

# 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 30, 1967

Senate called to order by the President.

Prayer by the Senator from Cumberland, Mr. Richard N. Berry.

Reading of the Journal of yesterday.

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

Bill "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)

In House, June 23, Passed to be Engrossed; June 27, Passed to be Enacted.

In Senate, June 29, Passed to be Engrossed As Amended by Senate Amendment "C" (S-311) in non-concurrence.

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

On motion by Mr. Johnson of Somerset, 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:

BERRY of Cumberland  
ROSS of Piscataquis  
ALBAIR of Aroostook

Bill "An Act Relating to Towns Matching Funds for Reconstructing State Aid Highways." (S. P. 359) (L. D. 956)

In House, April 4, Passed to be Enacted.

In Senate, June 29, Indefinitely Postponed in non-concurrence.

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

On motion by Mr. Johnson of Somerset, 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:

FERGUSON of Oxford

ROSS of Piscataquis  
VILES of Somerset

**House Paper  
Joint Order**

ORDERED, the Senate concurring, that the Legislative Research Committee be directed to study and review the methods or procedures employed by the State Bureau of Taxation in determining property values of each municipality for the purpose of establishing the state valuation; and be it further

ORDERED, that a report of such study, together with any recommendations deemed necessary, be made to the 104th Legislature. (H. P. 1238)

Comes from the House, Read and Passed.

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

**Orders**

The Senator from Somerset, Senator Johnson, presented the following order and moved its passage:

ORDERED, the House concurring, that the Joint Standing Committee on Appropriations and Financial Affairs is directed to forthwith report out a Bill to appropriate additional monies for expenditures of State Government and for other purposes for fiscal years ending June 30, 1968 and June 30, 1969. (S. P. 713)

Which was Read and Passed.

Sent down forthwith for concurrence.

**Committee Reports****House**

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Increasing the Terms of Trustees for the Maine Maritime Academy." (H. P. 120) (L. D. 1736)

Ask leave to report that the House Recede and Concur in Passing the Bill to be Engrossed As amended by Senate Amendment "A" (S-289)

(Signed)

WILLIAM E. DENNETT

THEODORE TRUMAN

CLAUDE N. TRASK

— on the part of the House.

J. HOLLIS WYMAN

RODNEY W. ROSS

ROBERT G. VILES

— on the part of the Senate.

Which Report was Read and Accepted.

The Committee of Conference on the disagreeing action of the two branches of the Legislature, on Bill "An Act Relating to Mental Illness as a Ground for Divorce." (H. P. 319) (L. D. 453)

Ask leave to report that they are Unable to Agree.

(Signed)

JOHN T. QUINN

SEVERIN BELIVEAU

JOHN W. MEISNER

— on the part of the House.

JOSEPH SEWALL

HORACE A. HILDRETH

ROBERT G. VILES

— on the part of the Senate.

Which report was Read and Accepted.

#### Enactors

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

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

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

#### Emergency

An Act to Make Allocations from the General Highway Fund for the Fiscal Years Ending June 30, 1968 and June 30, 1969. (H. P. 1173) (L. D. 1672)

This, being an emergency measure, and having received the affirmative vote of 27 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.

#### Orders of the Day

On motion by Mr. Berry of Cumberland, the Senate voted to take from the Special Appropria-

tions Table, An Act to Create a Commission to Prepare a Revision of the Insurance Law. (S. P. 326) (L. D. 925).

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

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

Senate Amendment "A", Filing S-315 was read by the Secretary as follows:

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S. P. 326, L. D. 925, Bill, "An Act to Create a Commission to Prepare a Revision of the Insurance Laws."

Amend said Amendment by striking out in the last line the figure "\$35,000" and inserting in place thereof the figure "\$20,000"

Thereupon, the Senate voted to reconsider its action whereby it adopted Committee Amendment "A". Then, Senate Amendment "A" to Committee Amendment "A" was Adopted, and Committee Amendment "A" as Amended by Senate Amendment "A" was Adopted, and the Bill, As Amended, was Passed to be Engrossed in non-concurrence.

Sent down forthwith for concurrence.

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

Resolve, Increasing Retirement Benefit of Charles S. Hulbert of Shin Pond. (H. P. 914) (L. D. 1323)

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

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

Senate Amendment "A", Filing S-314, was read by the Secretary as follows:

SENATE AMENDMENT "A" to H. P. 914, L. D. 1323, Resolve, Increasing Retirement Benefit of Charles S. Hulbert of Shin Pond.

