

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

Special Session

OF THE

*One Hundred and Second
Legislature*

OF THE

STATE OF MAINE

1966

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Friday, January 28, 1966

Senate called to order by the President.

Prayer by the Rev. Ondon Stairs of Augusta.

On motion by Mr. Duquette of York, the Journal of yesterday was Read and Approved.

Papers from the House
Non-concurrent Matters

Bill, "An Act to Amend the Charter of the City of Ellsworth as to Nominations and Elections." (S. P. 613) (L. D. 1614)

In Senate, January 26, Passed to be engrossed As Amended by Senate Amendment "A" (S-376)

Comes from the House Passed to be engrossed As Amended by Senate Amendment "A" (S-376) and as amended by House Amendment "A" in non-concurrence. (H-500)

On motion by Mr. Brown of Hancock, the Senate voted to recede and concur.

Bill, "An Act Establishing the Maine Insurance Advisory Board and Reserve Fund for Uninsured Losses." (H. P. 1288) (L. D. 1793)

In House, January 25, Passed to be engrossed as amended by House Amendment "B" (H-477)

In Senate January 26, Passed to be engrossed as amended by House Amendment "B" in concurrence.

Comes from the House Engrossment Reconsidered and passed to be engrossed as amended by House Amendment "B" as amended by House Amendment "A" (H-497) thereto, in non-concurrence.

Voted to recede and concur.

Orders

ORDERED, the Senate concurring, that the Joint Standing Committee on State Government is hereby authorized to report a Bill which shall provide for a Senatorial Apportionment Commission. (H. P. 1296)

Comes from the House Read and passed.

In the Senate: Read and passed in concurrence.

Enactors

The Committee on Engrossed Bills reported as truly and strictly engrossed the following Bills:

Bill, "An Act to Establish the Office of Federal-State Coordinator" (H. P. 1270) (L. D. 1765)

On motion by Mr. Duquette of York, placed on the Special Appropriations table pending enactment.

Bond Issue

Bill, "An Act to Authorize the Issuance of Bonds in the Amount of Two Million Five Hundred Thousand Dollars on Behalf of the State of Maine to Construct an Office Building for the State Highway Commission." (H. P. 1194) (L. D. 1662)

On motion by Mr. Duquette of York, placed on the Special Appropriations table ending enactment.

Orders of the Day

The President laid before the Senate the first tabled and today assigned matter:

(S. P. 624) (L. D. 1630) Resolve, Proposing an Amendment to the Constitution Affecting the Apportionment of the State Senate. Tabled January 27, 1966 by Senator Harding of Aroostook.

Pending — Motion by Senator Manuel of Aroostook to Reconsider Final Passage.

Mr. HARDING of Aroostook: Mr. President, I would like to speak briefly on this matter if I may.

The PRESIDENT: The Senator may.

Mr. HARDING: The reason that this matter was held after enactment for consideration was that we wished to get information from the Supreme Court as to the constitutionality of this provision. We now have received an opinion from the Court and this proposed amendment is constitutional according to our Supreme Court. We know the will of this body to enact this amendment to the Constitution for the reapportionment of the Maine State Senate, and this body has been commended, and rightfully so, for the cour-

ageous action which you have taken in this regard.

Now on the motion which Senator Manuel made, I do not believe I need to speak for Senator Manuel, because he can speak for himself if need be, but I am sure he is agreed that he does not wish to reconsider this. I am going to ask for a division on his motion and I ask that you all vote against his motion for reconsideration.

The PRESIDENT: The motion before the Senate is the motion to reconsider enactment of L. D. 1630. A division has been requested. All those in favor of the reconsideration motion will please rise and remain standing until counted.

A division was had.

No senators having voted in the affirmative and 30 in the negative, the motion to reconsider did not prevail.

The President laid before the Senate the second tabled and today assigned matter:

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

Tabled—January 27, 1966 by Senator Harding of Aroostook.

Pending—Acceptance of Report.

Mr. HARDING of Aroostook: Mr. President, in view of the action we have just taken, there is no purpose for this particular bill at this time, so I do move the acceptance of the Majority Report.

Thereupon the Senate voted to accept the Majority "Ought not to pass" report of the committee.

The President laid before the Senate the third tabled and today assigned matter:

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

Tabled—January 27, 1966 by Senator Violette of Aroostook.

Pending—Acceptance of Report.

On motion by Mr. Violette of Aroostook, tabled until later in today's session pending acceptance of the committee report.

The President laid before the Senate the fourth tabled and today assigned matter:

(S. P. 675) (L. D. 1713) Bill, "An Act for Licensing Private Detectives and Watch, Guard and Patrol Agencies."

Tabled—January 27, 1966 by Senator Jacques of Androscoggin.

Pending—consideration.

Mr. JACQUES of Androscoggin: Mr. President, would you please read House Amendment "A"?

House Amendment "A" was read by the Secretary.

On motion by Mr. Jacques of Androscoggin, the Senate voted to consider its action whereby it passed the bill to be engrossed.

