from the General Fund the sum of \$9,670 for the fiscal year ending June 30, 1969 to carry out the purposes of this section.)

**Sec. 16. R. S., T. 12, § 1951, amended.** The last paragraph of section 1951 of Title 12 of the Revised Statutes, as amended by chapter 353 of the public laws of 1965, is further amended to read as follows:

The commissioner (Inland Fisheries and Game) shall receive an annual salary of \$13,125 and he shall receive all necessary traveling expenses.

**Sec. 17. R. S., T. 20, §101, amended.** The first sentence of section 101 of Title 20 of the Revised Statutes, as amended by section 1 of chapter 507 of the public laws of 1965, is further amended to read as follows:

The board shall appoint a Commissioner of Education, as heretofore appointed and in this Title called the "commissioner", whenever a vacancy occurs and fix his salary, not to exceed \$20,000 per year.

(There is appropriated from the General Fund the sum of \$2,000 for the fiscal year ending June 30,

1969 to carry out the purposes of this section.)

**Sec. 18. R. S., T. 24, §51, amended.** The 5th sentence of the 3rd paragraph of section 51 of Title 24 of the Revised Statutes is amended to read as follows:

He (Insurance Commissioner) shall receive an annual salary of \$14,000.

(There is appropriated from the General Fund the sum of \$2,500 for the fiscal year ending June 30, 1969 to carry out the purposes of this section.)

**Sec. 19. R. S., T. 25, §712, amended.** The 9th paragraph of section 712 of Title 25 of the Revised Statutes, as amended by section 1 of chapter 416 of the public laws of 1965, is further amended to read as follows:

The Adjutant General shall receive an annual salary of \$13,500. He shall receive no other fee, emolument or perquisite.

(There is appropriated from the General Fund the sum of \$1,000 for the fiscal year ending June 30, 1969 to carry out the purposes of this section.)

**Sec. 20. R. S., T. 26, § 41, amended.** The 5th sentence of section 41 of Title 26 of the Revised Statutes is amended to read as follows:

The commissioner (Labor and Industry) shall receive an annual salary of \$11,000, and in addition \$1,000 annually for his services as a member of the Industrial Accident Commission and his actual, necessary cash expenses while away from his office on official business of the Industrial Accident Commission.

(There is appropriated from the General Fund the sum of \$2,000 for the fiscal year ending June 30, 1969 to carry out the purposes of this section.)

**Sec. 21. R. S., T. 26, §1081, sub-§2, amended.** Subsection 2 of section 1081 of Title 26 of the Revised Statutes, as amended by chapter 328 of the public laws of 1965, is further amended to read as follows:

2. **Salaries.** The chairman of the commission (Employment Security) shall receive a fixed weekly salary, at the rate of \$13,650 per year, and each of the other members shall receive a fixed weekly salary, at the rate of \$12,625 per year, and shall be paid from the

Employment Security Administration Fund.

**Sec. 22. R. S., T. 35, §1, amended.** The first sentence of the last paragraph of section 1 of Title 35 of the Revised Statutes, as amended by section 8 of chapter 412 of the public laws of 1965, is further amended to read as follows:

The chairman (Public Utilities Commission) shall receive a salary of \$13,650 per year, and the other commissioners a salary of \$12,600 each per year.

(There is appropriated from the General Fund the sum of \$1,850 for the fiscal year ending June 30, 1969 to carry out the purposes of this section.)

**Sec. 23. R. S., T. 39, § 91, amended.** The first sentence of the 3rd paragraph of Section 3 of Title 39 of the revised statutes as amended by Section 1 of Chapter 417 of the Public Laws of 1965, is further amended to read as follows:

The chairman (Industrial Accident Commission) shall receive a salary of \$12,075 per year, and the other commissioners a salary of \$10,500 each per year.

(There is appropriated from the General Fund the sum of \$2,075 for the fiscal year ending June 30, 1969 to carry out the purposes of this section.)

**Sec. 24. Effective date.** This Act shall be effective July 1, 1968.

Conference Committee Amendment "A" was Adopted, and the Bill, As Amended, was Passed to be Engrossed.

Sent down forthwith to the House for concurrence.

**Senate**

The Committee of Conference on the disagreeing action of the two branches of the Legislature, on Bill "An Act Providing for Action in Aid to Dependent Children Cases Involving Fraud." (H. P. 672) (L. D. 944)

ask leave to report that the House Recede and Concur with the Senate in Passing the Bill to be Engrossed as Amended by Committee Amendment "A" (H-285)

(Signed)

VINAL G. GOOD  
MARGARET SPROUL  
PAUL RENY  
Committee on part of Senate

RONALD CUSHING  
PAUL HUBER  
WILLIAM J. HENNESSEY  
Committee on part of House

Which report was Read and Accepted.

Sent down forthwith for concurrence.

**Enactors**

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

An Act Applying Sales Tax to Charges for Fabricating Tangible Personal Property. (H. P. 1207) (L. D. 1719)

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

Mr. BERRY of Cumberland: Mr. President, I move this Item be placed upon the Special Appropriations Table.

The PRESIDENT: The Senator from Cumberland, Senator Berry, moves that this Item be placed upon the Special Appropriations Table. Is this the pleasure of the Senate?

For what purpose does the gentleman arise?

Mr. HILDRETH of Cumberland: To inquire if a motion to table until later in the day would take precedence, noting the absence of Senator Wyman.

The PRESIDENT: The Chair would rule that to place upon the Special Appropriations Table would imply a longer time and therefore is the first motion to be put, and that a motion to table until later in today's session would be out of order.

