

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Special Session

OF THE

*One Hundred and Second
Legislature*

OF THE

STATE OF MAINE

1966

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Monday, January 24, 1966

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

Prayer by the Rev. Mr. T. Lee Burns of Lewiston.

The members stood at attention during the playing of the National Anthem.

The journal of the previous session was read and approved.

Papers from the Senate

From the Senate: The following Resolution: (S. P. 711)

STATE OF MAINE

In the Year of Our Lord One Thousand Nine Hundred and Sixty-Six.

Ratification of Amendment to the Constitution of the United States relating to Presidential Succession and Inability.

Resolution, Ratifying the Proposed Amendment to the Constitution of the United States Relating to Presidential Succession and Inability.

Whereas, the Eighty-ninth Congress of the United States of America, at the First Session begun and held at the City of Washington, on Wednesday, the sixth day of January, one thousand nine hundred and sixty-five, by a constitutional two-thirds vote in both Houses adopted a Joint Resolution proposing an amendment to the Constitution of the United States, to wit:

Joint Resolution

Proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice Presidency and to cases where the President is unable to discharge the powers and duties of his office.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents

and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"Article—

"Section 1. In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

"Sec. 2. Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

"Sec. 3. Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

"Sec. 4. Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

"Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written

declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office."

Therefore, be it

Resolved, That the Legislature of the State of Maine hereby ratifies and adopts this proposed Amendment to the Constitution of the United States.

Resolved, That the Secretary of State of the State of Maine notify the President of the United States, the Secretary of State of the United States, the President pro tempore of the Senate of the United States, the Speaker of the House of Representatives of the United States, the Administrator of General Services of the United States, and each Senator and Representative from Maine in the Congress of the United States of this action of the Legislature by forwarding to each of them a certified copy of this Resolution.

Came from the Senate read and adopted.

In the House, the Resolution was read and adopted in concurrence.

Senate Reports of Committees Ought Not to Pass

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Resolve Providing Funds for Urban Planning (S. P. 685) (L. D. 1723)

Report of the Committee on Public Utilities reporting same on Bill "An Act relating to Permits by Highway Commission for

Trucks in Construction Areas" (S. P. 686) (L. D. 1769)

Came from the Senate read and accepted.

In the House, Reports were read and accepted in concurrence.

Ought to Pass

Report of the Committee on Judiciary reporting "Ought to pass" on Bill "An Act to Clarify Clerical Assistance for Justices of the Superior Court" (S. P. 657) (L. D. 1644)

Report of the Committee on Retirements and Pensions reporting same on Bill "An Act relating to Contributions of State Police to State Retirement System" (S. P. 608) (L. D. 1618)

Report of the Committee on State Government reporting same on Bill "An Act Establishing a State Commission on the Arts and the Humanities" (S. P. 667) (L. D. 1700)

Came from the Senate with the Reports read and accepted and the Bills passed to be engrossed.

In the House, the Reports were read and accepted in concurrence, the Bills read twice and tomorrow assigned.

Ought to Pass with Committee Amendment

Report of the Committee on Highways on Bill "An Act to Provide for the Reconstruction or Enlargement of the International Bridge at Calais, Known as the Milltown Bridge" (S. P. 678) (L. D. 1716) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A".

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

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

COMMITTEE AMENDMENT
"A" to S. P. 678, L. D. 1716, Bill "An Act to Provide for the Reconstruction or Enlargement of the International Bridge at Calais, Known as the Milltown Bridge."

Amend said Bill by inserting before the enacting clause, the following:

'Emergency Preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Milltown Bridge at Calais is in need of reconstruction or enlargement; and

Whereas, an agreement with proper Canadian authorities to reconstruct or enlarge said bridge will be completed shortly; and

Whereas, the following legislation is vitally necessary to prevent undue hazards and dangers to the travelling public between Calais and New Brunswick and the work on said bridge should be commenced as soon as possible; and

Whereas, in the judgment of the Legislature these facts create an emergency within the meaning of the Constitution of Maine, and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Further amend said Bill by adding at the end thereof the following:

'Emergency Clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.'

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

Report of the Committee on Retirements and Pensions on Bill "An Act to Liberalize Credit for Out-of-State Service for Teachers under State Retirement Law" (S. P. 609) (L. D. 1611) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment."

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

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

COMMITTEE AMENDMENT
"A" to S. P. 609 L. D. 1611, Bill, "An Act to Liberalize Credit for Out-of-State Service for Teachers Under State Retirement Law."

Amend said Bill by striking out in the Title the words "for Teachers"

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

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

Report of the Committee on State Government on Bill "An Act Increasing Salary of State Auditor" (S. P. 611) (L. D. 1635) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A".

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

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

COMMITTEE AMENDMENT
"A" to S. P. 611, L. D. 1635, Bill, "An Act Increasing Salary of State Auditor."

Amend said Bill by striking out all of the Title and inserting in place thereof the following: 'An Act Increasing the Salaries of State Auditor and Attorney General.'

