

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Third  
Legislature*

OF THE

STATE OF MAINE

Volume II

May 10 to June 15, 1967

KENNEBEC JOURNAL  
AUGUSTA, MAINE

**HOUSE**

Friday, May 26, 1967

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

Prayer by the Rev. Mr. John J. Curran of Augusta.

The journal of yesterday was read and approved.

**Papers from the Senate****Reports of Committees****Leave to Withdraw****Covered by Other Legislation**

Report of the Committee on Towns and Counties on Bill, "An Act Increasing Salaries of Clerk of Courts and Deputy Clerk of Courts, Penobscot County" (S. P. 169) (L. D. 340) reporting Leave to Withdraw, as covered by other legislation.

Report of same Committee reporting same on Bill, "An Act Increasing Salary of Register of Deeds of Penobscot County" (S. P. 184) (L. D. 374)

Report of same Committee reporting same on Bill, "An Act to Increase the Salaries of Certain County Officers of Waldo County" (S. P. 368) (L. D. 963)

Report of same Committee reporting same on Bill, "An Act Increasing Salaries of Certain County Officers of Franklin County" (S. P. 416) (L. D. 1045)

Report of same Committee reporting same on Bill, "An Act Increasing the Salaries of Certain County Officials in Androscoggin County" (S. P. 569) (L. D. 1439)

Came from the Senate read and accepted.

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

**Ought to Pass in New Draft**

Report of the Committee on Health and Institutional Services on Bill, "An Act relating to Emergency Admittance of Paupers to Hospitals" (S. P. 405) (L. D. 1036) reporting same in a new draft (S. P. 659) (L. D. 1676) under same title and that it "Ought to pass"

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

In the House, the Report was read and accepted in concurrence, the New Draft read twice and assigned the next legislative day.

**Ought to Pass with Committee Amendment**

Report of the Committee on Education on Bill, "An Act relating to Reports of School Administrative Units" (S. P. 534) (L. D. 1369) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

In the House, the Report was read and accepted in concurrence and the Bill read twice. Committee Amendment "A" was read by the Clerk and adopted in concurrence, and the Bill assigned for third reading the next legislative day.

**Non-Concurrent Matter**

Bill "An Act to Provide for Practical Nursing Course at Central Maine Vocational-Technical Institute" (S. P. 400) (L. D. 1031) which was passed to be engrossed as amended by Committee Amendment "A" and House Amendment "A" in non-concurrence in the House on April 6.

Came from the Senate with Committee Amendment "A" and House Amendment "A" indefinitely postponed and the Bill passed to be engrossed without Amendment in non-concurrence.

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

**Non-Concurrent Matter**

Bill, "An Act relating to Qualifications of Applicants for Examination for Admission to Practice Law" (H. P. 514) (L. D. 727) which was passed to be engrossed as amended by House Amendment "A" in non-concurrence in the House on May 16.

Came from the Senate with House Amendment "A" indefinitely postponed and the Bill 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.

### Orders

Mr. Prince of Harpswell presented the following Joint Resolution and moved its adoption:

WHEREAS, Freedom is mankind's most cherished possession and the foundation upon which our great Nation was built; and

WHEREAS, Freedoms Foundation honors organizations, schools and individuals for outstanding contributions toward a better understanding and greater appreciation of the American Way of Life; and

WHEREAS, the State of Maine shares this moment of high honor and recognition with those of its citizenry selected as recipients in the foundation's 18th National and School Awards Program at Freedoms Foundation, Valley Forge; now, therefore be it

RESOLVED: That the Members of the House and Senate of the One Hundred and Third Legislature extend to the participants a message of commendation for such worthy and patriotic accomplishments; and be it further

RESOLVED: That copies of this resolution, duly authenticated by the Clerk of the House, be transmitted to the following award recipients:

Donald C. Laubenstein  
Capt. David F. Purinton  
Airman First Class Clifton L. Taulbert  
Major William W. Owen  
Lt. Col. W. S. Tulloch  
Roger W. Remington  
Diane L. LeBlond  
Mrs. Margaret B. Todd  
Central Maine Power Company  
(H. P. 1183)

The Resolution was adopted and sent up for concurrence.

### House Reports of Committees Leave to Withdraw

Mr. Martin from the Committee on State Government on Bill "An Act relating to Temporary Loans by State" (H. P. 1026) (L. D. 1492) reported Leave to Withdraw.

Mr. Watts from same Committee reported same on Bill "An Act Pro-

viding for a Full-Time Attorney General and Relating to His Salary" (H. P. 159) (L. D. 222)

Reports were read and accepted and sent up for concurrence.

### Covered by Other Legislation

Mr. Henley from the Committee on Election Laws on Bill "An Act to Hold the Primary Election on the Second Monday of September" (H. P. 15) (L. D. 27) reported Leave to Withdraw, as covered by other legislation.

