

# 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**

Friday, January 28, 1966

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

Prayer by the Rev. Mr. Royal Brown of Gardiner.

The journal of yesterday was read and approved.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I ask unanimous consent that all matters requiring Senate concurrence and all matters passed in concurrence be sent forthwith to the Senate thirty minutes after the House recesses today.

The SPEAKER: Is there objection to this motion? The Chair hears none, it's a vote.

**Papers from the Senate  
Reports of Committees  
Leave to Withdraw  
Tabled Until Later  
in Today's Session**

Report of the Committee on Judiciary on Bill "An Act relating to Automobile Graveyards and Junkyards" (S. P. 631) (L. D. 1640) reporting Leave to Withdraw.

Came from the Senate read and accepted.

In the House, the Report was read.

(On motion of Mr. Boissonneau of Westbrook, tabled pending acceptance and assigned for later in today's session.)

**Covered by Other Legislation**

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Funds for Construction at Bar Harbor Airport" (S. P. 612) (L. D. 1633) reporting Leave to Withdraw, as covered by other legislation.

Report of same Committee reporting same on Bill "An Act Appropriating Moneys for Improvements at Houlton Airport" (S. P. 626) (L. D. 1631)

Came from the Senate read and accepted.

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

**Divided Report**

Majority Report of the Committee on Judiciary on Bill "An Act relating to Outdoor Advertising" (S. P. 677) (L. D. 1715) reporting that it be referred to a Special Study Committee.

Report was signed by the following members:

Messrs. GLASS of Waldo  
STERN of Penobscot  
— of the Senate.

Messrs. RICHARDSON  
of Cumberland  
DANTON  
of Old Orchard Beach  
BISHOP of Presque Isle  
BRENNAN of Portland  
GILLAN of South Portland  
DAVIS of Calais  
— of the House.

Minority Report of same Committee on same Bill reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Mr. VIOLETTE of Aroostook  
— of the Senate.  
Mr. BERMAN of Houlton  
— of the House.

Came from the Senate with the Majority Report accepted and the Bill referred to a Special Study Committee.

In the House: Reports were read and the Majority Report accepted in concurrence.

**Divided Report  
Tabled Until Later  
in Today's Session**

Majority Report of the Committee on Judiciary on Bill "An Act to Correct Errors and Inconsistencies in the Public Laws" (S. P. 695) (L. D. 1781) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. STERN of Penobscot  
VIOLETTE of Aroostook  
— of the Senate.

Messrs. GILLAN

of South Portland  
DAVIS of Calais  
BERMAN of Houlton  
BRENNAN of Portland  
DANTON  
of Old Orchard Beach  
BISHOP of Presque Isle  
— of the House.

Minority Report of same Committee on same Bill reporting "Ought to pass" as amended by Committee Amendment "B" submitted therewith.

Report was signed by the following members:

Mr. GLASS of Waldo  
— of the Senate.

Mr. RICHARDSON  
of Cumberland  
— of the House.

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

In the House: Reports were read.

(On motion of Mr. Berry of Cape Elizabeth, tabled pending acceptance of either report and assigned for later in today's session.)

#### Final Reports of Committees

Final Reports of the following Joint Standing Committees:

Agriculture  
Business Legislation  
Claims  
Education  
Election Laws  
Health and Institutional  
Services  
Highways  
Industrial and  
Recreational Development  
Judiciary  
Labor  
Public Utilities  
Retirements and Pensions  
State Government  
Taxation  
Towns and Counties  
Transportation  
Veterans and Military Affairs

Came from the Senate read and accepted.

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

#### Non-Concurrent Matter

An Act Establishing a State Commission on the Arts and the Humanities (S. P. 667) (L. D. 1700) which was passed to be enacted in the House on January 27 and passed to be engrossed on January 25.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

In the House: The House voted to recede and concur with the Senate.

The SPEAKER: The Chair will inform the members of the House on item 8 that this matter was recalled to the Senate for further consideration. It is not before the House at this time.

#### Messages and Documents

The following Communication:

STATE OF MAINE  
Supreme Judicial Court  
Augusta

January 27, 1966

Honorable Jerome G. Plante  
Clerk, House of Representatives  
State House  
Augusta, Maine

Dear Mr. Plante:

There is enclosed the Answers of the Justices to the Questions of January 24, 1966, relative to "An Act Relating to Mining Activity under Goose Falls Pond, Town of Brooksville, Hancock County" (L. D. No. 1705).

Respectfully yours,

(Signed)

ROBERT B. WILLIAMSON  
Chief Justice

#### Answers of the Justices

To the Honorable House of Representatives of the State of Maine:

In compliance with the provisions of Section 3 of Article VI of the Constitution of Maine, we, the undersigned Justices of the Supreme Judicial Court, have the honor to submit the following answers to the questions propounded on January 24, 1966.

QUESTION (I) : May the State of Maine as in L. D. 1705,

H. P. 1224, "An Act Relating to Mining Activity under Goose Falls Pond, Town of Brooksville, Hancock County", in the exercise of its sovereign and proprietary right over minerals under the waters of a navigable tidal estuary validly enact legislation permitting a lessee of the Maine Mining Bureau to construct dams on land owned by the State to exclude tide waters and fresh water from said estuary and to drain the water from said estuary to permit mining by the lessee on State-owned lands where such operations have been determined to be consistent with any prior or proposed other use by the State and where the exercise of such power will be for the period during which the aforesaid tidal estuary is wholly or partially drained and where such estuary is not now used for navigation to any significant degree and where the lessee will be required to pay royalties to the State of Maine for minerals removed from State-owned lands as provided in Title 10, Section 2105, of the Revised Statutes of Maine 1964 when an owner or owners of lands bordering on said tidal estuary object thereto?

QUESTION (III): Would H. P. 1224, L. D. 1705, "An Act relating to Mining Activity under Goose Falls Pond, Town of Brooksville, Hancock County" if enacted by the Legislature be constitutional insofar as Section 3 thereof purports to authorize the State, through the Maine Mining Bureau to take by eminent domain and pay just compensation for such riparian rights of private landowners bordering on a tidal estuary as may be required for the damming and draining of said tidal estuary for the period during which said tidal estuary is wholly or partially drained for the purpose of permitting mining operations by a lessee of said Mining Bureau for the removal of minerals from State-owned lands located beneath the waters of said tidal estuary where feasible mining operations cannot be conducted without such damming and draining and where the lessee will be required to pay royalties to

the State of Maine for minerals removed from State-owned lands as provided in Title 10, Section 2105 of the Revised Statutes of Maine 1964.

ANSWER: We answer Questions I and III together and in the affirmative.

The State owns the submerged land beneath the tidal estuary within the confines of low water mark. Opinion of the Justices, 118 Me. 503, 504, 106 A. 865. It follows that the State owns the mineral resources contained therein in trust for the use of the people of the State. "In the exercise of its trust, it cannot be seriously doubted that the state has the power, and, in fact, the duty rests upon it, to use such lands for the greatest public good, and, where they can be put to productive use, not to permit them to lie waste and unproductive." **State v. Longyear Holding Co.** (1947) 29 N.W. 2d (Minn.) 657, 670. It follows that since the removal of the minerals lying in said State-owned submerged lands is a public use, the State as such trustee may remove the same in proper exercise of its trusteeship.

In its emergency preamble in L. D. 1705, H. P. 1224 the Legislature finds as a fact the necessity of damming and draining the tidal estuary in order to convert these natural resources for public use. It also finds as a fact that navigation upon these waters is not such as to be of "significant interest to the State." There is therefore no impediment to the temporary damming and draining of the estuary. The State's right is paramount and cannot be made subservient to objections of riparian landowners.

That the operation may be conducted by a lessee required to pay royalties to the State does not destroy its public use character or render it a private enterprise. The end to be served is the conversion of public resources and the avoidance of waste thereof and the leasehold method must be viewed as no more than a means to that end.

The proposed act recognizes that the aforesaid predominant public

purpose cannot be effectuated without necessary and unavoidable interference with the riparian rights of landowners. That the State may take such riparian rights necessary to the removal of its mineral resources by eminent domain proceeding upon the payment of just compensation therefor is not to be doubted.

This opinion is given without consideration as to the rights, if any there be, which the Federal Government may have under the circumstances.

QUESTION (II): May the State of Maine as in L. D. 1705, H. P. 1224, "An Act Relating to Mining Activity under Goose Falls Pond, Town of Brooksville, Hancock County" through the agency of the Maine Mining Bureau take and hold the rights of riparian owners in the waters of a tidal estuary for the period during which the said tidal estuary is wholly or partially drained where it is necessary to drain substantially all of the water from said estuary in order for a lessee from said Mining Bureau to conduct feasible mining operations on a mineral deposit located in lands beneath said estuary owned by the State of Maine?

ANSWER: We respectfully decline to answer this question. The intended import of the question is not entirely clear to us, especially in its use of the phrase "in the waters." We are of opinion that questions related to the taking by eminent domain of the riparian rights of private landowners and the payment of just compensation therefor are adequately covered by our answer to Questions I and III.

Dated at Augusta, Maine this 27th day of January, 1966.

Respectfully submitted:

ROBERT B. WILLIAMSON  
DONALD W. WEBBER  
/s/ WALTER M. TAPLEY  
ABRAHAM M. RUDMAN  
ARMAND A. DUFRESNE, Jr.

Mr. Justice Marden respectfully begs leave to abstain from participation.

(Signed)

HAROLD C. MARDEN

The Communication was read and ordered placed on file.

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.

### Orders

On motion of Mr. Binnette of Old Town, it was

ORDERED, that Mr. Dostie of Lewiston be excused from attendance, for the duration of his illness.

Mr. Conley of Portland presented the following Resolution and moved its adoption:

WHEREAS the House of Representatives has learned with deep sorrow of the death of George Knight, a member of this House, and

WHEREAS each member feels a deep and sincere sense of bereavement, and

WHEREAS it desires to record its appreciation for his many years of devoted and capable service to the State of Maine,

NOW THEREFORE be it resolved that this Resolution be spread upon the record and that a copy thereof be sent by the Clerk to the family of George Knight.

Thereupon, the Resolution was adopted.

On motion of Mr. Dumont of Augusta, it was

ORDERED, that the Clerk of the House is directed to furnish to each member of the House, a copy of the Salary Plan for Classified State Employees, published by the State Department of Personnel.

