

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

From Certain Sources (H. P. 1277) (L. D. 1783)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 126 voted in favor of same and one against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act Raising the Discount on the Sale of Cigarette Tax Stamps by the State Tax Assessor to Licensed Distributors (H. P. 1284) (L. D. 1790)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 123 voted in favor of same and 7 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act relating to Compensation for Certain Municipal Officers who Appear in District Court (S. P. 753) (L. D. 1811)

An Act Establishing Procedures for State Medical Examiners and Creating the Office of Chief Medical Examiner for the State of Maine (S. P. 759) (L. D. 1816)

An Act relating to Payment for Drugs Under Health and Welfare Appropriation (H. P. 1250) (L. D. 1756)

An Act Increasing Fees for Copies in Office of Register of Probate (H. P. 1298) (L. D. 1804)

An Act to Allocate Moneys for the Administrative Expenses of the State Liquor Commission for the Fiscal Year Ending June 30, 1969 (H. P. 1302) (L. D. 1831)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

The SPEAKER: The Chair now will call your attention to Supplement No. 2, Enactors.

Passed to Be Enacted Emergency Measure

An Act to Clarify the Law Relating to Truth-in-Lending and Disclosure of Interest and Finance Charges in Retail Sales (H. P. 1316) (L. D. 1859)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 128 voted in favor of same and one against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act relating to Coordination of Public Higher Education (S. P. 777) (L. D. 1849)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

The SPEAKER: The Chair recognizes the gentleman from Stonington, Mr. Richardson.

Mr. RICHARDSON: I would first like to make it clear to you that I have no axe to grind. I am not a graduate of the University of Maine but rather of Colby. I have no political ambitions which dictate that I shall vote for the super university concept even if I, in good conscience, do not believe in it. I am opposed to the legislation and am sincere in my opposition.

In the regular session of this Legislature, the concept we are discussing was defeated. I know that this watered - down version will be held up as a totally new concept, but it is not, it is just a bleached by-product of the former. A committee was hastily appointed and rushed into being when it was known that the original bill would be killed. The job of this group was simply to keep the idea alive.

We had an illustrious committee and it did its work well. However, it would seem that the sponsor of the legislative document was the only one that was convinced of its need. At least, that is the conclusion that I must reach when I find that he was the only member of the committee which studied this to appear in its favor before

the Education Committee. One other person appeared in favor but by his own statements he did not convince me that he was really sincere.

I would like to point out that two members of this study committee appeared in opposition to the bill. One of those members, at least, had hoped to put out a minority report but did not. The report was short, concise and effective, but he was discouraged by statements emanating from the chairman which led him to believe that everyone except him agreed in principle.

There is an appropriation attached to this L. D. for over \$100,000. Mind you, this is just for the second year of the biennium. Dr. Cutler, chairman of the Board of Trustees of the present University of Maine, asked what the cost of the super university might be and no member of the Education Committee, the sponsor, nor anyone else in the room could give even a vague figure of what the future cost might be. I would challenge them today, on the Floor of this House, to dare to put forth a figure which can stand for posterity to examine. I am reasonably certain that not one of the proponents of this bill will do more than say, "Oh come now, you know we can't predict," or "What difference does it make if we get better education," or "How can we know?"

I think that we have a right to know those figures and what future figures may conceivably be. I doubt if any one on the Committee on Education can even tell you what the complete budget of the present University is. I wonder if one of you in this House would care to speculate on how much of the University's private capital will be diverted by the new Board of Trustees to the other campuses which it will be acquiring. I wonder if anyone would care to speculate on the effect that this would have on the grants to the University, or on the scholarship funds which are given by graduates and by other people.

One of the statements that you have heard repeated over and over in this House during the past year is that we are wasting money with

duplications. I asked this question concerning duplication and waste privately of one of those who attended the hearing that day but who did not speak. His discerning answer was "how can you say there is waste and duplication when each of us must turn down from 2,000 applications on down to lesser refusals in the smaller schools. Until we can accommodate all who apply and are qualified to attend, we have not reached the point where waste is rampant."

I am concerned about many aspects of this bill but my prime objection is that I do not feel that the two groups we are talking of throwing together are, basically, the same. I am concerned that tuition will jump to the point where it will be too expensive for many. I realize that an amendment prohibiting this immediately is encompassed in the bill, but this only proves to me that my fears are justified. Our state colleges have done an excellent job with the upper third of the graduating classes of our high schools just as the University is more interested and does an excellent job with the upper ten or twelve percent. What is to happen to this very worthy group of students who perhaps cannot meet the academic requirements of the super U but who all the same want to become teachers? In the last analysis, this group has kept the Maine school systems from going bankrupt for want of teachers for a long, long time. We still have a teacher shortage and, I am convinced, need the state colleges to fill this need.

After listening to our good friends, the attorneys, on various simple bills, I am wondering how in the world it will ever be possible for this transition to take place in the limited time available under this bill. It would appear to me that it will take a legal staff more than a year to unravel all of the problems attendant upon transfer of all of the assets, both physical and financial. Any thought that fifteen men, dedicated though they may be to the philosophy of this legislation, can bring into being a new corporate body who can develop the planning, policy and operation of nine separated cam-

puses before the next regular session of the 104th Legislature is unreasonable. Such a board should have a full biennium for planning and policy development before it is given operational responsibility.

No mention has yet been made of the buildings that are now authorized but not built or even started. Will it be within the province of these new trustees to decide that perhaps a building authorized and voted for Aroostook State should better be built in Portland?

I would, in closing, like to call your attention to a couple of articles which have appeared recently in this week's Time and Newsweek Magazines. Under the Education section, the university system of California is featured. It is not pleasant reading; it is not working as we have been told for the past year that it does; it is undergoing complete change with decentralization recommended. And here we are discussing putting together campuses and California, after some years of experience with the system we have had suggested to us, are on the point of breaking it up into smaller units.

