

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Second  
Legislature*

OF THE

STATE OF MAINE

1965

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

**HOUSE**

Friday, February 19, 1965

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. John Donovan of St. Francis Xavier Catholic Rectory, Winthrop.

The journal of the previous session was read and approved.

**Papers from the Senate**

From the Senate:

Bill "An Act relating to Study of Air Pollution" (S. P. 375) (L. D. 1192)

Bill "An Act Creating a State Commission on Registration and Voting Participation" (S. P. 376) (L. D. 1193)

Bill "An Act relating to Working Capital of Liquor Commission" (S. P. 377) (L. D. 1194)

Came from the Senate referred to the Committee on Appropriations and Financial Affairs.

In the House, referred to the Committee on Appropriations and Financial Affairs in concurrence.

From the Senate:

Bill "An Act Providing for Mandatory Cumulative Voting for Directors of Corporations" (S. P. 378) (L. D. 1195)

Came from the Senate referred to the Committee on Business Legislation.

In the House, referred to the Committee on Business Legislation in concurrence.

From the Senate:

Bill "An Act relating to Petition for Release of Respondents Acquitted on Basis of Mental Defect" (S. P. 380) (L. D. 1196)

Bill "An Act relating to Driving a Vehicle to Endanger" (S. P. 381) (L. D. 1197)

Bill "An Act relating to Conditions of Bail Accepted by Bail Commissioner" (S. P. 382) (L. D. 1198)

Came from the Senate referred to the Committee on Judiciary.

In the House, referred to the Committee on Judiciary in concurrence.

From the Senate:

Bill "An Act Revising the Electricians Licensing Laws" (S. P. 383) (L. D. 1199)

Came from the Senate referred to the Committee on Legal Affairs.

In the House, referred to the Committee on Legal Affairs in concurrence.

From the Senate:

Bill "An Act relating to Definition of Hotel under Liquor Laws" (S. P. 384) (L. D. 1200)

Came from the Senate referred to the Committee on Liquor Control.

In the House, referred to the Committee on Liquor Control in concurrence.

From the Senate:

Bill "An Act relating to Promotion of Locomotive Engineers without Experience" (S. P. 385) (L. D. 1201)

Came from the Senate referred to the Committee on Public Utilities.

In the House, referred to the Committee on Public Utilities in concurrence.

The SPEAKER: The Chair at this time would like to recognize in the balcony of the House sixty pupils from the seventh and eighth grades of the Emerson Grammar School of Richmond, who are accompanied by their Principal, Mr. James Abbott, Jr. and their teacher Mrs. Smith. They are the guests of Representative Millay of Bowdoinham.

On behalf of the House, the Chair welcomes you and we hope that your visit will be both educational and enjoyable. (Applause)

**Senate Reports of Committees  
Ought Not to Pass**

Report of the Committee on State Government reporting "Ought not to pass" on Bill "An Act relating to Appointment of State Humane Agents" (S. P. 72) (L. D. 133)

Came from the Senate read and accepted.

In the House, the Report was read and accepted in concurrence.

**Referred to  
Committee on Judiciary**

Report of the Committee on State Government on Bill "An Act Providing for Additional Trial Term in Penobscot County" (S. P. 211) (L. D. 592) reporting that it be referred to the Committee on Judiciary.

Came from the Senate with the Report read and accepted and the Bill referred to the Committee on Judiciary.

In the House, the Report was read and accepted and the Bill referred to the Committee on Judiciary in concurrence.

**Non-Concurrent Matter**

Report of the Committee on Sea and Shore Fisheries reporting "Ought not to pass" on Bill "An Act Regulating Digging of Clams in Wells, York County" (H. P. 538) (L. D. 712) which Report and Bill were recommitted to the Committee on Sea and Shore Fisheries in the House on February 16.

Came from the Senate with the Report accepted in non-concurrence.

In the House: On motion of Mr. Cressey of North Berwick, the House voted to recede and concur with the Senate.

On motion of the gentlewoman from Portland, Mrs. Wheeler, House Rule 25 was suspended for the remainder of today's session in order to permit smoking.

