

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Second Special Session

OF THE

One Hundred and First Legislature

OF THE

STATE OF MAINE

September 28 - September 30, 1964

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Wednesday, September 30, 1964

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

Prayer by the Rev. Mr. Victor Musk of Augusta.

The journal of yesterday was read and approved.

Mrs. Vaughn of Peru presented the following Order and moved its passage:

WHEREAS, Miss Edith Hary, State Law Librarian, is held in high esteem by the members of this Legislature; and

WHEREAS, she is now confined to the Gardiner General Hospital with pneumonia,

BE IT ORDERED, that the Clerk of the House arrange for flowers to be delivered to Miss Hary with expressions of sympathy from this Body with all good wishes for a speedy recovery; and

BE IT FURTHER ORDERED, that an attested copy of this Order be sent to Miss Hary.

The Order received passage.

Mr. Berry of Cape Elizabeth presented the following Order and received its passage:

ORDERED, that the offices of the Clerk of the House be reconstructed in accordance with plans to be prepared by the Bureau of Public Improvements and approved by the Committee on Rules and Business of the House; the work to be completed prior to the convening of the 102nd Legislature.

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

Mr. BERRY: Mr. Speaker and Members of the House: I think all of us have realized from our daily contacts with the Clerk's Office, that the quarters there have been extremely crowded under most circumstances. The proposal of additional space has received quite a lot of attention over the past four years, and plans have been prepared by the Bureau of Public Improvements which would in essence provide a second floor

within the confines of the present Clerk's Office with a set of stairs going to it, just about doubling the present space of the office itself. The cost seems to be somewhat under \$9,000. I think we all know from our experience that this will improve the efficiency and the operation of the House. I move passage of this order.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Berry, moves that this order receive passage. Is this the pleasure of the House?

The motion prevailed.

Mr. Katz of Augusta presented the following Order and moved its passage:

ORDERED, that this House in its final meeting of the 101st Legislature express its gratitude and affection for the outstanding performance of Leadership offered by Speaker David J. Kennedy, Majority Leader Brad Wellman, Ass't Majority Leader Mort Tynedale, Minority Leader Jerome Plante and Ass't Minority Leader Dana Childs—and that such appreciation be demonstrated by a rising expression of thanks.

The Order received unanimous passage, amid prolonged applause, the Members rising.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Wellman, whom I am sure is ready to respond for the leadership.

Mr. WELLMAN: Mr. Speaker, Ladies and Gentlemen of the House: On behalf of the leadership, we simply wish to say to you, thank you. It has been a pleasure being with you. We have made many friends. We have had some good healthy discussions. We will live and remember the days spent with you. In the coming weeks and years ahead, we wish each and every one of you, God speed. Thank you. (Applause)

Passed to Be Enacted Emergency Measure

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

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 held. 121 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 Authorize School Administrative District No. 31 to Issue Bonds or Notes for Capital Outlay Purposes in an Amount not to Exceed \$300,000 (S. P. 716) (L. D. 1681)

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. 119 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.

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

Emergency Measure

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

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 to Authorize the Municipalities of Addison, Cherryfield, Columbia, Columbia Falls, Har-

ington and Milbridge to Form a School Administrative District (H. P. 1172) (L. D. 1682)

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. 119 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.

Bond Issue Emergency

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

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

The SPEAKER: The Chair recognizes the gentleman from Norway, Mr. Chapman.

Mr. CHAPMAN: Mr. Speaker, I request a roll call vote.

The SPEAKER: The gentleman from Norway, Mr. Chapman, requests a roll call. For the Chair to order a roll call vote, it must have an expressed desire of one-fifth of the membership. All those in favor of a roll call vote will please rise and remain standing until the monitors have made and returned the count.

The required number did not arise.

The SPEAKER: Obviously, less than one-fifth having arisen, a roll call is not ordered.

Thereupon, in accordance with the provisions of Section 14 of Article IX of the Constitution a two-thirds vote of the House is necessary. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 119 voted in favor of same and 4 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 for Approval of Legislature for Expenditure of Bond Proceeds and Pollution Abatement Facilities (S. P. 714) (L. D. 1679)

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

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

An Act relating to Composition of Certain District Court Districts (S. P. 715) (L. D. 1689)

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

Finally Passed

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

Were reported by the Committee 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 SPEAKER: The Chair will inform the House that we will be in recess until the sound of the gong, or until we receive more matters from the Senate. We are in recess until the sound of the gong.

After Recess

The House was called to order by the Speaker.