My very good friend, Roger Snow, presented to the Education Committee a reprint of an article in the January 12 Time Magazine, and one of the items that he did not underline for us but which I would now like to underline states,—"A college does not automatically become better by renaming it a university." And a little further on it goes,—“into the political pressures in North Carolina last year catapulted four one time teachers colleges into regional universities, but they are still essentially teachers colleges and they merely pose a threat to the financial support that has made the University of North Carolina at Chapel Hill the best public institution in the south.” And this warning comes from Clark Kerr, who is heading a Carnegie-financed study of higher education in the United States.

I think one of the most telling things in this week's article January 19 in Time and January 22 in Newsweek—they both cover the same thing, is the statement that they have forgotten at the Uni-

versity of California that their purpose is to educate the youngster.

Mr. Speaker, I would now move that this bill and all its accompanying papers be indefinitely postponed and when the vote is taken I request that it be taken by the yeas and nays.

The SPEAKER: The pending question now is on the motion of the gentleman from Stonington, Mr. Richardson that L. D. 1849 and its accompanying papers be indefinitely postponed.

The Chair recognizes the gentleman from Raymond, Mr. Durgin.

Mr. DURGIN: Mr. Speaker and Members of the House: Having been one of the members privileged to serve on this study committee, I would like to inform the gentleman from Stonington, Mr. Richardson that if he looks back to the first few days of this special session, bills were coming in rather fast, hearings were being held rapidly, I was serving on the Labor Committee which had bills to hear, and that day we had a hearing which lasted until almost six o'clock. I had no opportunity to attend the hearing on this bill; had I had the opportunity I certainly would have been in favor of it.

After many weeks and months of studying this bill I had many reservations and I resolved them in my own mind when I considered what this merger would do for the students, the boys and girls in this State. All the extraneous circumstances, all the sectional disputes, were resolved. I was more interested in what this bill would do for the boys and girls, and I certainly would hope that the motion of the gentleman from Stonington, Mr. Richardson would not prevail.

The SPEAKER: The Chair recognizes the gentleman from Caribou, Mr. Allen.

Mr. ALLEN: Mr. Speaker and Members of this House: I believe there is a need for this legislation; I am backed up by very good authority. The consultant panel states, — “In the Consultant Panel's judgment there is no more urgent matter requiring the immediate attention of the citizens of the State of Maine and the im-

mediate action of the state's leaders than the development and improvement of higher education," and I doubt that there will be another session of the Legislature better informed on this subject than we are here. There are duplication of services in some of these programs, there are wasteful rivalries, uneconomical use of funds, a luxury I don't believe we can any longer afford. As one of the reports have stated the status quo is unacceptable. For nearly three years we have studied, consulted, held hearings, and then compromised and debated. We spent \$60,000 on this study and we have two reports of the Committee, and that's followed by the report of the Committee on Coordination of Higher Education.

I recognize that it is probably imperfect but I don't think we ought to put our responsibility off any longer. I feel that a start should be made and I don't believe there's any better time.

We will recall the Sinclair Act was passed some years ago. It was imperfect and we've refined it and amended it several times since, but in the process, as your Education Committee has traveled to New Hampshire and conferred with the education committees of northern New England there and seen what was accomplished in Vermont, we have to acknowledge the Sinclair Act has done a good job for Maine.

This is a compromise of many and widely divergent views. Nobody seems to be altogether happy. The attitude of I think most people, who have no ax to grind and were not interested particularly in one institution, seemed I think to be for it. But it's like a corporate merger, the stockholders generally like it but the employees, the administrators, the faculty people, oppose it and wonder how it is going to affect them. Good education is expensive and it's going to cost more and more I'm afraid, but we can't afford to be wasteful with our money. I hope that we will defeat this motion for indefinite postponement.

The SPEAKER: The Chair recognizes the gentlewoman from Lebanon, Mrs. Hanson.

Mrs. HANSON: Mr. Speaker and Members of the House: As you all know in the regular session I opposed the merger of the University and other institutions of the state, and it took a great deal of convincing for me to agree to this one. But I have studied it and I have listened and I was ready to not agree with this one until Mr. Shute brought up his amendments. In discussing the amendments the bill has been more or less modified and amended and clarified, so that I find now I would like to vote that this be not indefinitely postponed.

The SPEAKER: The Chair recognizes the gentleman from Brewer, Mr. Robertson.

Mr. ROBERTSON: Mr. Speaker and Ladies and Gentlemen of the House: I find that I must rise in opposition to this bill now before us and support the stand of the gentleman from Stonington, Mr. Richardson, not because I am a graduate of the University of Maine or because I am affiliated with the University of Maine, but rather because I personally am convinced that this bill which would consolidate our states colleges under one head, a supposedly progressive step to create an educational giant that will lessen our educational headaches, to me I am not assured that it is the best answer to the diversity of problems that each of our colleges encounter.

Certainly I want to recognize and appreciate the great amount of work which this special committee has put into this subject before us and I must admit that it is a bill that has a great deal of magnitude, that it requires extensive research and planning to eliminate the possibility of later discovering that we have created problems to which we do not have the answers. Ladies and gentlemen, I must ask if it is necessary that we recognize this problem as an emergency and rush into the acceptance of a program that may have many relative unknowns.

Now our present University of Maine stands high in comparison with our other New England colleges. This college of 102 years of age issues degrees, degrees that are accepted in other states, they

issue them with a degree of accreditation. Is it not within the realm of possibility that this new massive giant will tend to lower the standard of recognition? Of course many say that this will not be the case, that it will bring up the other four colleges involved. I might concede that probably this fact will eventually be true, but for a time I am somewhat convinced that despite the fact that the other colleges stand high in recognition, that there will be a degree of degrading of our own University of Maine.

I cannot convince myself that this consolidation has reached the proportion of an emergency, at least not at this time. Is it necessary to combine the other state colleges with the University, this highly acclaimed institution, despite the fact that the trustees, its graduates and present students feel that this action is improper; they feel that this University should stand on its own as an individual.

