

# 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**

Saturday, July 1, 1967

Senate called to order by the President.

Prayer by the Senator from Kennebec, Mr. Bennett D. Katz.

Reading of the Journal of yesterday.

**Out of Order****Under Suspension of the Rules**

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

**Non-concurrent matters**

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)

In Senate, June 30, Passed to be Engrossed.

Comes from the House, Passed to be Engrossed

As Amended by House Amendment "A" (H-481) as amended by House Amendment "A" thereto (H-486) and by House Amendment "B" (H-487) as amended by House Amendment "A" thereto (H-488) in non-concurrence.

The PRESIDENT: Is it the pleasure of the Senate to recede and concur?

The Chair recognizes the Senator from Aroostook, Senator Harding.

Mr. HARDING of Aroostook: Mr. President and Members of the Senate: Last night I said nothing about this bill, in the interest of time, I see no point in debating these at every stage of the game. I do feel that this bill presents such weaknesses, such peril to the State of Maine, that I feel, regardless of what has already been decided here in the Majority Party, we should point out these facts:

First of all, I would mention that there are some \$800,000 worth of L. D.'s in this referendum, the money for which would come out of unappropriated surplus. These L. D.'s have already been considered by this Legislature. The Legislature has passed them to be engrossed. One house has already enacted them, and almost all of

them are now on the Senate Appropriations Table. The meaning of this is that the money is already in the till. This Legislature, if it wanted to, just by the bang of the President's gavel, could put these into law. But instead of this, these are being sent out as a referendum for the people to consider, and the question that you might ask, and all of Maine will ask, is "Why?"

For instance, you have matters like the Blind Children's Education, Inc., for which the money is already here, and for which both branches have already indicated approval. You have Cerebral Palsy, which is a \$3,000 appropriation from unappropriated surplus. You ask "Why?" You have from unappropriated surplus \$350,000 for the Maine Port Authority. The money is in the till. Why don't we enact it now? You have appropriated the Department of Education from the unappropriated surplus the sum of \$30,500. You might ask, and rightly so, why don't we enact it now? The money is here and it is in the till.

One of the real prizes is a Resolve Reimbursing Certain Municipalities for the Control of Dutch Elm Disease. This too would come from unappropriated surplus, and this is in the referendum, when the money is here in the till.

I think that we are discounting the intelligence of the people of the State of Maine when we think that they will not recognize what these are in there for, and that they will not recognize that it is not necessary to vote on the referendum. This Legislature, as I mentioned, could take care of these.

As far as we are concerned here in this Legislature, and from our experience in life, if we will not look back to see what the mistakes in the past have been we are bound to make those same mistakes in the future. As far as these referendums on tax measures, in 1937 there was a referendum that went out for aid for the old people and for school subsidies for the towns. The matter of the one cent increase in the tax wasn't even mentioned in the referendum; it just said "with revenues to implement it." This was defeated two to one. Later on, in 1947, after

World War II, when everyone's heart certainly was grateful to our veterans, another tax measure went out to give our veterans a bonus. This was overwhelmingly defeated. As late as 1957 on a referendum a tax measure was defeated.

As far as I am concerned, I would have no quarrel with this going out to the people to be voted upon. I have no doubt in my mind that it would not only be defeated, but it would be overwhelmingly defeated. But the peril that it presents, however, to other issues before the people is why I feel so strongly that this Legislature had ought not to approve it, because this matter is going to be debated, and it is going to be pointed out that the money is already available for some of these bills; it is right here in the till. People have shown a reluctance to vote for new taxes. You have bond issues which are going to be on this same referendum. I understand from my colleague, the Senator from Aroostook, Senator Albair, some \$26,000,000 worth of them. The experience has been that if you have one unpopular measure on there, that is overwhelmingly unpopular, that the rest of them may go down the drain. So, I raise this question: Where would we be if this were defeated, and your general bond issue were defeated, and your bond issue for the school subsidies, if this were defeated? What would we do then when this Legislature reconvenes? The people would have rejected the sales tax. You would have this \$6,000,000 which you would have to pay for school construction, you would have these bond issues on these other matters which the people see the need of, you later on will have, as I understand, the Highway bond issue. I mean, this is the peril, the risk, which is being taken here. Therefore with all the sincerity which I am capable of, I suggest to you that this is a tremendous peril to the people of the State of Maine, and I would hope that you would not vote in favor of this measure. When the vote is taken I would ask that it be taken by division.

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

Mr. MacLEOD of Penobscot: Mr. President and Members of the Senate: I feel that it should be put on the record that this Legislature was presented with a very fine program and with the money to pay for that program, and many members of the opposite party privately expressed to me their desire and their wishes to be able to vote for it if they had been allowed to by their leadership and by the Governor of the State. We tried for three months to get this program enacted, and we were turned down because it requires two-thirds of those elected to both branches.

