

# 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**

Tuesday, January 16, 1968

Senate called to order by the President.

Prayer by Rev. Roy W. Moody of Gardiner.

Reading of the Journal of yesterday.

**Orders**

Mr. MacLeod of Penobscot presented the following order and moved its passage:

ORDERED, the House concurring, that the Joint Standing Committee on Highways is directed to report out a bill which will remove the tolls from the "Joshua L. Chamberlain Bridge" which connects the Cities of Bangor and Brewer across the Penobscot River and which was constructed under the private and special laws of 1951, chapter 212. (S. P. 805)

Which was read.

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

Mr. MacLEOD of Penobscot: Mr. President and Members of the Senate: I realize this is an unusual way in which to get a bill out of a committee; it has been done before though. I would like to bring to the attention of the Senate that it has become legislative policy, at least in all areas of the State except the Bangor-Brewer area, to have toll-free bridges. This bridge is the only one in the State on which tolls are still charged. During the regular session we removed tolls from the bridge here in Augusta. We have removed tolls from other toll bridges in previous sessions.

This legislature in the regular session approved a bridge to be built across the Androscoggin River, a third bridge connecting Auburn and Lewiston, and I was happy to vote for that. This bill is again before us, after being defeated by the people, and I think if it passes this session, the Androscoggin bridge, it will be defeated again as long as there are tolls remaining anywhere in the State. That is why I am presenting this order.

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

Thereupon, on motion by Mr. Ferguson of Oxford, tabled and specially assigned for Wednesday, January 17.

Mr. Berry of Cumberland presented the following order and moved its passage:

ORDERED, the House concurring, that the Director of Legislative Research is directed to have printed in pamphlet form and distributed to the public the Acts and Resolves passed at the first and second special sessions of the 103rd Legislature. (S. P. 806)

Which was Read and Passed.

Sent down for concurrence.

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

Mr. BOISVERT of Androscoggin: Mr. President, may I approach the rostrum?

The PRESIDENT: The Senate will be at ease pending the sound of the gavel.

**Senate at Ease**

Called to order by the President.

**Reports Of Committees**

**House**

**Ought Not to Pass**

The Committee on Education on Bill, "An Act to Repeal State Scholarships for Higher Education." (H. P. 1253) (L. D. 1759) reported that the same Ought Not to pass.

Comes from the House, report Read and Accepted. Which report was Read and Accepted in concurrence.

**Ought to Pass — As Amended**

The Committee on Education on Bill, "An Act Relating to School Construction Aid in Certain Administrative Units." (H. P. 1303) (L. D. 1832) reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-501)

Comes from the House Passed to be Engrossed As Amended.

The Committee on Public Utilities on Bill, "An Act to Increase the Borrowing Capacity of the Winthrop Water District." (H. P. 1276) (L. D. 1782) reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-505)

Comes from the House Passed to be Engrossed As Amended.

The same Committee on Bill, "An Act Amending the Maine Sanitary District Enabling Act." (H. P. 1318) (L. D. 1861) reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-506)

Comes from the House, Passed to be Engrossed As Amended.

Which reports were Read and Accepted in concurrence and the Bills Read Once. Committee Amendments "A" were Read and Adopted in concurrence, and under suspension of the rules the Bills, As Amended, were given a Second Reading and Passed to be Engrossed, As Amended, in concurrence.

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**Senate**

**Ought to Pass — As Amended**

Mr. Good for the Committee on Labor on Bill, "An Act Establishing a State Employees Appeals Board." (S. P. 771) (L. D. 1843) reported that the same Ought to Pass As Amended by Committee Amendment "A".

Which report was Read and Accepted and the Bill Read Once. Committee Amendment "A" (S-340) was Read and Adopted, and under suspension of the rules, the Bill, as Amended, was Read a Second Time and Passed to be Engrossed.

Sent forthwith to the House for concurrence.

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Mr. Lund for the Committee on State Government on Bill, "An Act to Create the Posts of Assistant County Attorney in Oxford County and in Somerset County." (S. P. 755) (L. D. 1813) reported that the same Ought to Pass As Amended by Committee Amendment "A".