Now truly in this bill now before us we have left out this time the vocational schools, we have left out the Maritime Academy, assumedly because it was felt that these schools were not in the same category, not compatible with the state colleges in many respects. Two of the five institutions concerned are opposed to this consolidation, they have cited their objections; I am not going to elaborate upon them at this time. But may I ask, is it possible that we can revise our legislation to erase these objections? Should we consider the opinion of the trustees of the University of Maine? Somehow I can't help but respect the judgment and opinions of Dr. Lawrence Cutler of that board, whether he be right or whether he be wrong.

I think we all realize that educational costs are constantly going up; there certainly is no relief in sight, and of course this is the argument for this measure now before us — more efficient operation under a super university. The University of Maine is operating on one of the lowest cost per pupil of any state college in the United States. We have one of the highest land grant college institution's

tuition in the United States. It is a recognized fact that each year we find it impossible to accept many of the applicants who apply to this college because we just do not have the facilities at our Orono campus. We have insufficient funds to erect the facilities to take care of this ever expanding educational demand. Somehow I cannot help but ask myself, under this new cooperative, under this new super university, will the University of Maine budget receive lesser or greater consideration? Will its ratio be hampered or will it be assisted? One thing sure, there must be constant growth on the Orono campus and nothing must deter this progress, and I reiterate — on the Orono campus.

Consolidation and merging I think is a current trend, a modernization in our everyday financial living; the big massive companies overpower smaller business and they must merge or they must go out of business. I would like to relate to you for a moment a classic example. One of our larger industries in the State of Maine which appeared to be operating successfully until one morning its employees found the name of the industry had been changed and now they were a division of a great corporation, a corporation that operated nationwide. They had many brothers, they had many sisters now, and they were told that big things were going to be accomplished because they would have the money now to expand and to modernize.

What some of them did not realize was that all the profits from this industry would now go to the giant central office where the profits would be dispersed to its brothers and to its sisters, and should it show a loss its neck was sure to be severed. Now this industry has endured a shutdown of two phases of its operation with a lack of manpower because the operations assumably were not showing proper profits. Many are now wondering what the future of this remaining industry might be in the next few weeks, the next few months, the next few years. My friends, this business has lost its local identity, it has lost its

individualism and become a small cog in a big wheel. I am quite sure they would prefer to be back in their own individual status prior to merger. I would like to ask you ladies and gentlemen — can our super university place the University of Maine in a similar category after this merger? Let's think it over very seriously before we decide to jeopardize our individualism.

Now I had no personal ax to grind here today, I am only attempting to consider every aspect and attempt to determine in my own mind what is the best answer for our colleges, the best answer for our students, the best answer for the people of the State of Maine. In my personal opinion we should procrastinate until our next regular session when we can be more assured of a greater degree of acceptance, when we can be more assured of answers to our fears and our anxieties. It can be a great advance in our educational management if it can accomplish its desired goals. However, let's be sure; let's not rush. After all, there will be the 104th, and I would like to suggest that you go along with the motion of the gentleman from Stonington. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Farmington, Mr. Shute.

Mr. SHUTE: Mr. Speaker, Ladies and Gentlemen of the House: What you have just heard are the voices of the status quo; the voices of people who are happy with things as they are, who have not offered anything constructive other than to do nothing and stay as we are until the 104th. I submit to you initially that no Legislature past or in the future will be as knowledgeable about all of the ramifications of higher education than this Legislature. Why? First of all, each one of you has received, and I hope has perused a copy of the \$50,000 A. E. D. Report. You know Mr. Allen has already quoted from this. The Coles Commission has spent weeks and weeks of exhaustive study. This has been followed by the Lund Committee. We've studied higher education to death.

Ladies and Gentlemen, L. D. 1849, and its accompanying amendments, its accompanying papers, is a product of compromise. Now we admit that we are not ecstatic about this new form of coordination of higher education in our state, but we are happy with it, because it's a step forward. We aren't willing to accept the status quo. As you know, we, along with the gentle lady from Lebanon, Mrs. Hanson, and the gentleman from Stonington, Mr. Richardson, did espouse what we believed and still believe was our idea of the perfect way to coordinate higher education and that was with a super board of different boards coordinating education. This, we now recognize, is politically impractical, it's completely unacceptable to the Board of Trustees of the University of Maine. Conversely, the University of the State of Maine bill which you accepted by a scant two votes in this body last spring, also is unacceptable to those who represent the faculty and the student body of the state colleges. As far as we were concerned then, the best way would have been through the coordinated board approach, but this was not to be and we accepted it, nor is it to be. The University of the State of Maine is not to be; it was defeated in the final hour on Saturday, July 7th.

Now the Lund Committee, so-called, was formed by you to investigate this problem further during the interim and report to this special session or the 104th. Recognizing the fact that no other Legislature would be as knowledgeable as this one is this Committee came back to the special session, ably assisted by dedicated House members Mr. Percy Porter, the gentleman from Lincoln, and Mr. Dean Durgin, the gentleman from Raymond. This Committee came out with an excellent bill to present to the Education Committee for its hearing.

Here, in L. D. 1849, our main objections have been erased with the Committee amendments. Now we who feel strongly about the role of the state colleges and their principal job in turning out teachers, have preserved their identity, preserved their treasured auton-

omy of their separate institutions, identified the head of each institution as the chief educational officer who is in charge of the day-to-day affairs of his particular institution. What more autonomy can you get than that? We have the assurance we did not have before that the state colleges will not be governed by a board of trustees unfamiliar and unsympathetic with their problems. Three of the new board will be named from among the members of the State Board of Education. And to assure that this new University continues to have the same high quality of men presently serving on the University of Maine Board of Trustees, this bill provides that seven of these will be appointed by the Governor to serve.