I agree with the Senator from Aroostook, Senator Harding, that there is peril and there is risk attached to this document. But it was felt by most people in our party that the only way we could possibly get these programs, that are so needed by our cities and towns for the people of this State, put into law was to allow the people of the State to exercise their mandate next Fall.

This could have been avoided, had we had some support from the Minority Party in enacting the program that was presented to them. Thank you.

The PRESIDENT: Is the Senate ready for the question? As many as are in favor of the Senate receding and concurring will stand and remain standing until counted. Those opposed will stand and remain standing until counted.

A division was had. 21 Senators having voted in the affirmative, and 10 Senators having voted in the negative, the motion to recede and concur prevailed.

Thereupon, under suspension of the rules, sent forthwith to the Engrossing Department.

Mr. Barnes of Aroostook presented the following Order and moved its passage:

ORDERED, the House concurring, that the Legislative Research Committee be instructed to study the impact on Maine industry of foreign competition, including but not limited to textiles, steel fabrica-

tion, Irish potatoes, other agricultural products and products of the paper industry, reviewing the effect on Maine industry as a result of recently concluded tariff concessions following the conference at Geneva, and the extent to which Maine industry has been favorably or adversely affected thereby, and determining to what extent Maine industry and agriculture have been protected under the powers vested in the Executive Branch of the United States Government, and that the Legislative Research Committee be instructed to report their findings to the 104th Legislature. (S. P. 718)

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

Mr. Katz of Kennebec presented the following Order and moved its Passage:

ORDERED, the House concurring, that under Legislative Document Number 80 (Compact for Education, Article III, section 2903, Commission), the 2 members representing the State Legislature shall serve in the following manner: The member of the Senate to be appointed by the President of the Senate shall hold office as a member of the Commission so long as he shall continue without interruption to be a member of the Senate and the member of the House of Representatives to be appointed by the Speaker of the House of Representatives shall continue to hold office as a member of the Commission so long as he shall continue without interruption to be a member of the House of Representatives. (S. P. 724)

Which was Read and Passed.

Sent down forthwith for concurrence.

Mr. Hildreth of Cumberland presented the following Order and moved its passage:

ORDERED, the House concurring, that the Legislative Research Committee be directed to study the Rules of the Senate, the Rules of the House, and the Joint Rules, as well as the several statutes and the Constitution of the State of Maine, to determine any changes

or improvements that might be made in the mechanics of legislative procedure to make them conform more closely to the requirements, necessities and practicalities of increased legislative workloads; and be it further

ORDERED, that the Committee be directed to report their findings and recommendations in the form of proposed orders or legislation, together with their reasons therefor, to the 104th Legislature. (S. P. 723)

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

On motion by Mr. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table An Act Providing for a State Government Internship Program. (S. P. 200) (L. D. 431)

Then Mr. Curtis of Penobscot presented Senate Amendment "A" and moved its adoption.

Thereupon, the Senate voted to reconsider their action whereby the Bill was Passed to be Engrossed.

Senate Amendment "A", Filing S-324, was read by the Secretary as follows:

SENATE AMENDMENT "A" to S. P. 200, L. D. 431, Bill, "An Act Providing for a State Government Internship Program."

Amend said Bill by striking out all of section 2.

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

Sent down forthwith for concurrence.

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

In House, June 27, 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.

House Conferees:

Messrs. SUSI of Pittsfield

ROSS of Bath

HANSON of Gardiner.

On motion by Mr. Johnson of Somerset, the Senate voted to Adhere.

#### Joint Order

ORDERED, the Senate concurring, that the Legislative Research Committee be directed to study the subject matter of Bill, An Act to Create the Wildlands Use Regulation Commission. (S. P. 506) (L. D. 1260) to determine whether the best interests of the State would be served by the enactment of such legislation; and be it further

ORDERED, that the Committee be directed to report the results of its study, together with any legislation deemed necessary, to the 104th Legislature. (H. P. 1239)

Comes from the House, Read and Passed.

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

#### Conference Committee Report

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

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

Ask leave to report: that the members are

Unable to Agree

(Signed)

JON LUND  
MARGARET SPROUL  
ALBERT W. HOFFSES

—On part of Senate

FRANK MILIANO  
JACK PRINCE, Jr.  
CARLTON F. SCOTT

—On part of House

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

Mr. MILLS of Franklin: Mr. President, I move that we accept the report of the Conference Committee.

The PRESIDENT: The Senator from Franklin, Senator Mills, moves that the Senate accept the Unable to Agree Report of the Committee.

The Chair recognizes the Senator from Somerset, Senator Johnson.

Mr. JOHNSON of Somerset: Mr. President, may I ask if a motion to reject and ask for a new Committee of Conference takes precedence over the previous motion?

The PRESIDENT: The Chair would inform the Senator that the motion now pending would need to be disposed of. If the motion to accept the report is defeated, then the Chair would entertain a motion to reject the report and appoint a second Committee of Conference.