Amend said Resolve by striking out at the end, before the Statement of Facts, the period and inserting in place thereof the following:

‘; and be it further

**Resolved:** That there is appropriated from the Unappropriated Surplus of the General Fund to the Maine State Retirement System the sum of \$2,140 for the fiscal year ending June 30, 1968 to carry out the purposes of this resolve.’

Senate Amendment “A” was Adopted, and the Bill, As Amended, was Passed to be Engrossed in non-concurrence.

Sent down forthwith for concurrence.

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

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

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

Then on motion by Mr. Ferguson of Oxford, the Senate voted to reconsider its action whereby it adopted House Amendment “A”.

On further motion by that Senator, House Amendment “A” was indefinitely postponed, and the Bill, As Amended, was Passed to be Engrossed in non-concurrence.

Sent down forthwith for concurrence.

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

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 further motion by the same Senator, the Senate voted to reconsider its action whereby it passed this bill to be engrossed.

Then on motion by Mr. Johnson of Somerset, tabled until later in today’s session.

On the disagreeing action of the two branches of the Legislature, on Joint Order, ordering the Appropriations Committee to report a bill to Implement Vocational Training in Northern Kennebec County, (H. P. 1230), the President appointed the following Conferees to the Conference Committee on the part of the Senate:

Senators:

JOHNSON of Somerset  
MacLEOD of Penobscot  
GOOD of Cumberland

On motion by Mr. Johnson of Somerset, the Senate voted to take from the Unassigned Table the first matter,

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

Tabled—June 15, 1967 by Senator Johnson of Somerset.

Pending—Enactment.

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

On motion by Mr. Johnson of Somerset, the Senate voted to take from the Unassigned Table the second matter,

(H. P. 813) (L. D. 1189) Bill, “An Act Exempting Gas for Cooking and Heating in Homes from Sales Tax.”

Tabled—June 15, 1967 by Senator Johnson of Somerset.

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

On further motion by Mr. Johnson of Somerset, Indefinitely Postponed in non-concurrence and sent down forthwith for concurrence.

On motion by Mr. Johnson of Somerset, the Senate voted to take from the Unassigned Table the third matter,

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

Tabled—June 23, 1967 by Senator Johnson of Somerset.

Pending—Enactment.

On further motion by Mr. Johnson of Somerset, 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. Johnson of Somerset, the Senate voted to take from the Unassigned Table the fourth matter,

(S. P. 676) (L. D. 1709) Bill, "An Act to Establish Thirty-three Districts for the Election of Senators in the State of Maine and Report in Support Thereof."

Tabled—June 26, 1967 by Senator Johnson of Somerset.

Pending—Consideration.

In Senate—June 20, 1967 Passed to be Engrossed.

In House—June 22, 1967 Indefinitely Postponed.

On further motion by Mr. Johnson of Somerset, the Senate voted to insist and request a Committee of Conference.

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

Senators:

LUND of Kennebec  
HOFFSES of Knox  
SPROUL of Lincoln

Sent down forthwith for concurrence.

On motion by Mr. Johnson of Somerset, the Senate voted to take from the Unassigned Table the fifth matter,

(S. P. 219) (L. D. 482) Bill, "An Act Reclassifying Certain Tidal Waters of Cumberland County."

Tabled—June 27, 1967 by Senator Johnson of Somerset.

Pending—Enactment.

On further motion by Mr. Johnson of Somerset, 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. Johnson of Somerset, the Senate voted to take from the Unassigned Table the sixth matter, (H. P. 280) (L. D.

400) Bill, "An Act Classifying Certain Inland Waters of the Presumpscot River Basin."

Tabled — June 27, 1967 by Senator Johnson of Somerset.

Pending — Enactment.

On further motion by Mr. Johnson of Somerset, 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. Johnson of Somerset, the Senate voted to take from the Unassigned Table the seventh matter, (S. P. 497) (L. D. 1256) Bill "An Act Relating to Public Higher Education."

Tabled — June 28, 1967 by Senator Johnson of Somerset.

Pending — Enactment.

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

On motion by Mr. Ross of Piscataquis,

Recessed until two o'clock this afternoon.