On motion of Mr. McKinnon of South Portland, it was

ORDERED, that Mr. Jalbert of Lewiston be excused from attendance at this Special Session for the duration of his illness.

On motion of Mr. Binnette of Old Town, it was

ORDERED, that Mr. Roberts of South Berwick, be excused from

attendance on Monday, January 31, 1966, because of business.

**House Reports of Committees  
Leave to Withdraw  
Covered by Other Legislation**

Mr. Bishop from the Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Moneys for Capital Improvements at Presque Isle Municipal Airport" (H. P. 1183) (L. D. 1651) reported Leave to Withdraw, as covered by other legislation.

Same gentleman from same Committee reported same on Bill "An Act Appropriating Funds for Construction of Airport at Madawaska" (H. P. 1255) (L. D. 1750)

Mr. Faucher from same Committee reported same on Resolve Appropriating Funds for Regional Airport to Service Central Maine (H. P. 1226) (L. D. 1707)

Mr. Jalbert from same Committee reported same on Bill "An Act Appropriating Funds for Improvements and Construction at Lewiston-Auburn Airport" (H. P. 1206) (L. D. 1674)

Reports were read and accepted and sent up for concurrence.

**Passed to Be Engrossed  
Ought to Pass in New Draft  
New Draft Printed**

Mr. Bishop from the Committee on Appropriations and Financial Affairs on Resolve Appropriating Funds for Capital Improvement at Portland Municipal Airport (H. P. 1181) (L. D. 1649) reported a bill (H. P. 1294) (L. D. 1803) under title of "An Act Appropriating Funds for Capital Improvement at Portland Municipal Airport" and that it "Ought to pass"

Report was read and accepted and the New Draft read twice

Under suspension of the rules, the Bill was read the third time, passed to be engrossed and sent to the Senate.

**Ought to Pass with  
Committee Amendment**

Mr. Bragdon from the Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Funds for State of Maine's Participation in the 1967

World Exhibition in Canada" (H. P. 1207) (L. D. 1675) 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. 1207, L. D. 1675, Bill, "An Act Appropriating Funds for State of Maine's Participation in the 1967 World Exhibition in Canada."

Amend said Bill by striking out in the 4th and 5th lines of section 2 (5th line of section 2 of L. D. 1675) the words "Unappropriated Surplus of the"

Further amend said Bill by inserting after the word "exhibits" in the 8th line of section 2 (9th line of section 2 of L. D. 1675) the words 'of the Department of Economic Development'

Further amend said Bill by striking out in the 4th and 5th lines from the end (3rd and 4th lines from the end of L. D. 1675) the words "including those of other State Departments" and inserting in place thereof the following 'other than the exhibits of the Department of Economic Development'

Further amend said Bill, in section 2, by striking out in the 2nd paragraph lines 6, 7, 8 and 9 (5, 6, 7 and 8 of L. D. 1675) the words "used as supplemental to this appropriation for carrying out the purposes of this Act, and any income balances shall not lapse until 60 days following the official close of the exhibition" and inserting in place thereof the words 'credited to the General Fund'

Committee Amendment "A" was adopted. Under suspension of the rules, the Bill was given its third reading, passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

Mr. Jalbert from the Committee on Appropriations and Financial Affairs on Bill "An Act relating to Appropriation to Adjust State Employees' Pay" (H. P. 1262) (L. D. 1757) reported "Ought to pass" as amended by Commit-

tee Amendment "A" submitted therewith.

Report was read.

The SPEAKER: The Chair recognizes the gentleman from Denmark, Mr. Dunn.

Mr. DUNN: Mr. Speaker and Members of the House: I want to take this time to call your attention to certain figures that I had placed around on your desks this morning. It is not to be interpreted in any way to try to oppose the pay raise. It is simply that I have been irritated, to say the least, to read in the newspapers what it referred to as the "\$3 million pay raise" when the writers of the articles must have known as all of us know that taken in its entirety it is at least double that.

The figures here, and they are the best that are available at the time from the budget office, give a just under six million, and talking with the Finance Officer the other day he said that undoubtedly this last item, under the Special Session a raise where I have 820,000, would go over the million dollar mark. This means that in this one calendar year the state employees are getting a raise of at least \$10 million.

And I would like to call your attention to its effect on your next Current Services Budget. Those figures up above explain themselves, I believe, but there is an average increase of about eighteen percent; and I know in discussions with others a few months ago we did think that there would be one more Current Services Budget under the \$200,000 figure, but that is in the past. It's long gone. I think this eighteen percent in this case is probably conservative. As you know, there are many bills that have been passed in the session that — well, the uniform effort was passed and a telephone tax. Well, the telephone tax for two years does not pay the cost of the uniform effort as it's set up now for one year. So that there will be probably a \$4 million raise on that one item alone.

In the two sessions here we have added at least 400 new personnel and there have been many

new programs started. As we know, on the final days of the session last spring there were many that were postponed for one year; the first year is relatively inexpensive but certainly in the next biennium will pick up figures of considerable amount. So that I think that without doubt these figures are on the conservative side.

I now move that we accept the Committee Report.

Thereupon, the Report was accepted and the Bill read twice.

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

COMMITTEE AMENDMENT  
"A" to H. P. 1262, L. D. 1757,  
Bill, "An Act Relating to Appropriation to Adjust State Employees' Pay."

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

'Sec. 1. Appropriation. There is appropriated from the General Fund the sum of \$2,929,994 to effectuate as of the first pay period in January, 1966 and to effectuate as of the first pay period in July, 1966, a pay adjustment plan for state employees to be incorporated into the official State Pay Plan, adopted by the State Personnel Board. The above appropriated funds are for both classified and unclassified positions in the General Fund. Any balance at June 30, 1966, shall not lapse but shall carry forward into the 1966-67 fiscal year to be used for the same purpose. The breakdown of expenditures shall be as follows:

DEPARTMENT 1965-66	1966-67
Employees	
Salary Plan	
Personal	
Services	\$497,439    \$2,432,555'

Committee Amendment "A" was adopted. Under suspension of the rules, the Bill was given its third reading, passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

#### Passed to Be Engrossed Amended Bill

Bill "An Act relating to Mining Activity under Goose Falls Pond,



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

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.

#### **Passed to Be Enacted Emergency Measure**

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 Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 107 voted in favor of same and 18 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### **Emergency Measure**

An Act Appropriating Funds for Capital Construction and Equipment at the Augusta State Hospital, Maine State Prison and Stevens Training Center and Reallocating Funds Appropriated to the Governor Baxter State School for the Deaf (S. P. 617) (L. D. 1615)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 127 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### **Emergency Measure**

An Act Providing Funds to Complete the Harbor Project in the Town of Wells (S. P. 620) (L. D. 1617)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being neces-

sary, a division was had. 125 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### **Emergency Measure**

An Act Appropriating Funds for Development of Swan Island (S. P. 625) (L. D. 1603)

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

The SPEAKER: The Chair recognizes the gentleman from Denmark, Mr. Dunn.

Mr. DUNN: Mr. Speaker and Members of the House: I hesitate to say anything on this, but I am going to oppose it from one standpoint. It's going from one department, it's dedicated funds, to come over into the General Fund. In the 102nd regular session the Highway Department asked for funds out of the General Fund and we did shift it back to the Highway funds and got by that time. I should hate to see it so that either the Fish and Game would operate on their own funds or the Highway Department has dedicated revenue. Once they start opening up and coming into the General Fund I would expect them to be back quite often, and I would oppose it on that, I am going to vote against it.

The SPEAKER: The Chair recognizes the gentleman from Bowdoinham, Mr. Millay.

Mr. MILLAY: Mr. Speaker and Members of the House: Like Mr. Dunn I hesitate to get up on this too, but I do think that this is a special type of bill and needs clarification. Swan Island of course is, as some of you know, an island in the Kennebec four miles long, about a mile wide at its widest point, has about 250 deer upon it. It is under the auspices of the Inland Fisheries and Game Department and the Park Commission has no authority over it whatsoever. The Inland and Fisheries and Game Department uses this island for research and do spend some of their dedicated funds for this purpose.

During the course of a year, last year, there were some 1200

boy scouts, even girl scouts, Audubon Society, and groups of this sort, that went over on the island and could observe wild life in its native habitat. Of course the deer are the main feature but the geese come in there in the spring and there are foxes, raccoons, woodchucks; there are nearly every kind of wildlife that you can imagine over there. And it is for this purpose that they have gone to the General Fund for this money, for they feel that the entertaining or the taking care of these boy scouts and girl scouts and other interested groups does not come under the Inland Fisheries and Game Department in its truest sense.

The money would be used to construct Adirondack shelters to take care of this particular thing, and a new water supply. There are some five or six old houses over there, this used to be a farming community and was since taken over by the Inland Fisheries and Game. Of course these houses have gone back. The boys and girls that get over there naturally get into these houses, and these houses have fallen into disrepair, and if this appropriation is not forthcoming it will be necessary to close the island to such groups. Now we feel that the education of these young groups is an important thing and should be continued.

For this reason we are asking for these funds this way and I think everyone has gone along with it to the enactment stage as they understand what the situation is. The \$25,000 in matching funds would have to come from the Park Commission, and in order to come from the Park Commission it must be approved by the Park Commissioners. So all we are doing if we approve this bill is setting our \$25,000 aside. If it is not approved by the Park Commission of course that \$25,000 never becomes existent to the Department.

So I say let's pass the bill, let's leave it up to the Park Commissioners whether or not they feel that this should remain under the Inland Fisheries and Game. It is of course important that not too

many people go over on this island or it will certainly lose its efficiency as far as holding deer. If many more than 3,000 a year go over onto this island why the deer will be driven off, and this of course is its greatest appeal. I hope that you will go along and enact this measure.

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

Mr. ANDERSON: Mr. Speaker and Members of the House: I want to be placed on record as favoring the remarks of the previous speaker.