Mr. Dennett from the Committee on State Government reported same on Bill "An Act Increasing Salary of State Auditor" (H. P. 283) (L. D. 403)

Mr. Martin from same Committee reported same on Bill "An Act Increasing Salary of Treasurer of State" (H. P. 596) (L. D. 825)

Same gentleman from same Committee reported same on Bill "An Act Increasing Salary of Commissioner of Labor and Industry" (H. P. 862) (L. D. 1275)

Same gentleman from same Committee reported same on Bill "An Act Increasing Salaries of and Relating to Expenses of State Liquor Commission" (H. P. 1032) (L. D. 1498)

Mr. Philbrook from same Committee reported same on Bill "An Act Increasing Salaries of Boxing Commissioners" (H. P. 643) (L. D. 898)

Same gentleman from same Committee reported same on Bill "An Act Increasing Compensation of Members of Employment Security Commission" (H. P. 917) (L. D. 1326)

Mr. Rideout from same Committee reported same on Bill "An Act Increasing Salaries of the Public Utilities Commissioners" (H. P. 550) (L. D. 782)

Mr. Starbird from same Committee reported same on Bill "An Act Increasing Compensation of State Personnel Board" (H. P. 765) (L. D. 1112)

Same gentleman from same Committee reported same on Bill "An Act Increasing Salary of Director of Legislative Research" (H. P. 915) (L. D. 1324)

Same gentleman from same Committee reported same on Bill "An

Act Increasing the Salary of the Commissioner of Education" (H. P. 1025) (L. D. 1491)

Reports were read and accepted and sent up for concurrence.

#### **Ought Not to Pass**

Mr. Danton from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to Custody of Children in Divorce Actions" (H. P. 589) (L. D. 820)

Mr. Foster from same Committee reported same on Bill "An Act relating to Payment of Bank Deposits and Interest and Loan and Building Shares When Payable to Two or More Names" (H. P. 873) (L. D. 1285)

Reports were read and accepted and sent up for concurrence.

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

Mr. Quinn from the Committee on Judiciary on Bill "An Act relating to Publication of Foreclosure Notices" (H. P. 588) (L. D. 819) reported same in a new draft (H. P. 1182) (L. D. 1684) under title of "An Act relating to Publication of Legal Notices" and that it "Ought to pass"

Report was read and accepted, the New Draft read twice and assigned the next legislative day.

#### **Ought to Pass Printed Bills**

Mr. Foster from same Committee reported "Ought to pass" on Bill "An Act to Permit Savings and Loan Associations and Savings Banks to Consolidate" (H. P. 1002) (L. D. 1464)

Mr. Watts from the Committee on State Government reported same on Bill "An Act relating to the Appointment of Clerks of the Judicial Courts" (H. P. 246) (L. D. 354)

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

#### **Referred to Next Legislature**

Mr. Martin from the Committee on State Government on Resolve Proposing an Amendment to the Constitution to Provide for Municipal Home Rule (H. P. 120) (L. D.

146) reported that it be referred to the 104th Legislature.

Report was read and accepted, the Resolve referred to the 104th Legislature and sent up for concurrence.

#### **Divided Report**

Majority Report of the Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Funds for Construction of a Span on the Westport-Wiscasset Bridge" (H. P. 658) (L. D. 913) reporting same in a new draft (H. P. 1181) (L. D. 1683) under title of "An Act Appropriating Funds to County of Lincoln, Town of Wiscasset and Town of Westport for Reimbursement of Funds Expended on Westport-Wiscasset Bridge Span" and that it "Ought to pass"

Report was signed by the following members:

Messrs. BERRY of Cumberland  
DUQUETTE of York  
— of the Senate.

Messrs. BRAGDON of Perham  
BIRT of East Millinocket  
HUMPHREY of Augusta  
JALBERT of Lewiston  
SCRIBNER of Portland  
— of the House.

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

Report was signed by the following members:

Mr. ALBAIR of Aroostook  
— of the Senate.

Messrs. HINDS of South Portland  
DUNN of Denmark  
— of the House.

Reports were read.

Thereupon, on motion of Mr. Harvey of Woolwich, the Majority "Ought to pass" Report was accepted, the New Draft read twice and assigned the next legislative day.

#### **Divided Report**

Report "A" of the Committee on Appropriations and Financial Affairs on Bill "An Act Providing Funds for Residential Facility for Mentally Retarded Children in Aroostook County" (H. P. 659) (L. D. 914) reporting "Ought to pass"

as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. ALBAIR of Aroostook  
DUQUETTE of York  
— of the Senate.

Messrs. BRAGDON of Perham  
HUMPHREY of Augusta  
JALBERT of Lewiston  
— of the House.