Which report was Read and Accepted and the Bill Read Once. Committee Amendment "A" (S-341) was Read and Adopted, and under suspension of the rules, the Bill, as Amended, was Read a

Second Time and Passed to be Engrossed.

Sent forthwith to the House for concurrence.

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**Divided Report**

The Majority of the Committee on Education on Bill, "An Act to Increase the Foundation Program Per Pupil Allowance to \$320." (S. P. 752) (L. D. 1810) reported that the same Ought to Pass As Amended by Committee Amendment "A" (S-342)

(Signed)

Senators:

KATZ of Kennebec  
MACLEOD of Penobscot  
COPE of Cumberland

Representatives:

HANSON of Lebanon  
RICHARDSON  
of Stonington  
ALLEN of Caribou  
SHUTE of Farmington  
BAKER of Winthrop

The Minority of the same Committee on the same subject matter reported that the same Ought Not to Pass

(Signed)

Representatives:

CARROLL of Limerick  
LEVESQUE  
of Madawaska

Which reports were Read.

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

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**Enactors**

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

"An Act Relating to Schooling for Children Resident at Private Tax-Exempt Institutions." (H. P. 1255) (L. D. 1761)

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

"An Act Relating to Two Zones for Open Season on Deer." (H. P. 1263) (L. D. 1769)

"An Act Relating to the Name of a Proposed Consortium of Institutions of Higher Learning and Other Entities." (H. P. 1266) (L. D. 1772)

"An Act Providing Public Dump for Coburn Gore, Franklin County." (H. P. 1272) (L. D. 1778)

"An Act Removing Limit on Assets Held by Portland Society of Art." (S. P. 751) (L. D. 1809)

"An Act Relating to Closing the Polls in Elections in Which Electronic Voting System is Used." (S. P. 754) (L. D. 1812)

"An Act Relating to Guides Under Fish and Game Laws." (S. P. 770) (L. D. 1827)

"An Act Relating to Appointment of Subordinate Officers of Senate and House of Representatives." (H. P. 1282) (L. D. 1788)

"An Act Increasing Basis of Payments to Forestry District for Forest Fire Control at Baxter State Park." (H. P. 1283) (L. D. 1789)

"An Act Authorizing Androscoggin County to Raise Money for the Reconstruction and Renovation of the County Jail." (H. P. 1285) (L. D. 1791)

An Act Relating to Custody of Children Committed to a Center Under Department of Mental Health and Corrections. (H. P. 1290) (L. D. 1796)

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

Resolve Reimbursing Certain Municipalities for the Control of Dutch Elm Disease. (S. P. 776) (L. D. 1848)

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

**Emergency**

An Act Increasing the Borrowing Capacity of the Bucksport School District. (H. P. 1524) (L. D. 1760)  
28 votes

**Emergency**

An Act to Reconstitute School Administrative Districts Nos. 31, 32, 41 and 54. (H. P. 1258) (L. D. 1764)  
28 votes

**Emergency**

An Act Relating to the Borrowing Capacity of School Administrative District No. 58. (H. P. 1260) (L. D. 1766)  
27 votes

**Emergency**

An Act to Validate Proceedings Authorizing the Issuance of Bonds and Notes by School Administrative District No. 9. (H. P. 1261) (L. D. 1767)  
27 votes

**Emergency**

An Act Permitting a School Administrative District to Change its Building Site After the Original Authorization of the Voters. (H. P. 1288) (L. D. 1794)  
26 votes

**Emergency**

An Act to Increase the Indebtedness of the Mapleton Water District and the Mapleton Sewer District. (H. P. 1293) (L. D. 1799)  
26 votes

**Emergency**

An Act Relating to Date for Electing New School Board Members in City of South Portland. (H. P. 1309) (L. D. 1838)  
26 votes

**Emergency**

An Act to Clarify Authority of Directors of School Administrative Districts to Authorize Loans. (S. P. 781) (L. D. 1853)  
26 votes

**Emergency**

An Act Relating to Selection of Jurors and Providing an Executive Secretary to Jury Commissioners. (S. P. 763) (L. D. 1820)  
25 votes

**Emergency**

An Act to Reconstitute School Administrative District No. 40 and to Validate Proceedings Authorizing the Issuance of Bonds or Notes Thereof. (S. P. 757) (L. D. 1814)  
26 votes

**Emergency**

An Act Relating to Display of Buoy Colors on Boats. (S. P. 748) (L. D. 1806)  
27 votes

These eleven Bills, being emergency measures and having received the affirmative votes as indicated, were Passed to be En-

acted, and, having been signed by the President, were by the Secretary presented to the Governor for his approval.