Further amend said Bill by striking out all of section 1 and inserting in place thereof the following:

"Sec. 1. R. S., T. 5, Sec. 191, amended. The 6th sentence of section 191 of Title 5 of the Revised Statutes is amended to read as follows:

'The Attorney General shall have an office in the State Capitol and shall receive an annual salary of \$11,000 \$12,000 in full for all services and in lieu of all fees.'

(There is appropriated from the General Fund the sum of \$500 for the fiscal year ending June 30, 1966 and the sum of \$1,000 for the fiscal year ending June 30, 1967 to carry out the purposes of this section.)

Sec. 2. R. S., T. 5, Sec. 241, amended. The last sentence of section 241 of Title 5 of the Revised Statutes is amended to read as follows:

'He shall receive an annual salary of \$11,000 \$12,000.'

(There is appropriated from the General Fund the sum of \$500 for the fiscal year ending June 30, 1966 and the sum of \$1,000 for the fiscal year ending June 30, 1967 to carry out the purposes of this section.)"

Further amend said Bill by renumbering section 2 to be section 3.

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

Report of the Committee on State Government on Bill "An Act to Revise the Maine Industrial Building Authority Law" (S. P. 632) (L. D. 1607) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A".

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

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

COMMITTEE AMENDMENT "A" to S. P. 632, L. D. 1607, Bill, "An Act to Revise the Maine Industrial Building Authority Law."

Amend said Bill in section 3 by striking out in the 7th line (6th line in L. D. 1607) the underlined word "**personalty**" and inserting in place thereof the underlined words '**personal property**'

Further amend said Bill by inserting after section 4, a new section 5 as follows:

"Sec. 5. R. S., T. 10, Sec. 803, amended. The first paragraph of section 803 of Title 10 of the Revised Statutes is amended to read as follows:

'The authority is authorized upon application of the proposed mortgagee to insure mortgage payments required by a first mortgage on any industrial project, upon such terms and conditions as the authority may prescribe, provided the aggregate amount of principal obligations of all mortgages so insured outstanding at any one time shall not exceed the amount set forth in the Constitution of Maine, Article IX, section 14 A, as it may be from time to time amended \$40,000,000. To be eligible for insurance under this chapter a mortgage shall: ' "

Further amend said Bill in section 8 by striking out in the 7th line (6th and 7th of L. D. 1607) the following: "any tenant Lessee or information supplied by a n y tenant Lessee," and inserting in place thereof the following: 'any lessee or tenant or information supplied by any lessee, tenant, ; and by striking out in the next to the last line (same in L. D. 1607) the following: "tenant lessee" and inserting in place thereof the following: 'lessee, tenant'

Further amend said Bill by renumbering sections 5 to 8 to read sections 6 to 9 respectively.

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

Orders

Tabled and Assigned

Mr. Dudley of Enfield presented the following Order and moved its passage:

WHEREAS, Maine is internationally famous for its recreational facilities and possibilities, and

WHEREAS, our State and local governmental agencies are promoting the recreational industry on a wide scale, and

WHEREAS, we have seven million Canadian neighbors who do not have ready access to these resources and who likewise have no efficient link between two of their great provinces, and

WHEREAS, there lies therein the potential for a tremendous and favorable impact on all phases of Maine economy, it is hereby

ORDERED, that a study be made of the feasibility of an adequate modern trans-Maine highway linking the Eastern Townships, Sherbrooke areas of Quebec and New Brunswick utilizing to the fullest practical extent Route No. 6, the first and only trans-Maine Highway so designated on the State Highway map, and be it further

ORDERED, the Senate concurring, that a committee of seven be appointed, including one Engineer from the State Highway Commission; three Senators to be appointed by the President of the Senate; and three Representatives to be appointed by the Speaker of the House, and that the sum of \$1,000 be appropriated from the Highway Fund to carry out the purposes of this Order.

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

Mr. BERRY: Mr. Speaker and Members of the House: The matter of improving relations with Canada is something that is close to the hearts of all members of, I am sure, the Maine State Legislature and one of the best ways to improve our relations with Canada is the construction of an east-west highway in Maine, and I think that the gentleman from Enfield, Mr. Dudley, is to be congratulated on his initiative and foresight in placing this order in.

However, I am somewhat distressed that the order specifically limits the inquiry in the field of exploration to what in my opinion is too narrow an area. The exact location of a highway is something that can only be determined after proper financial and technical investigation. I think it would be a mistake to prejudge the location of an east-west highway in Maine. However, in view of the fact that the order has a great deal of merit, it would be my hope that this could be reworded so that the committee, which is excellently prepared here as far as makeup goes, would have a wider field of investigation.

The SPEAKER: The House may be at ease.

House at Ease

Called to order by the Speaker.

Thereupon, on motion of Mr. Palmer of Phillips, the Order was tabled pending passage and tomorrow assigned.