#### After Recess

Senate Called to Order by the President.

#### Out of Order

##### Under Suspension of the Rules

The Senate voted to take up the following additional papers:

##### Non-concurrent matter

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

In Senate, June 28, Passed to be Engrossed As Amended by Committee Amendment "A" (S-277)

House Amendment "B" (H-461)  
House Amendment "D" (H-464)

and  
Senate Amendment "A" (S-302)

and  
Senate Amendment "B" (S-306)  
in non-concurrence.

Now comes from the House, Passed to be Engrossed as amended by Committee Amendment "A",  
Senate Amendment "B" and  
House Amendments "B" (H-461)  
"D" (H-464)  
"E" (H-475)

“F” (H-479) and  
“G” (H-482)  
in non-concurrence.

On motion by Mr. Anderson of Hancock, the Senate voted to Recede and Concur with the House, and the Bill was sent forthwith to the Engrossing Department.

### Orders

On motion by Mr. Hildreth of Cumberland

ORDERED, the House concurring, that the Judicial Council be respectfully requested to study, in cooperation with the Chief Judge of the District Court, the District Court System with regard to the present boundaries of districts and divisions, particularly respecting relative caseloads, the availability of service to inhabitants of rural areas such as Franklin County, and problems posed by the present district lines separating communities such as Topsham and Brunswick, and Fairfield and Waterville; and be it further

ORDERED, that the Council report its findings to the next regular or special session of the Legislature. (S. P. 715)

Which was Read and Passed.

Sent down forthwith for concurrence.

### Committee Reports

#### House

#### Conference Committee Report

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Joint Order (H. P. 1212) Recalling from the Legislative files — Bill “An Act Granting Complimentary Fishing Licenses for Certain Maine Residents in Armed Forces.” (H. P. 1120) (L. D. 1592)

Ask leave to report that they are Unable to Agree.

(Signed)

THEODORE LEWIN  
J. ROBERT CARRIER  
S. C. HARVEY

— on the part of the House.

ALBERT W. HOFFSES  
JOSEPH SEWALL  
RODNEY W. ROSS

— on the part of the Senate.

Comes from the House, Report Rejected and the House further In-

sists and asks for another Committee of Conference.

House Conferees appointed by the Speaker:

Messrs: LEWIN  
CARRIER  
HARVEY

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

Mr. HOFFSES of Knox: Mr. President, I move we reject the Committee of Conference Report.

The PRESIDENT: As many as are in favor to reject the Committee of Conference Report will say “Yes”. Those opposed “No”.

A viva voce vote being had, the motion to reject the Committee of Conference Report prevailed.

Then Mr. Mills of Franklin requested a division.

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

A division was had. 32 Senators having voted in the affirmative, and no Senators having voted in the negative, the motion to reject the Committee of Conference Report prevailed.

Thereupon, on motion by Mr. Hoffses of Knox, 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:

HOFFSES of Knox  
SEWALL of Penobscot  
ROSS of Piscataquis

#### Senate

The Committee of Conference on the disagreeing action of the two branches of the Legislature on

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

Ask leave to report; that the House Recede and Concur with the Senate in Accepting the Minority Ought to Pass Report, and Passing the Bill to be Engrossed.

(Signed)

HORACE B. HILDRETH  
ROGER V. SNOW  
JON LUND

—on the part of the Senate.

JOHN T. QUINN  
 ELDEN H. SHUTE, Jr.  
 SEVERIN M. BELIVEAU  
 —on the part of the House.

Which report was Read and Accepted.

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill, "An Act Creating a District Court Division of Northern Androscoggin and Franklin." (S. P. 544) (L. D. 1392)

Ask leave to report that they are Unable to Agree.

(Signed)

HORACE HILDRETH  
 ROGER V. SNOW  
 JON LUND

—on part of the Senate

JOHN QUINN  
 ELDEN H. SHUTE, Jr.  
 SEVERIN BELIVEAU  
 —on part of the House

Which report was Read and Accepted.

The Committee of Conference on the disagreeing action of the two branches of the Legislature, on Bill, "An Act to Preserve and Enhance Scenic Values in the State of Maine." (S. P. 500) (L. D. 1215)

Ask leave to report that they are Unable to Agree.