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

Report was signed by the following members:

Mr. BERRY of Cumberland  
— of the Senate.

Messrs. DUNN of Denmark  
BIRT of East Millinocket  
SCRIBNER of Portland  
HINDS of South Portland  
— of the House.

Reports were read.

Thereupon, on motion of Mr. Rackliff of Easton, the "Ought to pass" Report "A" was accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 659, L. D. 914, Bill, "An Act Providing Funds for Residential Facility for Mentally Retarded Children in Aroostook County."

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

**Residential facility for mentally retarded children; funds for.** There is appropriated to the Department of Mental Health and Corrections from the Unappropriated Surplus of the General Fund the sum of \$177,500 for the fiscal year ending June 30, 1968 for the purpose of building a residential facility in connection with the day school program currently being operated by the Central Aroostook Association for the Mentally Retarded.

There is also appropriated to the Department of Mental Health and Corrections from the General Fund the sum of \$40,000 for the fiscal year ending June 30, 1969 for operating funds for this facility. The breakdown shall be as follows:

Department	1968-69
MENTAL HEALTH AND CORRECTIONS, DEPARTMENT OF Central Aroostook Association for the Mentally Retarded Personal Services (12) \$32,000 All Other 7,200 Capital Expenditures 800	
	<hr/> \$40,000

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

### Order Out of Order

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Wednesday, May 31, at ten o'clock in the morning. (S. P. 663)

Came from the Senate read and passed.

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

### Passed to Be Engrossed

Bill "An Act relating to Meetings of the Advisory Council of the Department of Economic Development" (S. P. 86) (L. D. 167)

Bill "An Act Eliminating Tolls from Bridge Across Jonesport Reach" (S. P. 335) (L. D. 868)

Bill "An Act relating to Reimbursement to Towns for Construction of and Snow Removal from Highways" (S. P. 360) (L. D. 957)

Bill "An Act relating to Snow Removal from State Highways" (S. P. 658) (L. D. 1671)

Bill "An Act Revising the Laws Relating to Guides Under Fish and Game Laws" (H. P. 356) (L. D. 503)

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

### Amended Bills

Bill "An Act to Provide a Feasibility Study for Express Highway Through Washington County" (S. P. 519) (L. D. 1339)

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.

Bill, "An Act relating to Notice of Legislative Hearings" (S. P. 347) (L. D. 931)

Bill "An Act Providing for the Purchase of Land by the Seed Potato Board" (S. P. 640) (L. D. 1646)

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

#### **Third Reader Tabled and Assigned**

Bill "An Act Regulating Snow Traveling Vehicles" (S. P. 654) (L. D. 1666)

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

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

Mr. MARTIN: Mr. Speaker, I move that item 9 be tabled until Wednesday, May 31.

Whereupon, on motion of Mr. Dudley of Enfield, tabled pending passage to be engrossed and specially assigned for Thursday, June 1.

#### **Finally Passed Emergency Measure**

Resolve Regulating Fishing on Part of Moose River, Somerset County. (S. P. 604) (L. D. 1587)

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 total was taken. 118 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

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

An Act Providing for a Coordinator of Apprenticeship in the

Department of Education (S. P. 199) (L. D. 430)

An Act Providing for a State Government Internship Program (S. P. 200) (L. D. 431)

An Act relating to County Funds for Buildings for Education Programs for Retarded Children (S. P. 201) (L. D. 432)

An Act to Authorize Cumberland County to Raise Money for Court House Capital Improvements (S. P. 251) (L. D. 611)

An Act relating to Review of Projects Under Housing Authority Law (S. P. 354) (L. D. 938)

An Act relating to Transportation and Possession of Liquor by Minors (S. P. 407) (L. D. 1038)

An Act to Authorize Lincoln County to Raise Money for Court House Capital Improvements (S. P. 485) (L. D. 1206)

An Act Creating a Council-Manager Form of Government for the City of Saco (S. P. 552) (L. D. 1505)

An Act relating to Expenditure of Assessment for Fire Protection Tax in Certain Townships (S. P. 571) (L. D. 1441)

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 relating to Transportation of Disabled, Collision Damaged, Wrecked or Repossessed Highway Motor Vehicles (H. P. 59) (L. D. 84)

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

The SPEAKER: The Chair recognizes the gentleman from Sidney, Mr. Drummond.

Mr. DRUMMOND. Mr. Speaker and Members of the House: I am sure that these automotive dealer plate dealers have been around here too long this year. This one has been here and tabled and retabled and I sure hope we can dispose of it one way or another today. L. D. 1665 is coming up next week with a completely revised and redrafted version of all the dealer plate regulations, and this towing vehicles is mentioned in this L. D. 1665 which we will take up next week.