**Order**

Mr. Boisvert of Androscoggin, out of order and under suspension of the rules, presented the following order and moved its passage:

WHEREAS, the Bates Manufacturing Co. is one of the oldest and largest private enterprises in this State, having operated its first Maine plant for 117 years; and

WHEREAS, the Bates Manufacturing Co. employs more Maine citizens than any other private enterprise in the State of Maine; and

WHEREAS, this company has contributed substantially to the economic growth of Maine; and

WHEREAS, the Bates Manufacturing Co. has remained the steadfast friend of the State of Maine and has, in spite of strong competitive factors, continued its operations in this State while many other companies in similar production have abandoned their operations in New England in favor of other sections of the United States; and

WHEREAS, the President of the Bates Manufacturing Company, Mr. Arnold L. Ginsburg, has directed the operations of that company in such manner as to bring about its continuance and growth in this State; now, therefore, be it

ORDERED, that the 103rd Legislature of the State of Maine, through its Senate, expresses the friendship and appreciation of the people of Maine to the Bates Manufacturing Company and, equally, the president of that company, Mr. Arnold L. Ginsburg, for the great and growing contribution that has been made to the rising economy of Maine and to the welfare of the people of this State.

Which was Read and Passed.

On motion by Mr. Johnson of Somerset,

Recessed until four o'clock this afternoon.

**Senate in Recess**

Called to order by the President.

**Additional papers  
from the House**

Out of order and under suspension of the rules the President laid the following matters before the Senate:

**Order**

WHEREAS, Miss Patricia Ann Wheelden, daughter of Mr. and Mrs. Norman F. Wheelden of Ellsworth, and a senior honor student at Ellsworth High School, has been named Maine's Junior Miss of 1968; and

WHEREAS, Miss Wheelden, at seventeen years of age has brought credit to herself and her State, being chosen from a field of sixteen talented and worthy contestants, and

WHEREAS, the Members of the 103rd Legislature are justly proud of her ability and accomplishments in capturing this title and the honor of representing Maine in the forthcoming National Junior Miss Pageant, March 16, 1968 at Mobile, Alabama; now, therefore, be it

ORDERED, the Senate concurring, that the 103rd Legislature of the State of Maine in its second special session extend congratulations to Miss Wheelden for this outstanding achievement and the warmest wishes for her future happiness and success; and be it further

ORDERED, that duly attested copies of this Joint Order be immediately transmitted by the Clerk of the House of Representatives to Miss Wheelden and her parents.

(H. P. 1325)

Comes from the House Read and Passed.

Which was Read and Passed in concurrence.

**Reports of Committees**

**Ought Not to Pass**

The Committee on Appropriations and Financial Affairs on Resolve, Providing Moneys for Cerebral Palsy Clinics for Home Care Programs. (H. P. 1251) (L. D. 1757)

Reported that the same Ought Not to Pass.

Comes from the House, Resolve Substituted for the Report and the Resolve Passed to be Engrossed.

In Senate, the Ought Not to Pass Report of the Committee accepted in non-concurrence.

Sent down for concurrence.

**Ought to Pass**

The Committee on Labor on Bill, "An Act Relating to Filing Payroll Information under Employment Security Law." (H. P. 1270) (L. D. 1776)

Reported that the same Ought to Pass.

Comes from the House, Report Read and Accepted and the Bill Passed to be Engrossed.

Which report was Accepted in concurrence and the bill Read Once. Thereupon, under suspension of the rules, the bill was given its Second Reading and Passed to be Engrossed in concurrence.

**Ought to Pass As Amended**

The Committee on Public Utilities on Bill, "An Act to Remove the Existing Dept Limit for North Jay Water District." (H. P. 1279) (L. D. 1785)

Reported that the same Ought to Pass as Amended.