On motion of Mr. Wellman of Bangor, it was

ORDERED, that there be paid to the Officers of the House of Representatives for salaries for this Special Session, the amounts included in lists certified to the State Controller by the Clerk of the House and approved by the Committee on Rules and Business of the House.

On motion of Mr. Wellman of Bangor, it was

ORDERED, that the Clerk of the House be directed to forward mileage and attendance checks to Representative Tardiff of Lewiston who was officially excused from attendance.

At this point, a message came from the Senate borne by Senator Wyman of that body, informing the House that the Senate had transacted all business before it and was ready to adjourn without day.

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

Mr. WELLMAN: Mr. Speaker, I move that a message be sent to the honorable Senate informing that body that the House has completed the business before it and that it is ready to adjourn without day.

The SPEAKER: The gentleman from Bangor, Mr. Wellman, moves that a message be sent to the Senate informing that body that the House has acted on all matters before it and is ready to adjourn without day. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Chair will direct the Majority Floor Leader, Mr. Wellman, to discharge this duty on behalf of the House.

Subsequently, Mr. Wellman reported that he had conveyed the message with which he was charged.

House at Ease

Called to order by the Speaker.

The following papers from the Senate were taken up out of order and under suspension of the rules:

The following Orders:

ORDERED, the House concurring, that each member of the Revision Committee be given a copy of the Maine Revised Statutes Annotated enacted at this special session as a token of the Legislature's appreciation of their services on the committee (S. P. 724)

Came from the Senate read and passed.

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

ORDERED, the House concurring, that a Committee of three on the part of the Senate, with such as the House may join, be appointed to wait upon His Excellency, the Governor, and inform him that both branches of the Legislature have acted on all matters before them, and are ready to receive any further communication he may be pleased to make (S. P. 723)

Came from the Senate read and passed, with the following members appointed on its part:

Messrs. JACQUES of Androscoggin
BOISVERT of Androscoggin
REED of Sagadahoc

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

Thereupon, the Chair appointed as members of the committee on the part of the House:

Messrs. WELLMAN of Bangor
CHILDS of Portland
CRESSEY of Berwick
Mrs. CARSWELL of Portland
OAKES of Portland
VAUGHN of Peru
Mr. DAVIS of Calais

Subsequently, Mr. Wellman for the Committee reported that the Committee had delivered the message with which it was charged.

At this point, a message was delivered to the House by the Governor's Secretary, which was read by the Clerk as follows:

State of Maine
Office of the Governor
Augusta
September 30, 1964

The Honorable Senate and
House of Representatives
The 101st Legislature

Upon the adjournment of the Second Special Session of the 101st Legislature it is my duty to submit to you a tabulation of the results of your action.

There were 10 Acts approved.

There was 1 Resolve approved.

I wish to take this opportunity to express my appreciation for the prompt and efficient manner in which you have acted upon the recommendations I made for legislative action.

You have accepted an excellent revision of the Maine Statutes.

The action you have taken to make possible the consideration of a General Fund Bond Issue by the electorate for the construction of pollution abatement facilities is an historic step forward toward solving a problem of long existence in our State.

You have referred to the 102nd Legislature the question of re-activation of the Constitutional Commission. I would recommend that the Legislature continue to be cognizant of the present Supreme Court ruling and its possible effect upon our Legislative structure.

I am exceedingly pleased by the favorable consideration you have given to the other measures contained in my call for this Special Session.

In this, my final communication to you, I thank you for your service to the State, for the support you have given to strengthening Maine government, and for your steadfast devotion to the best interests of all our people.

May you enjoy a safe journey home and every success in the future.

Respectfully submitted,

(Signed) JOHN H. REED
John H. Reed
Governor

The message was ordered placed on file.

The SPEAKER: The Chair will inform the House that the business of this session is completed, and recognize the gentleman from Auburn, Mr. Turner.

Mr. TURNER: Mr. Speaker, Ladies and Gentlemen of the House: The duties of the 101st Legislature have come to a close, and with it is my career as a Legislator, as I am not a candidate for re-election.

I have had the honor of serving in seven different Legislatures, and have enjoyed every minute of it, and I wish to thank you all for being so good to me over the years, and I sure have a lot of happy memories.

Now I move that this 101st Legislature be adjourned without day.

The SPEAKER: The gentleman from Auburn, Mr. Turner, moves that the House adjourn without day. Is that the pleasure of the House?

The motion prevailed and the House adjourned without day at 11:12 A.M.