Mr. JOHNSON of Somerset: Mr. President, I would ask for a division.

The PRESIDENT: The pending question is the motion of the Senator from Franklin, Senator Mills, that the Senate accept the Unable to Agree Report of the Conference Committee.

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

A division was had. Nine Senators having voted in the affirmative, and 22 Senators having voted in the negative, the motion to accept the report of the Committee did not prevail.

The PRESIDENT: The Senator from Somerset, Senator Johnson, now moves that we reject the Conference Committee Report and ask for a second Committee of Conference. Is this the pleasure of the Senate?

Thereupon, the Senate voted to reject the Conference Committee Report and ask for a second Committee of Conference.

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

Senators:

HILDRETH of Cumberland  
MacLEOD of Penobscot  
ALBAIR of Aroostook

#### Enactor

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

#### Emergency

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)

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

Mr. HARDING of Aroostook: Mr. President and Members of the Senate: I rise in support of this bill with the greatest of reluctance. This bill, in asking the members of my party to vote for it, I do this with the most reluctance of any bill which I have ever asked their support for. I can only say that, as far as fiscal responsibility is concerned, I cannot see how anyone can justify funding programs for the first year of the biennium, asking that employees be hired for those programs and providing no money for the second year of the biennium, which this bill does. We are, however, at the end, I hope, nearing the end of the longest session in the history of Maine, and at some time we must arrive at a decision. State employees are waiting to be paid. At this moment there is no authorization on the books for any money to be spent by any department in our state. At this critical moment, for the first time in Maine's history, there is no law on the books authorizing any money to be spent, and it is for these reasons that I must join in the passage of this. I have talked with the Governor, however, and he assures me that in the call of a Special Session, in that call will be a provision to remedy the deficiencies which exist in this particular piece of legislation. It is only on this basis that I could bring myself to support the bill. So I would ask with the greatest reluctance the members of my party to join for a favorable vote.

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.

On motion by Mr. Ross of Piscataquis,

Recessed until 3 o'clock this afternoon.

**After Recess**

Senate Called to Order by the President.

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

ORDERED, the House concurring, when the Senate and House adjourn, they adjourn to meet on Thursday, July 6, at 4:00 o'clock P.M. in the afternoon. (S. P. 725)

Which was Read and Passed.

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 Incorporate the Town of Medford. (H. P. 235) (L. D. 343).

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

Then, the same Senator presented Senate Amendment "A" and moved its adoption.

Senate Amendment "A", Filing S-325, was read by the Secretary as follows:

SENATE AMENDMENT "A" to H. P. 235, L. D. 343, Bill, "An Act to Incorporate the Town of Medford."

Amend said Bill by adding after section 5 (same in L. D. 343) a new section as follows:

**'Sec. 5-A. Legislative district.** Until the next legislative apportionment of Representatives, the Town of Medford shall remain in the same legislative district in which the unorganized territory of Medford is now classed.'

Further amend said Bill in section 6 by striking out in the 4th and 5th lines (5th line in L. D. 343) the figure and words "3rd Monday in September" and inserting in place thereof the figure and words '4th Monday in October'

Senate Amendment "A" was Adopted, and the Bill, As Amended, was 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 paper from the House:

**Non-concurrent matters**

Bill "An Act Continuing Governor's Advisory Council on the Status of Women." (H. P. 766) (L. D. 1113)

In Senate, June 30, Passed to be Engrossed As Amended by Senate Amendment "A" and Senate Amendment "B".

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

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

Bill "An Act Providing Funds to Assist the Casco Bay Island Development Association to Create an International Vacation and Conference Center on Peaks Island." (S. P. 327) (L. D. 862)

In House, April 14, Passed to be Enacted.

In Senate, June 23, Indefinitely Postponed in non-concurrence.

Now comes from the House, that body having Adhered.

Resolve Relating to Retirement and Pension of Stephen A. Regina of Saco. (H. P. 697) (L. D. 978)

In House, April 21, Finally Passed.

In Senate, June 23, Indefinitely Postponed in non-concurrence.

Now comes from the House, that body having Adhered.

Resolve Providing Funds for the Narraguagus River Water Control Program. (H. P. 90) (L. D. 119)

In House, March 2, Finally Passed.

In Senate, June 23, Indefinitely Postponed in non-concurrence.

Now comes from the House, that body having Adhered.

An Act Providing Funds for Support of Civil Air Patrol. (S. P. 295) (L. D. 734)

In House, May 9, Passed to be Enacted.

In Senate, June 23, Indefinitely Postponed in non-concurrence.

Now comes from the House, that body having Adhered.

An Act Revising the Law Relating to Dealers in Securities. (S. P. 389) (L. D. 1069)

In House, May 15, Passed to be Enacted.

In Senate, June 23, Indefinitely Postponed in non-concurrence.

Now comes from the House, that body having Adhered.