Thereupon, this being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 116 voted in favor of same and 6 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### Emergency Measure

An Act relating to Distribution of Railroad Stock Tax to the City of Bangor (S. P. 653) (L. D. 1621)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 121 voted in favor of same and 2 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### Emergency Measure

An Act to Reconstitute School Administrative District No. 17 (S. P. 670) (L. D. 1703)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 123 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Emergency Measure**

An Act Pertaining to the Renovation and Use of the Internal Revenue Service Building (S. P. 680) (L. D. 1718)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 122 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Emergency Measure**

An Act Appropriating Funds for Administration of Bureau of Public Administration at University of Maine (H. P. 1182) (L. D. 1650)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 110 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Emergency Measure**

An Act to Provide Funds for the Purchase of Psychiatric Drugs for the Department of Mental Health and Corrections, Augusta State Hospital (H. P. 1208) (L. D. 1676)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 112 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Emergency Measure**

An Act to Appropriate Moneys for Reconstruction of the McLellan House at Gorham State College (H. P. 1246) (L. D. 1741)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 113 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Emergency Measure**

An Act Appropriating Funds for Eye Care and Special Services Division, Department of Health and Welfare (H. P. 1263) (L. D. 1758)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 115 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Emergency Measure**

An Act Appropriating Moneys for Salary Increases for Maine Maritime Academy Personnel (H. P. 1279) (L. D. 1785)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 118 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Emergency Measure**

An Act Appropriating Moneys for Relocation and Conversion of Dispensary at Maine Maritime Academy (H. P. 1280) (L. D. 1786)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being neces-

sary, a division was had. 116 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

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**Finally Passed  
Emergency Measure**

Resolve Providing Funds for State Archives Program (S. P. 645) (L. D. 1637)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 115 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

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**Emergency Measure**

Resolve Providing Funds for Reimbursement of Fire Cost and for Estimated Fire Costs (H. P. 1265) (L. D. 1760)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 117 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

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**Passed to Be Enacted**

An Act relating to Operation of Homemaker Service by Department of Health and Welfare (S. P. 674) (L. D. 1712)

An Act Appropriating Funds for the Completion of the Zoology Building at the University of Maine (S. P. 684) (L. D. 1722)

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

An Act to Clarify State Aid for School Construction Purposes (S. P. 712) (L. D. 1794)

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

The SPEAKER: The Chair recognizes the gentleman from Freeport, Mr. Graham.

Mr. GRAHAM: Mr. Speaker and Members of the House: I believe it should be emphasized and made a matter of record at this time that this bill in part as stated in its title is intended to "clarify" the present law as to state aid for school construction, particularly as to the definition of the term "school building", and is not intended as a change in the existing law in that respect which was passed in 1957.

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

The SPEAKER: Item 19. The Chair will request the Sergeant-at-Arms to escort the gentleman from Phillips, Mr. Palmer, to the rostrum for the purpose of acting as Speaker pro tem.

Thereupon Mr. Palmer assumed the Chair as Speaker pro tem.

An Act Creating the Allagash Wilderness Waterway (S. P. 714) (L. D. 1796)

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

At this point, Speaker Childs returned to the rostrum.

SPEAKER CHILDS: The Chair thanks the gentleman from Phillips, Mr. Palmer, for the excellent job he did in acting as Speaker pro tem.

Thereupon, the Sergeant-at-Arms escorted the gentleman from Phillips, Mr. Palmer, to his seat on the Floor and Speaker Childs resumed the Chair.

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

An Act to Implement the State Technical Services Act (H. P. 1241) (L. D. 1736)

An Act Increasing Salaries of Register of Deeds of Washington County and Judge of Probate of Hancock County (H. P. 1253) (L. D. 1748)

#### Finally Passed

Resolve Providing for a Maine Key Number Digest (S. P. 623) (L. D. 1605)

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

The SPEAKER: Is there objection from any member of the House, instead of proceeding to Orders of the Day that we now go to Supplement number 2 which are additional enactors? The Chair hears none, the Clerk may proceed.

#### Passed to Be Enacted Bond Issue

An Act to Authorize Bond Issue in Amount of One Million Five Hundred Thousand Dollars to Develop the Maximum Wilderness Character of the Allagash Waterway (S. P. 696) (L. D. 1780)

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

The SPEAKER: The Chair recognizes the gentleman from Monticello, Mr. Jewell.

Mr. JEWELL: Mr. Speaker and Members of the House: I move that this act, Senate Paper 696, L. D. 1780, be indefinitely postponed.

The SPEAKER: The Chair would inform the gentleman that this is a bond issue and requires for enactment a two-thirds vote, while an indefinite postponement motion only requires a majority. If the gentleman is against it, the motion which is now before us would be the proper one. Is the House ready for the question?

Does the gentleman from Monticello, Mr. Jewell, desire to withdraw his motion or does he still want the motion to indefinitely postpone? Does the gentleman desire to withdraw his motion?

Mr. JEWELL: Yes, thank you.

The SPEAKER: The Chair recognizes the gentleman from Presque Isle, Mr. Wight. The question before the House is on the enactment of this matter.

Mr. WIGHT: Mr. Speaker and Ladies and Gentlemen of the House: This bill has disturbed me considerably, being partly in Aroostook County. The proposal that sparks today's dispute comes from Secretary Udall's plan to absorb the Allagash into the National Park Service. The owners would be paid an estimated four million six hundred thousand in his original plan. The plan would make the Allagash a National Riverway, akin to a national park. The total area acquired by the Federal Government through June 30, 1963 was reported by the General Services Administration to be 51,787,000 acres. This is equal in size to the area of the New England states plus New Jersey and Maryland at a rate of acquisition over the period of 1912 to 1963 of more than 900,000 acres per year. Federal ownership amounts to 33.9 percent of the total area of the fifty states. Two-thirds of the federally owned land is classified by the General Services Administration as forest and wildlife land.

The Allagash area would be strictly recreational. With the primitive nature of the Allagash thus protected, Secretary Udall anticipates about 90,000 visitors a summer. What sort of people are now coming to the Allagash? They consist of canoeists of course, but in surprisingly small numbers. One thousand is an average total for a year. More than half of them are local and more than a quarter of them are made up of conducted groups from boys camps and scout troops.

Considering the influx of around a thousand who use the river, one wonders where the other 89,000 are coming from, and as one state official comments: Will it be a wilderness if they do? Significantly, the 200,000 more acres of Baxter Park adjoining the Allagash land has only some 39,000 overnight visitors in a season, and

it offers camping facilities which the Allagash would not have.

Secretary Udall feels that this is a last-ditch fight to save the Allagash from extermination. He points to the expanding network of roadways in northern Maine, over 1,000 miles at present, that are spreading their gravel fingers through the wilderness.

Some of the Department of Interior's Bureau of Outdoor Recreation feel that the Allagash controversy is a "classic example of resources preservation versus economic development." Further, that recreational opportunities in the East are in "dreadful shape" and there is nothing left quite like the Allagash.

But for their part, the present owners feel they have done an excellent job of preserving the region's natural appeal, and they are getting kicked in the teeth for it. They point to the protection they afford the forests, through selective cutting and fire and pest control and, also very important to conservationists, the protection this gives to the wildlife.

Isolated as it is geographically, the Allagash is part of a great national scheme. They are reported some sixty-four other rivers or sections of rivers across the land that are being evaluated for a possible system of National Wild Rivers. The showdown between the accelerating pace of federal wilderness appropriation and the rising resistance of the local and state governments to take control of the Allagash is now at hand. And perhaps if this happens, that as Maine goes, so goes the nation.

Ladies and gentlemen, please note that this is one and a half million dollars, and these are Maine dollars, for a start and it could be more, to open such a park, with an estimate of at least \$100,000 annually to maintain and operate. I am wondering if Maine should spend this money when I feel that it is in the scheme of the national interests that the Federal Government will develop this park anyway. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Phillips, Mr. Palmer.

Mr. PALMER: Mr. Speaker and Members of the House: It is the feeling of the Park Department that the expense of maintaining this each year would be in the neighborhood of 25,000. As my friend Representative Pike has stated, this probably would be between twenty-five and fifty thousand. The bond issue of one and a half million dollars upon which the Allagash bill itself is contingent — in other words, if this bond issue fails then the bill itself is dead and definitely at that time the Federal Government probably would step in and take over this Allagash wilderness area. I would like to see it remain in the hands of the state and I feel that the people should be allowed to vote upon this. The acceptance or rejection by them of the million and a half bond issue will decide the fate of the Allagash, as to whether this is a state-owned and operated and maintained place or whether it is the Federal Government. There are no strings attached to the million and a half dollars that the Federal Government will match, and also it might be that it would be far less than a million and a half dollars.

The SPEAKER: The Chair recognizes the gentleman from Skowhegan, Mr. Pullen.

Mr. PULLEN: Mr. Speaker, Ladies and Gentlemen of the House: As one thing that we seem to be forgetting is that if the Dickey program goes through there is \$227 million that will be spent up there, and that means a lot of people are going to be there and that means that a lot of people are going to use the Allagash. Now, if we have Federal controls like we have in Acadia Park we're beat as far as sportsmen go. Now last night I happened to go to a meeting of a sportsmen club and they — of course it's not too big, two hundred members, and they're all for keeping it in the state, not let Federal get control of it. Now I think our best step is to maintain control of that area because once the Federal gets it, you'll have it.

The SPEAKER: The Chair recognizes the gentleman from Hampden, Mr. Littlefield.

Mr. LITTLEFIELD: Mr. Speaker and Members of the House: I just want to say a word about this measure this morning. Reading from the report of the findings and recommendations of the Allagash Wilderness Waterway, on the last paragraph it states, "The committee therefore anticipates the state share of the cost of three million for acquisition and development to be one and a half million." Then in the next sentence it says "the estimated annual cost of operation and maintenance is approximately \$100,000." Now we're told the cost will be twenty-five thousand. The figures are being bandied around a little. I am not in favor of the bill.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: It certainly is not my intention to belabor this document before us here this morning too long, although I feel that these few words should be said if only for clarification of a few questions that might have been brought up to your attention.

I think the land acquisition here that we are talking about is something in the vicinity of one-fifth of one percent of the land owned by the owners. I am of the impression that a few years ago we had one of our great Governors of our State of Maine who had some land in our state and contributed enormously to public relations in seeing fit to donate some of this land to this State of Maine for its development and also for recreational purposes.

I am of the belief that certainly the landowners of our own state who are being taxed a minimum amount on these lands would gain an enormous amount of public relations by possibly doing the same or following somewhat in the steps of our great Governor Baxter, rather than to try to hold everything back or to fight everything we are trying to do to make sure that these recreational in-

terests of our state will be developed to its fullest extent for years to come. Certainly I feel that if that avenue would be pursued that the landowners of our own state would gain in stature and certainly would gain the appreciation and admiration of all the people of our state and all the people of our country.