Now as a freshman Representative, we learned early here by examples set by many of you, that the art of good politics and good government is practiced with a high degree of compromise, and so it is with this bill. The amendments which you see before you, and I would like to have you look at them and study them, are the results of faculty and administrative head consultation, of the hearing and several fruitful committee executive sessions.

Chief among the results of these compromises have been number one, the identity of the institutions. This is important to alumni of the states colleges, be they at Gorham or Fort Kent or wherever, or the University of Maine. We have insisted upon the establishment of an administrative council who would advise the Chancellor. We have insisted on the assurance of property reversion to the state in case a building or a group of buildings, for one reason or another, should be sold to a private institution, then this property would revert to state ownership. We have insisted too upon the preservation of faculty rights, and most important, for students who come from low income families, the preservation of the current ratio in tuition. The gentleman from Stonington has mentioned this. We have guaranteed that the present ratio in the tuitions between the state college and the

University of Maine be preserved for a four-year period beginning this September. Ladies and Gentlemen of the House, do you realize that the University of Maine tuition is one of the highest for land grant colleges in the country today? On the other hand, the state colleges have a one hundred dollar a year tuition. We are concerned that low income families have this in mind, at least for the next four years, and we can't in our crystal ball determine what our economic conditions will be four years hence.

Now what does all this mean to the student other than this? Three of our state colleges are not accredited state institutions. Within a reasonable time, we can expect that the University can achieve accreditation for these institutions, just as it did when it took over the Law School at Portland, now a fully accredited law school of which we are all proud. It means transfer of credits from one institution to another, and it joins some 3,300 students to one a little more than twice as large in student population, not the hundreds of thousands of students you find at the University of California.

What does this mean to the taxpayer? True, there is an appropriation with this, but the 104th Legislature will have to determine by a very few short months of activity in this higher education coordination picture just what it will mean to the taxpayer, but coordination essentially means an end to costly program and services duplication. It removes program jealousies of one institution for another. Let me cite an example. In Farmington, we have an excellent special education course, where they train student teacher therapists, speech therapists, it is called a speech and hearing referral center. With the Federal funds, they have built a fine studio, but now, because of action at the regular 103rd session do not have adequate personnel to man it, but they have television cameras which came to them as a result of a grant, they have audiometers, tape recorders, the type of thing that will train teachers to be speech and hearing therapists. Another institution in our

state and it shall remain nameless, took a look at this program and decided that they too would like to get in the special education business, and have started to duplicate this type of program. Now ladies and gentlemen I submit to you one other, and I can enumerate several, but in the matter of facilities, we have two gymnasiums eight miles apart, one at the University of Maine at Portland and the other the Warren Hill Gymnasium at Gorham. Is this not duplication of expensive facilities just a few miles apart?

The gentleman from Stonington has brought you some quotations from Time Magazine that are impressive. Last week you had some other editorials that were culled from a Maine newspaper. I don't believe any of us have had access to what a gentleman who is here almost daily observing our actions had to say in a recent broadcast over WRDO and WCSH. Jim Brunelle in his January 17 program called 'Notebook,' observed the following: "The advantages of such a merger" speaking of this bill, "are obvious. A single administrative unit allows for more economical use of the taxpayer's dollar . . . supply companies offering far more attractive bids to a super university than to individual schools . . . the university student will benefit greatly from the ability to move freely through the sprawling university system with its individual superiorities; an outstanding library here, unsurpassed athletic facilities there. Wasteful duplications can be ended in a thousand different areas."

And what does the establishment of this and we might as well call it a Multiversity system now, mean to you, Mr. and Mrs. Legislator? It means that you have a Chancellor whose task it will be along with this Board of Trustees and this other Administrative Council, to carry out the coordination that is needed; to avoid unnecessary duplication of plant; to present through its board to you the needs of the University in a single budget. It means that expensive programs will no longer be duplicated; that the building needs and demands that strut before us from regular to special session, will fret us no

more because of the designated priority system for requested bond issues. Frankly, it means the end of constant harrassment from seven different interests or more who want dormitories, learning centers, gyms and food centers and research centers. This is not a standardized education system we now propose. We need these different institutions to train people for different functions, but we are establishing higher standards in public higher education. And we are establishing this new system to meet the greatest needs for the growing numbers of young men and young women, and achieve this goal at the taxpayer's benefit and not his expense.

On page 125 of this \$50,000 document, higher education in the State of Maine today, the students, the programs, the facilities is the product of untold numbers of plans, decisions and actions which have taken place over 172 years which have passed since the founding of Bowdoin College. Ten years from now higher education in the State of Maine must accommodate over twice the number of students enrolled today, and buildings yet to be built, the equipment for which is still to be invented. In many instances the substantive content of the courses which must be offered has not yet been discovered. The faculty for these programs have yet to be trained. The textbooks and other service materials have yet to be written. The visual sound and other electronic devices which will be so essential to program offerings have yet to be perfected. The consultant panel undertook this study with the belief that the people of the State of Maine desire for the future nothing less than the best with respect to higher education. All of these challenges are well within the capabilities of the State of Maine to achieve. All that is needed is the decision to make them.

Ladies and gentlemen, this Legislature, this special session today, has the opportunity to be known as an historic Legislature, for it is the beginning of a new day for all of our higher education in the State of Maine. I urge you to vote

against the motion for indefinite postponement. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I certainly would like to have your attention for a few brief moments on this important issue. I think each and every one of you here recognizes the area that we're trying to better, and that is the school system of higher education. I think no area can be best suited in this state than trying to consolidate the efforts that have been so well recognized by the present University of the State of Maine.

Now the University of the State has been recognized on a national level as being one of the outstanding schools of our country. Heading this same university we have a group of distinguished gentlemen who have made the university possible. The intent of this legislation is to use these same available heads to be able to consolidate a program of all higher education in Maine. By so doing we are not going to put on one campus as you probably have heard in California and New York who have probably in just one wing of their campus three times the number of students that the entire system of higher education in Maine would be. So this is not going to be a great big monster of population in one concentrated area as has been pointed out, it will be at different campuses already established in our own state and will serve multi-dual purposes.