The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY of Cumberland: Mr. President, I withdraw my motion, and move that this Item be placed on the table until later in today's session.

Thereupon, Item 8-1 was tabled until later in today's session pending Enactment.

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

Mr. LUND of Kennebec: Mr. President, calling attention to Item 1-A on the advanced journal, I



would move that this item be sent forthwith to the House.

Thereupon, on motion by Mr. Lund of Kennebec, sent forthwith to the Engrossing Department.

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)

Comes from the House, having Failed of Enactment.

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

Mr. JOHNSON of Somerset: Mr. President and Members of the Senate: So that everyone will understand what I am doing here, this bill has been engrossed. It has been amended, and there has been Committee Amendments on it. It is my intention now to reverse this procedure and bring this bill back to where it was as it originally came from the Appropriations Committee. I hope you will bear with me.

Thereupon, on motion by Mr. Johnson of Somerset, and under suspension of the rules, the Senate voted to reconsider its action whereby this bill was Passed to be Engrossed. On further motion by the same Senator, the Senate voted to reconsider its action whereby it Adopted Senate Amendment "A", As Amended, by House Amendment "A" and Conference Committee Amendment "A" thereto. On further motion by the same Senator, the Senate then voted to reconsider its action whereby it Adopted House Amendment "A" to Senate Amendment "A". Then on motion by the same Senator, House Amendment "A" to Senate Amendment "A" was indefinitely postponed.

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

Amendment "A" was indefinitely postponed.

On further motion by the same Senator, the Senate voted to reconsider its action whereby it Adopted House Amendment "B", as Amended by Conference Committee Amendment thereto. On motion by the same Senator, the Senate voted to reconsider its action whereby it Adopted Conference Committee Amendment "A" to House Amendment "B". Then on motion by the same Senator Conference Committee Amendment "A" to House Amendment "B" was indefinitely postponed. Then on motion by the same Senator, House Amendment "B" was indefinitely postponed.

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

Then the same Senator moved that the Bill be Passed to be Engrossed and sent forthwith to the House.

The PRESIDENT: The same Senator moves that this item be Passed to be Engrossed and sent forthwith to the House. 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 feel at this time the Majority Leadership has a program which they are going to be presenting to the Legislature. If that is so, I wonder if the Majority Leader or the Chairman of the Appropriations Committee would be good enough at this time to outline this to us so that all of us could be considering it and having it in mind so that we would be better able to act on the matter when it would be coming back to the Senate.

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

Mr. JOHNSON of Somerset: Mr. President and Members of the Senate: My purpose in making these motions is to put this bill back in its original form to pass it over

to the House where it will be amended so that they will be able to have a budget, in other words, to keep the store open. I think perhaps the good Senator from Aroostook, Senator Albair, or Senator Berry will explain perhaps what the plan is. As far as I am concerned, I think that would be up to the House to decide what they planned to put on this.

The PRESIDENT: The pending question is the motion of the Senator from Somerset, Senator Johnson, that the bill be Passed to be Engrossed and sent forthwith to the House.

The Chair recognizes the Senator from Aroostook, Senator Harding.

Mr. HARDING of Aroostook: Mr. President, I would pose a question to any member of the Appropriations Committee or any other member of the Majority Party as to whether or not the Majority Party at this time has a program to present, and, if so, what their program is?

The PRESIDENT: The Senator from Aroostook, Senator Harding, has posed a question through the Chair to any member of the Appropriations Committee, any one of whom may answer or not as he so desires.

The Chair recognizes the Senator from Aroostook, Senator Albair.

Mr. ALBAIR of Aroostook: Mr. President and Members of the Senate: I am sure if 1575 is received in the House, at that time both parties or any member of the House will have an opportunity to present amendments and present a program. I will assure the members of the Minority Party and also the Senate that the Republicans will have a program. We do hope it will be together the latter part of the afternoon. At that time, it will be unveiled.

The PRESIDENT: Is the Senate ready for the question? As many as are in favor of the Passage of this bill to be Engrossed and that it be sent forthwith to the House will say "Yes"; those opposed "No".

A viva voce vote being had, the motion that the bill be Passed to be Engrossed and sent forthwith to the House for concurrence prevailed.

### Orders of the Day

On motion by Mr. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table (H. P. 149) (L. D. 213) An Act Revising the Laws Relating to Support at State Institutions.

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

Mr. Johnson of Somerset presented Senate Amendment "A" and moved its adoption.

The PRESIDENT: The Chair will inform the Senator that this amendment has not been reproduced, and suggests that the measure be tabled until later in today's session.

Thereupon, on motion by Mr. Johnson of Somerset, retabled until later in today's session.

On motion by Mr. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table (S. P. 395) (L. D. 1028) An Act Relating to Eligibility for School Construction Aid.

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

On motion by Mr. Katz of Kennebec, retabled until later in today's session.