The SPEAKER: The Chair recognizes the gentleman from Enfield, Mr. Dudley.

Mr. DUDLEY: Mr. Speaker and Members of the House: This morning, or at least while I have been here, I have been led to believe that the cost of this was \$1,500,000. I don't believe that this is the case, I think it is more likely a down payment on it. I would like to ask a question through the Chair to anybody who knows, if this is the cost or if this is the down payment, what they anticipate it will cost in the next ten years.

The SPEAKER: The gentleman from Enfield, Mr. Dudley, poses a question to any member of the House and any member of the House may answer if he so desires.

The Chair recognizes the gentleman from Eagle Lake, Mr. Martin.

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen: In relationship to the question posed by the gentleman from Enfield, Mr. Dudley, it is my belief that \$3,000,000 would be sufficient. It is hoped anyway, anticipated that this would be so in the total acquisition of land. Now of course this does not involve the estimated annual operating budget needed. The gentleman from Hampden, Mr. Littlefield, suggested that the committee made the figure of \$100,000. This is indeed so. However, please remember that we are not economic experts. This is our estimation based on what we thought we knew.

After further looking into the situation and after figures from the State Park Commission, it is now believed that this could be done on less a figure than the fifty thousand dollar or the hundred thousand dollar mentioned in the

report. It is possible it could be done on twenty-five thousand. I think that none of us can stand here and say that the \$3,000,000 may or will not or cannot do it, nor can we say that it will. It is anticipated that it will. I hope this answers the question posed by the gentleman from Enfield, Mr. Dudley.

While I am on my feet I might as well answer a few other questions that were posed. The gentleman from Presque Isle, Mr. Wight, seems to be confused between two plans. One, the national plan proposed by the Department of Interior a number of years ago and the plan proposed by us in the Allagash Interim Committee. It appears from his statement that he is in favor of the federal control. This is indeed odd. I am sure that he knows that if the federal control is involved and they do control this area, more land than what we propose to take will be taken out of production. Obviously this would be worse for our timberland owners and worse for the economic atmosphere of Maine. Therefore certainly I hope that this bond issue receives your favorable action.

Thereupon, in accordance with the provisions of Section 14 of Article IX of the Constitution a two-thirds vote of the House being necessary, a division was had. 107 voted in favor of same and 23 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### **Emergency Measure**

An Act Converting Allagash Plantation into the Town of Allagash and Converting St. Francis Plantation into the Town of St. Francis (H. P. 1289) (L. D. 1795)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 128 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### **Passed to Be Enacted**

An Act Providing Funds for Municipal Building at Old Orchard Beach (H. P. 1193) (L. D. 1661)

An Act Creating a Third Assistant County Attorney for Cumberland County (H. P. 1240) (L. D. 1735)

An Act relating to Tax on Harness and Running Horse Racing (H. P. 1249) (L. D. 1744)

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

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

An Act Creating an Advisory Board of Review of Operators' License Control Procedures (H. P. 1285) (L. D. 1791)

Resolve Authorizing Anthony M. Look and the A. M. Look Canning Company to Sue the State of Maine (H. P. 1243) (L. D. 1738)

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.

The following paper from the Senate was taken up out of order by unanimous consent:

#### **Senate Report of Committee Ought Not to Pass Covered by Other Legislation**

Report of the Committee on State Government on Resolve Proposing an Amendment to the Constitution Affecting the Apportionment of the State Senate (S. P. 607) (L. D. 1632) reporting "Ought not to pass", as covered by other legislation.

Came from the Senate read and accepted.

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

The SPEAKER: You will now return to your House Calendar as of today, on page 7 under matters which were tabled and assigned for today.



### Orders of the Day

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

Bill, "An Act relating to a Compact for Education." (S. P. 666) (L. D. 1699)

Tabled — January 27, by Mr. Hoy of Lewiston.

Pending — Further consideration. (In Senate, Senate Voted to Insist on its former action whereby the Bill was Passed to be En-grossed.)

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

Mr. HOY: Mr. Speaker, at this time I move that we recede.

The SPEAKER: The gentleman from Lewiston, Mr. Hoy, now moves that we recede from our former action.

The Chair recognizes the gentleman from Freeport, Mr. Graham.

Mr. GRAHAM: Mr. Speaker and Ladies and Gentlemen of the House: Defeated in this House by a vote of 107 to 19 this bill's proponents have carried this thing to the crest. Not for one minute do I favor federal control of education, nor do I favor state dictatorship of education. But clearly the Federal Government can assist the states in cooperating in such matters, educationwise and otherwise.

What is the comparatively new U. S. Department of Health, Education and Welfare for but to facilitate the exchange of information on educational matters? Let me read one brief paragraph from the Act setting up the U. S. Office of Education: "Purpose: The statutory functions of the Office of Education are to collect such statistics and facts as shall show the condition and progress of education, to diffuse such information as shall aid the people of the United States in the establishment and maintenance of efficient school systems, and otherwise to promote the cause of education."

So we've got this thing called the U. S. Department of Health and Education and Welfare. Why not use it? This so-called compact for education creates another ap-

propriation, another committee, another bureaucracy, with an ever expanding appetite for public dough. Four thousand this year, eight thousand next year, and who knows what the year following?

However, let us not be dogmatic. If this loose confederation of fifty-two state commissions — mind you this is the District of Columbia and Puerto Rico included, if this loose confederation which will consist of 364 members, if this should be of value and we find that it works, we can join it at any time. But why, I ask you, why put another bite on the Maine taxpayer until we see how this works? I for one shrink from squeezing another penny out of the public, and least of all on an unproven project like this.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: I would like to rise in support of my colleague Mr. Hoy from Lewiston. At the hearing which was held on this bill, no opponent appeared to it. Many times during the regular session of the Legislature the Education Committee wished to have information available as to what was happening in other states. Unfortunately there seems to be no source from which we can get this quickly. I know that many in the House have had experience with the Federal Government and if the 103rd Legislature should request information from the Department of Health, Education and Welfare we would be fortunate to get the information by the 104th Legislature.

There is in this country a National Education Association which is an association of teachers, who are influential on the legislative scene in Washington. I would hope that perhaps this group, as a national compact of lay people like you and me who are interested in education, could also make their voice heard before the Federal Congress and have some of the ideas that the various states propose put forward as a joint effort

rather than one of fifty. I would like to point out also that this can be tried and if it doesn't work the reverse of my good friend, Mr. Graham, is true, we can leave it at any time. Therefore I would like to urge the support of the motion to recede.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: As you have heard from the gentleman from Stonington, Mr. Richardson, this is permissive legislation and if it is found that a minority of the states wish to join in this compact — and I don't think that this legislation will necessarily be of any great importance to us or the remaining states, it was felt by a majority of the committee that this might be something that might be beneficial to the people of the State of Maine in the years to come. If we don't try it, we will never know. If we do go ahead and try it under permissive legislation and other states see fit to join us, then I think possibly that we can stand to gain by adopting this piece of legislation.

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

Mrs. HANSON: Mr. Speaker and Members of the House: As I have served on past education committees and interim committees on education, I have often thought and our committees have thought that it would be very beneficial to have something of this sort that we could resort to. Many times we would be in the process of studying a subject and have to wait for letters to go all over the United States to get reaction, the information that we wanted. Therefore I stand in support of this compact.

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

Mr. CARROLL: Mr. Speaker and Members of the House: I was very much shocked to find out that this bill also is to provide a lobbyist in Washington and when I say that I would like to explain

it. It said that the National Teachers Foundation has a lobbyist and my good friend from Stonington, Mr. Richardson, says that this would act as a lobbyist organization in Washington. Well, I am slightly dumbfounded at times when I hear over the radio and read in the press that we don't understand what we are doing here. I think we do understand what we are doing. We are trying to stop from forming another organization which will submit to you another report, another report which you will not read, you will throw under your desks or take it home and throw it in the corner, we've got a whole stack of them.

I fail to see why we should be a partner in forming this thing. I think that after it is formed if it is good we will buy it, but it's got to prove itself. I am a great follower of never buying the first change in an automobile or any development of automobile or new model. They will put some new wrinkles in it. The next time they manufacture it they will take them out because they don't approve them. I am all for buying a proven product, and this is just a new venture. I am against it. You joined with me the other day and I hope you will join with us here today. And when they go on and use the radio as a medium of the press to tell you we don't understand what we're doing I object to that medium, and I tell the press and the radio that we do know what we're doing, that we're trying to stop one more organization from getting going within these United States, one more that comes in and asks for four thousand today and eight thousand next year, and two years thirty thousand and in two more perhaps sixty thousand. We may be developing an octopus here that will reach in all directions.

So I hope you will join with me today and I hope that you will because I know in the future you are going to have many more requests for compacts and there are going to be compacts in all directions, and I think we have arrived at the point where we

better start saying no. This is not something that we should bite immediately they offer it to us, it is not a piece of cake, it won't melt—it is not ice cream rather, it won't melt. It is something that will keep for two or three years from now and if this proves itself to be good two years from now then perhaps you people can buy it. Thank you.

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

Mr. SULLIVAN: Mr. Speaker and Members of the House: I agree substantially with what the gentleman has just said and I believe that an octopus — if that's the right way to pronounce it, has already reached out in innumerable directions. What they seem to want is to add at least one more leg and probably that's —after they get that one more leg somebody's going to come along and add two or three more and so on. Thank you.

Mr. Graham of Freeport requested a division.

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

Mr. HOY: Mr. Speaker and Members of the House: I would just like the record to show that this educational compact was endorsed and recommended by Governor Reed in his message to us before the start of this special session. I think one other point of information should be brought out, that the membership of the Maine group in this compact would include one member from each house of the state legislature.

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

Mr. COTTRELL: Mr. Speaker and Members of the House: I dislike to disagree with my good colleague here, Mr. Graham. He is one of our great Yale alumni and I don't know whether he is against this bill because it was really proposed by the great president from Harvard, and Mr. Graham did get defeated up there at one time and I think he lost some money on the Yale-Harvard game last fall. But Dr. Conant was

employed by the government, a combination of the government and the Ford Foundation, to make a survey of our whole secondary and elementary school systems, and after doing that and writing two books about it, and all of this discussion, it was his suggestion that this compact be arranged if possible. I think it is one of the most advanced promotions in the field of education and I certainly would dislike to see it go down the drain.