Also by trying to do this, the trustees of the University of Maine have been recognized for performing excellence in education. We are going to use this advantage to try to do that for all higher education. An earlier gentleman has pointed out that some members of this House as well as some members of our own state would like the thing to be pursued as they are with the thinking that it was good when I was there and it should be good for a good many years. Well what is today is never good enough for tomorrow, because if that would have been the case there would never be any

initiative to initiate new programs or to better a present program; so therefore, if we are going to promote higher education in our own state for our own students, we've got to initiate new systems. If we don't try, we will never be able to find out, and if we are afraid or if we fear that this will create a monster as some have indicated, that if you don't try, that even if you wait ten years or twenty years, if you don't give it the effort, you will never know. Thank you.

The SPEAKER: The Chair recognizes the gentleman from East Millinocket, Mr. Birt.

Mr. BIRT: Mr. Speaker, during the hearing on this bill there was one comment that was made to the effect that the Director of Development at the University emphasized that the University is not state supported but is state assisted. It should be pointed out that the state only provides thirty percent of the cost of operating the University. This statement bothered me a little bit because it gave quite a wide coverage, it obtained quite a bit of wide coverage in the Press of the state, and without attempting to influence this particular bill either way, but there have been some comments made on the budgetary costs of the University, I have gone over the budget and attempted to find out just what the relative apportionment of costs are. In the year '65-'66 the State provided 54% of the operating costs of the University. Federal grants contributed 9% and tuition contributed 30%. In 1966-67 the State's share dropped to 51% as the gifts to the University were a little higher in that year. The proposed budget for '67-68 and '68-69 showed that the State's share will be 56% and 58%. Federal grants 8.2% and 7.9% and tuition will be 29% and 27%. The balance in all years is made up from gifts, endowments, scholarships and various others, and this is only a small amount, it's usually about 7%.

The general rule of thumb that the University has always used in their appearances before the Appropriations Committee this year is that it costs slightly in excess of \$1500 a year to maintain a student,

of which the tuition amounts to \$400, which is about 27% of the overall operating cost. And I do feel that the statement that only 30% of the cost of maintaining the student at the University of Maine is paid by the state, when actually the figure is nearly twice that amount, is somewhat of a disservice to the tax effort of the people and the efforts of this Legislature to procure funds to maintain the excellent University that we have, and because of the wide coverage, I felt that these points should be brought out to be given to the members of this body if in any way they might have been influenced by the comments that had been made at the hearing.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Soulas.

Mr. SOULAS: Mr. Speaker, Ladies and Gentlemen of the House: I feel today is the day for editorials and new articles and what-not, so I felt I should read an editorial which appeared in the Bangor Daily News on Wednesday, January 17, 1968, and I quote: "Go Slow On Merger Plan. The latest plan for merging the state university and five state colleges has run into strong opposition from the University of Maine trustees—sufficient to rate further study of the whole merger concept rather than make a final decision at the present special session of the Legislature.

The new proposal was shaped by an interim committee after another merger measure had been rejected by the Legislature at its regular session. It would enlarge the university's board of trustees to 15 members from the present 11 and establish a new office of chancellor.

The latter, it would seem, as a salaried, full-time administrator would come close to running the whole works of higher education in the public area. The trustees would shape policy, but the chancellor would be the one man on the job day in and day out with a staff of aides at his service. Under the circumstances, we would think the extent of his authority would have to be clearly spelled out.

At last week's brief hearing on the new merger plan, Dr. Lawrence M. Cutler, president of the U. of M. trustees, said his board does not go along with the chancellor concept. He also warned that consideration should be given to the 'magnitude of costs.'

The trustees, he said, favor a higher education merger but 'under the structure of the university as it now exists.'

Spokesmen for state college interests aren't altogether in favor of the plan either, citing complications that might arise by the possible shifting about of faculty, and the difference between tuitions at the state colleges and the university. Neither, of course, do they want to become mere satellites of the university.

We do not know what the answer to coordination of higher education among state-supported institutions should be. But we do say that some serious questions have been raised and should be carefully examined. It is too big a step to be taken in the hurried atmosphere of a special session.

Indeed, it is going to be difficult enough to resolve at a regular session. We have in mind the botched job that was done with the original Sinclair Act which speeded up school consolidations. A variety of amendments had to be tacked on later as snafus made themselves evident.

The thinking on a higher education merger has changed a lot since the original Coles report, which would have included post-high school vocational schools and the Maine Maritime Academy. With more discussion and study there may be yet other changes. We urge the Legislature to go slow and, in fact, leave the decision to the 104th Legislature at its regular session next year."

The present University of Maine setup I feel should continue until such time as a proper compromise is reached in order to provide a proper takeover smoothly and without serious disruption in the educational efforts now taking place. Because of this and many of the other reasons which you have heard today, I feel this legislation should be sent over to the 104th

Legislature. I urge you to go along with the gentleman from Stonington, Mr. Richardson, and vote 'yes' to indefinitely postpone.

The SPEAKER: The Chair recognizes the gentleman from Cumberland, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker, Ladies and Gentlemen of the House: I hope every member of the House will vote against the motion to indefinitely postpone. I say this because while I recognize that attendance at the University of Maine at Orono doesn't grant any one a special insight into these matters, I believe that this matter has been studied over and over again, that this is the best practical solution we have to starting to bring an end to the factional sectionalism, the disputes, the intra-campus bickering, and the duplication of course curricula and costs.

For this reason I hope that you will vote against indefinite postponement and allow us to bring under a coordinated program publicly supported higher education in Maine.