Mr. Susi of Pittsfield presented the following Resolution and moved its adoption:

RESOLUTION CONGRATULATING MEMBERS OF THE MAINE DENTAL ASSOCIATION ON CENTENNIAL ANNIVERSARY.

Whereas, the Maine Dental Association is celebrating its 100th anniversary in June 1966; and

Whereas, the Association was organized September 25th, 1866 with twenty-one charter members and one honorary member, and there are now over four hundred members; and

Whereas, the Association has consistently supported all dental health preventative measures which have resulted in better dental health for all citizens of the State of Maine; now, therefore, be it

Resolved: That the Members of the House of Representatives extend sincere congratulations and best wishes to all the members of the Maine Dental Association on this centennial anniversary; and be it further

Resolved: That the Clerk of the House of Representatives be instructed to send properly inscribed copies of this Resolution to Dr. Glen R. Hausen, 188 State Street, Portland, Maine, President of the Maine Dental Association and Dr. John W. Trinward, Main Street, Bethel, Maine, General Chairman of the Centennial Committees.

Thereupon, the Resolution was adopted.

House Reports of Committees Leave to Withdraw Covered by Other Legislation

Mr. Faucher from the Committee on Appropriations and Financial Affairs on Resolve Appropriating Funds for the "Edmund S.

Muskie Regional Airport" (H. P. 1247) (L. D. 1742) reported Leave to Withdraw, as covered by other legislation.

Same gentleman from same Committee reported same on Bill "An Act Appropriating Funds for the Operation of the Maine Highway Safety Committee" (H. P. 1272) (L. D. 1767)

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass Tabled and Assigned

Mr. Martin from the Committee on State Government reported "Ought not to pass" on Bill "An Act Amending the Duties of the Clerk of the Land Damage Board" (H. P. 1219) (L. D. 1687)

Report was read.

(On motion of Mr. Levesque of Madawaska, tabled pending acceptance of Committee Report and tomorrow assigned.)

Referred to Next Legislature

Mr. Jalbert from the Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Funds for a Swimming Pool in Gymnasium at Pineland Hospital and Training Center" (H. P. 1203) (L. D. 1671) reported that it be referred to the 103rd Legislature.

Report was read and accepted, the Bill referred to the 103rd Legislature, and sent up for concurrence.

Ought to Pass in New Draft New Draft Printed

Mr. Libhart from the Committee on State Government on Bill "An Act relating to Insurance on Public Buildings" (H. P. 1236) (L. D. 1731) reported same in a new draft (H. P. 1288) (L. D. 1793) under title of "An Act Establishing the Maine Insurance Advisory Board and Reserve Fund for Uninsured Losses" and that it "Ought to pass"

Report was read and accepted, the New Draft read twice and tomorrow assigned.

Ought to Pass Printed Bills

Mr. Fortier from the Committee on Industrial and Recreational Development reported "Ought to pass" on Resolve Relating to Unexpended Balance of Appropriation of State Park on Lower Range Pond, Poland, Androscoggin County (H. P. 1178) (L. D. 1646)

Mr. Huber from the Committee on Transportation reported same on Bill "An Act relating to Reciprocity and Definition of Automobile under Motor Vehicle Laws" (H. P. 1260) (L. D. 1755)

Reports were read and accepted, the Bill read twice, Resolve read once, and tomorrow assigned.

Ought to Pass with Committee Amendment

Mr. Berry from the Committee on State Government on Bill "An Act to Establish the Position of Federal-State Coordinator" (H. P. 1270) (L. D. 1765) 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 Assistant Clerk as follows:

COMMITTEE AMENDMENT
"A" to H. P. 1270, L. D. 1765, Bill, "An Act to Establish the Position of Federal-State Coordinator."

Amend said Bill by striking out in the Title the word "Position" and inserting in place thereof the word 'office'

Further amend said Bill by striking out all of section 1 and inserting in place thereof the following:

'Sec. 1. Office of Federal-State Coordinator, established. There is established within the Executive Department the office of Federal-State Coordinator.'

Further amend said Bill by striking out all of section 4 and inserting in place thereof the following:

'Sec. 4. Appropriation. There is appropriated from the General Fund to the Executive Department the sum of \$36,480 for the fiscal

year ending June 30, 1967 for the administration of this Act. The breakdown of expenditure shall be as follows:

EXECUTIVE	
DEPARTMENT	1966-67
Administration	
Personal Services	(2) \$19,680
All Other	15,000
Capital Expenditures	1,800
	<hr/> \$36,480'

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Mr. Katz from the Committee on State Government on Bill "An Act to Create the Maine Recreation Authority" (H. P. 1209) (L. D. 1677) 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 Assistant Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 1209, L. D. 1677, Bill, "An Act to Create the Maine Recreation Authority."

Amend said Bill by striking out all of the 2nd underlined paragraph of section 5051 of section 1 and inserting in place thereof the following:

'All the members of the authority shall be reimbursed for their actual expenses necessarily incurred in the performance of their duties.'

