

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

Wednesday, May 31, 1967

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

Prayer by the Rev. Mr. Gordon Hemphill of Dover-Foxcroft.

The members stood at attention during the playing of the National Anthem by Scarborough High School Band.

The journal of the previous session was read and approved.

**Papers from the Senate
Reports of Committees**

Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on

Resolve Proposing an Amendment to the Constitution Pledging Credit of State and Providing for the Issuance of Bonds Not Exceeding, at Any One Time Issued and Outstanding, Twenty-five Million Dollars for Loans to Private Colleges for Construction and Expansion of Facilities (S. P. 60) (L. D. 73)

Reporting that they are unable to agree.

(Signed)

MacLEOD of Penobscot
WYMAN of Washington
SNOW of Cumberland

—Committee on part of Senate.

PIKE of Lubec
DENNETT of Kittery
BRAGDON of Perham

—Committee on part of House.

Came from the Senate read and accepted.

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

Leave to Withdraw

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act to Authorize Bond Issue of Nine Hundred and Eighty Thousand Dollars for Library Needs at the University of Maine and the State Colleges (S. P. 492) (L. D. 1212) reporting Leave to Withdraw.

Report of the Committee on Judiciary reporting same on Bill

"An Act to Provide Alternative Method of Appeal from Municipal Assessment on Real Estate" (S. P. 547) (L. D. 1445)

Came from the Senate read and accepted.

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

Covered by Other Legislation

Report of the Committee on Election Laws on Bill "An Act to Hold the Primary Election on the Second Tuesday after Labor Day" (S. P. 2) (L. D. 5) reporting Leave to Withdraw, as covered by other legislation.

Report of the Committee on State Government reporting same on Bill "An Act Increasing Salaries of Justices of Supreme Judicial and Superior Courts" (S. P. 74) (L. D. 155)

Report of same Committee reporting same on Bill "An Act Increasing Salaries of District Court Justices" (S. P. 75) (L. D. 156)

Report of same Committee reporting same on Bill "An Act Increasing Salaries of County Attorney and Assistant County Attorneys of Penobscot County" (S. P. 150) (L. D. 419)

Report of same Committee reporting same on Bill "An Act Increasing Salaries of County Attorney and Assistant County Attorney of Aroostook County" (S. P. 174) (L. D. 420)

Report of same Committee reporting same on Bill "An Act Increasing Salary of Commissioner of Inland Fisheries and Game" (S. P. 249) (L. D. 609)

Report of same Committee reporting same on Bill "An Act Increasing Salary of Insurance Commissioner" (S. P. 283) (L. D. 663)

Report of same Committee reporting same on Bill "An Act Increasing the Salaries of Justices and Judges of the Supreme, Superior and District Courts" (S. P. 309) (L. D. 748)

Report of same Committee reporting same on Bill "An Act Increasing Salary of Legislative Finance Officer" (S. P. 348) (L. D. 932)

Report of same Committee reporting same on Bill "An Act Increasing Salary of Forest Commissioner" (S. P. 411) (L. D. 1040)

Report of same Committee reporting same on Bill "An Act Increasing Salary of County Attorney of Hancock County" (S. P. 412) (L. D. 1041)

Report of same Committee reporting same on Bill "An Act Increasing Salaries of Members of Industrial Accident Commission" (S. P. 436) (L. D. 1089)

Report of same Committee reporting same on Bill "An Act Increasing Salary of the Commissioner of Agriculture" (S. P. 481) (L. D. 1202)

Report of same Committee reporting same on Bill "An Act Increasing Salary of Administrative Hearing Commissioner" (S. P. 483) (L. D. 1202)

Report of same Committee reporting same on Bill "An Act Increasing Salary of the Adjutant General" (S. P. 508) (L. D. 1222)

Came from the Senate read and accepted.

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

Ought Not to Pass

Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act relating to Joint Bank Accounts" (S. P. 539) (L. D. 1390)

Report of same Committee reporting same on Bill "An Act relating to Property of Survivor on Joint Bank Deposits and Loan and Building Shares" (S. P. 540) (L. D. 1391)

Report of same Committee reporting same on Bill "An Act relating to Valuation for Inheritance Tax Purposes of Joint Bank Accounts" (S. P. 564) (L. D. 1434)

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 Inland Fisheries and Game on Bill "An Act to Clarify Errors and Inconsistencies in the Fish and Game Laws" (S. P. 454) (L. D.