The SPEAKER: The Chair recognizes the gentleman from Freeport, Mr. Graham.

Mr. GRAHAM: Mr. Speaker, I would just like to ask a rhetorical question. Does the gentleman imply that I was educated on the wrong side of the railroad tracks? Also, I would like to point out that the only Harvard graduate in this House, as far as I know, spoke eloquently against this bill last time.

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

Mr. SULLIVAN: Mr. Speaker and Members of the House: I was born on the other side of the railroad tracks, but I have had a wonderful education. And this morning I want to say that it has been my experience that there is no individual, including myself, that knows everything about everything in one field, and there's no individual that I know of that's perfect, at least living today, and as the President of the Alumni of the University of Hard Knocks, which in most fields of endeavor they have always been able to win the majority of times over any other universities, I thank you.

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

Mr. LIBHART: Mr. Speaker, Ladies and Gentlemen of the House: I don't know how Harvard and Yale got into this thing, but if the gentleman from Freeport, Mr. Graham was suggesting that I am against this, I am not; I'm for it.

Mrs. Ruby of Bangor moved the previous question.

The SPEAKER: The gentlewoman from Bangor, Mrs. Ruby, moves the previous question. For the Chair to entertain the motion for the previous question, it must have the expressed consent of one-third of the members present. All those in favor of the motion for the previous question will kindly rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER: Obviously, more than one-third having risen, the previous question is in order. The question before the House now is shall the main question be put now, which is debatable for no more than five minutes by any one member. Shall the main question be put now? All those in favor of the main question being put now will say aye; those opposed, no.

A viva voce vote being taken, the main question was ordered.

The SPEAKER: The question before the House now is the motion of the gentleman from Lewiston, Mr. Hoy, that we recede from our former action. The gentleman from Freeport, Mr. Graham, has requested that the vote be taken by a division. All those in favor of receding from our former action will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Sixty-seven having voted in the affirmative and fifty-six having voted in the negative, the motion prevailed.

Mr. Richardson of Stonington offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 666, L. D. 1699, Bill, "An Act Relating to a Compact for Education."

Amend said Bill by striking out all of section 2 and inserting in place thereof the following:

'Sec. 2. Appropriation. There is appropriated from the General Fund to the educational commission of the states the sum of \$12,000 to carry out the purposes

of this Act. The breakdown of expenditures shall be as follows:

	1965-66	1966-67
EDUCATION,		
DEPARTMENT OF		
All Other	\$4,000	\$8,000'
House Amendment "A" was adopted, the Bill passed to be engrossed as amended in non-concurrence and sent up for concurrence.		

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

HOUSE REPORT — "Ought not to pass" — Committee on Appropriations and Financial Affairs on Bill, "An Act Providing Funds for the Construction of a Sailing Vessel for Exhibition at the 1967 World's Fair at Montreal, Canada." (H. P. 1274) (L. D. 1775)

Tabled — January 27, by Mr. Edwards of Portland.

Pending — His motion to reconsider Indefinite Postponement of Report and Bill.

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

Mr. EDWARDS: Mr. Speaker, I regretfully move that we abandon ship.

The SPEAKER: Is the gentleman withdrawing his motion?

Mr. EDWARDS: Yes, Mr. Speaker.

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

Mr. ANDERSON: Mr. Speaker, I want to thank very kindly, the gentleman from Portland, Mr. Edwards.

The SPEAKER: The question before the House now is, where this is a reconsideration motion, that the gentleman from Portland, Mr. Edwards, be allowed to withdraw his motion.

The SPEAKER: The Chair recognizes the gentleman from Skowhegan, Mr. Poulin.

Mr. POULIN: Mr. Speaker, Ladies and Gentlemen of the House: This may be a dead cause, but I still want to speak on it. For one thing, we did get a lot of publicity from the start when this novel idea was brought out.

Now the figure of \$1,500,000 is quite a lot of money, but to build the boat itself would cost about \$350,000. Now Montreal has lowered their figures for the docking facilities down to \$600,000. Another thing, that boat could really be used for the publicity of Maine, because of all the seashore festivities that we do have, and another thing, it could be used and repay itself by having cruises with it, which is very possible. Now I don't know, I think it is too bad to let an idea like this go down because somebody else is going to pick it up. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Moscow, Mr. Beane.

Mr. BEANE: Mr. Speaker and Ladies and Gentlemen of the House: To give you a little history of how this bill happened to get before you, I'll give you a few dates from the newspapers which carried the article. September 11, 1965, this was carried in the Bangor Daily News, and everybody knows that paper has a circulation of 80,000; September 25 it was carried again in Loren Arnold's column in the Bangor Daily News; September 30 it was carried in the Waterville Sentinel; again in the Bangor Daily News September 30, 1965; the editorial in the Waterville Morning Sentinel carried this article October 2nd; December 6, 1965 it was carried in Frank Sleeper's column in the Portland Press Herald; December 6 it was carried in the Press Herald — in another Gannett paper; December 8 it was in the Bangor Daily News again; and December 9 it was back in the Sentinel again. Now all these times that these articles appeared there hasn't been one word said against the article; in fact, these were all favorable articles. It was carried in the Down East Magazine also.

There are many reasons why Maine should have an outstanding exhibit at Expo 67 to be held at Montreal, Quebec. To enumerate a few; First: Consider Maine's geographical location. It is adjacent to the Province of Quebec, and over 75 percent of our land boundaries are Canadian Prov-

inces, including Quebec and New Brunswick. In addition Maine must be crossed by nearly all traffic going to and from the Maritime Provinces to other parts of Canada. Second: Racial ties must be considered. The population of Maine consists of approximately one third of its inhabitants of French-Canadian origin, also a great number from New Brunswick and other Maritime Provinces. The Fair must be considered as a Canadian Exposition, and not solely the Exposition of the Province of Quebec. Third: An exhibit will serve to promote Maine as a recreational and vacation area. The present patronage of Maine as a vacationland by Canadians is noteworthy, but greater promotional activities will increase this. Most Canadians must travel great distances to get to the seacoast, and they have to cross Maine to get to the Maritimes; thus greater promotional activities will cause many Canadians to spend their vacations in Maine. Fourth: To give greater emphasis to the varied recreational opportunities and vacation areas that are available in Maine; stressing the seacoast, the lakes and rivers, and the mountain resorts, especially the winter sports areas. Maine's seacoast is approximately 2,500 miles in length including the indentures made by its many bays and rivers. Greater emphasis should be placed on Maine as a winter sports area; also to encourage as many visitors as possible to return to their homes by way of Maine. Fifth: To advertise the products of industry of the State of Maine. This could be done by having displays and pamphlets prepared by various industries who care to advertise their products at this exhibition. Maine should make every effort to have an exhibit at Expo 67 that will be second to none, to be outstanding and appealing to all who attend the Exposition.

I know of no better way that this can be accomplished than by having as Maine's Exhibit — a sailing ship — a replica of a three-masted schooner, the type that carried the bulk of freight that

was carried coastwise prior to the mid 1920's.

Maine's early industrial and economic history was based on ship-building, lumbering, fishing, and the transportation of merchandise to and from all parts of the world. Maine was a maritime power, and is still remembered for the part it played in the maritime history of the Nation. What have we done to preserve and perpetuate its memory? There is not one real seaworthy ship that is maintained to serve as a connecting link with our past history. There are two derelict schooners at Wiscasset that are undoubtedly photographed more than other object along the entire length of Route No. 1, also a smaller craft in somewhat better condition moored at Damariscotta. We have a small fleet of sailing craft that are engaged commercially in carrying passengers along the Maine coast. Their presence in various coastal areas creates an awe-inspiring sight that means a great deal to many communities and the State in general. Their skippers are to be commended for perpetuating a tradition for which our State was most famous. Such a craft representing the State of Maine would not only serve as an attractive exhibit at Expo 67, but could be used as a major tourist attraction in our own State, and could be used for promotional purposes by sailing to any Atlantic or Gulf Coast ports. Truly, nothing will attract as much attention as a sailing ship. Everyone has an interest in the craft, and I know of nothing that will cause more questions to be asked nor more time to be spent in observing its every movement. Even as far back as the 1920's, before sailing craft became so nearly extinct, they created a great deal of interest wherever they went. This ship could be used for various purposes after Expo 67. Enumerating a few uses, as follows:

1. It could be sailed along the Maine Coast as a tourist attraction. Ports and events that could be visited annually include: (A) July Fourth — Jonesport, (B) Broiler Festival — Belfast, (C) Windjammer Days — Boothbay

Harbor, (D) Friendship Sloop Week — Friendship, (E) Sea Food Festival — Rockland, (F) Retired Skippers Race — Penobscot Bay, (G) To any major event held in any Maine Port. Could sail on Maine rivers: Penobscot to Bangor, Kennebec to Hallowell, possibly Augusta. Sheepscot to Wiscasset.

2. Sail to Atlantic and Gulf Coast Ports: Gasparilla Days — Tampa, Florida, Mardi Gras — New Orleans, Visit — New York City, Boston, and others.

3. The ship could be moored in some coastal community where it could serve as a tourist attraction, or a maritime museum.

4. It could be used as a supplementary training ship for the Maine Maritime Academy for seamanship and navigational training.

5. It could be sold to be used for varied purposes by the purchaser.

6. Its uses after Expo 1967 are limited only to the imagination.

The proposed ship would be 130 feet in overall length, 30 feet beam, and 11 or 12 feet depth of hold. The entire hold area would be roughly 100 feet in length and could be used for display areas. The craft would be rigged as a true Maine Coast Schooner including top-masts. It would also be equipped with Diesel Auxiliary power for propulsion in calm weather or where sailing is not possible. It would be constructed of native timber as far as possible. The total construction costs to be approximately \$350,000.

With the proper promotion, the building of the ship would be an event that would create interest throughout the entire nation for it would not only get coverage in state publications, but in magazines having national coverage as well.

Maine would get much favorable publicity from its construction, and it could be assumed that the economy of the State would be increased by more than the amount spent in construction by expenditures of tourists who would visit the State to observe the ship during the construction period. All parts of the State could be in-

volved in supplying timber to be used in the construction of the craft, and some part of the ship could be constructed from timber from each county in Maine.