I think that L. D. 84 is a very bad bill; it gives the automobile dealers a chance to get into the towing business on their dealers plates and if we pass this legislation we're passing it for eighty-two new car dealers in the state; and I make the motion that L. D. 84 and all its accompanying papers be indefinitely postponed. Thank you.

The SPEAKER: The gentleman from Sidney, Mr. Drummond, now moves that item 11, L. D. 84, be indefinitely postponed.

The Chair recognizes the gentleman from Bethel, Mrs. Lincoln.

Mrs. LINCOLN: Mr. Speaker and Members of the House: I agree in one way with my good friend from Sidney, Representative Drummond that this has been around much too long, but part of it is because of this 1665, it keeps being retabled, but not by myself — whose bill it is; and I certainly hope that you will not go along with him to indefinitely postpone this bill.

The SPEAKER: The Chair recognizes the gentleman from Kennebunk, Mr. Crosby.

Mr. CROSBY: I move that this lie on the table until next Wednesday pending the action on the associated bill.

The SPEAKER: The gentleman from Kennebunk, Mr. Crosby, now moves that this be tabled until Wednesday, May 31.

Mrs. Lincoln of Bethel then asked for a division on the tabling motion.

The SPEAKER: A vote has been requested on the tabling motion. All those in favor of this bill being tabled until Wednesday, May 31, —for what purpose does the gentleman arise?

Mr. CROSBY: I would request to withdraw my motion.

Thereupon, permission was granted to Mr. Crosby of Kennebunk to withdraw his motion to table.

The SPEAKER: The pending question is on the motion of Mr. Drummond of Sidney that L. D. 84 be indefinitely postponed. All those in favor of indefinite postponement will vote yes; those opposed

will vote no. The Chair opens the vote.

A vote of the House was taken. 40 having voted in the affirmative and 65 having voted in the negative, the motion did not prevail.

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

Mr. JALBERT: Mr. Speaker, I move that we reconsider our action whereby we failed to indefinitely postpone this measure, and when you vote against my motion.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, now moves that the House reconsider its action whereby it failed to indefinitely postpone L. D. 84.

The Chair recognizes the gentleman from Van Buren, Mr. Lebel.

Mr. LEBEL: Mr. Speaker, I would like to have this tabled until Wednesday next please.

The SPEAKER: The gentleman from Van Buren, Mr. Lebel, moves that this be tabled until Wednesday, May 31, pending the motion of the gentleman from Lewiston, Mr. Jalbert, to reconsider.

Mrs. Lincoln of Bethel then requested a division on the tabling motion.

The SPEAKER: All those in favor of this matter being tabled until May 31 will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

46 having voted in the affirmative and 63 having voted in the negative, the motion did not prevail.

The SPEAKER: Now the pending question is the reconsideration of our action whereby we failed to indefinitely postpone L. D. 84.

The Chair recognizes the gentleman from Van Buren, Mr. Lebel.

Mr. LEBEL: Mr. Speaker and Members of the House: If this bill goes through and if the 1665 goes through, then the new and used car dealers if they can't go on dealers plates they will be able to buy transporters plates and still be at the same price as the dealers plates and still be able to go the thirty-five limit with their regular;



so that's why I would like to see this bill go down.

The SPEAKER: Is the House ready for the question? All those in favor of reconsideration will vote yes; those opposed will vote no. The Chair opens the vote.

35 having voted in the affirmative and 77 having voted in the negative, the motion did not prevail.

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

An Act relating to Certificate of Organization of Nonprofit Corporations Organized Prior to 1911 (H. P. 150) (L. D. 214)

An Act relating to Tax Collector's Resignation (H. P. 297) (L. D. 417)

An Act Providing for Paid Holidays for Municipal Employees of the City of Lewiston (H. P. 392) (L. D. 539)

An Act relating to Buildings for Education Programs for Retarded Children No Longer Used for the Purpose (H. P. 431) (L. D. 595)

An Act relating to Fees for Handling Insurance Papers by Those Who Loan on Property (H. P. 470) (L. D. 683)

An Act Authorizing Department of Health and Welfare to Make Grants to Municipalities (H. P. 490) (L. D. 703)

An Act relating to Complaints and Violations Under Motor Vehicle Sales Finance Act (H. P. 511) (L. D. 724)

An Act to Allow the Use of Certain Government Bonds in Place of Retention of Payments Due Contractor in State Contracts (H. P. 631) (L. D. 887)

An Act relating to Fees, Compensation, Trust Accounts and Criminal Offenses Under Real Estate Law (H. P. 714) (L. D. 1009)

An Act Providing for the Official Observance of the 150th Anniversary of the Formation of the State of Maine (H. P. 723) (L. D. 1018)

An Act relating to Legislative Research Committee Printing (H. P. 916) (L. D. 1325)

An Act relating to Care of Indigent Adult Males at Jefferson Men's Camp (H. P. 951) (L. D. 1382)

An Act relating to Acceptance of State and Federal Grants (H. P. 1046) (L. D. 1518)

An Act Increasing Fees for Sheriffs and Deputies (H. P. 1047) (L. D. 1519)

An Act Providing for Retirement Allowance for Widows of Governors (H. P. 1050) (L. D. 1522)

An Act Requiring Constructed Public Buildings be Made Accessible to the Physically Handicapped (H. P. 1114) (L. D. 1583)

An Act Providing State Scholarships for Higher Education (H. P. 1155) (L. D. 1652)

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.