House Amendment "A" was read by the Secretary. On motion by the same Senator, House Amendment "A" was indefinitely postponed. On motion by Senator Manuel, the Senate voted to reconsider its action whereby it adopted Senate Amendment "C". The same Senator presented Senate Amendment "A" to Senate Amendment "C". Senate Amendment "A" to Senate Amendment "C" to Senate Amendment "A" was adopted and the bill was passed to be engrossed in non-concurrence. Sent down for concurrence.

The President laid before the Senate the 5th tabled and today assigned matter:

(H. P. 1196) (L. D. 1664) House Report—Ought to pass from the Committee on State Government on Bill, "An Act Creating the Maine State Museum."

Tabled—January 27, 1966 by Senator Snow of Cumberland.

Pending—Acceptance of Report.

On motion by Mr. Snow of Cumberland, the report of the committee was accepted and the bill was given its two several

readings and passed to be engrossed in concurrence.

The President laid before the Senate the 6th tabled and today assigned matter:

(H. P. 1197) (L. D. 1665) House Report—Ought to pass from the Committee on State Government on Bill, "An Act to Authorize Bond Issue in Amount of \$6,200,000 for Construction of a Maine State Cultural Building."

Tabled—January 27, 1966 by Senator Snow of Cumberland.

Pending—Acceptance of Report.

The report of the committee was accepted.

Mr. Snow of Cumberland presented Senate Amendment "A" and moved its adoption. Senate Amendment "A" was read and adopted and the bill was given its second reading and passed to be engrossed in non-concurrence. Sent down for concurrence.

The PRESIDENT: The Chair at this time would like to recognize in the Senate gallery a group of Winslow High School students, Seniors in the Government Class. They are chaperoned by Mr. Raymond Richard and Mr. Jack Power. We welcome you here this morning and hope that you enjoy and benefit from your stay here. Winslow is in Kennebec County, and I would like to introduce to you the senators from your county: Senator Shiro, Senator Dunn, Senator Carter. (Applause)

The President laid before the Senate the 7th tabled and today assigned matter.

(H. P. 1204) (L. D. 1672) Bill, "An Act Appropriating Moneys to Carry Out Duties of the Legislative Research Committee."

Tabled — January 27, 1966 by Senator Jacques of Androscoggin.

Pending — Passage to be Engrossed.

Mr. JACQUES of Androscoggin: Mr. President and members of the Senate: I don't know if you have had a chance to see the expense sheet of the Legislative Research Committee, but I had it distributed

this morning on your desks. I was just looking at what the Legislative Research Committee has spent since the last session. In 1963-64 they spent \$9,715, 1964-65 they spent \$8,677. This year so far they have spent \$64,000 and they are asking for another \$40,000. I tried to get an amendment ready but I guess I won't have a chance because I would have to ask that this bill be tabled until later on in today's session.

If you will notice on this sheet, some of these gentlemen are making this a full-time job. One of them has out-of-state travel of \$152. This out-of-state travel was to Portland, Oregon. Another one has travel of \$1,472. I am aware that he is a member of my party, but party or no party, I believe this \$40,000 is not needed. Some of the other committees are stretching the money they have and being careful how they spend it. I know my committee was one, and one of the committees tried to get \$100 or \$200 to do a study but they could not get the money. I know if this legislature turns this down they will go to the Governor's Council and get it. I am not going to make any motion, I am going to let the bill slide, but I just want the Senate to be aware of what happened. Now this certain gentleman drew \$2,532. I have been in this legislature for six terms and I have never seen anything like it. I think you people know who I am talking about. And if you go up to Mr. Cranshaw's office, the Auditor's office, and look these bills over, it will raise your hair. I know it did mine. He is drawing more money than I have in the last six months when I spent almost every day here at the last session. Out of 130 days he worked 106 days. He has traveled all over the State. I wish I could get you the voucher to show you.

I believe this is not right. I am sorry to have to bring this up, but you hear it all through the corridors. I think this \$40,000 is certainly not needed. I know that the committee is a lot bigger than it used to be. I just wanted to point out that maybe the last committee was not as active as

this one was, but when they spent \$8,000 compared to the \$64,000 figure, I say there is a lot of difference here. I know there is a lot of study going on and there will be a lot more study before this is over, but I do not want, after this session is over to hear rumbling from other members stating that something should have been done at this session. I just want to show you ladies and gentlemen of the Senate that this is happening.

Mr. CASEY of Washington: Mr. President, this figure disturbs me very much. Coming from a depressed area such as Washington County, and in representing Washington County, I cannot go along with this figure and I concur with Senator Jacques that it is too much money. We cannot give the State employees a decent wage, but we can afford to throw money away like this. There is a bill coming out of Appropriations to give them a pay raise. I didn't really approve of the way it came out of the Legislative Research Committee. I think the proposal that the State Treasurer, Eben Elwell, made was a good one, but it still, so far as I am concerned, didn't do enough for the little fellow at the bottom of the ladder among the State employees. I think they need to be brought up much more than they have been and they should be raised as far as I am concerned. As I stated before in our Democratic caucus, you all know how I feel about this matter, so I am not going to elaborate on it. Thank you.