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn they adjourn to meet on Tuesday, February 23rd, at ten o'clock in the morning. (S. P. 419)

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

**Petitions, Bills and Resolves  
Requiring Reference**

The following Bills were received and, upon the recommenda-

tion of the Committee on Reference of Bills, were referred to the following Committees:

**Appropriations and  
Financial Affairs  
Tabled and Assigned**

Bill "An Act Providing for Longevity Pay for State Department Officers Whose Salaries are Fixed by Statute" (H. P. 970) (Presented by Mr. Jalbert of Lewiston)

(On motion of Mr. Berry of Cape Elizabeth, tabled pending reference and specially assigned for Tuesday, February 23.)

**Business Legislation**

Bill "An Act relating to Group Accident and Sickness Insurance" (H. P. 971) (Presented by Mr. Scott of Wilton)

(Ordered Printed)

Bill "An Act relating to Optional Provisions in Individual Accident and Health Insurance Policies" (H. P. 972) (Presented by Mr. Starbird of Kingman Township by request)

(Ordered Printed)

Sent up for concurrence.

**Health and Institutional Services**

Bill "An Act relating to the Registration of Apothecary Stores" (H. P. 973) (Presented by Mr. Kennedy of Milbridge)

(Ordered Printed)

Sent up for concurrence.

**Judiciary**

Bill "An Act relating to Payment of Accident and Health Insurance Claims" (H. P. 974) (Presented by Mr. Danton of Old Orchard Beach by request)

(Ordered Printed)

Sent up for concurrence.

**Labor**

Bill "An Act Repealing Application of Employment Security Law to Seasonal Employment" (H. P. 975) (Presented by Mr. Levesque of Madawaska)

(Ordered Printed)

Sent up for concurrence.

### Legal Affairs

Bill "An Act relating to the Operation of Watercraft and Water Skis" (H. P. 976) (Presented by Mr. Poulin of Skowhegan)  
(Ordered Printed)

Bill "An Act Concerning the Practice of Public Accountancy" (H. P. 977) (Presented by Mrs. Wheeler of Portland and Mr. Berry of Cape Elizabeth)  
(Ordered Printed)

Sent up for concurrence.

### Liquor Control

Bill "An Act Permitting Entrances from Class A Restaurants to Owners' Living Quarters" (H. P. 978) (Presented by Mr. Danton of Old Orchard Beach)  
(Ordered Printed)

Sent up for concurrence.

### State Government

Bill "An Act Entering the State of Maine into the New England Interstate Planning Compact" (H. P. 979) (Presented by Mr. Benson of Southwest Harbor)  
(Ordered Printed)

Sent up for concurrence.

### Taxation

Bill "An Act Providing State Tax on Deed Transfers" (H. P. 980) (Presented by Mr. Benson of Southwest Harbor)  
(Ordered Printed)

Bill "An Act relating to Exemption of Veteran's Property from Taxation" (H. P. 981) (Presented by Mr. Libhart of Brewer)  
(Ordered Printed)

Bill "An Act Repealing Trade-in Credit for Motor Vehicles under Sales Tax Law and Payment of Tax" (H. P. 982) (Presented by Mr. Martin of Eagle Lake)  
(Ordered Printed)

Sent up for concurrence.

### Orders

On motion of Mr. Bussiere of Lewiston, it was

ORDERED, that Rev. T. Lee Burns of St. Patrick's Church, Lewiston, be invited to officiate as Chaplain of the House on Tuesday, February 23, 1965.

On motion of Mr. Eustis of Dixfield, it was

ORDERED, that Rev. Lewis Mills of the Dixfield Congregational Church be invited to officiate as Chaplain of the House on Friday, March 5, 1965.

On motion of Mr. Levesque of Madawaska, it was

ORDERED, that Wednesday, March 24, 1965 be designated as "Welcome Back Day" in the House of Representatives; and be it further

ORDERED, that all former Speakers of the House, all former members of the House, and all former Officers of the House are hereby extended a cordial invitation to be guests of the House of Representatives of the 102nd Legislature in session on that date; and be it further

ORDERED, that each individual member of the present House be charged with the duty of urging all former House members from his district to avail themselves of the opportunity of returning on "Welcome Back Day" to renew old established friendships; and be it further

ORDERED, that a Committee consisting of the Speaker and three members of the House be instructed to further the plans for "Welcome Back Day".