Comes from the House, report Read and Accepted and the Bill Passed to be Engrossed, As Amended by Committee Amendment "A" and House Amendment "A".

Which report was Accepted in concurrence and the bill, as amended, Read Once. Committee Amendment "A", Filing No. H-504, was read by the Secretary and adopted. House Amendment "A", Filing No. H-513, was read by the Secretary and adopted and, under suspension of the rules, the bill, as amended, was given its Second Reading and Passed to be Engrossed in concurrence.

**Enactors**

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

An Act Relating to Powers and Mortgages Under Maine Recreation Authority Act. (H. P. 1264) (L. D. 1770)

(On motion by Mrs. Sproul of Lincoln, tabled until later in today's session.)

An Act Relating to Definition of Restaurant Under Liquor Laws. (S. P. 765) (L. D. 1822)

An Act to Change Date of Caucus Election of City of Biddeford. (S. P. 767) (L. D. 1824)

An Act Establishing the Bureau of Mental Retardation. (H. P. 1312) (L. D. 1841)

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

An Act Relating to Industrial and Recreational Obligations. (S. P. 778) (L. D. 1850)

An Act Relating to Hearings Before Water and Air Environmental Improvement Commission. (H. P. 1322) (L. D. 1868)

An Act Relating to Survivor Benefit Payments to Children Under Retirement Law. (S. P. 760) (L. D. 1817)

Resolve, Providing for a Retirement Allowance for Lois Blackwell Goodwin. (H. P. 1280) (L. D. 1786)

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

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

**Emergency**

An Act Relating to Single Superintendent for Certain Institutions Within Department of Mental Health and Corrections. (H. P. 1262) (L. D. 1768)

Votes 29

**Emergency**

An Act to Clarify the Law for Establishment of the Maine Veterans Memorial Cemetery. (H. P. 1273) (L. D. 1779)

Votes 29

**Emergency**

An Act Creating the Webster Water District. (H. P. 1278) (L. D. 1784)

Votes 28

**Emergency**

An Act Authorizing the Issuance of Additional Notes in Anticipation of State Aid by School Administrative District No. 46. (S. P. 749) (L. D. 1807)

Votes 27

**Emergency**

An Act Relating to Maine Junior Chamber of Commerce. (S. P. 761) (L. D. 1818).  
 Votes 28

**Emergency**

An Act to Validate Proceedings Taken in School Administrative District No. 63. (S. P. 768) (L. D. 1825)  
 Votes 27

**Emergency**

An Act Establishing the Maine Planning Committee on Criminal Law Administration. (H. P. 1307) (L. D. 1836)  
 (On motion by Mr. Berry of Cumberland, placed on the Special Appropriations Table.)

**Emergency**

An Act Relating to Trucks Carrying Flammable Liquids in Bulk. (S. P. 801) (L. D. 1870).  
 Votes 29

These seven Bills, being emergency measures and having received the affirmative votes as indicated, were Passed to be Enacted and, having been signed by the President, were by the Secretary presented to the Governor for his approval.

**Bond Issue**

An Act to Authorize the Construction of a Bridge Across the Androscoggin River Between the Cities of Auburn and Lewiston. (H. P. 1305) (L. D. 1834)

(On motion by Mr. MacLeod of Penobscot, tabled and specially assigned for Wednesday, January 17.)

**Order**

Mr. MacLeod of Penobscot, out of order and under suspension of the rules, presented the following order and moved its passage:

Ordered, the House concurring, that there is appropriated from the Legislative Appropriation the sum of \$10,000 to the Commission to prepare a revision of the insurance laws to carry out the purposes of the Commission (on Revision of Insurance Laws) under chapter 171 of the private and special laws of 1967, and any unexpended bal-

ances shall not lapse but shall remain a continuing carrying account until June 30, 1971. (S. P. 807)

Which was Read and Passed.  
 Sent down for concurrence.

**Orders of the Day**

The President laid before the Senate the first tabled and specially assigned matter, An Act Relating to Powers and Mortgages Under Maine Recreation Authority Act, (H. P. 1264) (L. D. 1770), tabled earlier in today's session by Senator Sproul of Lincoln.

