

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Second Special Session

OF THE

One Hundred and First Legislature

OF THE

STATE OF MAINE

September 28 - September 30, 1964

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Monday, September 28, 1964

In compliance with a proclamation of His Excellency, Governor JOHN H. REED, the Senators convened in the Senate Chamber at ten o'clock in the morning, and were called to order by the Secretary, Chester T. Winslow.

Prayer by the Rev. Frederick Whittaker of Bangor.

The Secretary read the Proclamation:

STATE OF MAINE

Proclamation

By the Governor

WHEREAS, I deem it advisable that the Legislature of this State should meet in special session for the purpose of considering the following legislation:

Enactment of the Revised Statutes of 1964 and acts relating thereto;

Authorizing a General Fund Bond Issue for construction and equipment of pollution abatement facilities and acts relating thereto;

Pertaining to School Administrative Districts Nos. 31 and 34 and creating new School Administrative Districts;

Relating to composition of certain District Court Districts;

Authorizing the Maine-New Hampshire Interstate Bridge Authority to install a draw span on the Piscataqua River Bridge;

Authorizing the Attorney General to convey certain land to the Town of Raymond;

An Act Recreating the Constitutional Commission;

To consider any other legislation to promote the general welfare of the State.

NOW, THEREFORE, I, JOHN H. REED, Governor of the State of Maine, by virtue of the power vested in me as Governor, convene the Legislature of this State, hereby requiring the Senators and Representatives to assemble in their respective chambers at the

Capitol at Augusta on Monday, the twenty-eighth day of September, 1964 at ten o'clock in the morning in order to receive such communication as may then be made to them and to consider and determine on such measures as in their judgment will best promote the welfare of the State.

Given at the office of the Governor at Augusta and sealed with the Great Seal of the State of Maine, this eighth day of September in the year of (SEAL) our Lord One Thousand Nine Hundred and Sixty-four, and of the Independence of the United States of America, the One Hundred and Eighty-ninth.

JOHN H. REED
Governor

Paul A. MacDonald
Secretary of State

A true copy

Attest: Joseph T. Edgar
Deputy Secretary of State

Which was read and ordered placed on file.

The roll being called, the following Senators responded to their names:

ATHERTON, BOARDMAN, BOISVERT, BROOKS, BROWN, CAMPBELL, CHRISTIE, CRAM, CYR, EDMUNDS, FARRIS, FERGUSON, HARRINGTON, HICHBORN, HINDS, HOFFSESS, JACQUES, JOHNSON, KIMBALL, LETOURNEAU, LOVELL, MARDEN, NOYES, PHILBRICK, PORTEOUS, REED, SPROUL, STITHAM, WHITTAKER, WYMAN.

30 Senators having answered to the roll call, the Secretary declared that a quorum was present.

Mr. WYMAN of Washington: Mr. President and members of the Senate: Since our last special session one of our good friends, "Bill" Cole, has left us. "Bill" and I came here in 1955 and we became fast friends, but then I think "Bill" was a friend of everybody. I do not think I ever heard a mean word said about him. He gave unsparingly of his time to the State and he did more than

people know for the State of Maine. I wish that I were adequate to eulogize him as he should be, but then I think his life speaks for itself. I do wish to present this Resolution and move its passage.

State of Maine
Senate
101st Legislature

WHEREAS our esteemed colleague, the Senator from Waldo, WILLIAM R. COLE, has been removed from this body by his untimely demise, and

WHEREAS we, his colleagues, remember him as one of our most distinguished members for his unquestioned ability, integrity and diligence in performance of his senatorial duties, and

WHEREAS his long record of service to the State of Maine is reflected in the vast improvements to our highway system as a direct result of his dedication to this most important area of our State government

NOW, THEREFORE BE IT RESOLVED that under the direction of the Secretary of the Senate, a suitable portrait of the late Senator WILLIAM R. COLE be secured and hung in the Highway Committee hearing room, the legend to recognize his distinguished contribution to our highway system:

AND BE IT FURTHER RESOLVED that under the direction of the Secretary of the Senate, an engrossed copy of this resolution be presented to the widow of the late Senator WILLIAM R. COLE as an expression of the esteem in which he was held by his colleagues.

The Secretary read the Resolution.

Which Resolution was adopted.

The PRESIDENT: The Chair would like to read a communication from Waterford, Maine.

"Dear Bob:

I had trusted that I would be present at some of the meetings of the special session but it looks

more doubtful every day. If I am unable to be there will you kindly excuse my attendance."