The entire elementary school population of Maine could be involved in naming the ship. This could be done by having a statewide contest to select a name with a suitable prize to be awarded to the winner. A photographic story of the entire construction period could be carried out, thus giving more publicity to Maine.

A movie covering the trip to Montreal could be made which could be televised to all points in Maine, thus every interested person would have an opportunity to observe the ship on an eventful mission.

An exhibit of this type would be most attractive, it would be an eye-catcher, and would do the job that we want done — it would sell the State of Maine — its industrial potential and its varied tourist attractions.

I would propose that the ship be berthed in an area at Expo 67 where it would be most useful for the purposes for which we are there.

Now, Mr. Speaker, Ladies and Gentlemen, if I am in order, I would like to reconsider the action taken in our previous action.

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

Mr. ANDERSON: Mr. Speaker, Ladies and Gentlemen of the House: I think some of us feel that this might be a fair medium of advertising for the State, but we can't afford it. We have very few industries in the State and seventy percent of them are seasonal. If we had a hundred million dollars or so in surplus, we might play with this project. The Ship of State is already wallowing off Portland Light, with a shifting cargo of approximately \$160,000,000 in bond issues. I think that we should lend ourselves to keeping this ship afloat, rather than building another one. As I stated the other day, the cost of maintenance of a wooden boat of these dimensions would be staggering. I have just had a note put on my

desk that no wooden boat of over 100 tons can be used for cruising purposes under the regulations of the Coast Guard. I certainly hope the motion to reconsider does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Sanford, Mr. Blouin.

Mr. BLOUIN: Mr. Speaker and Members of the House: I would like to take a few moments to congratulate my good colleague, Mr. Beane, for doing such a marvelous job in the research of this canoe, or schooner, whatever you want to call it. I hope that every member of this House will vote against his motion, because I, for one, would hate to return home and try to explain how we spend a million and a half dollars to put a little sail on a canoe and go to Montreal. I move for a division against reconsideration.

The SPEAKER: The Chair recognizes the gentleman from Falmouth, Mr. Payson.

Mr. PAYSON: Mr. Speaker and Members of the House: I merely regret the distinguished member from Moscow did not suggest entering the schooner in the Monhegan Island race which starts and ends in Casco Bay.

The SPEAKER: The Chair recognizes the gentleman from Skowhegan, Mr. Poulin.

Mr. POULIN: Mr. Speaker and Ladies and Gentlemen of the House: Now I don't believe that the DED has got as much publicity out of any project that they produce out of all the monies that they have got, as much as this one has, and hasn't spent any money yet.

Now, we are trying to advertise Maine. You give DED so much money and what do they do? Huh, it goes to waste. Maine Publicity or whatever you want to call it, they get their share of it. Now this so-called 'canoe' can be built for approximately that price. I happen to know a shipbuilder and he figured his boats up to 65 feet at anywhere between \$1,000 and \$1,200 per foot. Now you figure it out from there. As far as tonnage goes, this boat will be heavy enough because it will be made

of Maine oak. Now if anybody knows anything about lumber, they know oak is heavy. I believe it will come under this tonnage. But I don't know of any other project that has been produced in this State that has given any more publicity than this one here has, and if we want publicity, let's pay for it. People in business buy ads, they buy a whole page. Why? They want to sell a project. They don't buy a little corner in the want ads. So let's be realistic. Now the price right now, if we leave it up to the Appropriations Committee, they can take it out of the DED fund.

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

Mr. KENNEDY: Mr. Speaker, parliamentary inquiry.

The SPEAKER: The gentleman may make his inquiry.

Mr. KENNEDY: Is the request to withdraw a motion debatable?

The SPEAKER: The answer is in the negative. All those in favor of allowing the gentleman from Portland, Mr. Edwards, to withdraw his motion for reconsideration will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Ninety having voted in the affirmative and twenty-four having voted in the negative, the motion was withdrawn.

The SPEAKER: The Chair recognizes the gentleman from Skowhegan, Mr. Poulin.

Mr. POULIN: Mr. Speaker and Ladies and Gentlemen: I would like to make a motion that we reconsider our action.

The SPEAKER: The gentleman from Skowhegan, Mr. Poulin, now moves we reconsider our action whereby this bill and its accompanying papers were indefinitely postponed.

Mr. Blouin of Sanford requested a division.

The SPEAKER: The Chair recognizes the gentlewoman from Portland, Mrs. Carswell.

Mrs. CARSWELL: Mr. Speaker, I move to table that motion until the next legislative day.

The SPEAKER: The gentlewoman from Portland, Mrs. Carswell now moves that we table the motion to reconsider our action whereby this was indefinitely postponed.

Mr. Blouin of Sanford requested a division.

The SPEAKER: A division has been requested. All those in favor of this matter lying upon the table until the next legislative day will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Fifty-four having voted in the affirmative and sixty-five having voted in the negative, the tabling motion did not prevail.

The SPEAKER: The question before the House now is the motion of the gentleman from Skowhegan, Mr. Poulin, that we reconsider our action whereby this bill and its accompanying papers were indefinitely postponed.

The Chair recognizes the gentleman from Skowhegan, Mr. Poulin.

Mr. POULIN: Mr. Speaker, there is just one thing that I forgot to mention. The Governor is going to ask for \$500,000, so we'll will take that \$500,000 and that cuts it down to a million right off quick.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Skowhegan, Mr. Poulin, that we reconsider our action whereby this Bill "An Act Providing Funds for the Construction of a Sailing Vessel for Exhibition at the 1967 World's Fair at Montreal, Canada," H. P. 1274, L. D. 1775 and accompanying papers were indefinitely postponed on January 26. A division has been requested by the gentleman from Sanford, Mr. Blouin.

All those in favor of reconsidering our action whereby this bill and its accompanying papers were indefinitely postponed will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Twenty-seven having voted in the affirmative and eighty-nine



having voted in the negative, the motion did not prevail.

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

Mr. BUSSIERE: Mr. Speaker, just to say that 'down goes the canoe.'

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

Thereupon, Mr. Poulin of Skowhegan was granted unanimous consent to briefly address the House.

Mr. POULIN: I forgot to tell you people, there are now lifeboats in that boat.

The Chair laid before the House the following matter, item 5 on page 2 of the calendar out of order without objection:

Majority Report of the Committee on Judiciary on Bill "An Act to Correct Errors and Inconsistencies" (S. P. 695) (L. D. 1781) reporting "Ought to pass" as Amended by Committee Amendment "A" submitted therewith. (C. "A" S-405)

Report was signed by the following members:

Messrs. STERN of Penobscot  
VIOLETTE of Aroostook  
—of the Senate.

Messrs. GILLAN of South Portland  
DAVIS of Calais  
BERMAN of Houlton  
BRENNAN of Portland  
DANTON  
of Old Orchard Beach  
BISHOP of Presque Isle  
—of the House.

Minority Report of same Committee on same Bill reporting "Ought to pass" as Amended by Committee Amendment "B" submitted therewith. (C. "B" No. S-406)

Report was signed by the following members:

Mr. GLASS of Waldo—of the Senate.

Mr. RICHARDSON of Cumberland—of the House.

Came from the Senate with the Majority Report accepted and the

Bill Passed to be Engrossed as Amended by Committee Amendment "A" and Senate Amendment "A". (S. "A" No. S-407)

In the House:

On motion of Mr. Berry of Cape Elizabeth, the Majority "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. 695, L. D. 1781, Bill, "An Act to Correct Errors and Inconsistencies in the Public Laws."

Amend said Bill by inserting after section 5 the following sections:

"Sec. 5-A. R. S., T. 4, § 306, amended. The 2nd sentence of section 306 of Title 4 of the Revised Statutes is amended to read as follows:

'The judges may interchange service or perform each others' duties when they find it necessary or convenient, and in case of the death a vacancy in the office of a judge, all necessary terms of the probate court for the county may, at the request of the register, be held by the judge of another county until the vacancy is filled.'

Sec. 5-B. R. S., T. 5, § 191, amended. The 3rd paragraph of section 191 of Title 5 of the Revised Statutes is repealed and the following enacted in place thereof:

'For approval of certificate of organization of corporations under Title 9, sections 996, 2341 and 3206 and Title 13, chapters 1 to 21, §10 in advance.'

Further amend said Bill by striking out all of the amending clause of section 7 and inserting in place thereof the following:

'Sec. 7. R. S., T. 5, § 1001, sub-§ 10, amended. Subsection 10 of section 1001 of Title 5 of the Revised Statutes, as amended by section 1 of chapter 339 of the public laws of 1965, is further amended to read as follows:'

Further amend said Bill by striking out in the 8th line of section 7 (6th line of L. D. 1781) the words "Legislature or the"

Further amend said Bill by inserting after section 18 the following section:

"Sec. 18-A. R. S., T. 9, § 515, sub-§ 2, amended. The first sentence of subsection 2 of section 515

of Title 9 of the Revised Statutes is amended to read as follows:

'All such accounts, whenever opened, or such shares and accounts in loan and building associations whenever issued, payable to either of 2 or more of the survivors, who are husband and wife, parent and child, grandparent and grandchild, or brothers and sisters, up to, but not exceeding an aggregate value of \$5,000, including interest and dividends, in the name of the same persons in all banks, savings banks, loan and building associations or trust companies within this State shall, in the absence of fraud or undue influence, upon the death of any such persons, become the sole and absolute property of the survivor or survivors, even though the intention of all or any one of the parties be in whole, or in part, testamentary and through **though** a technical joint tenancy be not in law or fact created.'

Further amend said Bill by inserting after section 28 the following section:

**"Sec. 28-A. R. S., T. 14, § 6203, sub-§ 1 amended.** Subsection 1 of section 6203 of Title 14 of the Revised Statutes is amended by adding at the end the following: **'All foreclosures of real estate mortgages between September 3, 1965 and the effective date of this Act and otherwise valid, except that public notice was given in a newspaper published and printed in whole or in part in the county where the premises are located rather than in a newspaper having its principal place of business in the county where the premises are located, are validated.'**"

Further amend said Bill by striking out all of section 35.