Further amend said Bill by striking out all of the first underlined paragraph of section 6003 of section 1 and inserting in place thereof the following:

'The authority is authorized upon application of the proposed mortgage on any recreational project, upon such terms and conditions as the authority may prescribe, provided the aggregate amount of principal obligations of all mortgages so insured outstanding at any one time shall not exceed the amount set forth in section 14-B of Article IX of the Constitution as it may be amended from time to time. To be eligible for insurance under the provisions of this chapter a mortgage shall:'

Further amend said Bill by striking out all of the underlined subsections 2 and 3 of section 6003 of section 1 and inserting in place thereof the following:

'2. Principal obligations; limit. Involve a principal obligation, including initial service charges and appraisals, inspection and other fees approved by the authority, in an amount of not less than \$50,000 for any one project and not to exceed 90 per cent of the cost of the project;

3. Maturity; limit. Have a maturity satisfactory to the authority but in no case later than 25 years from the date of the insurance;'

Further amend said Bill by striking out all of the underlined sections 6006 and 6007 of section 1 and inserting in place thereof the following:

'Sec. 6006. Acquisition and disposal of property

The authority may take assignments of insured mortgages and other forms of security and may take title by foreclosure or conveyance to any recreational project when an insured mortgage loan thereon is clearly in default and when in the opinion of the authority such acquisition is necessary to safeguard the fund, and may sell, or on a temporary basis lease or rent, such recreational project for a use other than that specified in section 5003, subsection 9.

Sec. 6007. Default; temporary lease or rental

When a local development corporation does not meet mortgage payments insured by the authority by reason of vacancy of its recreational project, the authority, for the purpose of maintaining income from recreational projects on which mortgage loans have been insured by the authority and for the purpose of safeguarding the fund, may grant the local development corporation permission to lease or rent the property to a responsible lessee or tenant for a use other than that specified in section 5003, subsection 9, such lease or rental to be temporary in nature and subject to such conditions as the authority may prescribe.'

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Passed to Be Engrossed

Bill "An Act relating to the Powers of Trust Companies" (S. P. 615) (L. D. 1606)

Bill "An Act relating to the Staff of Vocational Rehabilitation" (S. P. 628) (L. D. 1608)

Bill "An Act relating to the State Valuation Used in the Educational Subsidy Computation for the Town of Dedham" (S. P. 634) (L. D. 1623)

Bill "An Act to Reconstitute School Administrative District No. 38" (S. P. 642) (L. D. 1599)

Bill "An Act to Incorporate the Seal Cove Water District" (H. P. 1177) (L. D. 1645)

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 Tabled and Assigned

Bill "An Act Authorizing Medical Care Administration Positions for the Department of Health and Welfare" (H. P. 1232) (L. D. 1727)

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

(On motion of Mr. Berry of Cape Elizabeth, tabled pending passage to be engrossed and tomorrow assigned.)

Bill "An Act to Provide Special Administrative Positions in the Department of Health and Welfare" (H. P. 1233) (L. D. 1728)

Bill "An Act to Correct an Error and Inconsistency in the Maine Housing Authorities Act" (H. P. 1238) (L. D. 1733)

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 Amended

Bill "An Act Clarifying Merger and Guaranty Capital Voting Rights in Domestic Mutual Companies" (H. P. 1242) (L. D. 1737)

Was reported by the Committee

on Bills in the Third Reading and read the third time.

Mr. Roy of Winslow offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1242, L. D. 1737, Bill, "An Act Clarifying Merger and Guaranty Capital Voting Rights in Domestic Mutual Companies."

Amend said Bill by inserting after the underlined word "Any" in the 6th line (4th line of L. D. 1737) the underlined words 'one or more'

Further amend said Bill by inserting after the underlined words and punctuation "with, any" in the 9th line (6th line of L. D. 1737) the underlined words 'one or more'

Further amend said Bill by striking out in the 7th line of the 2nd paragraph (6th line of the 2nd paragraph of L. D. 1737) the underlined words "present and"; and by inserting after the underlined word "voting" the underlined words 'in person or by proxy'

Further amend said Bill by striking out in the 14th line of the 2nd paragraph (12th line of the 2nd paragraph of L. D. 1737) the underlined word "printed" and inserting in place thereof the underlined word 'circulated'

Further amend said Bill by adding at the end of the 2nd underlined paragraph of section 504-A of section 1 the following: 'Notice to members of the foreign mutual company shall be in accordance with the law of said jurisdiction.'