On motion by Mr. Johnson of Somerset, the Senate voted to take from the unassigned table (H. P. 690) (L. D. 971) Bill, "An Act Relating to Claims Against Estates of Deceased Recipients of Aid to the Aged, Blind and Disabled." Tabled June 22, 1967 by Senator Johnson of Somerset, p e n d i n g 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. Ferguson of Oxford, the Senate voted to take from the Special Highway Table the following:

An Act to Provide a Feasibility Study for Express Highway

Through Washington County. (S. P. 519) (L. D. 1339)

Resolve, to Reimburse Enzly Nason of Linneus for Well Damage by Highway Maintenance. (H. P. 1051) (L. D. 1523)

An Act Relating to Quality of Inspection Stickers for Motor Vehicles. (H. P. 1102) (L. D. 1569)

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

An Act Placing State Highway Department Employees on the Merit Service Step System. (S. P. 662) (L. D. 1680)

Resolve, in Favor of Town of Greenbush, Penobscot County, for Damage to Bridge. (H. P. 878) (L. D. 1290)

An Act Authorizing Long Term e m i - p e r m a n e n t Registration Plates for Certain Semitrailers. (H. P. 1099) (L. D. 1565)

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

On motion by Mr. Ferguson of Oxford, the Senate voted to take from the Special Highway Table An Act Relating to Town's Matching Funds for Reconstructing State Aid Highways. (S. P. 359) (L. D. 956)

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

Mr. FERGUSON of Oxford: Mr. President and Members of the Senate: The motion I am about to make regarding this Legislative Document is not going to be as pleasant as the previous ones. Inasmuch as this is a very, very good peice of legislation, and certainly is something that perhaps should be given some serious consideration, but due to the fact that we have been short-changed on our bond issue, that would not go in for this, but current revenue would be used for carrying out this act, if we were to enact it, therefore, I have got to move the indefinite postponement of this piece of legislation.

The PRESIDENT: The Senator from Oxford, Senator Ferguson, moves that the Senate indefinitely

postpone L. D. 956, An Act Relating to Town's Matching Funds for Reconstructing State Aid Highways. Is this the pleasure of the Senate?

The motion prevailed and the Bill was indefinitely postponed.

On motion by Mr. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table the following:

Resolve, Providing for Purchase of Two Hundred Copies of "Pittsfield on the Seabasticook". (H. P. 25) (L. D. 46)

Resolve, in Favor of Herbert Parsons of Gorham. (H. P. 54) (L. D. 79)

Resolve, Increasing Pension for Leeman Grant of Milbridge. (H. P. 115) (L. D. 142)

An Act Revising the Minimum Wage Law. (S. P. 91) (L. D. 172)

An Act Appropriating Funds for Testimonials for Marking Unmarked Graves of Revolutionary War Soldiers. (H. P. 127) (L. D. 191)

Resolve, to Reimburse Town of Hanover for Aid Extended Floyd Merrill. (H. P. 130) (L. D. 194)

Resolve, in Favor of Russell Meehan of Windham. (H. P. 213) (L. D. 303)

Resolve, in Favor of Mrs. Nellie Packard of Guilford. (H. P. 625) (L. D. 881)

Resolve, in Favor of Loudon C. Minor of Cape Elizabeth for Automobile Damage by Escapee from Boys Training Center. (S. P. 469) (L. D. 1161)

Resolve, to Reimburse Raymond Lammers of Augusta for Payment of Restaurant Liquor License. (S. P. 518) (L. D. 1338)

Resolve, in Favor of Town of New Sharon for Support of Angie Thompson. (S. P. 531) (L. D. 1366)

An Act Relating to Disposition of District Court Funds. (H. P. 1000) (L. D. 1462)

An Act Creating a State Employees' Suggestion Awards Board. (S. P. 643) (L. D. 1648)

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

On motion by Mr. Ross of Piscataquis.

Recessed until two o'clock this afternoon.

#### After Recess

Senate called to Order by the President.

The President laid before the Senate Item 6-1 Bill, An Act Providing for a Tax on Real Estate Transfers. Tabled earlier in today's session by the Senator from Somerset, Senator Johnson.

On motion by Mr. Johnson of Somerset, the Senate voted to Accept the Conference Committee Report.

Thereupon, the Senate voted to recede from its former action whereby it Passed the Bill to be Engrossed. Then the Senate voted to Accept Conference Committee Amendment "A", and the Bill, As Amended, was Passed to be Engrossed in concurrence.

The President laid before the Senate Item 8-1 tabled earlier in today's session (H. P. 1207) (L. D. 1719) An Act Applying Sales Tax to Charges for Fabricating Tangible Personal Property, by the Senator from Cumberland, Senator Berry, pending Enactment.

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

Mr. HILDRETH of Cumberland: Mr. President, I now move that this bill be indefinitely postponed.

The PRESIDENT: The Senator from Cumberland, Senator Hildreth, moves that this item 8-1 be indefinitely postponed.

The Chair recognizes the Senator from Franklin, Senator Mills.

Mr. MILLS of Franklin: Mr. President, on this matter, I also agree with the Senator from Cumberland that this matter be indefinitely postponed.

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

Mr. FARLEY of York: Mr. President, as a member of the Taxation Committee, if you will go back you will note that this came out of the Taxation Committee unanimously Ought to Pass. The revenue to be derived for the state

in this fabricating was to be close to around \$60,000. The testimony that we received that day was from the State Assessor. This bill we had three or four times and we discussed it back and forth, and this and that, and we finally had the State Assessor come in to us and explain it a third and second time. There was opposition to the bill. If I remember right, and this was about ten weeks ago and you have to take what I can gather here, there was testimony brought out that in the fabricating in Bath Shipbuilding plant and other places, that two years ago they did receive a reimbursement from the sales tax close to around \$250,000. Mr. Johnson, if I remember his words right, said to those who were opposing it that they were taken care of in the other.

The revenue is \$60,000 and it is unanimously Ought to Pass by the Taxation Committee. I oppose the indefinite postponement and I ask for a division when the vote is taken.

The President: The Chair recognizes the Senator from Hancock, Senator Young.