(Signed)

RICHARD BERRY  
 HORACE HILDRETH  
 HERALD BECKETT  
 —on the part of the Senate  
 HORACE H. DRUMMOND  
 HAROLD BRAGDON  
 HARRISON RICHARDSON  
 —on the part of the House

Which report was Read and Accepted.

#### Enactors

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

An Act Providing for Action in Aid to Dependent Children Cases Involving Fraud. (H. P. 672) (L. D. 944)

Which 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 to Allocate Moneys for the Administrative Expenses of the State Liquor Commission for the Fiscal Years Ending June 30, 1968 and June 30, 1969. (H. P. 82) (L. D. 112)

This, being an emergency measure, and having received the affirmative vote of 31 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 Issue in Amount of Three Hundred and Fifty Thousand Dollars for Construction of a Regional Care Facility for the Severely Mentally Retarded at Bangor. (S. P. 371) (L. D. 984)

This, being a Bond Issue, and having received the affirmative vote of 31 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.

The President laid before the Senate a matter tabled earlier in today's session by Senator Johnson of Somerset, 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).

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

Senate Amendment "A", Filing S-316, was read by the Secretary as follows:

SENATE AMENDMENT "A" to H. P. 300, L. D. 435, "An Act to Authorize Bond Issues in the Amount of \$14,000,000 to Provide Funds for School Building Construction Under the Provisions of Section 3457 of Title 20, R. S."

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



'An Act to Authorize Bond Issues in the Amount of \$6,380,000 to Provide Funds for School Building Construction Under the Provisions of Section 3457 of Title 20, R. S. and \$215,000 to Provide Funds for the Construction of Regional Technical and Vocational Centers Under the Provisions of Section 2356-B of Title 20, R. S.'

Further amend said Bill by striking out in the 4th line of section 1 (same in L. D. 435) the figure "\$14,000,000" and inserting in place thereof the figure '\$6,380,000'

Further amend said Bill in section 1 by adding at the end of the first sentence, before the period, the following: 'and not exceeding \$215,000 for the purpose of providing state funds for regional technical and vocational school building construction under the provisions of section 2356-B of Title 20, R. S.'

Further amend said Bill by striking out all of the last sentence of section 3.

Further amend said Bill in section 5 by adding at the end the following: 'in the amount of \$4,380,000 and only for regional technical and vocational school construction in accordance with the provisions of section 2356-B of Title 20, R. S., and such expenditures shall be made in such amounts and at such times as shall be required by the provisions of section 2356-B of Title 20, R. S. but not to exceed \$215,000'

Further amend said Bill by striking out all of the 2nd paragraph of section 7 and inserting in place thereof the following:

' "Shall a bond issue be ratified for the purposes set forth in 'An Act to Authorize Bond Issues in the Amount of \$6,380,000 to Provide Funds for School Building Construction under the provisions of Section 3457 of Title 20, R. S. and \$215,000 to Provide Funds for the Construction of Regional Technical and Vocational Centers Under the Provisions of Section 2356-B of Title 20, R. S.?' "'

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

The Chair recognizes the Senator from Franklin, Senator Mills.

Mr. MILLS of Franklin: Mr. President, I would like to inquire through the Chair of the good Senator from Somerset, Senator Johnson, in regard to the figure of \$215,000 in the third from the last paragraph, and appearing once or twice otherwise. I recall that earlier in the proceedings in regard to this measure I introduced an amendment which increased the \$215,000 to a sufficient amount, I think something like \$265,000 or \$270,000, to provide for School Administrative District No. 9 a building which is practically in progress. It would appear here as though it had come back down to \$215,000.

I believe also that the good Senator from Kennebec, Senator Katz, had subsequently introduced an amendment which added a sufficient amount to take care of a school in his area. I wondered if you would tell us about it.

The PRESIDENT: The Senator from Franklin, Senator Mills, has posed a question through the Chair to the Senator from Somerset, Senator Johnson, who may answer or not, as he so desires.

Mr. JOHNSON of Somerset: Mr. President, the Senator from Franklin County is correct. As far as the other amendment is concerned, it is one that I put on, and it is not in here now. I believe this should be corrected.

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

On motion by Mr. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table An Act to Establish and Appropriate Funds for a Youth Community Activities Section in the Department of Mental Health and Corrections. (S. P. 221) (L. D. 484)

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 "B" and moved its adoption.