Further amend said Bill by inserting after the underlined words and comma "guaranty capital," in the 6th line from the end of section 2 (5th line from the end of section 2 in L. D. 1737) the underlined punctuation and words 'paid in, in cash, and invested as provided in section 596,'

House Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Bill "An Act Providing for Cost of Living Plan for Retired Em-

ployees of Cumberland County or Beneficiaries of Same" (H. P. 1245) (L. D. 1740)

Bill "An Act Appropriating Funds to Construct Bridge Across Molunkus Stream, Macwahoc Plantation, Aroostook County" (H. P. 1248) (L. D. 1743)

Bill "An Act Exempting Municipalities from Financial Responsibility for Medical Care in Aid to Dependent Children" (H. P. 1250) (L. D. 1745)

Bill "An Act Increasing Salary of Register of Deeds of Washington County" (H. P. 1253) (L. D. 1748)

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

Amended Bills

Tabled Until Later in Today's Session

Bill "An Act Providing Convenience and Advantage for Loan Companies and Small Loan Agencies" (S. P. 606) (L. D. 1619)

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

(On motion of Mr. Kennedy of Milbridge, tabled pending passage to be engrossed and assigned for later in today's session.)

Bill "An Act Appropriating Moneys for the Continuing Activities of the Committee on Aging" (S. P. 610) (L. D. 1624)

Bill "An Act to Appropriate Moneys for the Expenditures of State Government" (S. P. 618) (L. D. 1613)

Bill "An Act Appropriating Funds for the Establishment of a Speech and Hearing Referral and Training Center at Farmington State College" (S. P. 629) (L. D. 1639)

Bill "An Act relating to the Effective Date for the Tenth Justice of the Superior Court" (S. P. 656) (L. D. 1602)

Bill "An Act Appropriating Funds for Increased Staff at the Bangor State Hospital" (S. P. 676) (L. D. 1714)

Bill "An Act to Authorize the Issuance of Bonds in the Amount of Two Million Five Hundred

Thousand Dollars on Behalf of the State of Maine to Construct an Office Building for the State Highway Commission" (H. P. 1194) (L. D. 1662)

Bill "An Act relating to Refund of Fuel Tax to Companies Furnishing Common Carrier Passenger Service" (H. P. 1235) (L. D. 1730)

Bill "An Act to Authorize the Department of Health and Welfare to Collect Fees for Services" (H. P. 1251) (L. D. 1746)

Bill "An Act Appropriating Funds for Additional State Police Officers" (H. P. 1264) (L. D. 1759)

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

Amended Third Reader Tabled and Assigned

Bill "An Act relating to Employment of State Criminal Inspectors in the Office of Attorney General" (H. P. 1267) (L. D. 1762)

Was reported by the Committee on Bills in the Third Reading, read the third time and passed to be engrossed as amended by Committee Amendment "A".

Subsequently, on motion of Mr. Levesque of Madawaska, the House voted to reconsider its action whereby this Bill was passed to be engrossed as amended by Committee Amendment "A".

On further motion of the same gentleman, tabled pending passage to be engrossed and tomorrow assigned.

Amended Third Reader Tabled and Assigned

Bill "An Act Appropriating Funds for Additional Radar Sets for the State Police" (H. P. 1271) (L. D. 1766)

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

(On motion of Mr. Dudley of Enfield, tabled pending passage to be engrossed and tomorrow assigned.)

Bill "An Act Creating the Unity Utilities District" (H. P. 1276) (L. D. 1783)

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

Amended Third Reader Tabled and Assigned

Resolve Authorizing Transfer of State Land to City of Augusta for Fire Station (S. P. 679) (L. D. 1717)

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

(On motion of Mr. Levesque of Madawaska, tabled pending passage to be engrossed and tomorrow assigned.)

Bill "An Act to Authorize the Commissioner of Mental Health and Corrections to Purchase Real Estate for Assistant Superintendent's Residence at Boys Training Center and Appropriating Funds for the Improvement thereof" (S. P. 616) (L. D. 1629)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed as amended by Committee Amendment "A" and House Amendment "A" in non-concurrence and sent up for concurrence.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. Ross, and inquires for what purpose does he rise?

Mr. ROSS: A parliamentary inquiry.

The SPEAKER: The gentleman may make his inquiry.

Mr. ROSS: Have we properly disposed of items 1 through 13? It was my understanding that we passed to be engrossed items 14 on and not 1 through 13.

The SPEAKER: We engrossed items 1 to 13 before we commenced our amended bills.

Enactors

The SPEAKER: The Chair recognizes the gentleman from Madawaska, Mr. Levesque, and inquires for what purpose does he rise?

Mr. LEVESQUE: Mr. Speaker, may I approach the rostrum?

The SPEAKER: The gentleman may.

(Off Record Remarks)

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

Mr. LEVESQUE: Mr. Speaker, Ladies and Gentlemen of the House: In view of the number of members of the House being absent this morning, it is my feeling that we certainly this morning should give each and every one of these members if they have got any one of these enactors this morning that are before us, that they should be afforded the opportunity to make a motion to defeat any of these measures or make a motion to amend any of these enactors that are before us this morning. Certainly we want to give them each and every one of them an opportunity of being able to be here and see these bills enacted if they are fair and proper. So for this reason I think probably that it would be a nice gesture on our part that these bills be set aside for later in today's session.

The SPEAKER: The Chair recognizes the gentleman from Milbridge, Mr. Kennedy.