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

Mrs. SPROUL of Lincoln: Mr. President, I wonder if someone on the Judiciary Committee would explain to me just what this means in Paragraph 8 of the Bill, "to guarantee such federal loans." That bothers me a little, and I am not too familiar with it.

The PRESIDENT: The Senator from Lincoln, Mrs. Sproul, has asked a question through the Chair of any member of the Judiciary Committee who may answer if he so chooses.

The Chair recognizes the Senator from Franklin, Senator Mills.

Mr. MILLS of Franklin: Mr. President, the language of the bill, as noted by the charming Senator, is correct; it does require the guarantee of the State on these federal loans. This was mentioned in Committee and discussed to some extent, and it was felt that this was a peculiar thing, that it was a commentary perhaps upon the state of finances in Washington when the good State of Maine, under its motto "Dirigo", has to come forward and guarantee the loans that are made in Washington, but that does seem to be what has come to be. Otherwise than that, Madam Senator, it is a formal provision that makes it easier for these loans to be negotiated. We did think it was worthwhile to comment that the finances of Maine have become so stable that we can guarantee those from Washington.

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



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.

The President laid before the Senate the second tabled and specially assigned matter, Divided Report:

The Majority of the Committee on Education on Bill, "An Act to Increase the Foundation Program Per Public Allowance to \$320.00." (S. P. 752) (L. D. 1810)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (S-342)

(Signed)

Senators:

KATZ of Kennebec  
MacLEOD of Penobscot  
COPE of Cumberland

Representatives:

HANSON of Lebanon  
RICHARDSON  
of Stonington  
ALLEN of Caribou  
SHUTE of Farmington  
BAKER of Winthrop

The Minority of the same Committee on the same subject matter reported that the same Ought Not to Pass

(Signed)

Representatives:

CARROLL of Limerick  
LEVESQUE of Madawaska

Tabled earlier in today's session by Senator Johnson of Somerset.

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

Mr. KATZ of Kennebec: Mr. President, I move acceptance of the Majority Ought to Pass Committee Report, and I would speak to my motion.

The PRESIDENT: The Senator from Kennebec, Senator Katz, moves that the Senate now accept the Ought to Pass Report of the Committee.

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ: Mr. President and Members of the Senate: I think perhaps this is one piece of legislation on which it is going to be very, very difficult to say something that hasn't been said before.

If indeed this session of the Legislature has been divided philosophically, it has been on the question of the responsibilities of the State to share more adequately in the costs of education. If indeed there has been any division of philosophy this session, it has been whether or not the local property tax should be protected by the Legislature, by the Legislature coming in, with a larger share of costs for local education. The number of figures that are tossed around are legion, and I suspect that both philosophical points of view can be proved adequately by reference to statistics.

At the beginning of this Legislature's life there seemed to be a very well-defined feeling that the State must come up with a greater share of the local cost of education. It was pointed out at that time that, against the national average of 39%, the State's share of the cost of local education in Maine is 29%. At the first special session of this Legislature our appropriation at that time actually didn't change this statistic at all; it took up the slack and prevented the State's percentage share from decreasing.

There are those who tell you that the State has acted very generously towards the towns this session. They will quote statistics which gives you an impression of substantial percentage increases to the towns and cities in the general purpose aid. Without any question, these are men of good faith and the figures they give are accurate and true. Yet, when I get a letter like this from someone in the class towns of Pittsfield, Burnham and Detroit, somehow I am prone to put aside statistics and look at the facts for this one school administrative district. He says that the increase in local school appropriations is going to be 33% in 1968, and if the foundation allowance remains at \$290.00 for 1969 the local taxpayer could be asked for an 80% increase in 1969 over that requested in 1967.

I have before me a sheet of paper which has statistics on it, and they are cold and meaningless until you stop and think about the

local property owner in all these communities. I have a long list of communities that show an increase of over 25% in their local costs for education, and I think that each one of us here represent communities on this sheet of paper.

I have in front of me here statistics that indicate that in my home town of Augusta the tax increase on local property for 1968 will be some \$236,000; in Auburn, \$211,000; in Bangor, \$155,000. The statistics are overwhelming, but they are only statistics. Let me quote to you what is going to happen to one man who lives in Pittsfield if this Legislature takes the easy way out and does nothing further on school subsidies. Let's presume that you are a retired person living in Pittsfield, that you live in a home that has a true market value of \$10,000, and its local assessment is \$3,700. The increase in Pittsfield's local share of the school costs will run \$70.00 for this man in 1968. All of a sudden we are not talking about statistics; we are talking about an individual. We are talking about a typical retired person.