(Off Record Remarks)

The SPEAKER: The Chair at this time would like to appoint the delegation to represent the 102nd Legislature at the special Founders Day Convocation at the University of Maine which is going to be on February 25, 1965 as authorized by Senate Joint Resolution, S. P. 374, adopted in concurrence in the House on February 12:

LEVESQUE  
of Madawaska  
BRENNAN of Portland  
BUCK of Southport  
CONLEY of Portland  
EDWARDS of Portland  
HAMMOND of Paris  
MARTIN of Eagle Lake

RICHARDSON  
of Cumberland  
SEARLES of Bangor

### House Reports of Committees Ought Not to Pass

Mr. Hunter from the Committee on Agriculture reported "Ought not to pass" on Bill "An Act Repealing the Bounty on Porcupines" (H. P. 218) (L. D. 286)

Mr. Brewer from the Committee on Claims reported same on Resolve in favor of Harry B. Philbrick of Augusta (H. P. 397) (L. D. 509)

Mr. Cote from the Committee on Liquor Control reported same on Bill "An Act relating to False Identification of Minors under Liquor Law" (H. P. 522) (L. D. 695)

Reports were read and accepted and sent up for concurrence.

### Ought to Pass in New Draft New Drafts Printed

Mrs. Hanson from the Committee on Education on Bill "An Act relating to Board Approval of School Administrative Districts" (H. P. 405) (L. D. 517) reported same in a new draft (H. P. 983) (L. D. 1255) under same title and that it "Ought to pass"

Mr. Pitts from the Committee on State Government on Bill "An Act Designating Remembrance of President John F. Kennedy a Legal Holiday" (H. P. 289) (L. D. 371) reported same in a new draft (H. P. 984) (L. D. 1254) under title of "An Act relating to School Observance of November Twenty-Second as John F. Kennedy Day" and that it "Ought to pass"

Reports were read and accepted, the New Drafts read twice and assigned the next legislative day.

### Ought to Pass Printed Bills

Mr. Drouin from the Committee on Claims reported "Ought to pass" on Resolve in favor of Lloyd Magoon of Mattawamkeag (H. P. 464) (L. D. 618)

Mr. Harvey of Woolwich from same Committee reported same

on Resolve to Reimburse George S. Graffam of Whitefield for Loss by Spraying Neighboring Blueberry Fields (H. P. 320) (L. D. 423)

Mrs. Lincoln from same Committee reported same on Resolve in favor of the Town of Milo (H. P. 398) (L. D. 510)

Mr. Carroll from the Committee on Education reported same on Bill "An Act to Reconstitute School Administrative District No. 21" (H. P. 323) (L. D. 426)

Same gentleman from same Committee reported same on Bill "An Act to Reconstitute School Administrative District No. 25" (H. P. 326) (L. D. 429)

Mr. Graham from same Committee reported same on Bill "An Act to Reconstitute School Administrative District No. 36" (H. P. 324) (L. D. 427)

Same gentleman from same Committee reported same on Bill "An Act to Reconstitute School Administrative District No. 26" (H. P. 328) (L. D. 431)

Mrs. Hanson from same Committee reported same on Bill "An Act to Reconstitute School Administrative District No. 30" (H. P. 325) (L. D. 428)

Same member from same Committee reported same on Bill "An Act to Reconstitute School Administrative District No. 37" (H. P. 406) (L. D. 518)

Mr. Richardson from same Committee reported same on Bill "An Act to Reconstitute School Administrative District No. 29" (H. P. 321) (L. D. 424)

Same gentleman from same Committee reported same on Bill "An Act to Reconstitute School Administrative District No. 27" (H. P. 403) (L. D. 515)

Mr. Levesque from the Committee on Labor reported same on Bill "An Act relating to Definition and Standards for Apprenticeship Agreements" (H. P. 231) (L. D. 300)

Same gentleman from same Committee reported same on Bill "An Act relating to Employment of Minors under 18 Years of Age" (H. P. 341) (L. D. 444)

Same gentleman from same Committee reported same on Bill "An Act relating to Employment of Minors under 16 Years of Age" (H. P. 342) (L. D. 445)

Reports were read and accepted, the Bills read twice, Resolves read once and assigned the next legislative day.

#### **Tabled and Assigned**

Mr. Levesque from the Committee on Labor reported "Ought to pass" on Bill "An Act relating to Improper Conditions for Industrial Safety" (H. P. 420) (L. D. 532)

Report was read.

(On motion of Mr. Kittredge of South Thomaston, tabled pending acceptance of Committee Report and specially assigned for Friday, February 26.)