Mr. KENNEDY: Mr. Speaker, Ladies and Gentlemen of the House: We have a low membership call here this morning due to the storm and due to no fault of any individual legislator I feel. Therefore, I move that the Enactors item 1 through 41 be tabled until later in today's session.

The SPEAKER: The gentleman from Milbridge, Mr. Kennedy, now moves that the Enactors items 1 through 41 be tabled until later in today's session. Is this the pleasure of the House?

The motion prevailed.

Orders of the Day

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

HOUSE ORDER Relative to Pounding Questions to the Justices of the Supreme Judicial Court Concerning the Constitutionality of Bill, "An Act Relating to Mining Activity Under Goose Falls Pond,

Town of Brooksville, Hancock County." (H. P. 1224) (L. D. 1705)

Tabled — January 21, in accordance with House Rule 46.

Pending—Passage.

Thereupon, the Order received passage.

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

DIVIDED REPORT — Majority (8)—Committee on Highways on Bill, "An Act relating to Weight Tolerances of Vehicles Loaded with Wood Chips." (H. P. 1258) (L. D. 1753) reporting "Ought to pass"—Minority (2)—"Ought not to pass"

Tabled — January 21, by Mr. Ross of Brownville.

Pending—Acceptance of Either Report.

The **SPEAKER**: The Chair recognizes the gentleman from Brownville, Mr. Ross.

Mr. **ROSS**: Mr. Speaker and Members of the House: This was tabled to await a legal opinion as to the constitutionality of the entire bill, not the wood chips, but the attorney has not showed up today, so if somebody would table it for one more day it would be a favor.

Thereupon, on motion of Mr. Kennedy of Milbridge, tabled pending acceptance of either report and tomorrow assigned.

On motion of Mr. Levesque of Madawaska,

Recessed until three-thirty o'clock in the afternoon.

After Recess 3:30 P.M.

The House was called to order by Speaker Childs.

The Chair laid before the House the matter tabled earlier in today's session by Mr. Kennedy of Milbridge, pending passage to be engrossed:

Bill "An Act Providing Convenience and Advantage for Loan Companies and Small Loan Agencies" (S. P. 606) (L. D. 1619)

Thereupon, Mr. Kennedy of Milbridge offered House Amendment "A."

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

HOUSE AMENDMENT "A" to S. P. 606, L. D. 1619, Bill, "An Act Providing Convenience and Advantage for Loan Companies and Small Loan Agencies."

Amend said Bill by striking out all of the Title and inserting in place thereof the following Title: "An Act to Amend the Interest Rates for Loan Companies and Small Loan Agencies."

Further amend said Bill by striking out everything after the enacting clause and inserting in place thereof the following:

"R. S., T. 9, § 3081, amended. The first sentence of section 3081 of Title 9 of the Revised Statutes is amended to read as follows:

'Every person, copartnership and corporation licensed under chapters 281 and 289 may loan any sum of money, goods or choses in action not exceeding in amount or value the sum of \$2,500, any lower limitation of amount in its charter notwithstanding, and may charge, contract for and receive thereon interest at a rate not to exceed 3% $2\frac{1}{2}\%$ per month on that part of the unpaid principal balance of any loan not in excess of \$150, $2\frac{1}{2}\%$ \$100, 2% per month on that part of the unpaid principal balance in excess of \$150, \$100, but not exceeding \$300, and $1\frac{1}{2}\%$ $\frac{3}{4}\%$ per month on any remainder of such unpaid principal balance.'

(On motion of Mr. Kennedy, tabled pending adoption of House Amendment "A" and tomorrow assigned.)

Emergency Measures Tabled and Assigned

An Act Increasing the Number of Official Court Reporters (S. P. 654) (L. D. 1610)

An Act relating to Duties of Reporter of Decisions (S. P. 658) (L. D. 1641)

An Act relating to Interstate Conferences and Compacts with the Maine Milk Commission (S. P. 672) (L. D. 1710)

An Act to Increase the Indebtedness of the Town of Poland School District (H. P. 1179) (L. D. 1647)

An Act to Correct Certain Errors in the Employment Security Law (H. P. 1211) (L. D. 1679)

An Act Clarifying the Rights of Nonprofit Hospital or Medical Service Organizations (H. P. 1213) (L. D. 1681)

An Act to Provide Funds for the Maine State Guard (H. P. 1221) (L. D. 1689)

An Act relating to Secondary School Attendance of Children Committed to Stevens Training Center (H. P. 1223) (L. D. 1691)

An Act Amending the Mount Desert Island Regional School District (H. P. 1227) (L. D. 1708)

An Act to Extend the Maine Civil War Centennial Commission (H. P. 1239) (L. D. 1734)

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

(On motion of Mr. Levesque of Madawaska, tabled pending enactment and specially assigned for tomorrow.)