Senate Amendment "B", Filing S-317, was read by the Secretary as follows:

SENATE AMENDMENT "B" to S. P. 221, L. D. 484, Bill, "An Act to Establish and Appropriate Funds for a Youth Community activities Section in the Department of Mental Health and Corrections."

Amend said Bill by striking out all of section 3 and inserting in place thereof the following:

**'Sec. 3. Personnel. 1967-68 1968-69 MENTAL HEALTH AND CORRECTIONS, DEPARTMENT OF**

Personal Services (1) — (1) —'

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

Sent down forthwith for concurrence.

On motion by Mr. Ross of Piscataquis,

Recessed until eight o'clock this evening.

#### After Recess

Called to order by the President.

#### Out of Order

Under Suspension of the Rules The Senate voted to take up the following additional papers:

#### Committee Report

##### Senate

The Majority of the Committee on Appropriations and Financial Affairs pursuant to Joint Order S. P. 713, reports Bill, "An Act to Appropriate Additional 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. 714) (L. D. 1744) and report that the same Ought to Pass

(Signed)

Senators:

BERRY of Cumberland

ALBAIR of Aroostook

Representatives:

BIRT of E. Millinocket

DUNN of Denmark

HINDS of So. Portland

JALBERT of Lewiston

BRAGDON of Perham

The Minority of the same Committee, pursuant to the same Joint Order, report the same Bill, (S. P. 714) (L. D. 1744) and that it Ought Not to Pass.

(Signed)

Senator:

DUQUETTE of York

Representative:

SCRIBNER of Portland

In Senate: Ought to Pass report of the Committee accepted, and the Bill Read Once. Under suspension of the rules of the Bill was given its Second Reading and Passed to be Engrossed.

Sent down forthwith for concurrence.

#### Non-concurrent matter

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

In Senate, June 28, Passed to be Engrossed.

Comes from the House, Passed to be Engrossed As Amended by House Amendment "A" (H-483)

In Senate: Voted to Recede and Concur with the House.

#### Committee Reports

##### House

#### Conference Committee Reports

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill, "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) ask leave to report: that the House Recede and Concur with the Senate in Passing the Bill to be Engrossed As Amended by Senate Amendment "C" (S-311)

(Signed)

RAYMOND RIDEOUT, Jr.

HAROLD BRAGDON

HARRISON RICHARDSON

—On the part of the House

RICHARD BERRY

SAMUEL ALBAIR

RODNEY W. ROSS

—On the part of the Senate

Comes from the House, Read and Accepted.

Which report was Read and Accepted.

The Committee of Conference on the disagreeing action of the two branches of the Legislature, on

Bill, "An Act Relating to Assistant County Attorneys." (H. P. 33) (L. D. 53) ask leave to report: that they are Unable to Agree.

(Signed)

RAYMOND NADEAU  
WILLIAM E. DENNETT  
MALCOLM BERMAN

—On part of House.

ROBERT G. VILES  
SAM A. R. ALBAIR  
ARMAND DUQUETTE

—On part of Senate.

Comes from the House, Read and Accepted.

On motion by Mr. Johnson of Somerset, the Senate voted to reject the report of the Committee of Conference and request a further Committee of Conference.

Sent down forthwith for concurrence.

### Enactors

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

An Act Revising the Laws Relating to Support of State Institutions. (H. P. 149) (L. D. 213)

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

An Act Relating to Eligibility for School Construction Aid. (S. P. 395) (L. D. 1028)

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

An Act Providing for a Tax on Real Estate Transfers. (H. P. 1143) (L. D. 1627)

(On motion by Mr. Johnson of Somerset, Indefinitely Postponed.)

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

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

### Bond Issue

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

This, being a Bond Issue, and having received the affirmative vote of 29 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.

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

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

Then, Mr. Ross of Piscataquis presented Senate Amendment "B" and moved its adoption.

Senate Amendment "B", Filing S-318, was read by the Secretary as follows:

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

Amend said Bill by striking out all of section 9.

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

Sent down forthwith for concurrence.

On motion by Mr. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table (S. P. 633) (L. D. 1635) An Act Relating to the Water and Air Environmental Improvement Commission.

On further motion by the same Senator, the Senate voted to reconsider its action whereby it Passed this Bill to be Engrossed.

Then, Mr. Sewall of Penobscot presented Senate Amendment "B" to Senate Amendment "B" and moved its adoption.