Mr. STERN of Penobscot: Mr. President, in connection with the remarks made by our fellow senators, I want to say that, being an attorney, it sometimes bothers me when people are condemned and accused without a hearing. I know nothing personally at all about this amount that was spent by this particular individual who you apparently are criticizing, but I do say, and I do feel that the amount of money he spent perhaps aided the State in its deliberations to such an extent that every cent that was paid to him he deserved

it. Now you are condemning somebody because this shows there was a large amount spent. This means nothing. It may be that he perhaps can't explain it, but I certainly think he deserves the opportunity to defend himself and he certainly deserves the opportunity to show that what he has spent is in the best interests of the State. Even a criminal is entitled to the benefit of a reasonable doubt, and I say that this man here, whoever you are accusing, is certainly entitled to the benefit of a reasonable doubt, and the fact that he spent this money does not necessarily mean that it was spent wrongly, and this is the imputation of what you gentlemen are saying, so I am here in defense of this particular individual in that regard.

Mr. HARDING of Aroostook: Mr. President and members of the Senate, I am the vice-chairman of the Legislative Research Committee, as you may know. Whether I am the individual listed here that spent too much money or whether it is somebody else, I don't know. I will say, however, that the pay received by the members of the Legislative Research Committee is the large sum of ten dollars per day, and I hope you will believe me when I tell you that I do somewhat better than that when I am at home practicing law, and I do not think there is a single member of this Legislative Research Committee that does not do better than that when they are at home at their own occupation.

You may feel that these amounts for travel are excessive, perhaps that is what you are talking about, but we are paid as you are paid, on a mileage basis for what we travel in the State and the actual expenses if there is travel out-of-the-state.

Now this Legislative Research Committee represents the Legislature while we are out of session. Now some of the things we have considered this year — and let me say that I have spent four or five working days each month either down here or working on

these matters, at some sacrifice to myself, and I think all the other members of the committee have done likewise. This has been a larger committee this year than before and it has also undertaken a great deal more studies and work. We came forward with what we are considering at this special session, an investment fund bill, the State employees pay raise bill is also a result of the studies which we made, we are also conducting a medical research study to see if the State of Maine can afford to have a medical school so we won't have a shortage of doctors in the State, and we are also conducting a study to see how we can get more nurses and nursing facilities in the State, because there is a critical shortage. As a part of the research we were doing, we discovered that through an oversight in the law the District Court funds in the State, which are substantial funds, had not been audited, and there is no provision for them to be audited, and as a result of that study a law will be enacted at this session to take care of that.

Now it does trouble me, ladies and gentlemen of the Senate, when we bring up personalities. I think this is a matter of personalities and I think it is unfortunate that we have this kind of a duel here in this body. I believe the request that has been made is a reasonable one and I believe that there is much that has been accomplished by this committee irrespective of the personalities on the committee, and I believe there is much that this committee can still accomplish. So I believe that this request is a reasonable one and I hope you will go along with it.

Mr. SNOW of Cumberland: Mr. President, I should like to second the comments made by my colleague, the Senator from Aroostook, Senator Harding, and perhaps it would be instructive for the Senate to know — I too am a member of this committee and the chairman of one of the subcommittees which is planning to present legislation to the 103rd

legislature which will conservatively save the State of Maine in the neighborhood of \$60,000 a year. Now I am not sure we would have uncovered the possibility for this type of saving during the regular course of our legislative meetings, but I feel that this, plus other efforts made by other committees, can result in substantial saving and economical use of the taxpayer's money, and I do not feel that the total sum requested is unreasonable.

Thereupon the bill was passed to be engrossed in concurrence.

The President laid before the Senate the 8th tabled and today assigned matter:

(H. P. 1216) (L. D. 1684) House Report — Ought to pass, as Amended by Committee Amendment "A" Filing H-490 from the Committee on Legal Affairs on Bill, "An Act Relating to Disclosure of Information to Insurers of State Hospital Patients."

Tabled—January 27, 1966 by Senator Jacques of Androscoggin.

Pending—Acceptance of Report.

On motion by Mr. Shiro of Kennebec, the bill was tabled until later in today's session pending acceptance of the committee report.

The President laid before the Senate the 9th tabled and today assigned matter:

(H. P. 1283) (L. D. 1789) House Report—from the Committee on Legal Affairs on Bill, "An Act Establishing a Home Repair Financing Act and Defining and Regulating Secondary Mortgage Loans." Ought to pass in New Draft under title of "An Act Establishing a Home Repair Financing Act." (H. P. 1292) (L. D. 1800)

Tabled—January 27, 1966 by Senator Sproul of Lincoln.

Pending—Acceptance of Report.