An Act Authorizing Use of Electronic Voting Systems in Elections and Granting Rule-making Authority. (S. P. 425) (L. D. 1079)

In House, May 10, Passed to be Enacted.

In Senate, June 23, Indefinitely Postponed in non-concurrence.

An Act Creating the Pest Control Compact. (S. P. 630) (L. D. 1631)

In House, May 15, Passed to Be Enacted.

In Senate, June 23, Indefinitely Postponed in non-concurrence.

Now comes from the House, that body having Adhered.

Act Relating to the Reimbursement of Board for Secondary School Pupils. (H. P. 303) (L. D. 437)

In House, May 11, Passed to be Enacted.

In Senate, June 23, Indefinitely Postponed in non-concurrence.

Now comes from the House, that body having Adhered.

An Act Providing Funds for a Redevelopment Plan of the Portland and South Portland Waterfront. (H. P. 657) (L. D. 912)

In House, May 5, Passed to be Enacted.

In Senate, June 23, Indefinitely Postponed in non-concurrence.

Now comes from the House, that body having Adhered.

An Act Relating to the Administration of the Aid to Dependent Children Program, and Authorizing Work Experience and Training for Recipients of Aid to Dependent Children. (H. P. 707) (L. D. 1002)

In House, May 4, Passed to be Enacted.

In Senate, June 23, Indefinitely Postponed in non-concurrence.

Now comes from the House, that body having Adhered.

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

Then, on further motion by the same Senator, the Bills were Passed to be Enacted, and the Resolves Finally Passed, and having been signed by the President, were



by the Secretary presented to the Governor for his approval.

An Act Relating to Highway Advertising Control. (S. P. 542) (L. D. 1443)

In House, May 11, Ought Not to Pass Report accepted in concurrence.

In House, June 28, Recalled from the files to the House and Reconsidered.

Now comes from the House, Indefinitely Postponed.

In Senate: Indefinitely Postponed in concurrence.

### Committee Reports

#### House

#### Conference Committee Reports

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

Joint Order relative to Interim Committee Study of Highway Revenues and Requirements. (H. P. 1223)

Ask Leave to Report: that the Senate Recede and Concur in Passing the Joint Order.

(Signed)

SEVERIN BELIVEAU  
HARRISON RICHARDSON  
HAROLD BRAGDON

—on part of House.

HORACE HILDRETH  
JOSEPH SEWALL  
HARVEY JOHNSON

—on part of Senate.

Comes from the House, Read and Accepted.

Which report was Read and Accepted in concurrence.

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

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

Ask leave to report: the members are Unable to Agree.

(Signed)

JOHN T. QUINN  
MYRON E. WOOD  
STANLEY G. WALTZ

—on part of House

NORMAN K. FERGUSON  
ROBERT VILES

RODNEY W. ROSS

—on part of Senate

Comes from the House, Read and Accepted.

Which report was Read and Accepted in concurrence.

### Enactors

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

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

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

An Act Providing for Paid Holidays for Municipal Employees and Relating to Duties of Department of Public Works of the City of Lewiston. (H. P. 392) (L. D. 539)

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

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

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

An Act Increasing the Terms of Trustees for the Maine Maritime Academy. (H. P. 1220) (L. D. 1736)

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

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

Which was Finally Passed, 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 the Amount of Four Hundred and Fifteen Thousand Dollars for Construction of a Multi-purpose Building at Fort Kent State College. (H. P. 1232) (L. D. 1739)

This, being a Bond Issue, and having received the affirmative vote of 30 Members of the Senate, was Passed to Be Enacted, and having been signed by the President, was by the Secretary

presented to the Governor for his approval.

Out of order and under suspension of the rules:

### Senate

#### Conference Committee Report

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

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

Asks leave to report: that the Senate Recede from its action whereby it Passed the Bill to be Engrossed; that it Adopt Conference Committee Amendment "A"; that it Pass the bill to be Engrossed As Amended by Conference Committee Amendment "A" (S-326); that the House Recede and Concur with the Senate.

(Signed)

HORACE A. HILDRETH  
KENNETH P. MacLEOD  
SAM A. R. ALBAIR

—on part of Senate.

JOHN W. MEISNER  
RONALD CUSHING

—on part of House.

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

Mr. MILLS of Franklin: Mr. President, I move the Senate reject the Conference Committee Report.

The PRESIDENT: The Senator from Franklin, Senaor Mills, moves that the Senate Reject the Conference Committee Report.

The Chair recognizes the Senator from Somerset, Senator Johnson.

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

The PRESIDENT: As many as are in favor of the motion of the Senator from Franklin, S e n a t o r Mills, that the Senate reject the Conference Committee Report will rise and stand in their places until counted. Those opposed to the motion will rise and stand in their places until counted.

A division was had. 10 Senators having voted in the affirmative, and 21 Senators having voted in the negative, the motion to reject

the Conference Committee Report did not prevail.

Thereupon the Senate voted to accept the report of the Conference Committee and it further voted to recede from its former action whereby it passed the bill to be engrossed.