Passed to Be Enacted

An Act Permitting Pleasant Ridge Plantation to Provide Educational Scholarships (S. P. 614) (L. D. 1634)

An Act Increasing the Membership of the Industrial Accident Commission (S. P. 619) (L. D. 1612)

An Act relating to Executions on Civil Judgment of the District Court (S. P. 622) (L. D. 1628)

An Act relating to Branding of Potatoes (S. P. 627) (L. D. 1636)

An Act to Reconstitute School Administrative District No. 45 (S. P. 637) (L. D. 1594)

An Act to Reconstitute School Administrative District No. 41 (S. P. 638) (L. D. 1593)

An Act to Reconstitute School Administrative District No. 9 (S. P. 640) (L. D. 1643)

An Act to Reconstitute School Administrative District No. 27 (S. P. 641) (L. D. 1604)

An Act to Reconstitute School Administrative District No. 40 (S. P. 643) (L. D. 1598)

An Act to Reconstitute School Administrative District No. 49 (S. P. 646) (L. D. 1595)

An Act to Reconstitute School Administrative District No. 48 (S. P. 647) (L. D. 1627)

An Act to Reconstitute School Administrative District No. 47 (S. P. 648) (L. D. 1597)

An Act relating to the Number, Election, Quorum and Term of Office of the Trustees of Hebron Academy (S. P. 650) (L. D. 1601)

An Act to Reconstitute School Administrative District No. 36 (S. P. 662) (L. D. 1695)

An Act to Reconstitute School Administrative District No. 34 (S. P. 663) (L. D. 1696)

An Act to Reconstitute School Administrative District No. 42 (S. P. 649) (L. D. 1596)

An Act to Reconstitute School Administrative District No. 44 (S. P. 661) (L. D. 1694)

An Act to Reconstitute School Administrative District No. 43 (S. P. 668) (L. D. 1701)

An Act to Reconstitute School Administrative District No. 39 (S. P. 669) (L. D. 1702)

An Act relating to the Laws Governing Elections and Voting Machines (H. P. 1180) (L. D. 1648)

An Act Appropriating Funds for Education of the Deaf (H. P. 1187) (L. D. 1655)

An Act relating to Residence Requirements for Candidates for City Council of City of Portland (H. P. 1188) (L. D. 1656)

An Act Appropriating Money for the Education of Indian Children (H. P. 1189) (L. D. 1657)

An Act relating to Legislative Expenses When Legislature not in Session (H. P. 1191) (L. D. 1659)

An Act relating to the Salary of the Commissioner of Education (H. P. 1199) (L. D. 1667)

An Act Appropriating Money to Match Federal Funds Provided under Title III of the National Defense Education Act and Under the Vocational Education Act of 1963 (H. P. 1210) (L. D. 1678)

An Act to Amend the Charter of Gould Academy (H. P. 1215) (L. D. 1683)

An Act relating to Loan Limitations of Industrial Banks (H. P. 1217) (L. D. 1685)

An Act relative to Issuance and Revocation of Nursing Home Licenses (H. P. 1231) (L. D. 1726)

An Act Changing Name of State Association of Retarded Children to Maine Association for Retarded Children (H. P. 1269) (L. D. 1764)

Finally Passed

Resolve Authorizing the Attorney General to Convey Certain Lands of the State to the University of Maine (S. P. 636) (L. D. 1600)

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

House at Ease

Called to order by the Speaker. The SPEAKER: Senate papers appearing on Supplement No. 1.

Senate Reports of Committees Ought to Pass Amended in House

Report of the Committee on Education reporting "Ought to pass" on Bill "An Act Authorizing the Municipalities of Bremen, Bristol, Damariscotta, Jefferson, Newcastle, Nobleboro and South Bristol to Form a School Administrative District" (S. P. 665) (L. D. 1698)

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed.

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

Mr. Palmer of Phillips offered House Amendment "A" and moved its adoption. House Amendment "A" was read by the Assistant Clerk as follows:

HOUSE AMENDMENT "A" to S. P. 665, L. D. 1698, Bill, "An Act Authorizing the Municipalities of Bremen, Bristol, Damariscotta, Jefferson, Newcastle, Nobleboro and South Bristol to Form a School Administrative District."

Amend said Bill in the Title by inserting after the word "District" the following: 'and Authorizing the Municipalities of Avon, Eustis, Kingfield, Madrid, New Vineyard, Phillips, Rangeley and Strong to Form a School Administrative District'

Further amend said Bill by inserting at the beginning of the

first line, after the enacting clause, (same in L. D. 1698) the underlined abbreviation and figure 'Sec. 1.'

Further amend said Bill by inserting after the word "under" in the 6th line from the end (5th line from end of L. D. 1698) the word 'section 1 of'

Further amend said Bill by adding at the end, before the emergency clause, the following section:

'Sec. 2. School Administrative District for Avon, Eustis, Kingfield, Madrid, New Vineyard, Phillips, Rangeley and Strong authorized. The State Board of Education is authorized to proceed pursuant to the Revised Statutes of 1964, Title 20, sections 215 to 307, to take the necessary action to allow the municipalities of Avon, Eustis, Kingfield, Madrid, New Vineyard, Phillips, Rangeley and Strong, or any combination of 6 municipalities, to form a School Administrative District.