Where do local towns and cities get their revenues? They get them essentially from the property tax. The only other way they get revenues is from the Federal Government and the State of Maine. The State of Maine has consistently said to the local towns that we will not permit you other sources of taxation, we will not let you put a gross receipts tax on Portland; we will let you solve your problems in your own way. This is a philosophical difference. Regardless of what we say here or what we do here, the cost of education is going to be substantially greater in 1968 than it was in 1967. It will be greater again in 1969, and inexorably higher again in 1970. This chamber, this Senate, has participated this session in enacting into law certain measures that increased the costs of local education. We passed a teachers' salary bill. The cost of this teachers' salary bill which we passed is being passed along to the towns and the cities. It increases their local costs. We have very successfully over the past

years regulated the length of the school year. We have done this at State level, and in the process we have created local tax burdens. We have this session of the Legislature, or was it last, increased the age at which a youngster must remain in school. In recent legislatures we have mandated kindergartens; we attempted to do that again. We also addressed our attention to the mandatory bussing of high school students who live great distances from high schools. In the process what we have done, with great effectiveness, is that we have created local tax burdens to people — people living in homes. I am not talking about big landowners and I am not talking about special interest groups.

I have great respect for the point of view that we have done enough, that let the towns and cities fare the best they know how. This point of view is a sincere one. But the point of view of us who have a feeling that the property tax in Maine is being asked to do things that it was never intended to do, that this archaic tax which at one time was a pretty good indicator of the wealth of the owner — and this is no longer true — that this tax has outlived its burden, its potential, to support education in this present day and age.

Mr. President, it is apparent to me that it would be sheer folly to say to this Legislature that we should pass an increase in school subsidy without funding it. I think politically it just is not going to get any support. It also would be sheer folly to suggest that perhaps we should try to ram a sales tax increase through with a two-thirds vote, a two-thirds vote that we cannot get because of the public stand of the very, very sincere and dedicated Governor who feels that we have done enough. I am in disagreement with this conclusion. I am suggesting to you that perhaps if we let this bill go along, accept the Majority Report, perhaps we can reach the type of compromise we have been seeking so fruitlessly since one year ago. Perhaps there is some merit to saying to the towns and the cities that we will raise the school sub-

sidy to \$320.00 and we will raise the sales tax so it can be funded, but the program will not take effect until 1969, the year in which the really heavy and disastrous burden of educational increases will reach the local property owner. I don't know if such a compromise is possible, but I do urge you, in the face of the possibility, to accept the Committee Report, to let this bill stay alive and let's see if we can't work out the kind of compromise I think we have all wanted.

The PRESIDENT: The pending question is on the motion of the Senator from Kennebec, Senator Katz, that the Senate now accept the Ought to Pass, as amended, Report of the Committee. Is the Senate ready for the question?

The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: I would ask the Senator from Kennebec through the Chair how he would propose to pay for this bill? I notice on a proposed amendment that there is a figure of practically \$6,000,000. for an annual cost, and I noticed on the bill itself that there is a cost for 1968 which, I assume, is the payment due next December, of \$7,390,000. There is some \$1,500,000. difference, and this would be for one year. If we were to assume that the figure on the bill of \$7,400,000. is the correct figure, we are talking a biennial appropriation, based on our estimate for next year, of almost \$15,000,000. And if we project the requirements to meet the law on the new proposed basis of \$320.00 per pupil to the following biennium, we perhaps are committing the 104th Legislature to finding some figure above \$15,000,000. for their appropriations bill. My question, Mr. President, would be: How is it proposed to finance this?

The PRESIDENT: The Senator from Cumberland, Senator Berry, has posed a question through the Chair to the Senator from Kennebec, Senator Katz, who may answer if he so desires.