The question of cost has been brought up and I ask that if this legislation becomes law the following statement of legislative intent be considered by each of us as incorporated within our view of the problem. The statement is, that it is the intent of the Legislature that the Board of Trustees of the University of Maine shall during the remainder of the 1967-1969 biennium follow the appropriations as appropriated by the 103rd Legislature for the University of Maine and the state colleges. The purpose of this is to ensure that if a new University of Maine does come into being, and I sincerely hope that it does, that the trustees of the new university will follow the appropriations schedule as set out by this Legislature and by this means we know that we are going to ensure continuity of program. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Limerick, Mr. Carroll.

Mr. CARROLL: Mr. Speaker and Members of the House: I invite you today to go forward, to

go forward with this document which you have been asked to vote against, to indefinitely postpone. I ask you this question and I hope that you will examine it. There is an old saying, let's pass the buck, pass the buck, pass the buck. But if you had sat on this committee and listened to the testimony that I have listened to the last two sessions you would say that today the bucks stops here, it's not being passed any longer. The only thing they say to you is pass it on to the 104th. Now what do you think the opponents are going to say to the 104th? Let's not hurry now, let's pass it to the 105th, and they'll be there at the 105th and they'll say — now let's not hurry now, let's give this to the 106th.

I invite you here today to join with me. This is a great opportunity. We've studied, we've studied, and ladies and gentlemen we're ready for our degree. Let's vote for this right now.

The SPEAKER: The Chair recognizes the gentleman from Lincoln, Mr. Porter.

Mr. PORTER: Mr. Speaker, you appointed me to that interim committee. I fear you're going to think that was a poor choice. I sat through twelve long meetings of that committee. I listened to every single word. I have read volumes and volumes and volumes, and I came up with a contrary conclusion.

I did prepare a minority report that I expected to submit to the Committee report. I also took steps to draw up a different L. D. than this one, but in the last moment when it became time for me to sign the Committee report I refused until I had time to think it over. Twenty-four hours later I called our Chairman and told him that reluctantly and with serious reservations I would sign the report but I would speak against it on this Floor.

I have many serious reservations on this bill; I would voice only two. First, I think this is going too far and too fast. And second, I am afraid that this bill will not do the job that ought to be done. We spent \$50,000 on that A.E.D. Re-

port and they either overlooked or ignored a very, very important point. Fortunately on our committee there were two very capable lawyers, attorney Sidney Wernick and Senator Jon Lund. I suppose it was because of their training, but they immediately began to ask what have the courts said about the University of Maine, and so they began digging into the decisions of the courts. They found that in several occasions our courts have made decisions concerning the University of Maine. Most of them kept referring to a very important decision that was passed down in 1909. Let me read just one portion of it. "The University of Maine, while chartered by the State and fostered by it, especially in recent years, is not a branch of the State educational system, nor an agency nor an instrumentality of the State, but a corporation, a legal entity wholly separate and apart from the State." As an old friend that I used to have in Aroostook would say: that changed the water in the beans. It's a new ball game now. Last spring we thought we were combining several state institutions; that is no longer true. The University is not a state institution.

This bill calls for dumping five state colleges into a private university. Some of you may think that is wise; it happens that I don't. Because when those state colleges are put into this private university, the state loses control over those colleges and out goes line budgeting.

The second reason, I don't think this bill will do what we want it to do. When your committee began studying this, we found many instances of duplication. I could find only one case in which the State Board of Education duplicated a facility that was provided by the University of Maine, but I can give you any number of cases where the University of Maine duplicated a facility already provided by the State Board of Education. The gentleman from Farmington, Mr. Shute, described the course they have over in Farmington. The University of Maine is now duplicating that in Orono. The University of Maine has brought on this duplication. It is expensive, it is waste-

ful, and I think it is unnecessary, and I'm afraid that this bill won't eliminate that duplication.

We had from the University or for some members of the University Trustees a request that all of the trustees of the present University of Maine serve on this new board of trustees. I am quite certain that that suggestion wasn't made because they considered those members the most capable in the State. That suggestion came because they wanted control of the whole shebang. The gentleman from Raymond, Mr. Durgin and I thought that four of those trustees would be quite satisfactory. The Committee decided on seven. That gives the present Board of Trustees of the University of Maine seven votes out of a board of fifteen. All they would have to do is convince one more member and that would give them control over the whole works. Then if there was to be elimination of duplication I think I could guess where that elimination would take place. If there was to be coordination, I think I would know who would be coordinated. I think this bill stacks the cards against our state colleges and I am opposed to it.

It is very difficult for me to ask you to vote against L. D. 1849, because what is the alternative? The alternative, as I see it, is the status quo which the 102nd said was not acceptable and the 103rd agrees that it is not acceptable; so you have two choices, 1849 or the status quo. To my mind, neither of them are satisfactory. Having been on that committee, I think I owe it to you to suggest another alternative. I shall try to do so, with two thoughts in mind, that this bill goes too far too fast and doesn't do the job.

I would suggest that a commission be set up for three years. That commission would do five things. First, it would get in there and eliminate that duplication that is so expensive and unnecessary. Second, it could bring about some real coordination, especially in the Portland-Gorham area. I would think they would even consider studying the possibility of a formation of the University of Southern Maine. Third, that commission

would have financial control over all of these institutions. That commission would present to the Governor and the Legislature a combined budget for all of these institutions. Once the Legislature has approved of it, then they would allot that money in the way this Legislature wants done, so then they could say to any branch: you eliminate that section because you aren't going to get a cent for it, and in that way, we could bring in some form of line budgeting. Personally, I don't like line budgeting. I prefer to call it project budgeting, so that this commission could allow so much money for a particular project, and only for that project.

Fourthly, this commission could come in to the Governor and the Legislature with a priority list of construction needs. And fifth, and I think this is very important, having coordinated these institutions, having studied them for three years, they could submit to this Legislature their idea of a system of coordination for higher education in Maine. I think that idea is simple. I think it is workable and I would like to see the 104th try it if at all possible. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Lubec, Mr. Pike.