On motion by Mrs. Sproul of Lincoln, the "Ought to pass" report of the committee was accepted and the New Draft was given its first reading. Senate Amendment "A" was read by the Secretary.

Mrs. CHISHOLM of Cumberland: Mr. President, I wonder if the good Senator from Lincoln,

Senator Sproul, will explain this amendment?

Mrs. SPROUL of Lincoln: Mr. President, if I had my copy back I could explain it.

The first of the amendment takes off the word "levy" and puts in the word "may," and the second part allows for attorneys' fees, and the third part adds "Home Repair Financing Agency" in the third and fourth lines, or "Original home repair contractor."

These do not seem to be any earth-shaking amendments as far as I can see.

Senate Amendment "A" was read and adopted, and the bill was passed to be engrossed as amended in non-concurrence. Sent down for concurrence.

The President laid before the Senate the 10th tabled and today assigned matter:

(S. P. 635) (L. D. 1616) An Act to Prevent the Loss of Educational Subsidy in Certain Towns for the Year 1967.

Tabled — January 27, 1966 by Senator Snow of Cumberland.

Pending—Enactment.

On motion by Mr. Snow of Cumberland, the Senate voted to reconsider its action whereby this bill was passed to be engrossed. The same senator presented Senate Amendment "A" and moved its adoption. Senate Amendment "A" was read and adopted and the bill was passed to be engrossed as amended in non-concurrence. Sent down for concurrence.

The President laid before the Senate the 11th tabled and today assigned matter:

(H. P. 1258) (L. D. 1753) Bill, "An Act Relating to Weight Tolerances of Vehicles Loaded with Wood Chips."

Tabled—January 27, 1966 by Senator Jutras of York.

Pending—Second Reading.

Mr. HARDING of Aroostook: Mr. President, I move that we reconsider our action whereby we adopted Senate Amendment "A", and in the absence of Mr. Jutras I would like to speak briefly.

The PRESIDENT: The Senator may.

Mr. HARDING: As far as my own feelings about this wood chip amendment, I have no strong feelings one way or the other on it, and I believe it should be heard on its merits. There are some who say that through a technicality on "wood products" the definition of "wood chips" does not come under that, and therefore there is some inequity by reason of that fact. However, I do feel that this legislature will be criticized for adopting this kind of amendment, which, in effect, removes the tolerance, and all trucks get this ten per cent weight tolerance. There has been no hearing on that and we have not heard from the proponents and opponents in the railroad industry and the trucking industry, or the State Highway Commission, as to the effect of this particular amendment.

Now as you know, during the regular session there was some criticism of the way we acted on these weight bills. I do not believe that criticism was justified, because we did give people a chance to come here and present their evidence as to whether these bills were justified or not. However, if we pass this kind of an amendment without having given anybody a chance, anyone who is an expert in these fields, to come in here and present their evidence, we will be called irresponsible, and I feel with good cause. Therefore I would be hopeful that you would support my motion to reconsider our action whereby we did adopt Senate Amendment "A".

Mr. CAHILL of Somerset: Mr. President, I believe that we were criticized for the action taken at the last legislature on truck weights and so forth, and, getting back to a personal opinion, I think they were justified. If you read down through your weight tolerance laws, you will find that one fellow wants one thing and someone else another thing, and you come down to where you have perhaps ten per cent of the trucks that are trucking in the State of Maine that do not qualify under one exemption or another. I believe it is a matter of record where in the State of Virginia the tolerance for some particular group was

carried to the United States Supreme Court, and the United States Supreme Court ruled that the tolerances were unconstitutional.

Now at all of our hearings we have had a truck weight bill brought out, we had one at the last session, and this was brought up yet no one seemed to pay too much attention to it, as long as they could get away with their ten per cent. It is true that on the amendment a truck to enjoy the ten per cent tolerance must have a Maine registration, commercial registration.

I think if you check the records in the Secretary of State's office, the Motor Vehicle Division, that you will find—and I think this would apply to your common and contract carriers as well, that they license their vehicle for a \$100 license and then they put on a booster for nine months and then they truck three months in the State of Maine on a \$100 license and carry the gross weight for whatever the law permits that specific vehicle to haul, and they are entitled again to, if they are hauling one of these exemptions, to a ten per cent tolerance. If they are hauling forest products as such, for an additional \$25 a month they get fifteen per cent plus ten per cent, which is really going right out in left field. As far as an amendment without a hearing, I would ask any member of this Senate: How many amendments do we have a hearing on?

I still think the amendment is good. We talk about we want to help the little fellow, we want to help everyone, we do not want to discriminate against anyone, but we have a group of truckers, commercial vehicles, a small group, that we have discriminated against for years. We also have a very small group that no matter what you had on the books or no matter how much they could haul, they would have to be exempt for one reason or another, so they think. I grew up with this trucking thing practically from the time it started.