Mr. YOUNG of Hancock: Mr. President, this was a unanimous Taxation Committee report, but I have to say that I am going to change my mind, and I am not the only one to change my mind this session, I am going along with the motion of Senator Hildreth to indefinitely postpone. Since going along with the Taxation Committee Report, I have reconsidered the impact of this far-reaching piece of legislation on the economy of my area, that being Hancock County. It would seriously affect the future expansion of my county's major employer, and would impair the shipbuilding industry also. I do not think that it is in the best interest of any county of the state to go along with this bill. For this reason I shall go along with the Senator from Cumberland, Senator Hildreth.

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

Mr. ANDERSON of Hancock: Mr. President and Members of the Senate: The Senator from Hancock, Senator Young, has

thoroughly expressed my views on this matter. I concur with him heartily and I would hope that this honorable body would sustain the motion to indefinitely postpone.

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

Mr. FARLEY of York: Mr. President, I am sorry to see the good Senator from Hancock County now reverse himself, because I think that he himself asked a great many questions and also asked when the fabricating money that was practically given to the Bath Shipyard and to this and that other industry. I myself have had mail and telephone calls with reference to industries in my own communities. I don't think they really understand the bill. They think they are going to get hurt too much. You all know, there has been a lot of lobbying on the bill today, plenty of it. I would hate to think the State Senate would listen and go along with the lobbyists for this small amount of money that the Tax Assessor has brought before us relative to this bill. I ask for a division.

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

Mr. HILDRETH of Cumberland: Mr. President, just so the Senate won't think my motion to indefinitely postpone is one of great frivolity or the result of great pressure of lobbyists, I would like to state very briefly and generally what my objections, which are several, to the bill are. In the first place, we are embarking at least temporarily in the next few days on a particular tax program, which I have been given to understand is worked out and most of us here hope it will succeed. This being the case, I see no reason at this time to pass this bill.

Secondly, I believe that the amount which it supposedly will raise is one that is not susceptible to very accurate estimation at this point, and I believe that we would be entering into a tax which will raise a very unknown amount of money. I think in considering any kind of a tax, it is well to know enough about the tax to know

accurately where it will hit, and how much revenue it will raise.

My third and perhaps greatest objection to it is that I look upon this bill as a complete departure from the sales tax itself. Under the sales tax, we tax in theory goods that are sold, individual pieces of property that change hands in their final stage. This would depart from that general theory and place a tax on labor and just one particular kind of labor, the labor which goes into the fabrication of an item which is the materials which are owned by the purchaser, but which are put together by a third party, and we would be moving into this field of taxing labor and if we are going to move into this field, fine, but I don't see any point in our moving in just in the fabrication field.

I know that in my area around Portland, there are a number of machine shops, for instance, which are in the business of fabricating for other larger outfits various pieces of equipment and items that they use. I really feel that many of these businesses that now shop out and send to these independent entrepreneurs the business of manufacturing these things because they have an advantage in doing this are going to stop and start manufacturing them themselves on their own premises to avoid the tax impact, which of course would be perfectly proper for them to do, but would have quite an impact on these smaller companies.

I am also concerned over the affect it might have on the ship-building industry in Maine. We know that along the coast there are many outfits where a person will have a boat or a ship built and will be in a position to acquire materials more easily than the builder himself and he would pay a tax, of course, on these materials, but the labor, if this bill went through, would become charged and it is going to hurt a struggling industry, namely the boat building industry along the Maine coast. Also small newspapers that buy their own newsprint and run the paper, but send the newsprint to a printing shop which then puts it together as a paper and actually

prints it, would have to pay a new tax not on the paper, but on the labor somebody else put in, and I just think this is a radical departure into the taxation of the labor market, and I think it is one that we should consider more carefully than perhaps we have.

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

Mr. HOFFSES of Knox: Mr. President and Members of the Senate: I concur wholeheartedly with the good Senator from Cumberland, Senator Hildreth. I believe that this can in a sense be considered a tax on tax, and it is very definitely to mean that the finished product is going to cost more money. Furthermore, in my opinion, it is a discriminatory tax. It is a tax on a particular segment of the industry, and it is going to open the floodgates for other types of tax proposals and we cannot possibly conceive where the end may be in this matter, and I would definitely support the good Senator from Cumberland, Senator Hildreth.

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

Mr. WYMAN of Washington: Mr. President, what is the motion?

The PRESIDENT: The pending question is the motion of the Senator from Cumberland, Senator Hildreth, that the bill, Item 8-1, be indefinitely postponed.

Mr. WYMAN of Washington: Mr. President and Members of the Senate: I suspect the motion will prevail. However, I do want to explain that this bill was heard before your Taxation Committee. If I remember correctly, it has a unanimous Ought to Pass report. This bill that I considered as long as four years ago and the suggestion that we consider the bill came not from the Department of Taxation, but from an industrialist here in the state who thought he saw a loophole in the law. This is the time to close the loophole, and as the good Senator from Knox, Senator Hoffses, states, it is discriminatory not to pass it because it favors a certain few who are able to buy their materials and pay for them and then pay for

the labor separately. There have been a lot of rumors floating on it, that it is a tax on labor. I just had a call from the manager of a paper mill who had been led to believe that it was a tax on pulpwood, which gives you some idea. I do think the law is all right, but I also think I know when a bill is beaten, so with that I will close.

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

Mr. COUTURIER of Androscoggin: Mr. President, do I understand Senator Wyman to say that he is in favor of this bill? I tried to follow that.

Mr. WYMAN: That is right.

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

A division was had. 22 Senators having voted in the affirmative, and 10 Senators having voted in the negative, the motion to Indefinitely Postpone the Bill prevailed.