#### Enactor

#### Tabled and Assigned

An Act relating to Powers of Administrative Hearing Commissioner Concerning Minors Under the Liquor Laws (H. P. 1159) (L. D. 1656)

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

(On motion of Mr. Brennan of Portland, tabled pending passage to be enacted and specially assigned for Wednesday, May 31.)

Mr. Carroll of Limerick presented the following Order and moved its passage:

ORDERED, Whereas, it has been learned that Representative and Mrs. Camille Bedard will observe their 50th Wedding Anniversary this weekend, Sunday, May 28;

BE IT ORDERED, that the House of Representatives extend their congratulations to Mr. and Mrs. Bedard on this all-important occasion; and

BE IT FURTHER ORDERED, that the Clerk of the House be directed to send an attested copy of this Order to Representative and Mrs. Camille Bedard.

The Order was received out of order by unanimous consent, read and passed.

(Applause)

(Mr. Bedard then briefly addressed the House off the record)

### Orders of the Day

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

Bill "An Act to Revise the Laws Relating to Authority for Granting Degrees and to Approval of Degree - Granting Institutions" (S. P. 637) (L. D. 1641) (In House, enacted) (In Senate, passed to be engrossed as amended by Senate Amendment "A" S-168)

Tabled — May 24, by Mr. Robertson of Brewer.

Pending — Further consideration.

Thereupon, on motion of Mr. Minkowsky of Lewiston, retabled pending further consideration and specially assigned for Thursday, June 1.

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

SENATE REPORT — Leave to Withdraw as Covered by Other Legislation — Committee on Appropriations and Financial Affairs on Bill "An Act Providing a Bond Issue in the Amount of Six Hundred and Fifty Thousand Dollars for a Vocational Educational Institute in Washington County" (S. P. 137) (L. D. 267) (In Senate, Report accepted)

Tabled — May 24, by Mr. Bragdon of Perham.

Pending — Acceptance in concurrence.

Thereupon, on motion by Mr. Bragdon of Perham, retabled pending acceptance in concurrence, and specially assigned for Thursday, June 1.

Mr. Healy of Portland was granted unanimous consent to address the House.

Mr. HEALY: Mr. Speaker and Members of the House: In last Sunday's Portland Express Telegram under "Down East in D.C." by Don Larrabee, he quotes Muskies' "Rising Star." The Senator was addressing a fund-raising dinner — that would be a Democratic fund - raising dinner — and Don Larrabee relates the story that the Senator told about the stranger who had found himself in Northern Maine, and he

asked how far it was to Portland. One of the villagers spoke up and said: "The way you're headed it's thirty thousand miles and there's some pretty rough stretches along the way."

It seemed to me that that story could be pretty well pondered here about our tabling and re-tabling of bills. We have a long weekend coming up and probably next week we could accomplish a whole lot more, and if something isn't done about it I think we'll be here until the cows come home! Thank you.

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

Bill "An Act relating to Fair Minimum Wages for Construction of Public Improvements by State of Maine" (S. P. 652) (L. D. 1660) (In Senate, passed to be engrossed)

Tabled—May 24, by Mr. Huber of Rockland.

Pending — Passage to be engrossed.

The SPEAKER: The Chair recognizes the gentleman from Sidney, Mr. Drummond.

Mr. DRUMMOND: Would I be in order to speak to L. D. 1660 and offer an amendment?

The SPEAKER: The pending question is engrossment and it is debatable.

Mr. DRUMMOND: Mr. Speaker, Ladies and Gentlemen: This act is an amendment to a construction industry wage law that was passed by the 102nd Legislature. It is entirely different from our ordinary minimum wage laws. The stated purpose of this law was to require that workmen engaged in the construction of a public improvement shall receive no less than the "prevailing hourly rate of wages for work of a similar character in the State," which prevailing wages are far in excess of the general minimum wage.

Under the terms of this original law, the Commissioner of Labor and Industry is required to determine, "fair minimum rates of wages"; file this determination with the Secretary of State; and then see that these rates of pay

are incorporated into all state construction contracts. The existing law also provides for an appeal board, to which anyone aggrieved by the Commissioner's determination may appeal. This board has the right to reverse or modify any determination of the Commissioner. Naturally, a person can take the decision of the Appeal Board to the courts if he wishes to do so.