These special groups remind me of a group of children who have

been somewhere to a party, and during the progress of the party the host has passed out a sucker or a lollypop to each and every child, and somewhere in that group one child is dissatisfied because his sucker wasn't larger or he didn't get two or he didn't get a different color than the red, and therefore he puts up a whine, so he generally comes up with another sucker, a larger one or a different color. I think it is time that we stopped this sort of legislation. I think we should use everyone alike. I hope the motion to reconsider does not prevail and I would ask for a division.

Mr. SHIRO of Kennebec: Mr. President, I would like to speak very briefly on the motion by Senator Harding, and I hope that when a division is taken you will support the motion to reconsider the action to indefinitely postpone the amendment which has been proposed.

I would like to say, first of all, that when Senator Cahill states that there was opposition in the regular session to the increase in weight loads on the highway, I think that opposition came from a very small group, and I think it is realized now that the increases that were allowed by this legislature were certainly beneficial to many of the industries in the State. I would like to state this: that I think Senator Cahill would like, to some extent to see weights on the highways remain the same for the next hundred years. But if we are going to make progress and allow these new industries that are affected to progress and to be on a competitive basis, we have to make changes, we cannot keep them the same. There are changes that are being made almost every day. So I would say, on that basis, that when a particular group, a particular faction of the trucking industry, or persons who are dealing primarily in trucking, as was done in this particular case, trucks hauling chips—the committee that heard this bill recommended that it ought to pass because they showed

that they were justified in increasing the weight, and allowing them to have tolerance. I think that this amendment is simply a device to kill that particular bill. It may be fine to allow all trucks—I think as this particular amendment states, any truck can have a ten per cent tolerance, but not any group has come before the committee and requested a ten per cent increase, because most likely they know they don't need it or it is justified in that particular case. And there would be some danger, I think, in allowing any vehicle on the highway to have this ten per cent tolerance. Also, this amendment requires that the truck, if it is to be allowed this ten per cent tolerance, be registered as a commercial carrier, or something of that nature, here in Maine. Certainly if that is the case, then other states might reciprocate, and it might place an undue burden on the other trucks from this state when they would have to register outside the state. I think, all in all, that the motion by Mr. Harding should certainly have the support of this Senate. As I stated at the outset, I think primarily it is because they have seen, in the wood-chip carrying industry, they have seen that they need this particular tolerance, and apparently it was shown before the committee that reported out the bill. I am hopeful, therefore, that the motion by Senator Harding will carry. Thank you.

Mr. CAHILL of Somerset: Mr. President, I would like to say one or two more things.

We were led to believe that the opposition to the bill at the regular session was a very small minority group. I would also like to point out that the proponents of the bill were also a very small minority group. The merits of the bill are a matter of opinion.

To get back to the ten per cent, you can be sure that we have more trucks coming into the State of Maine and enjoying our ten per cent on the present tolerance than trucks that may be leaving the State of Maine and enjoying any

tolerances that may be had in some other states. I am not prepared to quote what states allow tolerances and on what products they are.

If you go over in the western part of our state you will find that most of the trucks in that part of the State are New Hampshire trucks. If you go over in the eastern part of the State, you will find that a big percentage of the trucks are either Quebec trucks or New Brunswick trucks, and if you go into the northern part of the State you will find that about three-quarters of those trucks are Canadian trucks, Quebec trucks. On those vehicles we do not get one cent in gas tax or in registration fee, yet they enjoy everything that we have. I still think the amendment is good and I hope that the motion for reconsideration does not prevail.

Mr. SNOW of Cumberland: Mr. President, I would like to say that I voted yesterday for Senator Cahill's amendment. I do believe now that my vote was a hasty one. I think we all respect the Senator from Somerset, Senator Cahill, for his loyal defense of our highways. Many times he has been quite alone in his defense. On the other hand, it seems to me that this does suggest some rather major changes which should not be enacted by us without proper public hearing.

The PRESIDENT: The motion before the Senate is the motion to reconsider, and a division has been requested. All those in favor of reconsideration of our action whereby we adopted Senate Amendment "A" to L. D. 1753, will please rise and remain standing until counted.

A division was had.

26 having voted in the affirmative and 4 in the negative, the motion to reconsider prevailed.

On motion by Mr. Harding of Aroostook, Senate Amendment "A" was indefinitely postponed, and the bill was passed to be engrossed in concurrence.

Mr. STERN of Penobscot: Mr. President, may I inquire if L. D.

1766, H. P. 1271, "An Act Appropriating Funds for Additional Radar Sets for the State Police" is in the possession of the Senate?

The PRESIDENT: The Chair would answer the Senator in the affirmative, having been requested by the Senator.

Mr. STERN: Mr. President, I move that we reconsider our action whereby we indefinitely postponed this bill.

The PRESIDENT: The Senator from Penobscot, Senator Stern, moves that we reconsider our action whereby we indefinitely postponed Bill, "An Act Appropriating Funds for Additional Radar Sets for the State Police."

Mr. O'LEARY of Oxford: Mr. President, I oppose the motion to reconsider and I would like to speak briefly to it.