Conference Committee Amendment "A", Filing S-326, was read by the Secretary as follows:

CONFERENCE COMMITTEE AMENDMENT "A" to 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."

Amend said Bill in the Title by striking out at the end the words "and Report in Support Thereof".

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

Mr. HARDING of Aroostook: Mr. President and Members of the Senate: I wonder if one of the Conferrees would be good enough to explain to us just what this Conference Committee Amendment "A" does to change the substance of the bill?

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

Mr. HILDRETH of Cumberland: Mr. President, the bill itself is 43 pages long. It is now July 1st. The bill has not been engrossed and it seemed sensible to the Conference Committee to delete from the title the words "And Report in Support Thereof" so that the title would read "An Act to Establish Thirty-three Districts for the Election of Senators in the State of Maine" and that we could delete also by doing so everything after the "Statement of Facts" which appears on page 5 of this 43-page document.

The PRESIDENT: The pending question is the adoption of Conference Committee Amendment "A". All those in favor of adopting Conference Committee Amendment "A" will say "Yes". Those opposed "No".

A viva voce vote being had, Conference Committee Amendment "A" was adopted.

The PRESIDENT: Is it now the pleasure of the Senate that the bill

be passed to be engrossed, as amended, by Conference Committee Amendment "A"?

The Chair recognizes the Senator from Franklin, Senator Mills.

Mr. MILLS of Franklin: Mr. President, I offer Senate Amendment "A" and move its adoption. I will call the Senate's attention to the fact that the original of this Amendment "A" was misplaced. This is a duplicate copy of it. It has been endorsed by me, and I think it is properly formed.

Senate Amendment "A", Filing S-304, was read by the Secretary.

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

Mr. MILLS of Franklin: Mr. President, in submitting this amendment, which has been filed under filing number S-304, to which I would invite your attention, I would say this does cure some of the gerrymanderings, as we may say, in the majority plan. It doesn't correct it all, but as far as Franklin, Oxford and Somerset Counties are concerned, it does. I'm sorry if I am boring some of the Senators by going into this, but this is vitally important to my area, and I do hope that I can have your attention. This brings into focus the comparison between the two plans, and this amendment that I have submitted is an attempt to clear up, and I believe it does clear up as far as Oxford County, Somerset County and Franklin County are concerned, the difficulties that are encountered in the majority plan. This brings into focus, as I say, the two plans that have come before the Legislature, and I think if you make a comparison of the two plans that you will find that the gerrymanderings which exist in the majority plan and that in the minority proposal show that there are five cases of rather flagrant gerrymanderings in the majority plan, and there are only two in the minority plan.

These could be outlined as follows: Going over the state: In the majority plan, in district one — district one is shaped like a long snake — it is reversing the entire western border of the state in York County. It is ten miles wide and fifty miles long which is typical

of the gerrymanderings. District five in Cumberland County is also rather snake shaped. It extends from Scarborough on the coast all the way around Sebago Lake to Bridgton, Harrison and Otisfield. This district is ten miles wide and sixty miles long.

In district nine, another case of obvious gerrymanderings, this area looks like a horseshoe. It extends in a northerly direction from Westbrook around Sebago Lake to Casco and then South to Freeport. This district almost completely surrounds district ten, and it comprises the Towns of Gray, Cumberland, Falmouth, North Yarmouth and Yarmouth and a small portion of northern Portland.

District twenty-one — this district consists of the western half of Franklin County. This is the area where I am particularly concerned. Its got the western part of Franklin County, Jay, Wilton and Weld, and in the northern part of Franklin County — it is heavily Democratic, of course, in Jay, and then for some unknown reason it is attached to the Town of Carthage—Carthage is a little bitty town, two, three hundred people — attached to the Town of Carthage, having no relationship whatsoever to the economy of the rest of the district is Mexico and then Rumford, and as you observe the plan, it does seem to be very much forced to bring those in.

The PRESIDENT: Would the Senator permit the Chair at this point to interrupt? The Chair would like to explain what appears to be an obvious error of ruling on the part of the Chair. The Senate has voted to accept the report of the Conference Committee. The Conference Committee Report contemplates certain action that the Senate recede from its action whereby it passed this bill to be engrossed, that it adopt Conference Committee Amendment "A" and that it pass the bill to be engrossed, as amended by Conference Committee Amendment "A". That is the pending motion before the Senate and is the only action that can be entertained at this time. Otherwise, we would be in non-concurrence with the House

and we have already accepted the report.

The Chair will now put the motion before the Senate. Is it now the pleasure of the Senate that the bill be passed to be engrossed, as amended by Conference Committee Amendment "A"? Is this the pleasure of the Senate?

A viva voce vote being had, the Bill was Passed to be Engrossed, As Amended, by Conference Committee Amendment "A".

Sent down forthwith for concurrence.