1167) reporting same in a new draft (S. P. 660) (L. D. 1678) 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 tomorrow assigned.

Ought to Pass with Committee Amendment

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Operating Funds Vocational Educational Institute in Washington County" (S. P. 136) (L. D. 266) 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 tomorrow assigned for third reading of the Bill.

Ought to Pass with Senate Amendment

Report of the Committee on Business Legislation reporting "Ought to pass" on Bill "An Act relating to Directors of Insurance Companies" (S. P. 386) (L. D. 1020)

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

In the House, the Report was read and accepted in concurrence and the Bill read twice. Senate Amendment "A" was read by the Clerk and adopted in concurrence, and tomorrow assigned for third reading of the Bill.

Ought to Pass with Committee Amendment Amended in Senate

Report of the Committee on Education on Bill "An Act

Providing for Associate Degree in Nursing at Fort Kent and Aroostook State Colleges" (S. P. 296) (L. D. 735) 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" as amended by Senate Amendment "A" thereto.

In the House, the Report was read and accepted in concurrence and the Bill read twice. Committee Amendment "A" was read by the Clerk. Senate Amendment "A" to Committee Amendment "A" was read by the Clerk and adopted in concurrence. Committee Amendment "A" as amended by Senate Amendment "A" thereto was adopted in concurrence.

Tomorrow was assigned for third reading of the Bill.

Final Report

Final Report of the following Joint Standing Committee:

Highways

Came from the Senate read and accepted.

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

Non-Concurrent Matter

Bill "An Act relating to Assistant County Attorneys" (H. P. 33) (L. D. 53) which was passed to be engrossed as amended by Committee Amendment "A" in the House on March 15.

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

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

Non-Concurrent Matter Tabled and Assigned

Joint Resolution relating to Expressing Legislative Opinion to Congress Concerning Federal Grant-in-Aid Programs (H. P. 1169) which was adopted in the House on May 19.

Came from the Senate indefinitely postponed in non-concurrence.

In the House: On motion of Mr. Levesque of Madawaska, tabled pending further consideration and specially assigned for tomorrow.

Messages and Documents

The following Communication:

STATE OF MAINE
SUPREME JUDICIAL COURT
AUGUSTA, MAINE

May 26, 1967

Honorable Bertha W. Johnson
Clerk, House of Representatives
State House
Augusta, Maine

Dear Mrs. Johnson:

There is enclosed the Answers of the Justices to the Questions of May 19, 1967.

Respectfully yours,

(Signed)

ROBERT B. WILLIAMSON
Chief Justice

ANSWERS OF THE JUSTICES

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

The undersigned Justices of the Supreme Judicial Court individually acknowledge receipt of your communication of May 19, 1967, requesting our interpretation of Article IV, Part Third, Section 2 of the Constitution of Maine with relation to the requisite vote to override "the veto of the Governor."

The form in which the question is presented to us does not indicate that your Honorable body is currently faced with the question.

We beg leave to quote Article VI, Section 3 of the Constitution of Maine from which stems the right to ask and our duty to reply to questions addressed to us by the Governor, Senate or the House of Representatives.

"Section 3. The Justices of the Supreme Judicial Court shall be obliged to give their opinion upon important questions of law, and upon solemn occasions, when required by the Governor, Senate or House of Representatives."

We by no means minimize the concern which prompts the present

inquiry, but the request addressed to us neither states nor suggests that the House is presently faced with a veto message from the Chief Executive applicable to a pending measure and, until such time, the question posed is not properly before us.

Based upon long standing precedent, in this connection, reluctantly we must conclude that the present solicitation does not fall within the category of a "solemn occasion" prescribed by our Constitution. See Questions and Answers 95 Me. 564 and, more recently, Opinion of the Justices 134 Me. 510, 513 (Question from Executive Council) and 147 Me. 410, 415, and 153 Me. 216, 218 (Questions from the Chief Executive).

We beg leave to quote from the Answer of the Justices in 134 Me. 513 where our eminent predecessors in office said in response to a question submitted by the Honorable Executive Council that while our Justices may be required to express an opinion upon important questions of law, they may not be so required, "as to what may hereafter become such, or which may arise from the doing of some act. The matters with regard to which advisory opinions are proper are those of instant, not past nor future, concern; things of live gravity."