Notwithstanding the provisions of Title 20, section 305, all appropriations made by the district and assessed against the member towns shall be apportioned as follows: $\frac{1}{2}$ in the same proportion as the municipality's state valuation bears to the total state valuation of the district and $\frac{1}{2}$ in the same proportion as the municipality's April 1st resident pupil count bears to the total April resident pupil count of the district.

Nothing contained herein shall be construed to limit the number of times that the above-named municipalities may make application to the State Board of Education, nor shall the authority granted to the State Board of Education under section 2 of this Act be limited to any specified number of times for the board to authorize the above-named municipalities to act on the formation of a School Administrative District.'

House Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Report of the Committee on State Government reporting "Ought to pass" on Bill "An

Act Increasing Membership of Land Damage Board and Providing for Notification of Awards" (S. P. 691) (L. D. 1768)

Report of same Committee reporting same on Resolve Proposing an Amendment to the Constitution Affecting the Apportionment of the State Senate (S. P. 624) (L. D. 1630)

Came from the Senate with the Reports read and accepted and the Bill and Resolve passed to be engrossed.

In the House, Reports were read and accepted in concurrence, the Bill read twice, Resolve read once, and tomorrow assigned.

Ought to Pass with Committee Amendment

Report of the Committee on Education on Bill "An Act to Prevent the Loss of Educational Subsidy in Certain Towns for the Year 1967" (S. P. 635) (L. D. 1616) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A".

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

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

COMMITTEE AMENDMENT "A" to S. P. 635, L. D. 1616, Bill, "An Act to Prevent the Loss of Educational Subsidy in Certain Towns for the Year 1967."

Amend said Bill by striking out everything after the Title and inserting in place thereof the following:

'Be it enacted by the People of the State of Maine, as follows:

R.S., T. 20, Sec. 3723, amended. The first paragraph of section 3723 of Title 20 of the Revised Statutes, as amended by section 5 of chapter 429 of the public laws of 1965, is further amended by adding at the end, a new sentence, as follows:

'If a unit's per pupil expenditure is no less on the average in

the years 1964-65 and 1965-66 than it was on the average in the years 1962-63 and 1963-64, the state aid for 1967 may not be decreased below the amount of general purpose aid received in the year 1966.'

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

Report of the Committee on Retirements and Pensions on Bill "An Act relating to Credit for Military Service under State Retirement Law" (S. P. 673) (L. D. 1711) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A".

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

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

COMMITTEE AMENDMENT "A" to S. P. 673, L. D. 1711, Bill, "An Act Relating to Credit for Military Service Under State Retirement Law."

Amend said Bill by striking out all of the underlined subparagraph (1) of paragraph A of subsection 13 and inserting in place thereof the following underlined subparagraph:

'(1) Had been attending college, or'

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

Divided Report

Majority Report of the Committee on Education reporting "Ought to pass" on Bill "An Act relating to a Compact for Education" (S. P. 665) (L. D. 1699)

Report was signed by the following members:

Messrs. SNOW of Cumberland
FALOON of Penobscot
MENDELL of Cumberland
— of the Senate.

Messrs. HOY of Lewiston
 LEVESQUE
 of Madawaska
 Mrs. HANSON of Lebanon
 Messrs. RICHARDSON
 of Stonington
 GIFFORD of Manchester
 — of the House.

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

Report was signed by the following members:

Messrs. GRAHAM of Freeport
 CARROLL of Limerick
 — of the House.

Came from the Senate with the Majority Report accepted and the Bill passed to be engrossed.

In the House: Reports were read.

On motion of Mr. Levesque of Madawaska, the Majority "Ought to pass" Report was accepted in concurrence, the Bill read twice and tomorrow assigned.

Non-Concurrrent Matter

Bill "An Act Appropriating Additional Funds for Alcoholism Services" (H. P. 1220) (L. D. 1688) which was passed to be engrossed as amended by Com-

mittee Amendment "A" and House Amendment "B" in the House on January 21.

Came from the Senate with Committee Amendment "A" indefinitely postponed and the Bill passed to be engrossed as amended by House Amendment "B" in non-concurrence.

In the House: On motion of Mr. Levesque of Madawaska, the House voted to recede and concur with the Senate.

Mr. Dumont of Augusta was granted unanimous consent to briefly address the House.

Mr. DUMONT: Mr. Speaker and Members of the House: I think the other members of the House will join me in complimenting our Assistant Clerk on the very able job he did today in place of Mr. Plante, our Clerk. I would suggest a round of applause. (Applause)

The SPEAKER: I am sure the Assistant Clerk appreciates the generosity of the House.

On motion of Mr. Levesque of Madawaska,

Adjourned until nine-thirty o'clock tomorrow morning.