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

Mr. BARNES of Aroostook: Mr. President, I notice the first item on the supplemental Senate journal for today is a Bill, An Act Continuing Governor's Advisory Council on the Status of Women. I noticed in the last division that the lady Senator from Lincoln, voted twice and I wonder if she hasn't jumped the gun a little bit.

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

An Act Increasing Salaries of Official Court Reporters. (S. P. 58) (L. D. 71)

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

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

An Act Appropriating Funds to Aid in Dredging the Saco River. (S. P. 187) (L. D. 422)

An Act Relating to Reimbursement for Driver Education and Special Education. (H. P. 310) (L. D. 444)

An Act Revising Laws Relating to Licensed Small Loan Agencies. (H. P. 468) (L. D. 681)

An Act Entering the State of Maine Into the New England Interstate Planning Compact. (H. P. 620) (L. D. 876)

An Act to Make Allocations from Bond Issue for Construction and Equipment of Pollution Abatement Facilities. (H. P. 622) (L. D. 878)

An Act to Repeal the Tax on Insured Pension Plans Qualified

Under U. S. Internal Revenue Code. (H. P. 644) (L. D. 899)

An Act Relating to Appropriation to Maine Institution for the Blind. (H. P. 667) (L. D. 922)

An Act Reducing Maximum Amount and Duration of Small Loans and Establishing Equitable Rates for Small Loan Agencies. (S. P. 373) (L. D. 986)

An Act Providing for the Official Observance of the 150th Anniversary of the Formation of the State of Maine. (H. P. 723) (L. D. 1018)

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

An Act Relating to Accreditation of Elementary Schools. (H. P. 738) (L. D. 1061)

An Act Relating to Definition of a Junior High School. (H. P. 783) (L. D. 1145)

An Act Providing Funds for Relocating of Maine Central Railroad Tracks in Livermore Falls. (H. P. 822) (L. D. 1230)

An Act Creating a Capitol Planning Commission. (S. P. 520) (L. D. 1340)

An Act Relating to Care of Indigent Adult Males at Jefferson Men's Camp. (H. P. 951) (L. D. 1382)

An Act Providing for Disclosure of Interest and Finance Charges on Loans. (H. P. 964) (L. D. 1465)

An Act to Provide for an Economic Survey to Establish an Industrial Foreign Trade Zone. (H. P. 1029) (L. D. 1495)

An Act Providing for Retirement Allowance for Widows of Governors. (H. P. 1050) (L. D. 1522)

An Act Relating to Retirement Benefits to Widows of State Police Members Retired Under Non-contributory Statute. (H. P. 1077) (L. D. 1540)

An Act Relating to War Orphans. (H. P. 1107) (L. D. 1574)

An Act to Revise Minimum Salaries for Teachers, Providing Incentive for Professional Training. (H. P. 1133) (L. D. 1613)

An Act to Share Costs in School Administrative Districts on a Basis other than State Valuation. (S. P. 621) (L. D. 1617)

An Act Relating to Clerks of Indian Tribes and Excise Taxes Paid by Residents of the Various

Indian Reservations. (H. P. 1146) (L. D. 1637)

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

An Act Providing Funds for Rebuilding the Dam on Ebeeme Lake in Piscataquis County. (S. P. 661) (L. D. 1679)

An Act Relating to Truth-in-lending and Disclosure of Interest and Finance Charges in Retail Sales. (H. P. 1215) (L. D. 1728)

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

Which were Passed to be Enacted and, having been signed by the President, were 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 the following:

Resolve, to Reimburse Town of Sherman Mills for Overpayments to the Bangor State Hospital for the Care of Etta Conroy. (H. P. 214) (L. D. 304)

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

Resolve Reimbursing Mars Hill Utility District for Bonds Issued for Sewer Construction. (H. P. 400) (L. D. 566)

Resolve to Increase Retirement Benefit for Susie H. Yeaton of Harrington. (S. P. 278) (L. D. 658)

Resolve, Providing for Purchase of Copies of History of Richmond-on-the-Kennebec. (H. P. 464) (L. D. 677)

Resolve Providing Funds to the Washington County Development Authority for Development of Recreational Areas. (H. P. 466) (L. D. 679)

Resolve, to Provide Funds for the Purchase of Copies of the Maine Reports. (S. P. 330) (L. D. 864)

Resolve Providing for Purchase of One Hundred Copies of History of Bridgton, Bicentennial Edition. (H. P. 704) (L. D. 999)

Resolve in Favor of Fairview Hospital and Doctors Swett,

Kemezys and Jordan. (S. P. 426) (L. D. 1080)

Resolve to Provide Funds for the Purchase of Copies of the "History of the Town of Lisbon." (H. P. 825) (L. D. 1233)

Which 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. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table An Act Appropriating Funds for Airport at Bar Harbor. (H. P. 50) (L. D. 75)

This, being an emergency measure, and having received the affirmative vote of 20 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 An Act Relating to a Compact for Education. (H. P. 55) (L. D. 80)