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(Recess)

On motion by Mr. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table An Act to Authorize Bond Issue in the Amount of \$15,755,000 for Capital Improvements, Construction, Renovations, Repairs, Equipment and Furnishings. (S. P. 691) (L. D. 1726)

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

Mr. Johnson of Somerset presented Senate Amendment "C" and moved its adoption.

Senate Amendment "C", Filing S-311, was read by the Secretary as follows:

SENATE AMENDMENT "C" to S. P. 691, L. D. 1726, Bill, "An Act to Authorize Bond Issue in the Amount of \$15,755,000 for Capital Improvements, Construction, Renovation, Repairs, Equipment and Furnishings."

Amend said Bill in the Title by striking out the figure "\$15,755,000" and inserting in place thereof the figure '\$17,955,000'

Further amend said Bill in section 1 by striking out in the 4th line (5th line of L. D. 1726) the figure "\$15,755,000" and inserting in place thereof the figure '\$17,955,000'

Further amend said Bill in section 6, under the caption

"UNIVERSITY OF MAINE", by inserting after the line "Alterations South Campus (Dow Air Force Base) 450,000", the following:

'Research and Advanced Study Building-Portland 1,100,000

Land and Classroom Building-Augusta, 1,100,000.'

and by striking out the last line under the caption "UNIVERSITY OF MAINE" and inserting in place thereof the following line:

'Total University of Maine 7,720,000'

Further amend said Bill in section 6 by striking out in the 6th line from the end (7th line in L. D. 1726) the following:

"GRAND T O T A L \$15,755,000"

and inserting in place thereof the following:

'GRAND TOTAL \$17,955,000'

Further amend said Bill by inserting after section 6, the following section:

**'Sec. 7. Advisory committee.** There may be appointed by the President of the University of Maine an advisory committee consisting of 15 members. The committee shall be composed of representatives of research, industry and education and shall include the Dean of Graduate Study of the University of Maine who shall be chairman of the committee. It shall be the responsibility of the committee to serve in an advisory capacity for the foundation of policy, design criteria, objectives, areas of study, equipment and furnishings, and all related aspects in connection with the establishments of a research and advanced study center. The members of the committee shall receive no compensation for their services but shall be allowed actual expenses incurred in the discharge of their duties. Such expenses shall be paid

from the funds made available under this Act.'

Further amend said Bill in section 8 by striking out in the 6th line (6th and 7th lines of L. D. 1726) the words "on the Tuesday following the first Monday of November, 1967" and inserting in place thereof the words 'on the 2nd Tuesday of September, 1967' and by striking out all of the 2nd paragraph and inserting in place thereof the following:

' "Shall a bond issue be ratified for the purposes set forth in 'An Act to Authorize Bond Issue in the Amount of \$17,955,000 for Capital Improvements, Construction, Renovations, Repairs, Equipment and Furnishings,' passed by the 103rd Legislature?"'

Further amend said Bill by renumbering sections 7 and 8 to be sections 8 and 9.

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

Mr. JOHNSON of Somerset: Mr. President and Members of the Senate: What this amendment does is to add into the general bond issue for capital improvements \$1,100,000 for the Research and Advanced Study Building in Portland and \$1,100,000 for land and classroom building in Augusta.

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

Sent down forthwith for concurrence.

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

Mr. JOHNSON of Somerset: Mr. President, is L. D. 956 in the possession of the Senate?

The PRESIDENT: The Chair will reply in the affirmative, this matter, L. D. 956, An Act Relating to Town's Matching Funds for Reconstructing State Aid Highways, having been held, pending reconsideration, at the request of the Senator from Somerset, Senator Johnson.

The Chair recognizes the Senator from Somerset, Senator Johnson.

Mr. JOHNSON of Somerset: Mr. President, I move that we now

reconsider our action whereby this bill was indefinitely postponed.

The PRESIDENT: The Senator from Somerset, Senator Johnson, now moves that the Senate reconsider its action whereby this bill was indefinitely postponed. Is this the pleasure of the Senate?

The motion prevailed.

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

Mr. JOHNSON of Somerset: Mr. President and Members of the Senate: This morning when the good Senator from Oxford, Senator Ferguson, moved indefinite postponement of this bill it seemed a little confusing to me. As I recall, he did state that because of the reduction of the bond issue in the House the money would not be available to pay for the matching funds. I would like to say that one of the bills which was passed this morning, which authorized long-term semi-permanent registration plates, would bring in over the biennium, I would say, approximately \$300,000 of business which would be received by the State.

No. 2. I would also say that there is a \$400,000 surplus in the Public Utilities Commission which will revert to the Highway Department. On that basis, and the need for the towns to acquire these matching funds, I would now move that the bill be passed to be enacted.

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

Mr. FERGUSON of Oxford: Mr. President and Members of the Senate: This is indeed a surprise to me that this action is going to be taken at this time. It was my understanding that this bill was to be discussed in a caucus prior to this action.

I question the amount of money that will be available under the long-term semi-permanent registration. I don't have any figures on it, but I certainly don't think it is anything like \$300,000. Also people are casting eyes at the million dollars that we had in for a building in the allocation act. This million dollars, let's not us kid ourselves, is going to revert

to surplus. But the Council and the Governor have been requested, or will be requested, to make a transfer of one million dollars from the unappropriated surplus of the Highway Fund to pay the various municipalities for snow removal overdraft. This is a must for the towns. If you want to go ahead and go along with this bill, certainly there won't be any money in sight that I can see.

Also there is another bill that we passed this morning for employees salaries, a five-step merit system, that is going to cost \$450,000. We also have a bill that we passed on Route 6 that is going to cost \$350,000. So you have \$1,800,000 here that the Highway is going to be paying out.