With all respect it must be replied that "the case is not one in which the law allows the opinions of the Justices to be given." Opinion of the Justices 67 N.H. 600, 43 A. 1074. See also 147 Me. 414, 415 and Opinion of the Justices 148 Mass. 623, 21 N.E. 439.

Respectfully submitted:

(Signed)

ROBERT B. WILLIAMSON
DONALD W. WEBBER
WALTER M. TAPLEY, Jr.
HAROLD C. MARDEN
ARMAND A. DUFRESNE, Jr.
RANDOLPH A. WEATHERBEE

The Communication was read and ordered placed on file.

On the part of the House, the Speaker appointed the following Conferees on the disagreeing action of the two branches of the Legis-

lature on Bill "An Act relating to Right to Vote on Approval of Final Urban Renewal Plans" (H. P. 829) (L. D. 1237):

Messrs. McMANN of Bath
RICHARDSON
of Stonington
HARVEY of Woolwich

On the part of the House, the Speaker appointed the following Conferees on the disagreeing action of the two branches of the Legislature on Bill "An Act Establishing the Policemen's Arbitration Law" (S. P. 342) (L. D. 926):

Messrs. HARRIMAN of Hollis
DRUMMOND of Sidney
HUBER of Rockland

On the part of the House, the Speaker appointed the following Conferees on the disagreeing action of the two branches of the Legislature on Bill "An Act Providing for Action in Aid to Dependent Children Cases involving Fraud" (H. P. 672) (L. D. 944):

Messrs. HENNESSEY of West Bath
CUSHING of Bucksport
HUBER of Rockland

Petitions, Bills and Resolves Requiring Reference

The following Bill, approved by a majority of the Committee on Reference of Bills for appearance on House Calendar, less than one tenth of the members present objecting, was received and referred to the following Committee:

State Government

Bill "An Act to Establish the Division of Municipal Affairs in the Executive Department" (H. P. 1184) (Presented by Mr. Brennan of Portland)

(Ordered Printed)

Sent up for concurrence.

House Reports of Committees Leave to Withdraw

Mr. Brennan from the Committee on Judiciary on Bill "An Act Revising the Laws Relating to State Probation and Parole Board" (H. P. 999) (L. D. 1461) reported Leave to Withdraw.

Report was read and accepted and sent up for concurrence.

Ought to Pass in New Draft New Draft Printed

Mr. Foster from the Committee on Judiciary on Bill "An Act relating to Additional Appeals under Liquor Laws" (H. P. 629) (L. D. 885) reported same in a new draft (H. P. 1185) (L. D. 1685) under same title and that it "Ought to pass"

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

Ought to Pass with Committee Amendment

Mr. Darey from the Committee on Judiciary on Bill "An Act relating to Joint Accounts in Banks and Loan and Building Associations" (H. P. 1001) (L. D. 1463) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT
"A" to H. P. 1001, L. D. 1463, Bill, "An Act Relating to Joint Accounts in Banks and Loan and Building Associations."

Amend said Bill by striking out all of the first sentence of the last paragraph and inserting in place thereof the following underlined sentence:

'All such accounts, whenever opened, or such shares and accounts in loan and building associations whenever issued, payable to either or the survivor, who are husband and wife, up to, but not exceeding an aggregate value of \$10,000, and payable to either of 2 or more of the survivor of those persons who are parent and child, grandparent and grandchild, or brothers and sisters, up to, but not exceeding an aggregate value of \$5,000 including interest and dividends, in the name of the same persons in all banks, savings banks, loan and building associations or trust companies within this State shall, in the absence of fraud or undue influence, upon the death of any such persons, become the sole and absolute property of the survivor or survivors, even though the intention of all or any one of

the parties be in whole, or in part, testamentary and though a technical joint tenancy be not in law or fact created.'

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

Passed to Be Engrossed

Bill "An Act relating to Emergency Admittance of Paupers to Hospitals" (S. P. 659) (L. D. 1676)

Bill "An Act relating to the Appointment of Clerks of the Judicial Courts" (H. P. 246) (L. D. 354)

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

Third Readers Tabled and Assigned

Bill "An Act to Permit Savings and Loan Associations and Savings Banks to Consolidate" (H. P. 1002) (L. D. 1464)

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

(On motion of Mr. Robertson of Brewer, tabled pending passage to be engrossed and specially assigned for Friday, June 2.)