This, being an emergency measure, 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 An Act to Authorize the Plantation of Matinicus Isle to Form a School Administrative District. (H. P. 482) (L. D. 695)

This, being an emergency measure, 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 Resolve, Appropriating funds to Waban Project, Inc. For

Retarded Children to Purchase Land for Summer Camp for Handicapped Children. (H. P. 688) (L. D. 969)

This, being an emergency measure, and having received the affirmative vote of 29 members of the Senate, 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. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table An Act to Permit School Administrative Districts to Join Together. (S. P. 396) (L. D. 1029)

This, being an emergency measure, 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 An Act Relating to Computation of State Aid for School Administrative District No. 12 (Jackman and Moose River Plt.) (S. P. 598) (L. D. 1579)

This, being an emergency measure, 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 An Act Providing Appropriations for Payment of School Construction Aid to the Cities of Westbrook and South Portland. (H. P. 1124) (L. D. 1601)

This, being an emergency measure, 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 An Act to Authorize the Creation of the Maine State Park and Recreation Area Fund and the Issuance of Not Exceeding Four Million Dollar Bonds of the State of Maine for the Financing Thereof. (S. P. 14) (L. D. 30)

This, being a bond authorization act, and having received the affirmative vote of 28 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 An Act to Authorize the Construction of a Bridge Across the Androscoggin River Between the Cities of Auburn and Lewiston. (H. P. 351) (L. D. 433)

This, being a bond authorization act, and having received the affirmative vote of 26 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 An Act to Authorize Construction of Self-Liquidating Student Housing and Dining Facilities for the State Colleges and Vocational-Technical Institutes and the Issuance of Not Exceeding \$6,715,000 Bonds of the State of Maine for the Financing Thereof. (H. P. 1160) (L. D. 1659)

This, being a bond authorization act, 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 Resolve, Proposing an Amendment to the Constitution Relating to Time for Codifying the

Constitution. (S. P. 120) (L. D. 249))

This, being a constitutional amendment, and having received the affirmative vote of 28 members of the Senate, 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. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table Resolve, Proposing an Amendment to the Constitution to Increase Credit of State for Guaranteed Loans for Recreational Purposes. (S. P. 158) (L. D. 329)

This, being a constitutional amendment, and having received the affirmative vote of 27 members of the Senate, 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. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table Resolve, Proposing a Constitutional Amendment Repealing the Offices of Judges and Registers of Probate as Constitutional Offices. (S. P. 238) (L. D. 563)

This, being a constitutional amendment, and having received the affirmative vote of 21 members of the Senate, with seven members of the Senate voting in the negative and 21 being more than two-thirds of those present, 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. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table Resolve, Proposing an Amendment to the Constitution Insuring Payment of Industrial Loans to Fisheries and Agriculture. (H. P. 1035) (L. D. 1501)

This, being a constitutional amendment, and having received the affirmative vote of 28 members of the Senate, 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. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table Resolve, Proposing an Amendment to the Constitution Pledging Credit of the State and Providing for the Issuance of Bonds Not Exceeding One Million Dollars for Loans for Maine Students in Higher Education.

This, being a constitution amendment, and having received the affirmative vote of 28 members of the Senate, 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. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table Resolve, Proposing Amendments to the Constitution Relating to Temporary Loans in Anticipation of State Tax Revenues and Limitations Thereon. (H. P. 1206) (L. D. 1717)

This, being a constitutional amendment, and having received the affirmative vote of 28 members of the Senate, was Finally Passed; and, having been signed by the President, was by the Secretary presented to the Governor for his approval.

**(Senate Recessed)  
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 from the House:

**House Paper  
Joint Order**

ORDERED, the Senate concurring, that the Interim Study Committee created by the 102nd Legislature and composed of three appointed by the Governor, one representing the State Highway Commission, one representing the State Police and one representing the general public; three appointed by the President of the Senate, an attorney, one representing the

Maine Municipal Association and one representing the outdoor advertising interests; three appointed by the Speaker of the House, one representing the Garden Clubs, one representing the motel and hotel interests and one representing the Good Roads Association, to study the subject matter of Bill, "An Act Relating to Outdoor Advertising," L. D. 1715, introduced at the First Special Session of the 102nd Legislature, continue to study the subject matter and determine whether the best interests of the State would be served by enactment of legislation designed to implement the beautification of highways; and be it further

ORDERED, that the study be coordinated with the review analysis and study now undertaken by our Federal Congress; and be it further

ORDERED, that the Committee shall serve without compensation, but shall be reimbursed for actual expenses incurred in the performance of its duties; and be it further

ORDERED, that there is appropriated from the Legislative Appropriation the sum of \$1,000 for the expenses incurred by the Committee; and be it further

ORDERED, that the Committee report the results of its study to the first Special Session or first Regular Session following revision of the Highway Beautification Act or implementation of the federal criteria as standards for the several states. (H. P. 1240)

Comes from the House, Read and Passed.