This bill should be given some consideration a little bit later. I don't believe that the municipalities are very bad off now under the present set-up. We will take this sheet that the good Senator from Waldo, Senator Greeley, placed on your desks. He really got the jump on me. I have got some material on another bill here that I would much rather see enacted than this one. But you take a municipality starting at the three and a half to one, appropriating the four units, this is the amount that they are supposed to or can appropriate now under the statutes, that they would bring back, with the 20 per cent bonus that the State must pay on this type of reconstruction, \$6,480. This is what this type of money would generate, \$1200, without any planning and other factors in here I certainly would be opposed to this bill at this time.

If you remember, earlier in the session I laid on your desks some material from the Maine Municipal Association that they were very, very much interested in, repealing the law that provides for municipalities now to pay \$40 a mile on each mile of highways that is in the State system. This is for any miles within any township, whether it be a town of 5,000 or what, as long as it is outside the compact section of the towns. This bill we passed this morning.

This is a sizable item here that for the biennium is going to cost



\$128,000. When I am quoting these figures, they might vary a little bit from the figures I gave you today, because these figures came from the Maine Municipal Association. This bill is not before you now, but I am using it for reasons of comparison. We did have this L. D. before us, to give municipalities with 5,000 population, or over, that the State would reimburse them \$500 a mile for each mile they had in their system in the compact section. This really is a good bill. For instance, Augusta would get over \$8,000. If I can find Portland on here, I can tell you how much they would be receiving. Portland would receive \$10,000. It goes on all along, any town with 5,000 population or over would receive this \$500 subsidy per mile.

Also one bill which is really badly needed is the one to increase the snow removal payments by the State to the various municipalities. It is over \$400,000. It would be increased from \$35 a mile to \$100 a mile. If we are going to do anything about a bill this is the bill here we should be considering; not this six-unit bill. This bill has got a price tag of \$1,100,000 on it, and the money is not in sight.

You want to consider that we have a good program, a planned program, and this is not in the planning. So, I hope that you people will go along and not consider this bill again. In fact, if this bill is alive again, I would urge you to vote for the indefinite postponement of this bill again.

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

Mr. JOHNSON of Somerset: Mr. President and Members of the Senate: I am very interested in hearing about all of these other bills the good Senator from Oxford has spoken about, but I am referring specifically to L. D. 956. I know all the other bills are good bills and they are needed.

He also said that he expected to have a caucus. Well, I cannot see any reason for having a caucus when it is not a party issue.

In this particular case the amount is \$1,100,000. Now, as I said before, the surplus in the P.U.C. is \$400,000. There is no need to

spend \$1,100,000, I believe, in this biennium because the towns have had their town meetings, and the next time they will have them will be next March, and before any action is taken the money would not need to be available until probably in July of 1968, which is a year away. Therefore, I would think that the \$400,000 alone that is surplus, which I can't see accounted for anywhere else, would pay practically the biggest part of half of this, which would be the amount required in the next two years.

On the other statement, on those plates, in view of the fact that these people today can get these plates here on a six-year basis, there will be approximately 10,000 of these licenses in this State which have not and would not be licensed here if this agreement and this bill had not passed. If you multiply it over the six-year period by \$5 a year, that comes to what, 10,000 times 30 is \$300,000.

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

Mr. HARDING of Aroostook: Mr. President and Members of the Senate: I have two questions I would like to ask. The first is directed to the Senator from Somerset, Senator Johnson. I would ask him if he is speaking on this in his capacity as Majority Leader? The other question is to the Senator from Oxford, Senator Ferguson. I would ask him this question: Is it the considered opinion of the Highway Committee that the cost of this bill, if it were enacted, would be \$1,100,000 for the biennium?

The PRESIDENT: The Senator from Aroostook, Senator Harding, has posed a question to the Senator from Oxford, Senator Ferguson, who may answer or not as he so desires.

Mr. FERGUSON of Oxford: Mr. President and Members of the Senate: These are the figures that we have from the Audit Department of the State Highway Commission for this particular bill, L. D. 956, and I don't believe they are ever very much out of line.

We passed early in this session - I guess likely in February - part of the allocation bill for state aid.

Some of you perhaps have forgotten about it, but this is a special bill we pass every year early in the session so the municipalities can take advantage of the town meetings when they know exactly that the money is going to be available. We have appropriated, which is already passed and signed by the Governor, \$2,325,000 each year of the biennium for state aid highways. We passed this. The towns will have town meetings next March and they can make provisions for this. But I don't believe we should open up our allocation bill again and go through here and start making changes at this late date.

Another thing I would remind the Senate about is that the bond issue was cut by \$4,000,000 in the House yesterday and we accepted that today. I think this morning, when we were acting on the bond issue here, I think this was the time to bring this matter up. If we were going to have such a bill as this I think we should have considered the amount of the bond issue at that time. Every dollar you take out of your current revenue you are going to take it out of your construction program, so you will have to put some bonding money back in to supplement your current revenues.

We are down now to a very low level of funds for the Highway during the next two years. In fact, we were supposed to provide ample revenue to begin a four-year program, but then it got down to a three-year program, and now it is down to two years and a half. In case of a hurricane or a very bad emergency we could run at a deficit for the next two years, so I urge you not to support this bill today.

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

Mr. ROSS of Piscataquis: Mr. President and Members of the Senate: To put the mind of the Senator from Aroostook, Senator Harding, at ease, this is not a party leadership matter, because I am opposed to the Senator from Somerset. I am going along with the Chairman of the Highway Committee. It seems that this is

open season on the Highway Department. First off, they knock the building down the drain, and yesterday they take \$4,000,000 out of the bond issue. I think that the highway program has suffered enough and I go along for indefinite postponement.