Mr. PIKE: Mr. Speaker, most of the discussion this afternoon has been on the question of organization, the various trustees, the Legislature in respect to the University and in respect to the state colleges. There has been little mention of the people for whom these educational institutions were set up namely, the young people of Maine, the students and scholars.

It has come to my attention, not just recently, but over a period and including recently, that there is a lack of coordination which has not been emphasized here. That is, that boys and girls taking certain courses in certain of the colleges are unable to get credit when they try to change and switch to the university, particularly going into graduate work. I'm afraid there are similar difficulties for people who want to switch from

one place to another, particularly if their parents have moved, and it does seem to me that while this bill may not be perfect, and I would doubt very seriously if any overall first attempt is going to be a perfect bill, it is a good bill and it does avoid that thing that we talked about so much this afternoon, the further study without much of anything to study on. It avoids the word that has been used, the only time I ever heard it used in praise, procrastination, and it does avoid shoving it over as the last suggestion was made not only to the 104th, to the 105th Legislature. I really believe that we should vote against this motion to indefinitely postpone; that we should pass the bill, and if, as I suspect various things will come up that are not quite right, that we fix them up as they come up rather than argue about them in a vacuum. I hope this motion does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Ewer.

Mr. EWER: Mr. Speaker, not to take either side in this question, but simply to clarify one remark that has been made by two previous speakers regarding the speech therapy course at the University of Maine being a duplication of what is being given at Farmington. This course has been used very effectively by two Bangor Institutions, the Cerebral Palsy Clinic School and the Eastern Maine Friends of Retarded Childrens School. They have sent their children, their boys and girls to this speech institute and it has worked out very successfully for those two fields.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Cottrell.

Mr. COTTRELL: Mr. Speaker and Members of the House: I think basically the question that we are asking ourselves is how can we take a step now, a step forward, and develop a little unity in our education and at the same time preserve autonomy. Now it seems to me that this was the same question that faced our little nation at the Constitutional Convention. This is such an impor-

tant subject I do not wish to impel my own thinking into the debate, and so I am going to quote from Benjamin Franklin, our great diplomat, our statesman, our inventor, our scholar, our writer, our newspaper man, the author of our post office system, one who is called our first civilized American, and at the close of the Convention after a long five months hot summer debate, he says: "We had assembled with all our prejudices, our passions, our errors of opinion, our local interests and our selfish views," and then he speaks to his delegates on the last day of the Convention and he says this: "I confess that there are several parts of this Constitution which I do not at present approve, but I am not sure I shall never approve it, for having lived long, I have experienced many instances of being obliged by better information or fuller consideration to change opinions even on important subjects, which I once thought right but found to be otherwise." And he closed his statement to those of the Convention who still had doubts about the Constitution: "I wish you, with me, on this occasion doubt a little our own infallibility."

The SPEAKER: The Chair recognizes the gentleman from Stonington, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker, I do not wish to prolong debate, but I do feel that my good friend Mr. Pike has raised what is my primary concern also and that is the welfare of the young people in the State of Maine. I would like to point out to Mr. Pike that there is absolutely no certainty that if this bill is accepted that credits could be transferred from any one section of the University to another section of the University. You will have three sections which will be unaccredited sections of the University and nothing will require that the various credits be transferable.

Frankly, I am concerned about another area too which my good friend Mr. Pike mentioned. Apparently it is his feeling that we can amend and change this at a later date. I would point out to

you that the University of Maine will still be a private institution, and it will be beyond the rights of this body to then change it once we have given the state colleges to it.

I would like to leave you with just one thought, that it is much easier to get in than it is to get out.

The SPEAKER: The Chair recognizes the gentleman from Farmington, Mr. Shute.

Mr. SHUTE: Mr. Speaker, I would like to address myself to the problem of this corporate ownership business. The gentleman from Lincoln, Mr. Porter, advised me some weeks ago about the legality or the legal setup of the University of Maine where the Courts or the Attorney General's office at least had declared it to be a private corporation, and in our investigation of this we learned that this is not a real problem. Indeed a previous Legislature has deeded to the Maine Maritime Academy one of our own former state colleges, Eastern State Normal School. I don't recognize any great hue and cry as a result of this transfer which took place some years ago. So therefore, we submit that this is an invalid argument, that the University by virtue of its fine personnel, its dedicated board of trustees, and those who will participate in this new board, will make a big attempt to see that the non-accredited state colleges in the northern part and the eastern part of the state do in fact become accredited and therefore operate a far better school for our young men and our young women. I hope you will vote against indefinite postponement.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker and Members of the House: In my frequent sallies in the back or outside the Hall of the House during debates or during the session, and also by notes sent to me, I have been asked, not that my opinion would matter too much anyway, but I have been asked because of my strong feelings over the years in a given area, how I felt about this piece of legislation.

After I listened to the argument as presented by the gentleman from Cumberland, Mr. Richardson, to the effect that it was the understanding that the University of Maine understood that the intent of the Legislature was that the procedure as presently entertained and the monies as allocated in the various categories for the state teachers colleges would remain intact for the remainder of the biennium, certainly is pleasing to my ears, because over the many years I think the words line budgeting have certainly been heard by me wherein it concerns the entire state program. With the feeling that I have for the present Finance Officer and the Finance Office, and the assurance that I have from them that insofar as they are concerned wherein state moneys are involved, be it on the state teacher college level or even those monies that the University of Maine—that is given to the state by the University of Maine would have absolute full scrutiny, I feel at this time that I'm willing at least with my vote to go along with this measure. I respect certainly the thinking of the gentleman from Stonington, Mr. Richardson when he says that it is easier to get in than it is to get out. I assure him of this, that God being willing, if this new project gets away somewhat markedly from the intent of the Legislature, which is line budgeting, I assure him that I for one will find a quick way for both of us to get out.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Stonington, Mr. Richardson, that L. D. 1849 "An Act relating to Coordination of Public Higher Education" be indefinitely postponed. The yeas and nays have been requested. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All of those desiring a roll call will vote yes, those opposed will vote no, and the Chair opens the vote.