Mr. Roy from the Committee on Liquor Control reported "Ought to pass" on Bill "An Act relating to Stock of Merchandise in Retail Stores under Liquor Law" (H. P. 152) (L. D. 175)

Mr. Doyle from the Committee on Public Utilities reported same on Bill "An Act to Incorporate Mapleton Water District" (H. P. 427) (L. D. 558)

Same gentleman from same Committee reported same on Bill "An Act relating to Boundaries of Madawaska Water District" (H. P. 530) (L. D. 704)

Reports were read and accepted, the Bills read twice, and assigned the next legislative day.

#### **Referred to Committee on State Government**

Mr. Bishop from the Committee on Appropriations and Financial Affairs on Bill "An Act Creating the Land Compensation Board Relating to Soil Conservation" (H. P. 302) (L. D. 405) reported that it be referred to the Committee on State Government.

Report was read and accepted, the Bill referred to the Committee on State Government and sent up for concurrence.

#### **Ought to Pass with Committee Amendment**

Mr. Richardson from the Committee on Education on Bill "An Act Requiring Approval of Early Childhood Education Programs" (H. P. 268) (L. D. 350) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT  
"A" to H. P. 268, L. D. 350, Bill, "An Act Requiring Approval of Early Childhood Education Programs."

Amend said Bill by striking out in the 5th line from the end the underlined word "shall" and inserting in place thereof the underlined word "may"

Committee Amendment "A" was adopted and the Bill assigned for third reading the next legislative day.

#### **Tabled and Assigned**

Mr. Libhart from the Committee on State Government on Bill "An Act to Establish a Keep Maine Scenic Program" (H. P. 291) (L. D. 373) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read.

(On motion of Mr. Crommett of Millinocket, tabled pending acceptance of Committee Report and specially assigned for Wednesday, February 24.)

Mr. Beane from the Committee on Transportation on Bill "An Act relating to Display of Lights on Motor Vehicles During Fog" (H. P. 181) (L. D. 202) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT  
"A" to H. P. 181, L. D. 202, Bill, "An Act relating to Display of

Lights on Motor Vehicles During Fog.”

Amend said Bill by inserting at the beginning of the first line the underlined abbreviation and figure ‘Sec. 1.’

Further amend said Bill by adding the following new section:

**Sec. 1. R. S., T. 29, § 1366, amended.** The last sentence of the 2nd paragraph of section 1366 of Title 29 of the Revised Statutes is amended to read as follows:

‘Said lamps and lights shall conform to and operate in accordance with the rules and regulations promulgated from time to time by the Secretary of State, and shall be lighted during the period from ½ hour after sunset to ½ hour before sunrise, and at any time when, due to insufficient light or unfavorable atmospheric condition, caused by fog or otherwise, persons and vehicles on the highway are not clearly discernible for a distance of 500 feet ahead, except as provided in section 1755.’ ”

Committee Amendment “A” was adopted and the Bill assigned for third reading the next legislative day.

#### Divided Report

Majority Report of the Committee on Transportation reporting “Ought to pass” on Bill “An Act relating to Tandem Axle Weights” (H. P. 60) (L. D. 335)

Report was signed by the following members:

Messrs. SHIRO of Kennebec  
MENDELL  
— of Cumberland  
— of the Senate.

Messrs. BEANE of Moscow  
KEYTE of Dexter  
BUSSIÈRE of Lewiston  
CROSBY of Kennebunk  
STORM of Sherman  
LEBEL of Van Buren  
— of the House.

Minority Report of same Committee reporting “Ought not to pass” on same Bill.

Report was signed by the following member:

Mr. CAHILL of Somerset  
— of the Senate.

Reports were read.

On motion of Mr. Gifford of Manchester, the Majority “Ought to pass” Report was accepted, the Bill read twice and assigned for third reading the next legislative day.

#### Divided Report

Majority Report of the Committee on Transportation reporting “Ought to pass” on Bill “An Act relating to the Transportation of Refrigerated Products” (H. P. 107) (L. D. 115)

Report was signed by the following members:

Messrs. SHIRO of Kennebec  
MENDELL  
— of Cumberland  
— of the Senate.

Messrs. CROSBY of Kennebunk  
BEANE of Moscow  
KEYTE of Dexter  
BUSSIÈRE of Lewiston  
LEBEL of Van Buren  
— of the House.

Minority Report of same Committee reporting “Ought not to pass” on same Bill.

Report was signed by the following members:

Mr. CAHILL of Somerset  
— of the Senate.  
Mr. STORM of Sherman  
— of the House.