Bill "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" (H. P. 1181) (L. D. 1683)

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

(On motion of Mr. Hennessey of West Bath, tabled pending passage to be engrossed and specially assigned for tomorrow.)

Bill "An Act relating to Publication of Legal Notices" (H. P. 1182) (L. D. 1684)

Was 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 relating to Reports of School Administrative Districts" (S. P. 534) (L. D. 1369)

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 Providing Funds for Residential Facility for Mentally Retarded Children in Aroostook County" (H. P. 659) (L. D. 914)

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

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

Mr. DUNN: Mr. Speaker and Members of the House: This bill called for quite a lot of money when it started, it has been cut down quite a bit by amendment. This was a divided report five and five. There is a day school for mentally retarded in Aroostook County. It was my feeling that if we were going to start a school of this sort with putting in the state employees and so forth, that it should be in the Bangor area rather than in Aroostook. This wasn't discussed the other day. The amendment cuts it down and it does call for twelve employees and an expenditure of \$40,000.

It seems to me that we would be better advised to go to the Bangor area rather than Aroostook. So I will move that this bill and its papers be indefinitely postponed and ask for a division.

The SPEAKER: The gentleman from Denmark, Mr. Dunn, now moves that item 7, L. D. 914, be indefinitely postponed.

The Chair recognizes the gentleman from Easton, Mr. Rackliff.

Mr. RACKLIFF: Mr. Speaker and Members of the House: This appropriation is set up as number two outside of the Bangor Hospital. I hate to go along with a long talk on this. I think you know the story on it, I am going to ask you to go against the motion on it.

Mr. Levesque of Madawaska then requested a division.

The SPEAKER: The pending question is on the motion of the gentleman from Denmark, Mr. Dunn, that L. D. 914 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. 50 having voted in the affirmative and 63 having voted in the negative, the motion did not prevail.

Thereupon, the Bill was passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

Passed to Be Enacted Emergency Measure

An Act relating to Nonlapsing Funds for Land in York County for Park Purposes (H. P. 771) (L. D. 1118)

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

Passed to Be Enacted

An Act Providing Funds for Roads at Maine Maritime Academy (S. P. 208) (L. D. 547)

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

Enactor Tabled and Assigned

An Act relating to Coverage under Employment Security Law (S. P. 456) (L. D. 1133)

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

(On motion of Mr. Durgin of Raymond, tabled pending passage to be enacted and specially assigned for tomorrow.)

An Act relating to Cost of Living Adjustments for Retired Employees of the City of Lewiston and Their Beneficiaries (S. P. 565) (L. D. 1435)

An Act relating to Pensions for Members of the Lewiston Police

Department, Lewiston Fire Department and Their Beneficiaries (S. P. 566) (L. D. 1436)

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 Membership on the Maine Milk Commission (H. P. 339) (L. D. 487)

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

The SPEAKER: The Chair recognizes the gentleman from Union, Mr. Hawes.

Mr. HAWES: Mr. Speaker and Members of the House: I think this bill was thoroughly discussed the other day, so I'm not going into the merits, discussing this bill again this morning, but I still cannot see any good purpose of adding another member to the Maine Milk Commission. For that reason I am going to move that this bill and all its accompanying papers be indefinitely postponed.

The SPEAKER: The gentleman from Union, Mr. Hawes, now moves that item 6, L. D. 487, be indefinitely postponed.

The Chair recognizes the gentleman from Solon, Mr. Hanson.

Mr. HANSON: Mr. Speaker and Members of the House: I agree with the Representative Hawes, that we did discuss this at considerable length on Friday; yet I think we presented a very worthwhile argument. We must have, because we did prove our point — we did win even though by a small vote. I would sincerely hope that the House will continue to go along with me on this bill. I can see where some individuals might feel there is no need — perhaps as an individual perhaps they don't have the problem themselves. Perhaps some of them have selfish motives. But there are a great number of dairymen shipping to the Boston market who far much want representation on this Board. They would like to know what is going on and they would like to have at least an opportunity to present their case to the Milk

Commission in matters which will affect them.

I sincerely hope that you will defeat this motion to indefinitely postpone and allow this bill to be enacted. Thank you. I would ask for a division too.

The SPEAKER: A vote has been requested.