A vote of the House was taken, and more than one fifth of the members present having expressed

a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is on the motion of the gentleman from Stonington, Mr. Richardson, that L. D. 1849 be indefinitely postponed. All those in favor of the indefinite postponement of this Bill will vote yes, those opposed will vote no, and the Chair opens the vote.

ROLL CALL

YEA — Baker, E. B.; Bedard, Berman, Bernard, Bunker, Carrier, Cookson, Cornell, Crommett, Curran, Cushing, Dennett, Drummond, Dudley, Edwards, Eustis, Farrington, Hanson, H. L.; Hawes. Henley, Hodgkins, Huber, Humphrey, Jewell, Lewis, Lincoln, Littlefield, McMann, McNally, Meisner, Minkowsky, Noyes, Porter, Rackliff, Richardson, G. A.; Robertson, Rocheleau, Ross, Sahagian, Scott, G. W.; Shaw, Snowe, P.; Soulas, Starbird, Tanguay, Thompson, Trask, Truman, Waltz, Wight, Williams.

NAY — Allen, Baker, R. E.; Belanger, Beliveau, Benson, Binnette, Birt, Boudreau, Bourgoin, Bradstreet, Bragdon, Brennan, Brown, M. F.; Brown, R.; Burnham, Carey, Carroll, Carswell, Champagne, Clark, Conley, Cote, Cottrell, Couture, Crockett, Crosby, D'Alfonso, Danton, Darey, Dickinson, Drigotas, Dunn, Durgin, Evans, Ewer, Fecteau, Fortier, Foster, Gaudreau, Gauthier, Gill, Hall, Hanson, B. B.; Hanson, P. K.; Harnois, Harriman, Harvey, Haynes, Healy, Hennessey, Hewis, Hichens, Hoover, Hunter, Immonen, Jalbert, Jameson, Jannelle, Keyte, Kilroy, Kyes, Lebel, Levesque, Lewin, Maddox, Martin, Miliano, Morrell, Mosher, Nadeau, J. F. R.; Nadeau, N. L.; Payson, Pendergast, Pike, Prince, Quimby, Richardson, H. L.; Rideout, Robinson, Sawyer, Scott, C. F.; Scribner, Shute, Snow, P. J.; Susi, Watts, Wheeler, White, Wood.

ABSENT — Buck, Fraser, Giroux, Hinds, Lycette, Philbrook, Quinn, Roy, Sullivan, Townsend.

Yes, 51; No, 89; Absent, 10.

The SPEAKER: The Chair will announce the vote. Fifty-one hav-

ing voted in the affirmative and eighty-nine having voted in the negative, the motion to indefinitely postpone does not prevail.

Thereupon, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

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

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

Order Out Of Order

On motion of Mrs. Baker of Winthrop, it was

ORDERED, that Exchange Students, Pissu Phocharoen from Thailand and staying in Yarmouth; Alberto Copelli from Italy and staying in Augusta; Aman Lutfy from Afghanistan and staying in Winthrop; Miss Judith Anne Douglas from New Zealand and staying in South Windham; and Miss Cristina Madero-Myra from Uruguay and staying in Dover-Foxcroft be appointed to serve as Honorary Pages for today.

Orders of the Day

The **SPEAKER**: The Chair recognizes the gentleman from Mechanic Falls, Mr. Foster.

Mr. **FOSTER**: Mr. Speaker, I would like to inquire if the House has in its possession House Paper 1335, L. D. 1879, Bill "An Act relating to Tax on Real Estate Transfers."

The **SPEAKER**: The answer is in the affirmative.

Thereupon, the House reconsidered its action of earlier in the day whereby the Bill was passed to be engrossed.

The same gentleman then offered House Amendment "A" and moved its adoption. House Amendment "A" (H-531) was read by the Clerk.

The **SPEAKER**: The Chair recognizes the gentleman from Belfast, Mr. Thompson.

Mr. **THOMPSON**: Mr. Speaker and Members of the House: I have read the amendment and I would like to pose a question to the gen-

tleman from Mechanic Falls, Mr. Foster. I don't see where this changes anything in the bill.

The **SPEAKER**: The gentleman from Belfast, Mr. Thompson, poses a question through the Chair to the gentleman from Mechanic Falls, Mr. Foster, who may answer if he chooses, and the Chair recognizes that gentleman.

Mr. **FOSTER**: The word "be" apparently is a typographical error. It's surplusage and does not make for good reading. With the deletion of it, then the full import will be set forth with the new reading.

The **SPEAKER**: The Chair recognizes the gentleman from Cape Elizabeth, Mr. Hewes.

Mr. **HEWES**: Mr. Speaker, in answer to the gentleman's question, the "be" that's to be stricken as I see it is actually the third line so that the sentence will read, "Failure by either the grantor or grantee to affix the stamps shall subject either or both," and although the amendment says it is the fourth line that includes the title line. I think that this amendment does improve the wording of the bill.

Thereupon, House Amendment "A" was adopted and the Bill passed to be engrossed as amended and sent to the Senate.

The **SPEAKER**: The Chair recognizes the gentlewoman from York, Mrs. Brown.

Mrs. **BROWN**: Mr. Speaker, I would inquire if the House has in its possession House Paper 1322, L. D. 1868, An Act relating to Hearings Before Water and Air Environmental Improvement Commission?

The **SPEAKER**: The Chair would advise the gentlewoman in the affirmative.

Thereupon, under suspension of the rules, the House reconsidered its action of January 16 whereby the Bill was passed to be enacted.

On further motion of the same gentlewoman, under suspension of the rules, the House reconsidered its action of January 12 whereby the Bill was passed to be engrossed.

Mrs. Brown of York then offered House Amendment "A" and moved its adoption.