In accordance with this law, the Commissioner of Labor and Industry filed the first determination of wage rates on January 1, 1966. There were sixty-five appeals filed with the Board within only ten days. Of these sixty-five appeals from the Commissioner's determination, sixty-three were settled by the Board, two went to court. The law also states that it shall not become effective while an appeal is pending. These two appeals are still in court, so the law has never yet been in effect, and yet here we are, being asked to amend it wholesale.

On January 1, 1967, the Commissioner of Labor and Industry filed another determination of wage rates, and immediately there were eighteen appeals filed with the Board. Of the eighteen appeals, seventeen were adjudicated by the Board of Appeals and one appealed to the Superior Court.

This then is the history of this law. Two determinations of the Commissioner of Labor and Industry, eighty-three appeals from these decisions, three of which went to court and are still there.

The Commissioner herself at the public hearings has stated that the law was very difficult to administer, and the facts upon which to base the determinations, almost impossible to obtain. It would appear from the number of appeals that the Commissioner might even be modest in her statements.

This act before you, which now is L. D. 1660, purports to amend the existing law, presumably to try to make it work. Basically, it makes five changes:

It would take all authority from the Appeals Board, and make the Appeals Board an advisory board only. It requires that the Commis-

sioner determine what wage rates do exist in each locality of the state in the construction industry, as well as what shall exist in each locality. It provides for an automatic annual increase in wage rates until all workers are receiving the highest wages paid in the business. It changes the makeup of the Board so that most of the workers in the construction industry are not represented. It changes the method of survey so that many of the workers are not considered.

Very briefly, I will touch on each point:

With a history of eighty-three appeals from the Commissioner's first two rulings, and I repeat this, eighty-three appeals from the Commissioner's first two rulings, the Board should retain some authority. Under this amendment all of these appeals would have to go to court. Is this really what we want, to send all these appeals to court?

The existing law allows a statewide determination of wages paid. This amendment restricts it to a locality basis, with no provision for allowing for local booms or busts, brought about by a lot of construction in any one town, or the lack of it, at the time of the survey.

This amendment provides that the minimum wage rate shall actually be wages paid to the median number of workers employed in a given trade. Median means middle. If each year, by law, the minimum wage rate is set at the rate that the middle worker received last year, then it follows that each year the rate goes up until all receive the highest, since each succeeding year the median becomes the bottom.

This amendment would provide that the Board consist of one public member, two employer members, and two from organized labor. The vast majority of construction workers in Maine do not belong to organized labor, and yet by this act, they are deprived from representation on the Board. Any employer who has less than four employees, cannot be counted in determining the prevailing wage rates in any locality because of the provisions of this amendment. How many house builders, repairmen,

small contractors, self-employed people, in the construction industry do we all know—they are all excluded from being considered in determining what wages are being paid in a given locality. But they are included as far as having to pay the wage rate after it is set.

I submit, ladies and gentlemen, that this law should never have gotten on the books. It has never operated, it is still in court. Any law which has had eighty-three appeals in the first thirteen months of attempted operation, must be basically unworkable. The State of Maine has a general minimum wage law. It is applicable to construction workers. The federal government has a general minimum wage law, and it too, applies to construction workers. There is no need to add a third law, to the same industry, a law which in reality is not a minimum wage law, but a maximum wage law.

I believe we should abolish the existing law, and I therefore present House Amendment "A" to the bill, which would do this, and move its adoption. Thank you.

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

HOUSE AMENDMENT "A" to S. P. 652, L. D. 1660, Bill, "An Act Relating to Fair Minimum Wages for Construction of Public Improvements by State of Maine."

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

'An Act Repealing Wages for Construction of Public Improvements by State of Maine.'

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

'R. S., T. 26, § 1304-1313, repealed. Sections 1304 to 1313 of Title 26 of the Revised Statutes, as enacted by section 2 of chapter 406 of the public laws of 1965, are repealed.'

The SPEAKER: Is it now the pleasure of the House to adopt House Amendment "A"?

The Chair recognizes the gentleman from Bangor, Mr. Ewer.

Mr. EWER: Mr. Speaker, when I first saw House Amendment "A" I felt that it was being passed to

emasculate the L. D. I tried to contact the Commissioner of Labor, Miss Martin, but due to her being out of town, I could not get in touch with her to see what the feeling of the Department was since this was a Department bill. I would hope that someone would table this until this next week, as much as I hate to table things, but I would like to be able to get a little more information in regard to it before it is enacted. Thank you.