Reports were read.

On motion of Mr. Binnette of Old Town, the Majority “Ought to pass” Report was accepted, the Bill read twice and assigned for third reading the next legislative day.

#### Passed to Be Engrossed

Bill “An Act Permitting Merger of Maine General Hospital with Maine Medical Center” (S. P. 69) (L. D. 130)

Bill “An Act relating to Traffic Ordinances” (S. P. 98) (L. D. 265)

Bill “An Act to Extend the Military Law to Females” (S. P. 105) (L. D. 272)

Bill “An Act relating to Ex Officio Member of Board of Education of City of Bath” (H. P. 77) (L. D. 87)



Bill "An Act relating to Secondary Facilities in a School Administrative District" (H. P. 269) (L. D. 351)

Were reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed and sent to the Senate.

### Third Reader Recommitted

Bill "An Act relating to Granting Licenses by Municipalities for Certain Businesses and Purposes" (H. P. 968) (L. D. 1191)

Was reported by the Committee on Bills in the Third Reading and read the third time.

On motion of Mr. Boissonneau of Westbrook, recommitted to the Committee on Legal Affairs and sent up for concurrence.

Resolve Designating U. S. Route No. 2 as the 43rd Infantry Division Memorial Highway (S. P. 156) (L. D. 396)

Was reported by the Committee on Bills in the Third Reading, read the second time, passed to be engrossed and sent to the Senate.

### Amended Bills

Bill "An Act to Correct Errors and Inconsistencies in the Sea and Shore Fisheries Laws" (S. P. 160) (L. D. 267)

Bill "An Act relating to the Freeport Water Company" (H. P. 286) (L. D. 368)

Resolve Reimbursing Certain Municipalities on Account of Property Tax Exemptions of Veterans (S. P. 47) (L. D. 218)

Were reported by the Committee on Bills in the Third Reading, Bills read the third time, Resolve read the second time, all passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

Bill "An Act relating to Group Life Insurance for State Employees Retired for Other Than Occupational Disability" (S. P. 57) (L. D. 118)

Was reported by the Committee on Bills in the Third Reading,

read the third time, passed to be engrossed as amended by Senate Amendment "A" and sent to the Senate.

### Orders of the Day

The Chair laid before the House the first tabled and today assigned matter:

HOUSE REPORT—"Ought to pass" as Amended by Committee Amendment "A"—Committee on Judiciary on Bill "An Act Extending Jurisdiction of Courts in Probation Cases." (H. P. 141) (L. D. 164)

Tabled—February 12, by Mr. Richardson of Cumberland.

Pending—Acceptance of Committee Report.

On motion of Mr. Richardson of Cumberland, the "Ought to pass" Report was accepted and the Bill read twice.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 141, L. D. 164, Bill, "An Act Extending Jurisdiction of Courts in Probation Cases."

Amend said Bill by striking out all of the 11th and 12th lines and inserting in place thereof the following: **'report the alleged violation to any Superior Court. When such Superior Court deems it'**

Committee Amendment "A" was adopted and the Bill assigned for third reading the next legislative day.

The Chair laid before the House the second tabled and today assigned matter:

Resolve, in Favor of Town of Woolwich for Loss of Tax Revenues. (H. P. 316) (L. D. 419)

Tabled—February 12, by Mr. Harvey of Woolwich.

Pending—Passage to be Engrossed.

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

Mr. BREWER: Mr. Speaker, in view of the fact that the Attorney General has requested a little more time to render a decision that has been requested of him, I would request the gentleman

from Woolwich, Mr. Harvey, to table this bill for another week.

Thereupon, on motion of Mr. Harvey of Woolwich, the Resolve was tabled pending passage to be engrossed and specially assigned for Friday, February 26.

The Chair laid before the House the third tabled and today assigned matter:

SENATE REPORT—"Ought to pass" as Amended by Committee Amendment "A"—Committee on Education on Bill "An Act relating to Part-Time School Attendance." (S. P. 59) (L. D. 120)

Tabled—February 17, by Mr. Lane of Waterville.

Pending—Acceptance in concurrence.

The Chair recognizes the gentleman from Ellsworth, Mr. Anderson.