The PRESIDENT: The Chair recognizes the Senator from Waldo, Senator Greeley.

Mr. GREELEY of Waldo: Mr. President and Members of the Senate: 14 years ago I introduced a bill in this Legislature concerning these four units, and it happened to have passage. At that time the Highway Department was a little bit suspicious of the number of towns that would take advantage of this bill. I will say this year there are 201 towns in this State that are taking advantage of this four-unit deal. Now, the towns, by reconstruction, are doing some work that the State is already obligated to do but they are not doing it. If you trace the law back to about 1909 or 1910 I think you will find that the State has obligated themselves to maintain all state aid roads once they were built. But they are not doing that, and they can't do it, because they have too many roads to build.

In this bill the town and the State in cooperation with each other reconstruct state aid highways. To give the town a little incentive to do it, we tacked on a 20 per cent bonus 14 years ago. Now, this year - the bill did call for \$1,100,000, but it wouldn't take that. If all the 201 towns took advantage of the six units two years from now it would cost \$589,000. So, this \$1,100,000 at the present time we don't need, because we can't use this money this year. The towns and the cities have set up their budgets and we have had our town meetings, and the city councils have taken action on the state aid, and it won't take effect until next year anyway. In 1968 they will have to have \$589,000 providing 201 towns take advantage of it. But I don't believe that many towns will take advantage of the six units.

Now, there is another gimmick here. We passed a bill yesterday, L. D. 848, that was introduced in

the House by Representative Payson. There is an amendment on that bill which says that they will go along with this four-unit deal providing they can find the money. But there is no money set up for it. So, if we go along with this bill today, to be honest with the people in Portland, Lewiston, Auburn, and South Portland, and the cities of over 5,000 population, we should dig up another \$150,000, and then everybody can get into the act.

This bill is a good bill. The four-unit bill is a good bill. I think the Chairman of the Highway Commission will tell you that it is one of the best pieces of legislation they ever had passed in the Legislature to help them out on their program. I went along with the deal today and last night because the Highway Department told me they were poor and liable to be in debt, and so forth and so on, and I kept my mouth shut this morning. But, as I understand it, there is more money than I thought there was, and it is up to the members of the Senate whether they want to go along or not, of course, but if the money is there, it is a good bill. Thank you.

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

Mr. FERGUSON of Oxford: Mr. President and Members of the Senate: I would remind the good Senator from Waldo County that this bill does not provide for any reconstruction in any compact section of any municipality that is 5,000 population and over. This bill merely amends your statute from four units to six units, and it does not change the law in any way. I would remind you also that Portland, Lewiston, or any town, Mexico, Rumford, my own town, and Augusta, and many others, would not be eligible for matching if we go from the four to the six units.

When the vote is taken I request that it be taken by the "Yeas" and "Nays."

The PRESIDENT: Is the Senate ready for the question? The Senator from Oxford, Senator Ferguson, has requested that the vote be taken by the "Yeas" and "Nays." In order for the "Yeas"

and "Nays" to be entertained there must be the expressed desire of at least one-fifth of the members present. As many of the members as desire the roll to be taken by the "Yeas" and "Nays" will stand and remain standing until counted.

A sufficient number having stood, the roll call is ordered.

The Chair recognizes the Senator from Somerset, Senator Johnson.

Mr. JOHNSON of Somerset: Mr. President, one thing I would like to say is that if the bill were not passed it really would hurt what I would call thrifty towns, and I will explain just what I mean. A town has a certain section of road that they would like to rebuild. I think anyone will realize here that if you do it piecemeal, one part of it this year, one part of it next year, and one part of it the following year, by the time you get your equipment there, get your materials and everything else, you have dissipated probably 25 per cent of the actual effort, whereas if you completed the whole thing within the one year, within the period of time when you had the money to do it with, you would gain that 25 per cent of the amount that you would waste by doing it piecemeal. Many towns will raise their two units this year, their two next, and two the following year. As near as I can figure out, they get their six units and then they get their accomplishments a lot more economically.

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

The Chair recognizes the Senator from Oxford, Senator Ferguson.

Mr. FERGUSON of Oxford: Mr. President and Members of the Senate: Again, I don't question the merit of the bill. I certainly don't. It is just a question that it is going to put us in a bind on revenue. This is what I question about this piece of legislation. So, I urge you to vote "no."

Mr. President, is the motion now for passage to be enacted or for indefinite postponement?

The PRESIDENT: The pending motion is on the passage to be enacted of the bill.

Mr. FERGUSON: I hope you will vote "no" on that motion.

The PRESIDENT: Is it now the pleasure of the Senate that the bill be passed to be enacted? Those in favor of enactment will answer "Yes" when their name is called; those opposed to enactment, "No." The Secretary will call the roll.

### ROLL CALL

YEAS: Senators Anderson, Berry, Boisvert, Duquette, Greeley, Hildreth, Hoffses, Johnson, Katz, Mills, Norris, Reny, Snow, and Sproul.

NAYS: Senators Albair, Barnes, Beckett, Couturier, Curtis, Farley, Ferguson, Girard, Harding, MacLeod, Ross, Sewall, Stern, Viles, Wyman, Young and President Campbell.

ABSENT: Senators Good and Lund.

A roll call was had. 14 Senators having voted in the affirmative and 17 Senators having voted in the negative, the motion for enactment did not prevail.

Thereupon, the Bill was Indefinitely Postponed.