The Chair recognizes the gentleman from York, Mrs. Fuller.

Mrs. FULLER: Mr. Speaker and Members of the House: I am sorry to have been absent when the debate went on on Friday. I do not know exactly what was said. I would like to report that I sat on the Maine Milk Commission as consumer member for six years. As of a week or so ago I went and talked with the members that are now on the Maine Milk Commission. They had no objection to this person being there. I think that they may need a sounding board and I recommend that we vote not to indefinitely postpone this bill.

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

Mr. LITTLEFIELD: Mr. Speaker and Members of the House: It is my opinion that this bill is to change the Maine Milk Commission. Now the dairymen in my area are opposed to making any changes. I wish to state that in 1927 and '28 I drove an RFD through the towns of Newburg and Hampden. At that time there were twenty-one dairymen on that route. Last year I took a drive around the same route and there are four dairymen left. I had a talk with Mr. Perry in Hampden, whose family have been in the milk business for three generations and he says if we keep on tinkering with the Maine Milk Commission there won't be any dairymen left.

Therefore I would support the motion to indefinitely postpone this bill.

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

Mr. GILL: Mr. Speaker and Members of the House: I shall be brief. I would like to remind you that this has been debated at length. I cannot quite comprehend the thinking behind the people that are

opposing this act. This is simply to make the Maine Milk Commission represent the entire producers of the State of Maine as well as the consumers and the dealers. At this time there is — perhaps it is a minority percentage but it is a large minority percentage of producers that are not aware of what the Maine Milk Commission is doing and is studying and I see absolutely no problem in this Boston producer being selected for this position.

It almost makes you wonder just what is behind this. After the last vote I happened to speak to the Commissioner of Agriculture and he said he had no violent opposition to it and perhaps it would be a form of public relations, and I certainly agree that as a producer of milk, as to whether or not it is to be shipped to Boston or Portland or Bangor, that there should be some type of representation for these Boston producers. For this reason I oppose the present motion.

The SPEAKER: The Chair recognizes the gentleman from Glenburn, Mr. Cookson.

Mr. COOKSON: Mr. Speaker and Members of the House: I again today rise in support of this bill along with Representative Gill. I think that I would just like to say that I think that this is the least that we can do for our dairy farmers, whether they ship on the local market or the Boston market. They are in sort of bad straits, so I think this might help them a little, and I am highly in favor of it.

The SPEAKER: Is the House ready for the question? The pending question is on the motion of the gentleman from Union, Mr. Hawes, that item 6 under Enactors, L. D. 487, An Act relating to Membership on the Maine Milk Commission, 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.

38 having voted in the affirmative and 87 having voted in the negative, the motion did not prevail.

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

An Act relating to Closed Season on Bear (H. P. 355) (L. D. 502)

An Act relating to Qualifications of Applicants for Examination for Admission to Practice Law (H. P. 514) (L. D. 727)

An Act Clarifying Compensation for Occupational Disease under Workmen's Compensation Act (H. P. 650) (L. D. 903)

An Act relating to Appropriation to Maine Institution for the Blind (H. P. 667) (L. D. 922)

An Act Providing Funds for Relocating of Maine Central Railroad Tracks in Livermore Falls (H. P. 822) (L. D. 1230)

An Act Providing Social Security Benefits under Social Security Act for State Employees (H. P. 1065) (L. D. 1532)

An Act to Provide for the Issuance of Weapons Permits to Certain Nonresident Employees (H. P. 1172) (L. D. 1670)

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.

Order out of Order

Mr. Farrington of China presented the following Order out of order and moved its passage:

ORDERED, that Troy Bernard of Auburn be appointed to serve as Honorary Page for today.

The Order received passage.

Orders of the Day

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

HOUSE REPORT — Ought Not to Pass as covered by other legislation — Committee on Legal Affairs on Bill "An Act to Provide for Electing the Civil Service Commission for the Fire Department of City of Biddeford" (H. P. 613) (L. D. 855)

Tabled — May 25, by Mr. Truman of Biddeford.

Pending — Acceptance.

The SPEAKER: The Chair recognizes the gentleman from Biddeford, Mr. Truman.

Mr. TRUMAN: Mr. Speaker, I respectfully request that someone retable this item pending the release of the Committee's other legislation, which I understand is due within a day or two.