Mr. ANDERSON: Mr. Speaker, Ladies and Gentleman of the House: I wonder how many of my colleagues have thoroughly looked over this bill and realize its implications. The Education Department is very unhappy with it, but of course they are very unhappy with a great many bills. But in this case, I think their concern is justified. Up to now this bill has had clear sailing. However, from study I found it to be a shared time bill to subsidize private education. This bill in effect subsidizes private schools indirectly about \$58 per every course taken per pupil, per year. Other states have tried this; they find that first, shared time is unconstitutional according to the general understanding of the first amendment. Second, the administrative problems are insurmountable. Third, shared time has a detrimental effect on public schools, also a detrimental effect on parochial schools. Shared time is not a solution to the public and parochial school controversy over federal aid to education. These conclusions have been published by the Research Division of the National Education Association. Therefore, Mr. Speaker, I ask for indefinite postponement

of this bill and request a division.

The SPEAKER: The question before the House now is on the motion of the gentleman from Ellsworth, Mr. Anderson, that this bill and its accompanying papers be indefinitely postponed.

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

Mr. CARROLL: Mr. Speaker, this bill was heard by your Education Committee and this bill received an unanimous "Ought to pass" report. It seems to me that we are back at the same old place doing the same old tricks again. Now this bill is a good bill and we have heard the pros and cons on this bill. This bill should be passed because this part-time—this so-called shared time, we go right back to the same old thing all the time. This isn't parochial, this is helping private schools. We are trying to educate the children of the State of Maine and I don't care what school they go to. I think that these children are entitled to have all the facilities of this State at their disposal. They have to go out and compete with all other children all over the world and we want to make this opportunity for them so that they can have part-time courses, they can go to another school and get what their school does not offer. I feel that this bill should be passed and it should not be tabled.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I think Mr. Carroll has pointed out something, that the Committee on Education has heard this bill and at no time during the hearing on this matter was there any indication on anybody's part that this was going to be in any way affecting the first amendment of the Constitution. This bill is perfectly in order and there is absolutely no doubt that this is constitutional and that if this is the only thing that the State of Maine is going to help to do that would be un-

constitutional by helping any of these students to get a fair share of their education, and only you as ladies and gentlemen of this House will know that we are not doing a hundred per cent effort to educate all of our students. So I believe that if we can do this little fair share on our part to make sure that all the students regardless of what school they are going to should get this fair share. This is something that we owe to them. Thank you.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Ellsworth, Mr. Anderson, that this bill and its accompanying papers be indefinitely postponed. All those in favor of this bill and its accompanying papers being indefinitely postponed will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

One having voted in the affirmative and one hundred twenty-six having voted in the negative, the motion for indefinite postponement did not prevail.

Thereupon, the "Ought to pass" Report was accepted in concurrence and the Bill read twice.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to S. P. 59, L. D. 120, Bill, "An Act Relating to Part-Time School Attendance."

Amend said Bill by adding at the end thereof the following:

"Sec. 3. R. S., T. 20, § 3721, amended. The last paragraph of section 3721 of Title 20 of the Revised Statutes is amended by adding at the end, a new sentence, as follows:

**'Pupils attending school on a part-time basis shall be counted as .2 of a pupil for each class period which they attend.'**

Sec. 4. R. S., T. 20, § 3722, amended. The 3rd paragraph of the Revised Statutes is amended by adding at the end, a new sentence, as follows:

**'Pupils attending school on a part-time basis shall be counted**

**as .2 of a pupil for each class period which they attend.'**

Sec. 5. R. S., T. 20, § 3723, amended. The 2nd paragraph of section 3723 of Title 20 of the Revised Statutes is amended by adding after the 2nd sentence, a new sentence, as follows:

**'Pupils attending school on a part-time basis shall be counted as .2 of a pupil for each class which they attend.'**

Committee Amendment "A" was adopted in concurrence and the Bill assigned for third reading the next legislative day.

The Chair laid before the House the fourth tabled and today assigned matter:

HOUSE REPORT—"Ought to pass" as Amended by Committee Amendment "A"—Committee on Towns and Counties on Bill "An Act Permitting County Commissioners of Somerset County to Combine Certain Unorganized Territory Road Accounts." (H. P. 179) (L. D. 200)

Tabled—February 17, by Mr. Poulin of Skowhegan.

Pending—Acceptance.

On motion of Mr. Poulin of Skowhegan, the "Ought to pass" Report was accepted and the Bill read twice.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 179, L. D. 200, Bill, "An Act Permitting County Commissioners of Somerset County to Combine certain Unorganized Territory Road Accounts."