Senate Amendment "B", Filing S-320, to Senate Amendment "B" was read by the Secretary as follows:

SENATE AMENDMENT "B" 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 Bill in that part designated “Sec. 14.” by striking out all of the first 2 paragraphs and inserting in place thereof the following:

“Sec. 14. Appropriation. There is appropriated from the Unappropriated Surplus of the General Fund to the Water and Air Environmental Improvement Commission for Air Pollution Control the sum of \$19,000 for the fiscal year ending June 30, 1968 and the sum of \$17,000 for the fiscal year ending June 30, 1969. The breakdown shall be as follows:’

Under suspension of the rules, the Senate then voted to reconsider its action whereby it adopted Senate Amendment “B”.

Then Senate Amendment “B” to Senate Amendment “B” was Adopted, and Senate Amendment “B” As Amended by Senate Amendment “B” was Adopted, and the Bill, As Amended, was Passed to be Engrossed in non-concurrence.

Sent down forthwith for concurrence.

(Senate at Ease)

On the disagreeing action of the two branches of the Legislature on Bill, “An Act Relating to Assistant County Attorney” the President appointed the following Conferees on the part of the Senate:

Senators:

VILES of Somerset  
ALBAIR of Aroostook  
DUQUETTE of York

The President laid before the Senate (H. P. 300) (L. D. 435) Bill, “An Act to Authorize Bond Issues in the Amount of \$14,000,000 to Provide Funds for School Building Construction Under the Provisions of Section 3457 of Title 20, R. S.” Tabled by the Senator from Somerset, Senator Johnson, earlier in today’s session.

On motion by Mr. Johnson of Somerset, Senate Amendment “A” was indefinitely postponed.

Then, Mr. Johnson of Somerset presented Senate Amendment “B” and moved its adoption.

Senate Amendment “B”, Filing S-321, was read by the Secretary as follows:

SENATE AMENDMENT “B” to H. P. 300, L. D. 435, Bill, “An Act to Authorize Bond Issues in the Amount of \$14,000,000 to Provide Funds for School Building Construction Under the Provisions of Section 3457 of Title 20, R. S.”

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

‘An Act to Authorize Bond Issues in the Amount of \$6,380,000 to Provide Funds for School Building Construction Under the Provisions of Section 3457 of Title 20, R. S. and \$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.’

Further amend said Bill by striking out in the 4th line of section 1 (same in L. D. 435) the figure “\$14,000,000” and inserting in place thereof the figure ‘\$6,380,000’

Further amend said Bill in section 1 by adding at the end of the first sentence, before the period, the following: ‘and not exceeding \$270,000 for the purpose of providing state funds for regional technical and vocational school building construction under the provisions of section 2356-B of Title 20, R. S.’

Further amend said Bill by striking out all of the last sentence of section 3.

Further amend said Bill in section 5 by adding at the end the following: ‘in the amount of \$6,380,000, and only for regional technical and vocational school construction in accordance with the provisions of section 2356-B of Title 20, R.S., and such expenditures shall be made in such amounts and at such times as shall be required by the provisions of section 2356-B of Title 20, R. S. but not to exceed \$270,000.’

Further amend said Bill by striking out all of the 2nd paragraph of section 7 and inserting in place thereof the following:

‘“Shall a bond issue be ratified for the purposes set forth in ‘An Act to Authorize Bond Issues in

the Amount of \$6,380,000 to Provide Funds for School Building Construction under the Provisions of Section 3457 of Title 20, R. S. and \$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.?"

Senate Amendment "B" was Adopted, and the Bill, As Amended, was Passed to be Engrossed.

Sent down forthwith for concurrence.