Thereupon, on motion of Mr. Buck of Southport, retabled pending acceptance of Report and specially assigned for Friday, June 2.

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

HOUSE MAJORITY REPORT (8) — Ought Not to Pass — Committee on Legal Affairs on Bill "An Act Relating to Clothing Allowance for Employees of Public Works Department of Lewiston" (H. P. 293) (L. D. 413)—MINORITY REPORT (2) — Ought to Pass.

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

Pending — Acceptance of either Report.

On motion of Mr. Gaudreau of Lewiston, retabled pending acceptance of either Report and specially assigned for tomorrow.

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

An Act to Regulate the Alteration of Wetlands" (S. P. 612) (L. D. 1597).

Tabled — May 25, by Mr. Cookson of Glenburn.

Pending — Passage to be enacted.

The SPEAKER: The Chair recognizes the gentleman from Glenburn, Mr. Cookson.

Mr. COOKSON: Mr. Speaker and Members of the House: This L. D. 1597 is another bill a great deal like one which I stood and fought in the last session of the Legislature pertaining to our shorelines. I see that it has been amended in the Senate to take out the inland waters shorelines but it does leave the coastal.

I'm sure that all of you who are here, who were last year, know that I am very much opposed to these strict regulations that I say are unnecessary on our own private property, and that's just what it is.

I don't suppose I should say anything concerning the coastal areas, but to cut this whole thing short I'm just going to move that this whole bill and its accompanying papers be indefinitely postponed.

The SPEAKER: The Chair recognizes the gentleman from Lubec, Mr. Pike.

Mr. PIKE: Mr. Speaker and Members of the House: I rise in opposition to this motion. This bill received, in its original form, a report out from the Committee on Natural Resources, unanimously. Later, we found, or our attention was drawn to the fact that there was a real inherent difficulty in trying to regulate the wetlands in the fresh water areas due very largely to the fact that hardly any lake in the State is at its original, natural level and most of them are governed by dams involving riparian rights. Now this is not true of course in the tidelands. The Committee is very much worried about the encroachment of so-called development in the marshes and wetlands which are valuable for the creatures of nature, let's say clams and ducks and some of these things that can fly and some that stay home, and there have been a great many abuses against the public interest in using up these areas which are nursery areas for fish, and of course the pollution problem has gotten worse and worse and is not going to get any better.

The Committee felt, and I agree with them, that this is a necessary thing, and will over a period become more and more necessary, and the earlier we get some sort of control over these things, the better.

I hope the motion does not prevail.

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

Mr. HENNESSEY: Mr. Speaker and Members of the House: I'd like to call your attention to the section 4705 on Wetlands Control Board, and this is where we get the State Highway into this Act, and we have had a lot of trouble on this highway coming through, and I really feel this should be

held and it is really one of the better parts of this whole Act.

The SPEAKER: Is the House ready for the question? The pending question is the motion of the gentleman from Glenburn, Mr. Cookson, that L. D. 1597, An Act to Regulate the Alteration of Wetlands, be indefinitely postponed. All those in favor of indefinite postponement will vote yes, and those opposed will vote no, and the Chair opens the vote.

A vote of the House was taken.

30 having voted in the affirmative and 81 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.

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

HOUSE MAJORITY REPORT (9)—Ought to Pass in New Draft under new Title "An Act to Authorize the Issuance of Bonds in the Amount of Sixteen Million Eight Hundred Thousand Dollars on Behalf of the State of Maine to Build State Highways" (H. P. 1174) (L. D. 1673)—Committee on Highways — MINORITY REPORT (1)—Ought Not to Pass on Bill "An Act to Authorize the Issuance of Bonds in the Amount of Ten Million Dollars on Behalf of the State of Maine to Build State Highways" (H. P. 691) (L. D. 972)

Tabled—May 25, by Mr. Richardson of Cumberland.

Pending—Acceptance of either Report.

On motion of Mr. Benson of Southwest Harbor, retabled pending acceptance of either Report and specially assigned for Friday, June 2.

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

HOUSE REPORT—Ought Not to Pass—Committee on Labor on Bill "An Act relating to Minimum Wages for Firemen" (H. P. 516) (L. D. 729)

Tabled—May 25, by Mr. Lewin of Augusta.

Pending—Acceptance.

The SPEAKER: The Chair

recognizes the gentleman from Augusta, Mr. Lewin.