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ of Kennebec: Mr. President, I suggest there is no

inconsistency in the bill. The Senate Amendment, Filing S-342, stipulates the actual cost is something over 5.9, and this is the correct figure. How would it be financed? Well, the amendment came out at a time when there was hope of financing it through a sales tax effective in 1968. The course of action I am suggesting to you now is that maybe there is an alternative proposal.

How would the next Legislature finance this increase? Well, we are creating a new program, but we are funding it, and I think we are retaining our integrity in the process. The next Legislature—and I certainly hope the gentleman from Cape Elizabeth is present to help solve the problem—will certainly have plenty of problems, and this will be one of them.

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: If I interpret the answer to my question as to how the 103rd is going to finance this, I think I understand that it is going to be in their laps. However, it is apparently proposed that we shall obligate the 104th to finance the program. I am afraid that this represents a little departure from some of the principles of finance to which I certainly have always subscribed. Briefly it is: If you are going to do something, appropriate the money for it. I had hoped that we might have a concrete proposal from the Senator from Kennebec as to how he would propose something in the order of \$15,000,000. be financed.

Mr. President, reluctantly, I must move that this bill and all accompanying papers be indefinitely postponed.

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

Mr. FARLEY of York: Mr. President and Members of the Senate: I agree wholeheartedly with the Senator from Cumberland County. If you will remember, at the regular session I stood alone signing in the Taxation Committee a bill presented by the League of Women Voters of the State of Maine. The

bill in itself meant a graduated income tax that would take care of this education program which Senator Katz now wishes to put through.

It was my privilege to attend a meeting in Kennebec close to a year ago with five or six hundred school teachers. I told them then and there that I was not going to vote; that the Governor had not had it in his program one way or the other. But in talking to a great many of the school teachers, they themselves said they would take an income tax and pay for education. So, when the League of Women Voters came before the Committee I thought they had a sound program. It was for education and it took in about fourteen or fifteen million dollars. I was the only one on the Taxation Committee that was willing to go along with them. But the graduated tax was defeated here in the Senate, and when they defeated the graduated income tax, then the school bill went down.

In this bill we in the City of Biddeford don't pick up an awful lot because we have a heavy parochial enrollment which drops us down. I, myself, am a graduate of the public schools. I will speak for the public schools every day in the week. I would love to go along with it, but I don't see how you are going to do it, unless we have the courage and the guts—we will probably have to perform—some will come back and some won't come back, and in the following year there is going to be some kind of an income tax facing the whole of us. Thank you.

The PRESIDENT: The pending question is the motion of the Senator from Cumberland, Senator Berry, that this bill and its accompanying papers be indefinitely postponed.

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ of Kennebec: Mr. President, when the vote is taken, may I ask that it be taken by a roll call.

The PRESIDENT: The Senator from Kennebec, Senator Katz,

moves that the vote be taken by a roll call. In order for the roll call to be entertained there must be the expressed desire of at least one-fifth of the members present.

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

Obviously a sufficient number having arisen, a vote by the "Yeas" and "Nays" is ordered. The pending question again is the motion of the Senator from Cumberland, Senator Berry, that L. D. 1810 be indefinitely postponed. Those in favor of indefinite postponement will answer "Yes" when their name is called; those opposed to indefinite postponement will answer "No." The Secretary will call the roll.

#### ROLL CALL

YEAS: Senators Anderson, Berry, Boisvert, Duquette, Farley, Girard, Greeley, Harding, Norris, Reed, Sewall, Sproul, and Viles.

NAYS: Senators Albair, Barnes, Beckett, Cope, Curtis, Ferguson, Good, Hildreth, Hoffses, Johnson, Katz, Lund, MacLeod, Mills, Ross, Stern, Wyman, Young, and President Campbell.

ABSENT: Senators Couturier and Reny.

A roll call was had. 13 Senators having voted in the affirmative, and 19 Senators having voted in the negative, the motion to indefinitely postpone did not prevail.

Thereupon, the Majority Ought to Pass, as Amended, Report of the Committee was Accepted and the Bill Read Once. Committee Amendment "A", Filing No. S-342, was read by the Secretary and adopted and, under suspension of the rules, the Bill, as Amended, was given its Second Reading and Passed to be Engrossed.

Sent down for concurrence.

On motion by Mr. Ross of Piscataquis,

Adjourned until ten o'clock tomorrow morning.