Out of order and under suspension of the rules Mr. Albair of Aroostook presented the following Order and moved its passage:

ORDERED, the House concurring, that the Legislative Research Committee be instructed to study the differential between prices received by producers of agricultural products in Maine and the prices at which these same products are sold at retail to determine if any inequities exist that are detrimental to the agricultural industry, and the reason therefor, if their findings with respect to such possible inequities are affirmative, and that the Legislative Research Committee be instructed to report their findings to a special session of the 103rd Legislature or to the 104th Legislature. (S. P. 716)

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

Mr. Sewall of Penobscot presented the following Order and moved its passage:

ORDERED, the House concurring, that the Legislative Research Committee be instructed to study the nature of any obligations of the State of Maine to the Town of Mars Hill as a result of declassification and subsequent reclassification of the Prestile Stream, such study to determine whether there are obligations on the part of the State of Maine to refund to the Town of Mars Hill the outstanding indebtedness for a sewerage system and treatment plant incurred as a result of actions of the Water Improvement Commission in implementing the B-2 classification of the Prestile

Stream passed by the Legislature in 1955, taking into account any and all contributing factors thereto since 1955 including but not limited to the industrial growth of Aroostook County and the consequent impact financially on the citizens of Maine, our relationships with New Brunswick of the Dominion of Canada and the best interests of pollution abatement of the State of Maine, recognizing that such determinations as are made by the Legislative Research Committee may well have substantial impact on future actions of Maine Legislatures in directing the control of water pollution in the State of Maine, and that the Legislative Research Committee be instructed to report their conclusions and recommendations to the 104th Legislature. (S. P. 717)

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

Out of order and under suspension of the rules, Mr. Ross of Piscataquis presented the following Orders and moved their Passage:

ORDERED, the House concurring, that the State Librarian be directed to forward bound copies of the Legislative Record to members of the Senate and House and to the Clerk and Assistant Clerk of the House, and the Secretary and Assistant Secretary of the Senate, at their home addresses. (S. P. 722)

ORDERED, the House concurring, that the Secretary of the Senate, in his capacity as Executive Officer of the Senate when the Senate is not in session, be and hereby is authorized to retain whatever members of his staff may be necessary to complete the records of the Senate, and approve payment for same. (S. P. 721)

ORDERED, the House concurring, that the State Librarian mail to each member of the Senate and House the balance of the Legislative Record. (S. P. 720)

ORDERED, the House concurring, that there be prepared after adjournment of the present session, under the direction of the Clerk of the House, a Register of all the bills and Resolves considered by both branches of the Legis-

lature, showing the history and final disposition of each Bill and Resolve, and that there be printed six hundred copies of the same.

The Clerk of the House is hereby authorized to employ the necessary clerical assistance to prepare such register.

The Clerk shall mail a copy of the Register to each member and officer of the Legislature and the State Library shall receive such number of copies as may be required. (S. P. 719)

Which were Read and Passed.

Sent down forthwith for concurrence.

On motion by Mr. Berry of Cumberland, the Senate voted to take from the Special Appria-

tions Table (L. D. 1737) 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.

On further motion by the same Senator, the Senate voted to reconsider its action whereby it Passed this bill to be Engrossed.

Then, on further motion by the same Senator, the Senate voted to reconsider its action whereby it adopted House Amendment "A". Then, House Amendment "A" was Indefinitely Postponed.

Then Mr. Berry of Cumberland presented Senate Amendment "A" and moved its adoption.

Senate Amendment "A", Filing S-323, was read by the Secretary as follows:

SENATE AMENDMENT "A" to S. P. 700, L. D. 1737, Bill, "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."

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

Legislative Document	Title	1967-68	1968-69
343	An Act to Incorporate the Town of Medford All Other	\$ 2,516.95	\$ 10,393.00
978	Resolve, Relating to Retirement and Pension of Stephen A. Regina of Saco. Contributions and Transfers	546.00	546.00
1540	An Act Relating to Retirement Benefits to Widows of State Police Members Retired Under Noncontributory Statute Contributions and Transfers	2,090.52	2,567.89
1579	An Act Relating to Computation of State Aid for School Administrative District No. 12 (Jackman and Moose River) All Other	33,800.00	33,800.00
Total— Section A		\$ 38,953.47	\$ 47,306.89'

Further amend said Bill by adding at the end of Section B, the following:

		1967-68	1968-69
'SECRETARY OF STATE	Provides funds for referendums	\$ 27,000	\$ 3,000
L. D. 142	Resolve, Increasing Pension for Leeman Grant of Milbridge	900	900
L. D. 658	Resolve, to Increase Retirement Benefit of Suzie H. Yeaton of Harrington	3,081	—

L. D. 1323 Resolve, Increasing Retirement Benefit of Charles S. Hulbert of Shin Pond

2,140

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

Sent down forthwith for concurrence.

**(Senate at Ease)**

Senate called to order by the President.