Mr. LEWIN: Mr. Speaker and Members of the House: I now move that we substitute the Bill, L. D. 729, for the Committee Report and would like to briefly speak to my motion.

The SPEAKER: The gentleman from Augusta, Mr. Lewin, now moves that the House substitute the Bill for the Report.

The gentleman may proceed.

Mr. LEWIN: Mr. Speaker and Members of the House: L. D. 729 is one of the few legislative bills which I introduced at this session. It is a bill which would permit the cities and towns to pay firemen based upon the average number of hours they've worked during a cycle week. Presently, under the ruling of the Department of Labor, municipalities are required to pay the firemen for the actual number of hours they worked in any pay period. As a result, one week a fireman carries home a large pay check and the next week a small pay check. If this bill is enacted with the proposed amendment I have requested, it should be of benefit both to the firemen and the municipalities involved.

At the public hearing held on this legislation there was no opposition to the bill; in fact it had the support of the Department of Labor, the firemen were present and the cities and towns concerned.

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

Mr. EWER: Mr. Speaker and Members of the House: As House Chairman of the Committee on Labor, I would like to give a little of the background of this bill.

After the hearing which was well attended, there was no opposition expressed to the passage of this bill with an amendment which substituted the word "may" for "shall" under the sentence beginning "Firemen's wages." This would make it a matter for negotiation and not a strict absolute rule.

Since this bill was heard, and before the report was released, which at the time was unanimous "Ought to pass" as amended, the head of the Firemen's Organization of the State came to the various members of the Committee and

asked if we would turn this bill down because they didn't want it. So, being agreeable people, we went along with that and reported it out "Ought not to pass." Since then we've found that several fire departments in the state are using this present method wholly unauthorized but doing it because their department wanted it, and we find that the majority of the firemen apparently throughout the State and the various departments do want this bill, so I hope you will go along with the motion of the gentleman from Augusta Mr. Lewin, in substituting the Bill for the Report as amended. Thank you.

The SPEAKER: The Chair will order a vote. All those in favor of substituting the Bill for the Report will vote yes, those opposed will vote no, and the Chair opens the vote.

A vote of the House was taken.

106 having voted in the affirmative and none in the negative, the motion prevailed, and the Bill was read twice.

Mr. Lewin of Augusta offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 516, L. D. 729, Bill, "An Act Relating to Minimum Wages for Firemen."

Amend said Bill by striking out in the 9th line (7th line in L. D. 729) the underlined word "shall" and inserting in place thereof the underlined word 'may'

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

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

SENATE REPORT — Ought to Pass as amended by Committee Amendment "A" — Committee on Education on Resolve Proposing an Amendment to the Constitution Pledging Credit of the State and Providing for the Issuance of Bonds Not Exceeding One Million Dollars for Loans for Maine Students in Higher Education (S. P. 618) (L. D. 1616) (In Senate, passed to be engrossed as amended by

Committee Amendment "A") (S-132)

Tabled — May 25, by Mr. Gauthier of Sanford.

Pending — Acceptance in concurrence.

Report was accepted in concurrence and the Resolve read once.

Committee Amendment "A" was read by the Clerk and adopted in concurrence and the Resolve assigned for second reading tomorrow.

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

An Act Creating the Maine Higher Education Loan Authority Act (S. P. 59) (L. D. 72)

Tabled — May 25, by Mr. Birt of East Millinocket.

Pending — Passage to be enacted.

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

Mr. BIRT: Mr. Speaker and Members of the House: This bill has been around for quite a long while and I think it has had quite an active life, but it has reached the point now where it ceases to have any reason for existence, and I move its indefinite postponement.

Thereupon, on a viva voce vote, indefinitely postponed and sent up for concurrence.

The Chair laid before the House the eighth 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 to Authorize Bond Issue in Amount of One Million One Hundred and Fifty Thousand Dollars for Construction at Pineland Hospital and Training Center and of Regional Care Facilities for the Severely Mentally Retarded at Bangor" (S. P. 371) (L. D. 984) (In Senate, Report accepted)

Tabled — May 25, by Mr. Richardson of Cumberland.

Pending — Acceptance in concurrence.

Thereupon, on motion of Mr. Hennessey of West Bath, retabled

pending acceptance in concurrence and specially assigned for tomorrow.