Further amend said Bill by striking out all of the amending clause of section 56 and inserting in place thereof the following:

**'Sec. 56. R. S., T. 29, § 1652, amended.** The 2nd paragraph of section 1652 of Title 29 of the Revised Statutes, as amended by chapters 121, 152, section 2 of chapter 216 and by chapter 350, all of the public laws of 1965, is repealed and the following enacted in place thereof:'

Further amend said Bill by striking out in the 4th line after the schedule in section 56 (the same in L. D. 1781) the underlined figure **"32,000"** and inserting in place thereof the underlined figure **'36,000'**; and by inserting after the underlined words **"both axles"** in the 5th line (same in L. D. 1781) the underlined words, figures and punctuation **' , specifically excepting the Interstate Highway System as defined in the Federal Highway Act of 1956 and vehicles operating on said Interstate Highway System shall not exceed 32,000 pounds imparted from both axles'**

Further amend said Bill by striking out all of section 57.

Further amend said Bill by inserting after section 70 the following sections:

**"Sec. 70-A. R. S., T. 32, § 4118-A, amended.** The last sentence of the 2nd paragraph of Section 4118-A of Title 32 of the Revised Statutes, as enacted by section 6 of chapter 223 of the public laws of 1965, is repealed as follows:

**'All other certificates shall be deemed active.'**

**Sec. 70-B. R. S., T. 32, § 4118-A, amended.** The last paragraph of section 4118-A of Title 32 of the Revised Statutes, as enacted by section 6 of chapter 223 of the public laws of 1965, is amended to read as follows:

**'Anyone who has surrendered his license as described in this section and who applies for reinstatement of his license to active status shall be subject to all the provisions of this chapter applicable to an original applicant for a license, excepting written examination and fee. The applicant shall pay a fee of \$2 in addition to the renewal fee.'**"

Further amend said Bill by inserting after section 72 the following sections:

**"Sec. 72-A. R. S., T. 34, § 1672, sub-§ 4, additional.** Section 1672 of Title 34 of the Revised Statutes is amended by adding a new subsection 4 to read as follows:

**'4. Expiration of 30-year term in other cases. After the expiration of a 30-year term of imprisonment, less deduction for**

good behavior, when, following conviction, he has been sentenced to a minimum term of 30 years or more.'

**Sec. 72-B. Intent.** It is the intent of the Legislature that the Revised Statutes, Title 34, section 1672, subsection 4, shall apply to all persons incarcerated in the Maine State Prison on the effective date of this Act."

Further amend said Bill by renumbering sections of the Bill to read consecutively.

Committee Amendment "A" was adopted in concurrence.

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

Senate Amendment "A" to S. P. 695, L. D. 1781, Bill, "An Act to Correct Errors and Inconsistencies in the Public Laws."

Amend said Bill by inserting at the end, before the emergency clause, the following:

'**Sec. 84. P. & S. L., 1927, c. 67, repealed.** Chapter 67 of the private and special laws of 1927, as amended, is repealed.

**Sec. 85. Application.** The funds released as a result of the repeal of the public debt amortization fund shall be utilized for the retirement of any indebtedness relating to the Waterville public schools.

**Sec. 86. Referendum; effective date.** In view of the emergency cited in the preamble, the 2 preceding sections shall take effect when approved, only for the purpose of permitting their submission to the legal voters of the City of Waterville at a special election to be called and held within 60 days after approval of this Act. Such special election shall be called, advertised and conducted according to the law relating to municipal elections; provided that the board of registration in said City of Waterville shall not be required to prepare, nor the city clerk to post, a new list of voters.

The city clerk shall prepare the required ballots, on which he shall reduce the subject matter of the 2 preceding sections to the following question: "Shall the public debt amortization fund of the City of Waterville be repealed and the

funds thus released be used for the retirement of any indebtedness relating to the Waterville public schools?" The voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same.

The 2 preceding sections shall take effect for all the purposes thereof immediately upon their acceptance by a majority vote of the legal voters voting at said election; provided that the total number of votes cast for and against the acceptance of said sections at said election equaled or exceeded 10% of the total vote for all candidates for Governor in said city at the next preceding gubernatorial election.

The result of such election shall be declared by the municipal officers of the City of Waterville and due certificate thereof shall be filed by the city clerk with the Secretary of State.'

Senate Amendment "A" was adopted in concurrence.

Mr. Brennan of Portland offered House Amendment "A" and moved its adoption.

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

**HOUSE AMENDMENT "A"** to S. P. 695, L. D. 1781, Bill, "An Act to Correct Errors and Inconsistencies in the Public Laws."

Amend said Bill by inserting after section 42 the following section:

"**Sec. 42-A. R. S., T. 23, § 703, sub-§ 4, amended.** Subsection 4 of section 703 of Title 23 of the Revised Statutes, as amended by section 2 of chapter 388 of the public laws of 1965, is further amended to read as follows:

'**4. Limitation.** No more than 2 miles of access road in each township or municipality shall be constructed under this section to serve any one ski area or industrial development area.'

Further amend said Bill by renumbering sections of the Bill to read consecutively.

House Amendment "A" was adopted.

Under suspension of the rules, the Bill was given its third reading, passed to be engrossed as amended by Committee Amendment "A", Senate Amendment

"A" and House Amendment "A" in non-concurrence and sent up for concurrence.

#### **House at Ease**

Called to order by the Speaker.

#### **Order out of Order**

Mr. Baldic of Waterville presented the following Order and moved its passage:

ORDERED, the Senate concurring, that the Department of Education is authorized and directed to determine a location for a State Vocational Educational Institute in Kennebec County if same is deemed advisable after study. (H. P. 1297)

The Order received passage and was sent up for concurrence.

The SPEAKER: The Chair will now request the members to turn to Supplement No. 3. Is there objection from any member? The Chair hears none.

#### **Non-Concurrent Matter**

An Act to Prevent the Loss of Educational Subsidy in Certain Towns for the Year 1967 (S. P. 635) (L. D. 1616) which was passed to be enacted in the House on January 27 and passed to be engrossed as amended by Committee Amendment "A" on January 25.

Came from the Senate passed to be engrossed as amended by Committee Amendment "A" and Senate Amendment "A" in non-concurrence.

In the House: The House voted to recede and concur with the Senate.

#### **Non-Concurrent Matter**

Bill "An Act for Licensing Private Detectives and Watch, Guard and Patrol Agencies" (S. P. 675) (L. D. 1713) which was passed to be engrossed as amended by Committee Amendment "A", Senate Amendment "C" and House Amendment "A" in non-concurrence in the House on January 27.

Came from the Senate with House Amendment "A" indefinitely postponed and the Bill passed to be engrossed as

amended by Committee Amendment "A", and Senate Amendment "C" as amended by Senate Amendment "A" thereto in non-concurrence.

In the House:

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

Mr. BRENNAN: Mr. Speaker, I move that this bill and all its accompanying papers be indefinitely postponed and I would like to speak briefly.

Passage of this bill would encourage the establishment of private armies or private police forces. I submit that when you get into the profit motive in police work, you are going to get very zealous people, and when you get very zealous police officers or private detectives, you are going to have an infringement on the rights of other people.

Under this bill, there is no provision that these private detectives who are given this broad power to arrest throughout the state be required to have any formal training, and particularly in the present state of criminal law, in order to make a valid arrest, one must know his business. I readily visualize a situation in which some of these private detectives will go in, make an arrest without probable cause; consequently, any evidence they may gain will not be able to be used in courts, and rather than working toward the elimination of crime, they would tend to, in one sense, increase the problems in this area.

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

Mr. LIBHART: Mr. Speaker, Ladies and Gentlemen of the House: I hope that this motion to indefinitely postpone this bill and all its accompanying papers is defeated. If we do defeat it, I will then make a motion that we insist and join in a Committee of Conference. I think the difficulty between this body and the other body can be very readily worked out. I think that the amendment that the gentleman from Augusta,

Mr. Lund, presented in the House and we adopted was a reasonable and a good amendment. I think we are dealing here in an area where none of us has really studied this bill. We are pretty much relying on our committee work. A similar bill was in the regular session before the Legal Affairs Committee and it came out unanimous ought to pass, and the only reason that it is here again is because it was vetoed because it shifted the responsibility for licensing detectives from the Governor's office to the Secretary of State's office. This bill puts the licensing back where it was before. It is an extremely necessary regulation of an industry that has no regulation whatsoever.

I am sure that none of you realizes that any individual in the State of Maine can practice private detective work without a license. There is absolutely no prohibition against a person doing this. If you advertise yourself as a state detective with a license, you must have one of the fifty state detective licenses. Otherwise than that, any individual in the State of Maine can practice the work of being a private detective, get paid for it, no training whatsoever, no regulation whatsoever, no control whatsoever, and this is being done up and down this state today. I personally have been involved with results of work that has been done by these people who hire themselves out as detectives, a complete infringement upon the rights of individuals. They feel because they are practicing as a private detective the laws against trespass on property and all that sort of thing doesn't apply to them, and they take advantage of all these situations. I have seen it happen time and again.

This area cries for regulation. The only difficulty that we are having with the bill is in this area of power of arrest. I feel that the other body didn't understand the amendment presented by this body. I think that a Committee of Conference could work it out very quickly and rapidly and I

hope the motion will be defeated so that we can insist and join in a Committee of Conference.

The SPEAKER: The question before the House is the motion of the gentleman from Portland, Mr. Brennan, 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 say aye; those opposed, no.

A viva voce vote being taken, the motion did not prevail.

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

Mr. LIBHART: Mr. Speaker, I move we insist and request a Committee of Conference.

The SPEAKER: The question before the House now is the motion of the gentleman from Brewer, Mr. Libhart, that we insist and request a Committee of Conference.

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

Mr. LEVESQUE: Mr. Speaker, I move we recede and concur and request a division on the motion.

The SPEAKER: The question now before the House is on the motion of the gentleman from Madawaska, Mr. Levesque, that we recede and concur and a division is requested.

The Chair recognizes the gentleman from Old Orchard Beach, Mr. Danton.

Mr. DANTON: Mr. Speaker and Ladies and Gentlemen of the House: If we recede and concur, we will be giving the power of arrest throughout the state in any area to many private detectives, guards and watchmen, and I think that we should be careful about this, and I think that the House Amendment that was offered was a sensible one which will serve the purpose of the employers of these guards and watchmen and I will be against the motion to recede and concur.