Thereupon, on motion of Mr. Birt of East Millinocket, tabled pending adoption of House Amendment "A" and specially assigned for Wednesday, May 31.

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

Bill "An Act Providing for a Tax on Real Estate Transfers" (H. P. 1143) (L. D. 1627)

Tabled—May 24, by Mr. Hewes of Cape Elizabeth.

Pending — Adoption of House Amendment "A" (H-307)

Thereupon, on motion of Mr. Benson of Southwest Harbor, re-tabled pending adoption of House Amendment "A" and specially assigned for Wednesday, May 31.

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

Bill "An Act to Make Allocations from the General Highway Fund for the Fiscal Years Ending June 30, 1968 and June 30, 1969 (H. P. 1173) (L. D. 1672)

Tabled—May 25 by Mr. Jalbert of Lewiston.

Pending — Passage to be engrossed.

Thereupon, on motion of Mr. Richardson of Cumberland, re-tabled pending passage to be engrossed and specially assigned for Thursday, June 1.

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

Bill "An Act Revising the Drug, Narcotic and Pharmacy Laws" (H. P. 1176) (L. D. 1674)

Tabled—May 25, by Mr. Gill of South Portland.

Pending — Passage to be engrossed.

Thereupon, the Bill was passed to be engrossed and sent to the Senate.

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

An Act to Appropriate Funds and Provide Staff for Alcoholism Services (S. P. 9) (L. D. 15)

Tabled—May 25, by Mr. Jalbert of Lewiston.

Pending—Passage to be enacted.

Thereupon, on motion of Jalbert of Lewiston, the House voted to suspend the rules and to reconsider its action of May 19 whereby it voted to recede and concur.

On further motion of the same gentleman, the House voted to recede.

Senate Amendment "A" was read and adopted in concurrence.

Mr. Jalbert then offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 9, L. D. 15, Bill, "An Act to Appropriate Funds and Provide Staff for Alcoholism Services."

Amend said Bill by striking out all of the emergency preamble and the emergency clause.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. JALBERT: Mr. Speaker and Members of the House: This amendment merely removes the emergency clause from the measure. I don't know why it was there in the first place. We did have a very splendid hearing on this measure. I think it is a sound piece of legislation, it is worthy, and it will pay off in great dividends, and I move the adoption of this amendment.

Thereupon, House Amendment "A" was adopted and the Bill passed to be engrossed as amended by Senate Amendment "A" and House Amendment "A" in non-concurrence and sent up for concurrence.

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

Resolve Proposing an Amendment to the Constitution Pledging Credit of State for Maine School Building Authority Bonds (S. P. 622) (L. D. 1624)

Tabled—May 25, by Mr. Bragdon of Perham.

Pending—Final passage.

The SPEAKER: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker and Members of the House: The Maine School Building Authority was created by Act of the Legislature in the early fifties to assist the smaller and poorer municipalities of this State in obtaining needed classrooms which they were unable to finance within their constitutional debt limit.

Evidence that the purpose for which it was established has been fulfilled is indicated by the number of school buildings constructed. The scope of the Authority's influence has extended to some of the larger municipalities where improved facilities have been provided through lease rental agreements. In addition to the regular methods of financing, the Authority has been able to assist some of the poorest units by a so-called "Hardship Grant" which has been allotted from a legislative appropriation in accordance with the local need.

The State of Maine has pioneered in this type of school building authority as it is one of only four such programs in existence. A review is being made of the Authority's operating methods to make sure that its procedures are in tune with the needs of Maine communities and so that a maximum of service may be provided at a minimum of cost.

During the twelve years of its existence, the Authority has been a significant factor in improving school facilities in many Maine communities. The pupils in many Maine towns today would be without adequate housing if this program had not been in operation.

Like the Maine Turnpike Authority, this School Building Authority is a private corporation authorized to issue bonds up to the amount of \$25,000,000 for the

purpose for which it was created. During the first six or eight years of its existence it performed, as I have stated earlier, a very worthwhile service to the small and poorer communities. However, with the passage of the Sinclair Act and its expansion in the school construction field, the need for the services of the School Building Authority have been gradually on the decrease and we note that in the last six years there have been very few requests for the services of this Authority. It would appear that this trend will continue. You will recall that in the passage of the revised L. D. 107, which has been before us this session, that the Legislature placed the bonding limits of the school administrative districts for school construction purposes on a sliding scale so that the poorer districts may go to nearly 20% of their state evaluation for school construction purposes.

Making this School Building Authority a state guaranteed function, as this bill calls for, will automatically add another \$25,000,000 to the contingent bonded liability of the State. It would seem to me, because of the diminished need for the services of this Authority, the disadvantages of the passage of this Constitutional Amendment would far outweigh the advantages. There will be many necessary, very necessary, bond issues which will have to be put on the ballots on the next primary or regular election, and to place on that list some that we would not consider as absolutely necessary could jeopardize the passage of some more worthy issues. For these reasons and many others that I could enumerate, I would now move the indefinite postponement of L. D. 1624, a Resolve Proposing an Amendment to the Constitution Pledging Credit of State for Maine School Building Authority Bonds.