The PRESIDENT: The motion to reconsider is debatable.

Mr. O'LEARY: Mr. President, this bill, like a lot of others, has had our consideration once. I am opposed to it and shall always be opposed to it. I do not believe in the radar system as it is, and I believe that once we open the door we will in time adopt the amendment to this bill that was killed. In order to postpone those days, I would oppose this motion, and I would request a division.

Mr. STERN of Penobscot: Mr. President, briefly, I would like to answer my good friend Senator O'Leary. Since I proposed this amendment many people have called me, and I have been pressured and perhaps impressed by the logic and necessity, that we needed radar sets. My amendment took away the warning signs, to make effective the radar sets to deter people from speeding, but if we kill the amendment which I originally proposed, and that was to do away with the warning signs, I thought at first this would entrap many people, but then again, if we take away these warning signs people are going to be warned, they will have notice that radar sets are on the highway, and this will serve the original purpose of the bill, which is to have a deterrent effect. People going along the highway

are not going to be entrapped, if you watch the signs which you should watch, and perhaps you will slow down. I know I would, I don't know about Senator O'Leary.

A lot of us unconsciously speed. We do not do it to deliberately violate the law, but we just become unaware of the fact that we are going so fast. I think this would perhaps diminish the number of speeding cases that we have on our highways and perhaps eliminate many of the deaths we have had on our highways, and, even though it might affect my practice I am for it.

Mr. O'LEARY of Oxford: Mr. President, last night I had a telephone call from the sheriff in my county. At that time, perhaps today he may be disappointed, but at that time he was very pleased to learn that this piece of legislation failed of passage. I think if you check with your law enforcement officials in your towns and counties you will find that they too are opposed to this piece of legislation. We did have a major number of traffic fatalities last year and we are all aware of that fact, but we are also aware of the fact that today there are twice as many vehicles on the road, and when you compare mileage with the record which was broken, in years past, this was just a fraction and not a major proportion. At the present time we do have radar sets in the State of Maine and they can still erect their signs and use what radar sets they have at the present time. I believe they are ample and sufficient, and therefore I oppose the motion.

Mr. CAHILL: Mr. President, if I understand properly the way the bill stands a motion to recede and concur would be in order?

The PRESIDENT: A motion to recede and concur would not be in order. The bill is not before us unless we reconsider indefinite postponement.

Is it the pleasure of the Senate that we reconsider our action whereby this bill was indefinitely postponed? A division has been requested. All those in favor of

the reconsideration motion will please rise and remain standing until counted.

A division was had.

20 having voted in the affirmative and 10 in the negative, the motion to reconsider prevailed.

On motion by Mr. Stern of Penobscot, the Senate voted to reconsider its action whereby the bill was passed to be engrossed. On further motion by the same Senator, the Senate voted to reconsider its action whereby Senate Amendment "A" was adopted, and on further motion by the same Senator Senate Amendment "A" was indefinitely postponed and the bill was passed to be engrossed in concurrence.

Order

On motion by Senator Harding of Aroostook,

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)

Read and passed and sent forthwith for concurrence.

On motion by Mr. Harding of Aroostook, the Senate recessed for five minutes

After Recess

Called to order by the President.

Order out of Order

Mr. Harding of Aroostook presented the following joint order out of order and under suspension of the rules and moved its passage:

ORDERED, the House concurring, that when the Senate and House adjourn they adjourn to meet on Monday, January 21st, at ten o'clock in the morning. (S. P. 720)

Read and passed and sent down for concurrence.

The PRESIDENT: The Chair at this time lays before the Senate Item 3 on Page 2 of today's calender, which was tabled earlier in today's session by the Senator from Aroostook, Senator Violette, which is S. P. 660, L. D. 1593. Senate Report, "Ought to pass" from the Committee on Judiciary on Bill, "An Act relating to acquisition of land and material for highway purposes."

On motion by Mr. Violette of Aroostook, the "Ought to pass" report of the committee was accepted and the bill was given its first reading. The same Senator offered Senate Amendment "A" and moved its adoption. Senate Amendment "A" was read and adopted, the bill was given its second reading and passed to be engrossed as amended in non-

concurrence. Sent down for concurrence.

The President laid before the Senate Item 8 on Page 3 of today's calendar, H. P. 1216, L. D. 1684, House Report "Ought to pass" as amended by Committee Amendment A" from the Committee on Legal Affairs on Bill, "An Act Relating to Disclosure of Information to Insurers of State Hospital Patients," which was tabled earlier in today's session by the Senator from Kennebec, Senator Shiro.

On motion by Mr. Shiro of Kennebec, the report of the committee was accepted and the bill was given its first reading. Committee Amendment "A" was read by the Secretary. On motion by Mr. Shiro, Committee Amendment "A" was indefinitely postponed. House Amendment "B" was read and adopted and the bill was given its second reading and passed to be engrossed as amended.