The President laid before the Senate a matter tabled earlier in today's session, "An Act Relating to Eligibility for School Construction Aid." (S. P. 395) (L. D. 1028)

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

Senate Amendment "A", Filing S-309, was read by the Secretary as follows:

SENATE AMENDMENT "A" to S. P. 395, L. D. 1028, Bill, "An Act Relating to Eligibility for School Construction Aid."

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. 20, § 3723, amended. The 2nd paragraph of section 3723 of Title 20 of the Revised Statutes, as amended by section 5 of chapter 201 and by section 5 of chapter 429, both of the public laws of 1965, is further amended by adding after the 2nd sentence, the following sentences:

The aid to School Administrative Districts shall be computed as follows: The net foundation program of the district shall be distributed among the member municipalities of the district in the same ratio as the average resident pupils of the member municipalities bears to the total average number of resident pupils in the School Administrative District. From the foundation program thus distributed shall be subtracted the yield of 20 mills times the member municipality's state valuation provided that no member municipality shall be required to raise more than 80 per cent of its foundation program. The aid thus computed for the member municipalities shall be added together and shall be paid to the School Administrative District. In addition, School Administrative Districts shall receive the supplemental aid as provided in section 3456.

Sec. 3. Effective date. This Act shall become effective January 1, 1969.'

Senate Amendment "A" was Adopted, and the Bill, as Amended Passed to be Engrossed and sent down forthwith for concurrence.

The President laid before the Senate another matter tabled earlier in today's session, "An Act Revising the Laws Relating to Support at State Institutions." (H. P. 149) (L. D. 213)

Mr. Johnson of Somerset presented Senate Amendment "A" to Committee Amendment "A" and moved its adoption.

Senate Amendment "A", Filing S-310, to Committee Amendment "A" was read by the Secretary as follows:

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H. P. 149, L. D. 213, Bill, "An Act Revising the Laws Relating to Support at State Institutions."

Amend said Amendment by striking out all of the last 7 lines.

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

Senate Amendment "A" to Committee Amendment "A" was adopted, and Committee Amend-

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

Sent down forthwith for concurrence.

### Out of Order

#### Under Suspension of the Rules

The Senate voted to take up the following additional papers from the House:

Additional Paper from the House

#### JOINT ORDER

ORDERED, the Senate concurring, that the Joint Standing Committee on Taxation is directed to forthwith report out a Bill which will provide for a one cent increase on the present sales tax. (H. P. 1237)

Comes from the House, Read and Passed.

Which was Read and Passed in concurrence.

#### Joint Order

ORDERED, the Senate concurring, that Joint Rule 9 be amended by deleting the last 26 words so that said rule shall read as follows:

"9. **Public Notice.** The Clerk of the House shall cause the substance of the Joint Rules relating to pre-filing (No. 6) and cloture (No. 8) to be published in all daily papers in the State at least twice monthly and in all weekly papers in the State at least once monthly for the two months immediately preceding the convening of the Legislature in regular session." (H. P. 1236)

Comes from the House Read and Passed.

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

#### Enactors

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

An Act Improving Payment of Benefits Under the Maine State Retirement System Law. (H. P. 1156) (L. D. 1653)

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

#### Emergency

An Act Making Additional Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1968 and June 30, 1969. (S. P. 700) (L. D. 1737)

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

On motion by Mr. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table Item 1-1A being a Joint Order.

On further motion by the same Senator, the Joint Order received Passage.

Out of Order and under suspension of the rules, Mr. Johnson of Somerset presented the following order and moved its passage:

ORDERED, the House concurring, that the Legislative Research Committee be and hereby is directed to study all phases of state printing and to report its findings and recommendations to the 104th Session of the Legislature, and be it further

ORDERED, notwithstanding any other legislative orders, that with respect to such part of the state printing as pertains to the Legislature, that the Legislative Research Committee be and hereby is authorized to implement any and all recommendations relating thereto, which in its judgment is in the best interest of the legislature and the people of the State of Maine. (S. P. 712)

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

Out of Order and under suspension of the rules, Mr. Johnson of Somerset presented the following order and moved its passage.

ORDERED, that the Secretary of the Senate be and hereby is authorized during the current biennium to attend the National Legislative Conference and meetings of any committee thereof on

which he may serve and be it further

ORDERED, that the Secretary of the Senate be reimbursed for the necessary traveling expenses.

Which was Read and Passed.

Out of Order and under suspension of the rules, Mr. Johnson of Somerset presented the following order and moved its passage:

ORDERED, that the President of the Senate and not exceeding four members of the Senate designated by him be and hereby is authorized during the current biennium to attend the conferences of the National Legislative Conference and National Conference of Commissioners on Uniform State Laws, and be it further

ORDERED, that the necessary expenses of the President and the members appointed by him be paid from the legislative appropriation.

Which was Read and Passed.

On motion by Mr. Ferguson of Oxford, the Senate voted to take from the Special Highway Appropriations Table (L. D. 121) Resolve, to Reimburse Marguerite Spohrer of York for Well Damage

Resulting from Use of Salt on Route 1.

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

On motion by Mr. Johnson of Somerset, recessed until the sound of the bell.

#### After Recess

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

Mr. JOHNSON of Somerset: Mr. President and Members of the Senate: I would like to explain to you that there will be no need of a night session this evening. That is why we had to wait, but we found out that the amendments that will be offered in the House tonight will probably take the better part of their session. I would now move that we adjourn until 10 A.M. tomorrow morning.

Thereupon, on motion by Mr. Johnson of Somerset,

Adjourned until 10 o'clock tomorrow morning.