The SPEAKER: The Chair recognizes the gentleman from East Millinocket, Mr. Birt.

Mr. BIRT: Mr. Speaker and Ladies and Gentlemen of the House: I rise in support of the good gentleman from Perham, Representative Bragdon, and would

point out one sentence in the biennial report of the State Board of Education as to the extent of need of this and the statement is, in addition to the Maine School Building Authority issued bonds of \$120,000 to assist one community in the construction of an addition to its elementary school. With the amount of borrowing capacity that they presently have, and if it is not being used any more extensively than \$120,000 in one biennium of two years, I certainly don't see the need of the passage of this, and I wish to support the indefinite postponement.

The SPEAKER: Is the House ready for the question?

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: The purpose of the introduction, or the late introduction of this document at this session of the Legislature by the Chairman of the Committee was purely to put the School Building Authority relatively on the same basis as was trying to be done to the private colleges that was before us on an amendment to the Constitution, and it was my feeling and certainly the feeling of the Chairman of the Committee that if we allow such privileges to private schools and private colleges, certainly the same privileges should be extended to all our school systems in the State of Maine. The relative amount being borrowed from the School Building Authority now is probably an indication that it was not in all cases to the best interest of the communities to borrow from the School Building Authority or to borrow through the School Building Authority. It's my sincere feeling that this might alleviate some of the problems that have been had in borrowing from the School Building Authority, that this would make it more palatable to communities to go to the School Building Authority in case that they would need additional help on the community level, the same as the private colleges would be able to borrow under the legislation that

was passed at this session of the Legislature.

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

Mr. RICHARDSON: Mr. Speaker, I would pose a question through the Chair to anyone who might answer.

How much of the borrowing authority of the Maine School Building Authority of Maine is at the present time unused?

The SPEAKER: The gentleman from Cumberland, Mr. Richardson, poses a question through the Chair to any member who may answer if they choose.

The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker and Members of the House: If I had time to look up for a minute I could give you accurate figures on that; if you would be satisfied with comparatively accurate figures I could give you those also.

They have borrowed up to their peak about eight million and a half. Since the decline in the call for these services these bonds have been paid off to the point where they are now down in the area of six million dollars, so you've got a very substantial amount left out of twenty-five million if that answers your question.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: Do I understand the answer to my question to be that there's about seventeen million dollars of available lending money in the Maine School Building Authority at the present time?

The SPEAKER: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Substantially correct.

The SPEAKER: The Chair recognizes the gentlewoman from Winthrop, Mrs. Baker.

Mrs. BAKER: Mr. Speaker and Members of the House: I might bring out for the information of the House that during some of the discussion of this bill when it was

presented in front of our Committee, in many instances it was brought out that possibly these towns could borrow money through the Maine School Building Authority with just as low interest as they would be able to through the plan that we have before you in this L. D., so in many instances we weren't sure that it would do what we had hoped it might do for the towns.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I would like to concur with the gentleman from Perham, Mr. Bragdon, and see this bill indefinitely postponed. The other day I spoke against a bill here where we removed the number 700 to 500 in the event of a school administrative district and I would say that this will let everybody in, and this is one reason why we wouldn't need this bill any more, because everybody can now get into a school administrative district and I'm quite sure the rates for it would be less, so the need to get under this one might be even less, and I think the people I represent are beginning to carry a shotgun for bond issues and I'd like to eliminate as many as possible that would go before the people. Thank you.

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

Mr. ROSS: Mr. Speaker and Members of the House: To answer the question of the gentleman from Madawaska, Mr. Levesque, when he said the reason this was put in was because there was a bill in on colleges and they could borrow up to twenty-five million dollars, that bill was defeated in the House; a Committee of Conference was appointed and they couldn't agree, so that bill is definitely dead.

The SPEAKER: Is the House ready for the question? The pending question is the motion of the gentleman from Perham, Mr. Bragdon, that L. D. 1624, Resolve Proposing an Amendment to the Constitution Pledging Credit of State for Maine School Building

Authority Bonds, be indefinitely postponed. The Chair will order a vote and all those in favor of indefinite postponement will vote yes, those opposed will vote no, and the Chair opens the vote.

A vote of the House was taken.

97 having voted in the affirmative and 15 having voted in the

negative, the Resolve was indefinitely postponed in non-concurrence and sent up for concurrence.

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On motion of Mr. Richardson of Cumberland,

Adjourned until Wednesday, May 31, at ten o'clock in the morning.