The PRESIDENT: The Chair will write to Senator Harold Pike excusing his attendance regretfully.

Mr. LOVELL of York: Mr. President, might I briefly report on Senator Brewster?

THE PRESIDENT: The Senator may proceed.

Mr. LOVELL: Senator Brewster had a coronary heart attack about five or six weeks ago and he is in the hospital in York or was to the last of my knowledge. I visited him some two and half weeks ago. As it is very doubtful if he makes the special session he sends his kindest regards to all of the members of the Senate.

The PRESIDENT: Thank you Senator Lovell. We will see that word reaches him from this body expressing our regret.

On motion by Mr. EDMUNDS of Aroostook,

ORDERED, that a message be conveyed to the House of Representatives informing that body that a quorum of Senators is present for the consideration of such business as may come before the Senate.

Which was read and passed.

The PRESIDENT appointed the Senator from Aroostook, Senator Edmunds to convey the message.

Subsequently that Senator returned and reported that he had delivered the message with which he was charged.

A message was received from the House of Representatives informing the Senate that a quorum of the Representatives is present for the consideration of such business as may come before the Senate.

On motion by Mr. WYMAN of Washington

ORDERED, that a message be sent to His Excellency, the Governor, informing him that in obedience to his proclamation a quorum of Senators is assembled

in the Senate Chamber for the consideration of such business as may come before the Senate.

Which was Read and Passed.

The President appointed the following Senators to convey the message:

Senators:

WYMAN of Washington

BROWN of Hancock

JACQUES

of Androscoggin

The Committee retired, and subsequently reported that they had delivered the message with which they were charged.

On motion by Mr. EDMUNDS of Aroostook

ORDERED, the House concurring, that unless received by unanimous consent in both branches, no bill or resolve be considered at that Special Session except those designated Senate Paper 708, An Act to Revise and Consolidate the Public Laws of the State, and Legislative Documents Nos. 1678 to 1690 inclusive.

This order shall not apply to such bills or resolves as are intended only to facilitate the business of the Special Session. (SP 717)

Which was Read and Passed and sent forthwith to the House for concurrence.

On motion by Mr. CAMPBELL of Kennebec

ORDERED, that a message be sent to the House of Representatives proposing a Joint Convention to be held forthwith in the Hall of the House for the purpose of extending an invitation to the Governor to attend the Convention and present such communication as he may be pleased to make.

Which was Read and Passed.

The Secretary conveyed the message.

Subsequently a message was received from the House concurring in the foregoing proposition for a Joint Convention.

The Senate then proceeded to the House of Representatives where a Convention was formed.

(For proceedings of Joint Convention see House Report.)

In Senate

Senate called to order by the President.

COMMUNICATIONS

Department of State

State of Maine

Augusta

September 28, 1964

To the One Hundred and First Legislature:

In accordance with the request of Chief Justice Robert B. Williamson, I herewith transmit his arrangement of the Constitution with accompanying letter of transmittal and memorandum.

PAUL A MacDONALD

Secretary of State

Enclosures.

(S. P. 720)

Which was read and ordered place on file and sent to the House.

State of Maine

Supreme Judicial Court

To the 101st Legislature of the State of Maine:

In accordance with the provisions of Section 6, Article X of the Constitution of the State of Maine, I have the honor to submit herewith to the Legislature for approval an arrangement of the Constitution, as amended, "under appropriate titles and in proper articles, parts and sections, omitting all sections, clauses and words not in force and making no other changes in the provisions or language thereof."

I have adopted, with minor exceptions noted in an accompanying memorandum, the arrangement made by Chief Justice Fellows in 1954, which was approved by the Legislature, and published under the direction of the Secretary of State as authorized by Chapter 206 of the Resolves of 1953.

The present draft includes Articles LXXVIII through LXXXIX of the Amendments adopted since the publication of the arrangement made by Chief Justice Fellows.

On approval of a draft and arrangement, a table of amendments will be prepared substantially in

the form found in the pamphlet containing the Constitution entitled "Codification of 1955 with Supplemental Amendments" published by the Secretary of State. Dated: September 22, 1964.

Respectfully,

ROBERT B. WILLIAMSON
Chief Justice of the
Supreme Judicial Court
(SP 721)

Which was referred to the Committee on Judiciary and sent to the House for concurrence.

On motion by MR. STITHAM of Somerset,

ORDERED, that the Secretary of the Senate and Clerk of the House be directed to furnish to each member and officer of the Senate and House a copy of the State newspaper each morning during the present special session of the Legislature.

(SP 718)

Which was Read and Passed.
Sent down for concurrence.