Mr. Harding of Aroostook was granted unanimous consent to address the Senate.

Mr. HARDING: Mr. President and members of the Senate: Just a word of explanation on the recesses here. We felt it would be very helpful if we could act this morning on the matters which will be sent over from the House. It appears to us it will be possible over the weekend to have all of the bills sent to the engrossing department so they will all be here when we come back Monday. We also will be considering some emergency enactors which require a two-thirds vote of the entire elected membership, so I hope you will be patient and stay here a little bit longer so we can act on those matters.

(On motion by Mr. Harding, recessed to the sound of the gong)

(Recess)

(After Recess)

Called to Order by the President.

The PRESIDENT: Does the Chair hear objection to taking up additional papers from the House?

The Chair hears no objection and the Secretary will read the papers.

Additional Papers from the House Enactors

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

On motion by Mr. Duquette of York, placed on the Special Appropriations Table pending enactment.

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

On motion by Mr. Duquette of York, placed on the Special Appropriations Table pending enactment.

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

Mr. SNOW of Cumberland: Mr. President and Members of the Senate: I should like to speak briefly on this measure. I believe it should be emphasized as a matter of record at this time this bill is an attempt to clarify the state law on school construction, particularly as to definition of "school building," and it is not intended as a change in the existing law in that respect which was passed in 1957.

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

On motion by Mr. Duquette of York, placed on Special Appropriations Table pending enactment.

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

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

On motion by Mr. Duquette of York, placed on Special Appropriations Table pending enactment.

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

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

On motion by Mr. Duquette of York, placed on the Special Appropriations Table pending enactment.

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

Which Bills were passed to be enacted.

Emergency Measures

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

On motion by Mr. Duquette of York, placed on the Special Appropriations Table pending enactment.

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

On motion by Mr. Duquette of York, placed on the Special Appropriations Table pending enactment.

Bill, "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)

On motion by Mr. Duquette of York, placed on the Special Appropriations Table pending enactment.

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

On motion by Mr. Duquette of York, placed on the Special Appropriations Table pending enactment.

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

On motion by Mr. Duquette of York, placed on the Special Appropriations Table pending enactment.

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

On motion by Mr. Duquette of York, placed on the Special Appropriations Table pending enactment.

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

Which Bill was passed to be enacted.

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

Which Bill was passed to be enacted.

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

On motion by Mr. Duquette of York, placed on the Special Appropriations Table pending enactment.

Bill, "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)

On motion by Mr. Duquette of York, placed on the Special Appropriations Table pending enactment.

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

On motion by Mr. Duquette of York, placed on the Special Appropriations Table pending enactment.

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

On motion by Mr. Duquette of York, placed on the Special Appropriations Table pending enactment.

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

On motion by Mr. Duquette of York, placed on the Special Appropriations Table pending enactment.

Bill, "An Act Appropriating Moneys for Relocation and Con-

version of Dispensary at Maine Maritime Academy." (H. P. 1280) (L. D. 1786)

On motion by Mr. Duquette of York, placed on the Special Appropriations Table pending enactment.

Additional Papers from the House Committee Reports

Leave to Withdraw

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 that the same should be granted Leave to Withdraw.

The same Committee on Bill, "An Act Appropriating Funds for Construction of Airport at Madawaska." (H. P. 1255) (L. D. 1750) reported that the same should be granted Leave to Withdraw.

The same Committee on Resolve Appropriating Funds for Regional Airport to Service Central Maine. (H. P. 1226) (L. D. 1707) reported that the same should be granted Leave to Withdraw.

The same Committee on Bill, "An Act Appropriating Funds for Improvements and Construction at Lewiston-Auburn Airport." (H. P. 1206) (L. D. 1674) reported that the same should be granted Leave to Withdraw.

Come from the House Reports Accepted.

In the Senate: Reports read and accepted. Covered by other legislation.

Ought to Pass in New Draft

The same Committee on Resolve Appropriating Funds for Capital Improvement at Portland Municipal Airport (H. P. 1181) (L. D. 1649) reported that the same Ought to pass in New Draft under title of "An Act Appropriating Funds for Capital Improvement at Portland Municipal Airport." (H. P. 1294) (L. D. 1803)

Comes from the House Passed to be Engrossed in New Draft.

Report was read and accepted. Thereupon, the Bill in New Draft was given its two several

readings and passed to be engrossed in concurrence.

Ought to Pass — As Amended

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 that the same Ought to pass As Amended by Committee Amendment "A" (H-502). Comes from the House passed to be engrossed as amended.

In the Senate: Report was read and accepted. The Bill read the first time and Committee Amendment "A" was read and adopted. The Bill read the second time and passed to be engrossed as amended in concurrence.

The same Committee on Bill, "An Act Relating to Appropriation to Adjust State Employees' Pay." (H. P. 1262) (L. D. 1757) reported that the same Ought to pass As Amended by Committee Amendment "A" (H-503). Comes from the House passed to be engrossed as amended.