Which was Read and Passed in concurrence.

#### Enactors

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

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)

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

An Act to Appropriate Additional Moneys for the Expenditures of State Government and for Other Purpose for the Fiscal Years ending June 30, 1968 and June 30, 1969. (S. P. 714) (L. D. 1744)

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

Mr. HARDING of Aroostook: Mr. President and Members of the Senate: When the vote is taken on this bill which many of us hope and believe will never become a law in the State of Maine, I would ask that it be taken by a division.

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

Mr. MILLS of Franklin: Mr. President, I certainly wouldn't want to wear thin on my standing in the Senate about making any standing remarks at this time, but I would like to make just one or two comments in regard to it. I had some personal experience with the previous times when the sales tax went through on a vote by the people. That was 30 years ago and I was here as a Clerk of the Taxation Committee. Senator John Blanchard of Wilton was the Chairman of that Committee, and the sales tax, I think, for the first time was put forward without any chance of success in that Legislature of 1937. It met with a good deal of opposition, of course, being a new type of taxation and it was impossible to reach a two-thirds vote. It became apparent that it would be impossible to pass it with a two-thirds vote, so it was decided to wrap it up with Old Age Pensions. At that time Old Age Pensions had just come in and they had been financed in a temporary manner by the Governor and Council, and it became necessary for that Legislature to provide some funding type of financing, so this was wrapped up with Old Age Pensions and a School Subsidy Program, which was I think about the first of that, and put out to the people and, as you have already been reminded, I'm sure, it was defeated very soundly by a vote of some 80,000 to 40,000, and the sales tax was then so dead that it did not get its head above



water sufficiently to become law until 1951 as we all know.

This measure then subsequently, as you all know, in 1947 when the bonus was a very popular thing, and the year when the good Senator Hildreth's father was winning re-election as Governor of the state by nearly 70 per cent of the voters approbation and approval, and the year when the Republicans were winning the state election for six consecutive times, the bonus issue wrapped up with several tax measures went down to very ignominious defeat, and I called Senator John Blanchard the other evening, having been the Chairman of the Committee at that time — he's some 83 or four years old now — I told him what this proposition was and he said, "Peter," he said, "they shouldn't do it. It would be a terrible mistake to put this thing out to the people, and for the Legislature to shirk their responsibility in this way." I think there are more than one or two of us in the majority party who are hoping the Governor will do us a favor by vetoing this measure and preventing us from committing this folly of putting the Republican Party in the position of having to campaign on a political issue to put the sales tax over next Fall, and I am sure that most of us are accepting it that it isn't going to happen. It's too bad that we can't stop treading water and get down to business and pass the measures that are necessary to finance the state for the next biennium, but it appears that we do have to go through the motions and hope and pray that the Governor will perform his duty and veto the measure. Those are my reasons for voting against this.

The PRESIDENT: Is the Senate ready for the question? As many as are in favor of the passage of the bill to be enacted 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 seven Senators having voted in the negative, the motion prevailed.

Thereupon, 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.

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

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

Mr. SEWALL of Penobscot: Mr. President, having lived with this document all winter, I feel as if I were saying good-bye to an old friend, and I would just like to wish it Godspeed. Thank you.

Thereupon, 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.

An Act to Establish Thirty-three Districts for the Election of Senators in the State of Maine. (S. P. 676) (L. D. 1709)

On motion by Mr. Harding of Aroostook, a division was had. 19 Senators having voted in the affirmative, and seven Senators having voted in the negative, the bill was Passed to be Enacted and having been signed by the President, was by the Secretary presented to the Governor for his approval.

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

Mr. LUND of Kennebec: Mr. President, may I inquire if the Senate is in possession of L. D. 1444, An Act to Correct Errors and Inconsistencies in the Public Laws?

The PRESIDENT: The Chair will reply in the affirmative.

Mr. LUND. Mr. President, for the purpose of offering an amendment, I would move that the Senate reconsider its action whereby it voted to recede and concur with the House.

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

On further motion by the same Senator, the Senate voted to recede.

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

Senate Amendment "C", Filing S-322 was read by the Secretary as follows:

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

Amend said Bill by adding at the end the following:

**Sec. 35. P. & S. L. 1967, c. 132, Article XI, §2 amended.** The first sentence of section 2 of Article XI of chapter 132 of the private and special laws of 1967 is amended to read as follows: This Act shall be submitted for approval or rejection to the qualified voters of the City of Waterville at an election to be held on October 23, 1967, and warrants shall be issued for such election in the manner now provided by law for the holding

of municipal elections, notifying the qualified voters of said city of the date and purpose of the referendum.

**Sec. 36. Effective date.** Section 35 shall become effective 91 days after the adjournment of the Legislature.'

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

Sent down forthwith for concurrence.

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

Adjourned until Thursday, July 6, at four o'clock in the afternoon.