Subsequently the foregoing order was returned from the House having been Read and Passed in concurrence.

On motion by MR. WHITTAKER of Penobscot

ORDERED, that three thousand (3,000) copies of the Governor's Message be printed.

Which was Read and Passed.

On motion by Mr. HOFFSES of Knox

ORDERED, the House concurring, that free telephone service be provided for each member of the Senate and House to the number of twenty-five (25) calls of reasonable duration from Augusta to points within the limits of the State of Maine, and that each member of the Senate and House be provided with a card to be certified to by the Secretary of the Senate and Clerk of the House, respectively; the cost of this service to be paid to the New England Telephone and Telegraph Company at regular tariff rates.

(S. P. 719)

Which was Read and Passed.

Sent down for concurrence.

Subsequently, the foregoing Order was returned from the House, having been Read and Passed in concurrence.

The President announced the appointment of the following Senators to fill existing vacancies in the membership of the several Joint Standing Committees, as follows:

Senator FERGUSON of Oxford to replace Senator COLE of Waldo as Chairman of the Committee on Highways; Senator KIMBALL of Hancock as a member of the Committee on Highways, and Senator GLASS of Waldo to replace Senator COLE as a member of the Committee on Natural Resources.

Appropriations and Financial Affairs

Senate Papers

Mr. CAMPBELL of Kennebec presented Bill "An Act to Authorize General Fund Bond Issue in Amount of Twenty-five Million Dollars and to Appropriate Moneys for Construction and Equipment of Pollution Abatement Facilities." (S. P. 713) (L. D. 1678)

Mr. EDMUNDS of Aroostook presented Bill, "An Act Providing for Approval of Legislature for Expenditure of Bond Proceeds for Pollution Abatement Facilities." (S. P. 714) (L. D. 1679)

Which were referred to the Committee on Appropriations and Financial Affairs.

Sent down for concurrence.

Education

Mr. HICHBORN of Piscataquis presented Bill, "An Act to Authorize School Administrative District No. 31 to Issue Bonds or Notes for Capital Outlay Purposes in an Amount Not to Exceed \$300,000." (S. P. 716) (L. D. 1631)

Which was referred to the Committee on Education. Sent down for concurrence.

Judiciary

Mr. FARRIS of Kennebec presented

Bill, "An Act to Revise and Consolidate the Public Laws of the State." (S. P. 708)

The same Senator presented

Bill, "An Act to Repeal the Acts Consolidated in the Revised Statutes of the Year One Thousand Nine Hundred and Sixty-four." (S. P. 709) (L. D. 1685)

The same Senator presented

Bill, "An Act Relating to Supplements as Part of the Revised Statutes." (S. P. 710) (L. D. 1685)

The same Senator presented

Bill, "An Act Relating to Sale and Distribution of the Revised Statutes, Supplements Thereto and the Session Laws." (S. P. 711) (L. D. 1687)

The same Senator presented

Resolve, "Approving Draft and Arrangement of the State Constitution Made by the Chief Justice of the Supreme Judicial Court, and Providing for its Publication and Distribution." (S. P. 712) (L. D. 1688)

The same Senator presented

Bill, "An Act Relating to Composition of Certain District Court Districts." (S. P. 715) (L. D. 1689)

Which were severally referred to the Committee on Judiciary, Sent down for concurrence.

House Papers — out of order

Bill, "An Act Reactivating the Constitutional Commission." (H.P. 1170) (L.D. 1680)

Which was referred to the Committee on Constitutional Amendments and Legislative Reapportionment in concurrence.

Bill, "An Act to Authorize the Municipalities of Addison, Cherryfield, Columbia, Columbia Falls, Harrington and Milbridge to Form a School Administrative District" (H.P. 1172) (L.D. 1682)

Bill "An Act to Validate Proceedings Authorizing the Issuance of Bonds by School Administrative District No. 34" (H. P. 1171) (L. D. 1683)

Which were referred to the Committee on Education in concurrence.

Bill, "An Act Authorizing the Maine-New Hampshire Interstate Bridge Authority to Install a Movable Draw Span on the Lower Deck Level at Pier 21 of the Piscataqua River Bridge" (H. P. 1173) (L.D. 1684)

Which was referred to the Committee on Highways in concurrence.

Resolve Authorizing the Attorney General to Convey Certain Land in Raymond to the Town of Raymond (H. P. 1174) (L. D. 1690)

Which was referred to the Committee on State Government in concurrence.

On motion by Mr. Edmunds of Aroostook, adjourned until tomorrow morning at 10 o'clock.