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

Mr. LUND: Mr. Speaker, I join in the sentiments expressed by the

gentleman from Old Orchard Beach, Mr. Danton. If this bill is passed without House Amendment "A", let me very briefly paint for you a picture of what can happen under the bill.

First of all, an agency under the bill can hire employees, and as far as I can tell, these employees would have the same power of arrest as a private detective. This would mean that individuals who had not received the scrutiny of the Governor and Council would have arrest power, a broader arrest power than this Legislature was prepared to give municipal police officers last session. You will recall some debate concerning the question of the power of arrest in fresh pursuit. These private detectives would have a power of arrest, not even in fresh pursuit, but statewide, just as do our state police. This would be a wider power of arrest than the Sheriffs' Departments have, because they are limited to their own county. It is entirely possible that you could have a state investigation proceeding, a house under surveillance or a stake-out, officers prepared to follow their procedure, and a private detective could walk in, make his arrest, and completely gum up the works. I think this presents some very real hazards in its present form, and I hope that the House will not vote to recede and concur.

The SPEAKER: The question before the House is on the motion of the gentleman from Madawaska, Mr. Levesque, that we recede and concur with the Senate. All those in favor of receding from our former action and concurring with the Senate will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Five having voted in the affirmative and one hundred nine having voted in the negative, the motion did not prevail.

The SPEAKER: The question now before the House is on the motion of the gentleman from Brewer, Mr. Libhart, that we insist on our former action and request a Committee of Conference. Is this the pleasure of the House?

The motion prevailed.

Thereupon, the Speaker appointed the following Conferees on the part of the House:

Messrs. LIBHART of Brewer  
BISHOP of Presque Isle  
DANTON of Old Orchard Beach

#### **Non-Concurrent Matter**

Bill "An Act to Authorize Bond Issue in Amount of \$6,200,000 for Construction of a Maine State Cultural Building" (H. P. 1197) (L. D. 1665) which was passed to be engrossed in the House on January 27.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Clinton, Mr. Hunter.

Mr. HUNTER: Mr. Speaker and Members of the House: I am thoroughly confused on this. We've been spending money left and right here. I've come to the conclusion that I'm dead broke. I think that the taxpayers are dead broke too. I only hope that I will have enough left for lunch.

Yesterday we passed a bill to build a new building for the Highway Commission, two and a half million. Also today we passed on taking over the Internal Revenue building across the street and building on. I understand that the Health and Welfare is going into this building. Now if the Health and Welfare goes into this building, what's going to happen to the space that they leave? I hope it isn't going to be gobbled up by the other departments; they're large enough now. If they grow much larger we won't have to have sessions of the legislature; we'll just leave it all up to departments. In fact, I think they do most of it now.

I am not opposed to keeping the records and having a place to store them, but it seems so that a rearrangement could be made over there in this office building so that this could be taken care of and use this space that is going to be — that should be available anyhow, and I would

hope that somebody would look into that before we raise another \$4,800,000 or \$6,200,000. Thank you.

Thereupon, Senate Amendment "A" was read by the Clerk as follows:

SENATE AMENDMENT "A" to H. P. 1197, L. D. 1665, Bill, "An Act to Authorize Bond Issue in Amount of \$6,200,000 for Construction of a Maine State Cultural Building."

Amend said Bill in the title by striking out the figure "\$6,200,000" and inserting in place thereof the figure '\$4,800,000'

Further amend said Bill by striking out in the 8th line of section 1 (6th line in L. D. 1665) the figure "\$6,200,000" and inserting in place thereof the figure '\$4,800,000'

Further amend said Bill in section 2 by striking out the figure "\$6,200,000" in the 6th line (4th line of L. D. 1665) and inserting in place thereof the figure '\$4,800,000'

Further amend said Bill in section 11 by striking out in the 2nd line of the second paragraph (Same in L. D. 1665) the figure "\$6,200,000" and inserting in place thereof the figure '\$4,800,000'

The SPEAKER: Is it now the pleasure of the House that we recede from our former action and concur with the Senate in the adoption of Senate Amendment "A"? All those in favor will say aye; those opposed will say no.

A viva voce vote being taken, the motion prevailed.

#### **Non-Concurrent Matter**

Bill "An Act Establishing a Home Repair Financing Act" (H. P. 1292) (L. D. 1800) which was passed to be engrossed in the House on January 27.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

In the House: The House voted to recede and concur with the Senate.

From the Senate: The following Order.

ORDERED, the House concurring, that when the Senate and

House adjourn they adjourn to meet on Monday, January 31, at ten o'clock in the morning (S. P. 720)

Came from the Senate read and passed.

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

From the Senate: The following Order:

ORDERED, the House concurring, that an Interim Study Committee is hereby created to be composed of nine members as follows: Three to be appointed by the Governor — one representing the State Highway Commission, one representing the State Police and one representing the general public; three to be appointed by the President of the Senate — an attorney, one representing the Maine Municipal Association and one representing the outdoor advertising interests; three to be appointed by the Speaker of the House — one representing the garden clubs, one representing the motel and hotel interests and one representing the Good Roads Association, and the Committee shall elect its own Chairman; and be it further

ORDERED that this Committee is directed to study the subject matter of Bill, "An Act Relating to Outdoor Advertising", L. D. 1715, introduced at the First Special Session of the 102nd Legislature, to determine whether the best interests of the State would be served by the enactment of such or similar legislation designed to implement the beautification of federal aid highways; and be it further

ORDERED, that the Committee shall serve without compensation but shall be reimbursed for actual expenses incurred in the performance of its duties; and be it further

ORDERED, that there is appropriated from the Legislative Appropriation the sum of \$1,000 for the expenses incurred by the Committee; and be it further

ORDERED, that the Committee report the results of its study to the 103rd Legislature. (S. P. 719)

Came from the Senate read and passed.

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

**Ought to Pass with  
Senate Amendment  
Passed to Be Engrossed**

Report of the Committee on Judiciary reporting "Ought to pass" on Bill "An Act relating to Acquisition of Land and Materials for Highway Purposes" (S. P. 660) (L. D. 1693)

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

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

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

SENATE AMENDMENT "A" to S. P. 660, L. D. 1693, Bill, "An Act Relating to Acquisition of Land and Materials for Highway Purposes."

Amend said Bill in that part designated "§ 153" by striking out all of subsection 5 and renumbering subsections 6 and 7 to be subsections 5 and 6.

Senate Amendment "A" was adopted in concurrence.

Under suspension of the rules, the Bill was given its third reading, passed to be engrossed as amended by Senate Amendment "A" and sent to the Senate.

The following Bills on their passage to be enacted, appearing on Supplement number 4, were next taken up:

**Passed to Be Enacted  
Emergency Measure**

An Act Providing for Supplemental Payments of 1965 Education Subsidies to Administrative Units and Payments for Various Educational Subsidy Programs (S. P. 644) (L. D. 1592)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 127

voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Emergency Measure**

An Act relating to Challenges of Jurors in Criminal Cases (S. P. 683) (L. D. 1721)

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

The SPEAKER: The Chair recognizes the gentleman from Houlton, Mr. Berman.

Mr. BERMAN: Mr. Speaker and Members of the House: Before we vote on this measure I would simply like to inquire how Section 1258A reads as it comes from the engrossing department.

The SPEAKER: The Clerk will read the section Section 1258A.

The CLERK: Section 1258A. Voir dire. Any rule of court or statute to the contrary notwithstanding, the court shall permit voir dire examination to be conducted by the parties or their attorneys under its direction.

Thereupon, this being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 125 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Emergency Measure**

An Act Amending the Allocation from the General Highway Fund for the Fiscal Years Ending June 30, 1966 and June 30, 1967 (S. P. 687) (L. D. 1770)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 125 voted in favor and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Emergency Measure**

An Act relating to Supplemental Appropriation for the Department



of Indian Affairs (H. P. 1190) (L. D. 1658)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had, 123 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

### **Emergency Measure**

An Act Appropriating Moneys for Reconstruction of Dismukes Hall, Maine Maritime Academy (H. P. 1281) (L. D. 1787)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had, 120 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

### **Enactor**

#### **Tabled and Assigned**

An Act relating to Retirement of Members of Police Department of the City of Bangor (S. P. 651) (L. D. 1625)

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

(On motion of Mr. Curran of Bangor, tabled pending enactment and tomorrow assigned)

### **Passed to Be Enacted**

An Act relating to Junkyards and Auto Graveyards (S. P. 671) (L. D. 1704)

An Act relating to Collisions Involving Fire Department Vehicles (H. P. 1184) (L. D. 1652)

An Act Providing for Longevity Pay for State Department Officers Whose Salaries are Fixed by Statute (H. P. 1205) (L. D. 1673)

An Act Redefining Aid for Public Assistance Purposes (H. P. 1229) (L. D. 1724)

An Act relating to Aiding Agencies Furnishing Mass Bus Trans-

portation Services within Municipalities (H. P. 1234) (L. D. 1729)

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

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

The Chair laid before the House the matter tabled earlier in the day for later in today's session:

Report of the Committee on Judiciary on Bill "An Act relating to Automobile Graveyards and Junkyards" (S. P. 631) (L. D. 1640) reporting Leave to Withdraw. Tabled by Mr. Boissonneau of Westbrook.

Thereupon, on motion of Mr. Binnette of Old Town, the Report was accepted in concurrence.

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

**SENATE DIVIDED REPORT—**Majority (7)—"Ought to pass" as Amended by Committee Amendment "A"—Minority (3)—"Ought to pass" in New Draft (S. P. 716) (L. D. 1799) under Title of "An Act relating to Investments by Board of Trustees of State Retirement System."—Committee on State Government on Bill, "An Act Creating the Investment of State Funds Law." (S. P. 690) (L. D. 1773)

Tabled — January 27, by Mr. Levesque of Madawaska.

Pending — Acceptance of Majority Report in concurrence.

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

Committee Amendment "A", being L. D. 1798 was read by the Clerk.

Committee Amendment "A" was adopted in concurrence. Under suspension of the rules, the Bill was given its third reading, passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

(Off Record Remarks)

The CLERK: The Clerk of the House would like to commend his staff, and particularly his assistant, for having a House Advance Journal and calendar and four supplements without a moment's delay or flaw. And believe

me, that's one whale of a job.  
(Applause)

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On motion of Mr. Levesque of Madawaska,

Adjourned until Monday, January 31, at ten o'clock in the morning.