In the Senate: Report was read and accepted. The Bill read the first time and Committee Amendment "A" was read and adopted. The Bill was read the second time and passed to be engrossed as amended in concurrence.

The Committee on Industrial and Recreational Development on Bill, "An Act Relating to Mining Activity under Goose Falls Pond, Town of Brooksville, Hancock County." (H. P. 1224) (L. D. 1705) reported that the same Ought to pass as amended by Committee Amendment "A" (H-494)

Comes from the House Passed to be Engrossed As Amended.

In the Senate: Report was read and accepted. The Bill read the first time and Committee Amendment "A" was read and adopted. The Bill was read the second time and passed to be engrossed as amended in concurrence.

Additional Enactors from the House

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

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

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

Bill, "An Act Relating to Tax on Harness and Running Horse Racing." (H. P. 1249) (L. D. 1744)

On motion by Mr. Duquette of York, placed on the Special Appropriations Table pending enactment.

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

On motion by Mr. Duquette of York, placed on the Special Appropriations Table pending enactment.

Bill, "Providing Funds for Municipal Building at Old Orchard Beach." (H. P. 1193) (L. D. 1661)

On motion by Mr. Duquette of York, placed on the Special Appropriations Table pending enactment.

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

Which Bills were passed to be enacted and the Resolve finally passed.

Emergency

Bill, "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)

Which received the affirmative vote of 30 members.

Passed to be enacted.

Bond Issue

Bill, "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)

On motion by Mr. Duquette of York, placed on the Special Appropriations Table pending enactment.

Additional Papers from the House

Non-concurrent matters

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

In Senate January 27, Passed to be Engrossed As Amended by Committee Amendment "A" (S-405) and by Senate Amendment "A" (S-407)

Comes from the House Passed to be Engrossed As Amended by Committee Amendment "A" (S-405) and by Senate Amendment "A" (S-407) and by House Amendment "A" (H-505) in non-concurrence.

On motion by Mr. Glass of Waldo, tabled until the next legislative day pending consideration.

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

In Senate January 24, Passed to be Engrossed.

In House January 25, Indefinitely Postponed in non-concurrence.

Senate January 26, voted to Insist.

Comes from the House Passed to be Engrossed as Amended by House Amendment "A" (H-504) in non-concurrence.

On motion by Mr. Snow of Cumberland, the Senate voted to recede and concur.

Bill, "An Act for Licensing Private Detectives and Watch, Guard and Patrol Agencies." (S. P. 675) (L. D. 1713)

January 27, in House Passed to be Engrossed as Amended by Committee Amendment "A", Senate Amendment "C" and by House Amendment "A" in non-concurrence.

In Senate, January 28, Passed to be Engrossed as Amended by Committee Amendment "A", Senate Amendment "C" and by Senate Amendment "A" thereto, in non-concurrence.

Comes from the House that body having Insisted and asked for a Committee of Conference.

House appointed:

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

Mr. JACQUES of Androscoggin: Mr. President, I move that we adhere.

Mr. MANUEL of Aroostook: Mr. President, I ask for a division on the motion to adhere.

The PRESIDENT: The Senator from Aroostook, Senator Manuel, has requested a division on the motion to adhere. All those in favor of the motion to adhere will rise and remain standing until counted.

17 senators having voted in the affirmative and 12 in the negative, the motion to adhere prevailed.

House Committee Report

Ought Not to Pass

The 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) reported that the same Ought Not to pass.

Comes from the House Indefinitely Postponed.

In the Senate: Report read and accepted.

Additional Enactors from the House

Bill, "An Act Relating to Junkyards and Auto Graveyards." (S. P. 671) (L. D. 1704).

Bill, "An Act Relating to Collisions Involving Fire Department Vehicles." (H. P. 1184) (L. D. 1652)

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

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

On motion by Mr. Duquette of York, placed on the Special Appropriations Table pending enactment.

Bill, "An Act Relating to Aiding Agencies Furnishing Mass Bus Transportation Services Within Municipalities." (H. P. 1234) (L. D. 1729)

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

Which Bills were passed to be enacted.

Emergency Measures

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

Which received the affirmative vote of 30 members.

Passed to be enacted.

Bill, "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)

On motion by Mr. Duquette of York, placed on the Special Appropriations Table pending enactment.

Bill, "An Act Relating to Challenges of Jurors in Criminal Cases." (S. P. 683) (L. D. 1721)

Which received the affirmative vote of 30 members.

Passed to be enacted.

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

On motion by Mr. Cahill of Somerset, placed on the Special Appropriations Table pending enactment.

Bill, "An Act Relating to Supplemental Appropriation for the Department of Indian Affairs." (H. P. 1190) (L. D. 1658)

On motion by Mr. Duquette of York, placed on the Special Appropriations table pending enactment.

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

On motion by Mr. Duquette of York, placed on the Special Appropriations Table pending enactment.

The adjournment order having been received from the House,

Adjourned until 10 o'clock Monday morning.