Out of order and under suspension of the rules the Senate voted to take up the following additional paper from the House:

**Non-concurrent matter**

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." (S. P. 597) (L. D. 1575)

In Senate, June 29, Passed to be Engrossed in non-concurrence.

Comes from the House, Passed to be Engrossed As Amended by House Amendment "J" (H-484) in non-concurrence.

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

Mr. JOHNSON of Somerset: Mr. President, I move that we recede and concur.

The PRESIDENT: The Senator from Somerset, Senator Johnson, moves that the Senate now recede and concur.

The Chair recognizes the Senator from Aroostook, Senator Harding.

Mr. HARDING of Aroostook: Mr. President and Members of the Senate: I know the hour is late, and I know that this has been a subject matter which has been the cause of a lot of passion and a lot of dispute, but it is the most important matter which we will be discussing this session, and I feel that I have an obligation as the Minority Leader to make a comment concerning this House Amendment "J".

As a preface to that comment, I do want to say that another amendment which was proposed to be offered in the House today, and which was not offered, while it did not contain certainly all of the things which the Majority Party

wanted, nor certainly all of the things that the Minority Party wanted, it did represent a good faith effort to reach a compromise. It is with extreme disappointment that I rise to say that this amendment was not offered, and it is not before us here tonight.

Now, on this House Amendment "J", it has serious deficiencies within it. I call your attention to the Section B part of it, and you will notice down through Section B that in item after item there is only the appropriation for the first year of the biennium. There must be a precedent for these things, and probably they have occurred at some other time, but to my knowledge we have not had a situation where we would make appropriations for the first year of a biennium for a continuing program and not have the appropriations for the second year of the biennium.

For instance, in one section of this document there is a provision for 15 new State Troopers. Think of the position which the Colonel is in, in recruiting State Troopers, when there is no provision made for their payment in the second year of the biennium. This is true with many other people who will be hired by the State of Maine.

It seems to me that we could do a better job. The Majority Party had stated that the program which the Governor had come forth with of \$227,000,000 for the biennium was not adequate, and that they should go beyond that. Now we find ourselves in the position where, not only is his program being cut back, but it is not even being funded in some parts for the second year of the biennium. I just feel that we can do better than this. In fact, there were two amendments which were presented in the House, either one of which would have represented a much better effort on the part of this Legislature than would these do. I, therefore, must oppose this motion to recede and concur, because this Legislature can do a better job than this.

I further understand that for the first time in the history of Maine we will not have passed a current services budget prior to July 1st. It is not printed and it is not available. Under these circumstances, and because we are going to be meeting tomorrow to consider this, I would hope that we could do a better job and that we could come up with the amendment which my colleague, Senator Albair, and many other people who are very well equipped to deal with it on the Appropriations Committee, I think, did a fine job with. It represents to me a much better deal for the State of Maine than this particular thing. Therefore, I oppose the motion to recede and concur, and when the vote is taken I would ask that it be taken by division.

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 say in answer to the good Senator's remarks that as far we, the Majority Party, feel, we have been hamstrung by a small minority in this Senate, and if there is any blame for any delay in enacting any legislation, I would squarely and fully place the blame on the Minority Party in the House and Senate.

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

Mr. HARDING of Aroostook: Mr. President and Members of the Senate: In response to the remark, I would say this: That for approximately ten years now the current services budget has been enacted. This current services budget, if we

were to decide it tonight, would not be in dispute. The problem that we have is because other things have been tied in with current services, and that is why we are having the difficulty. This current services budget could have been passed two months ago had the Majority Leadership put it before this body for action. So, I feel this is unfair to suggest that the Minority Leadership or the Minority Party has made this contribution. It is true there has been an honest dispute between the parties as to how far we should go in this supplemental program. There has never been any dispute as to how far we would go in the current services program. This is the objection that we raise: It is because these things have been tied together and, therefore, delayed, and the people have not been able to get the benefit of this Act passed as they should have had.

The PRESIDENT: The pending question is the motion of the Senator from Somerset, Senator Johnson, that the Senate now recede and concur.

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

A division was had. 18 Senators having voted in the affirmative, and 10 Senators having voted in the negative, the motion to recede and concur with the House was carried.

Sent forthwith to the Engrossing Department.

On motion by Mr. Johnson of Somerset,

Adjourned until ten o'clock tomorrow morning.