Amend said Bill by striking out all of the 4th, 5th and 6th lines and inserting in place thereof the following: 'said moneys for maintenance and snow removal on the new roads to Long Falls, Somerset County, within these 3 townships being entirely within the unorganized territory.'

Committee Amendment "A" was adopted and the Bill assigned for third reading the next legislative day.

The Chair laid before the House the fifth tabled and today assigned matter:

Bill "An Act relating to State Retirement Benefits for Certain Teachers." (H. P. 788) (L. D. 931)

Tabled—February 17, by Mrs. Carswell of Portland.

Pending—Passage to be Engrossed.

On motion of Mrs. Carswell of Portland, retabled until later in today's session.

The SPEAKER: The House will be in recess for ten minutes until the sound of the gong.

### After Recess

Called to order by the Speaker.

The SPEAKER: In reference to House Paper 89, Legislative Document 98, An Act Relating to Pensions for Certain Retired Teachers, on February 17, we reconsidered our action whereby this had been engrossed on February 12. At that time on February 17 when we reconsidered our action, the rules should have been suspended and they were not. Is there any objection now to the action that we took on February 17? The Chair hears none.

The Chair laid before the House the matter tabled earlier in today's session by Mrs. Carswell of Portland:

Bill "An Act relating to State Retirement Benefits for Certain Teachers," H. P. 788, L. D. 931.

Mrs. Carswell of Portland offered House Amendment "A" and moved its adoption.

House Amendment "A" was read by the Clerk as follows:

HOUSE AMENDMENT "A" to H. P. 788, L. D. 931, Bill, "An Act Relating to State Retirement Benefits for Certain Teachers."

Amend said Bill, in the Title, by adding at the end before the period the following 'and Increasing Pensions for Certain Retired School Superintendents'

Further amend said Bill by inserting after section 1, the following:

"Sec. 1-A. R. S., T. 5, § 1121, sub-§ 2, ¶ G, additional. Subsection 2 of section 1121 of Title 5 of the Revised Statutes is amend-

ed by adding a new paragraph G to read as follows:

'G. Paragraph C shall apply to all superintendents employed in any public school who have been retired under an order issued by the Governor and Council and are now receiving benefits, providing such benefits are less than those authorized by said paragraph C.'"

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Katz.

Mr. KATZ: Mr. Speaker, may I ask a question through the Chair to any member of the Committee, whether or not the appropriation which is attached to this bill is expanded by House Amendment "A"?

The SPEAKER: The gentleman from Augusta poses a question to any member of the House who may answer if he so desires.

The Chair recognizes the gentleman from Portland, Mrs. Carswell.

Mrs. CARSWELL: Mr. Speaker and Members of the House: I first should explain how this happened. The Committee on Retirement and Pensions had a bill No. 100 and one of the members on the Committee thought that L. D. 931 would take care of 100, so we took his word for it. Later on when I got home I studied the bill and I saw that it would not take care of L. D. 100. This was superintendents and there are about four, so the sponsor of L. D. 100 is Sanford Jack Prince of Harpswell. I explained it to him and told him that the Committee was in favor of 100; however, they thought that another bill had taken care of it. So, I told him that I would put an amendment in to take care of this omission.

The SPEAKER: The Chair recognizes the gentleman from Harpswell, Mr. Prince.

Mr. PRINCE: Mr. Speaker, Members of the House: Mrs. Carswell, the gentlewoman from Portland, has explained, I think, perhaps all that is necessary to say about this L. D. There are three or four aged superintendents in the State of Maine that in 1957 automatically received twelve hundred dollars in the retirement sys-

tem. In '59 there was an amendment made and again another mistake which was supposed to include these aged teachers, so that any teacher that taught thirty-five years was increased to \$1550. Now all that this amendment is doing is putting these three or four aged superintendents in the category with the teachers that have taught the thirty-five years. Thank you.

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

On the part of the House, the Speaker appointed the following

Conferees to the Joint Conference Committee on the disagreeing action of the two branches on Bill "An Act to Authorize the Town of Pownal to Form a School Administrative District," House Paper 47, Legislative Document 59: Messrs. GRAHAM of Freeport

MARTIN of Eagle Lake  
HAMMOND of Paris

On motion of Mr. Fecteau of Biddeford,

Adjourned until Tuesday, February 23, at ten o'clock in the morning.