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

Bill "An Act to Authorize General Fund Bond Issue in Amount of Two Million Eight Hundred and Fifteen Thousand Dollars and to Appropriate Moneys for Construction, Extension and Improvement for Airports" (H. P. 1166) (L. D. 1667)

Tabled — May 25, by Mr. Hewes of Cape Elizabeth.

Pending — Passage to be engrossed. (House Amendments "B" (H-353) and "C" (H-355).

Mr. Bragdon of Perham offered House Amendment "D" and moved its adoption.

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

HOUSE AMENDMENT "D" to H. P. 1166, L. D. 1667, Bill, "An Act to Authorize General Fund Bond Issue in Amount of Two Million Eight Hundred and Fifteen Thousand Dollars and to Appropriate Moneys for Construction, Extension and Improvement for Airports."

Amend said Bill in section 6 by adding at the end thereof the following paragraph:

"It is the intent of the Legislature that any of the above projects eligible for matching funds shall have such matching funds available before any state money is expended on the project."

House Amendment "D" was adopted.

On motion of Mr. Pendergast of Kennebunkport, tabled pending passage to be engrossed and specially assigned for tomorrow.

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

Bill "An Act Revising the Motor Vehicle Dealer Registration Law" (H. P. 1164) (L. D. 1665)

Tabled—May 25, by Mr. Conley of Portland.

Pending — Motion of Mr. Pendergast of Kennebunkport to indefinitely postpone House Amendment "A" (H-342).

The SPEAKER: The Chair recognizes the gentleman from Mars Hill, Mr. Dickinson.

Mr. DICKINSON: Mr. Speaker, I have an amendment now being reproduced and I would hope that somebody would table this until later in today's session.

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

Mr. RICHARDSON: Mr. Speaker, I request that this matter lie upon the table until later in today's session.

Thereupon, on motion of Mr. Lebel of Van Buren, retabled pending the motion of Mr. Pendergast of Kennebunkport to indefinitely postpone House Amendment "A" and specially assigned for Thursday, June 1.

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

SENATE REPORT — Ought to Pass—Committee on State Government on Bill, "An Act to Permit State Employees and Teachers to Insure Spouse and Children Under the Group Life Insurance Program" (S. P. 257) (L. D. 637) (In Senate, passed to be engrossed)

Tabled — May 25, by Mr. Brown of Augusta.

Pending — Acceptance in concurrence.

The SPEAKER: The Chair recognizes the gentleman from Mexico, Mr. Fraser.

Mr. FRASER: Mr. Speaker and Members of the House: The passage of this bill would in my estimation create a sense of false security among the families of the low-income people, and they would neglect to buy permanent insurance which in effect does not cost very much more than this term insurance which would be provided, and in later years when the father of this family or the head of the family, whichever it might be, leaves the employ of this firm who is providing the group insurance, they all would be left without insurance, and if at that time they are uninsurable they would be sorry. Therefore I request indefinite postponement of this bill.

The SPEAKER: The Chair recognizes the gentleman from Kittery, Mr. Dennett.

Mr. DENNETT: Mr. Speaker and Members of the House: I believe that perhaps the House is entitled to some explanation on this bill which was heard before the Committee on State Government.

At the time of the hearing a few proponents appeared for the bill. There was no opposition in evidence at the hearing, so consequently, the State Government Committee more or less had to take the word of those proponents and they passed out the bill unanimously "Ought to pass." Now, it appears that opposition has arisen to the bill; this may no doubt be valid opposition. I would prefer on this occasion that the House be the sole judge of whether this opposition is valid or not, and at the moment I will stand neither opposed to the motion made by the gentleman from Mexico, neither under the circumstances do I feel that I can support it.

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

Mrs. BAKER: Mr. Speaker and Members of the House: I would go along with the bill as it was passed out, unanimous "Ought to pass" and wish we might accept it in concurrence, that is, vote against the motion now on the Floor to indefinitely postpone.

There is another aspect to this which might not be apparent at first. I refer to the fact that many of the people who would utilize this extended coverage are in the lower income groups. Many of them probably would not carry insurance on the spouse or children if it meant regular out-of-pocket payments. However, by the method in this bill they would have access to payroll deductions. The amounts involved are not great, little more than funeral expenses in the case of children and not a great deal more in the case of the spouse. I feel that we would be doing a great service to employees and teachers if we pass this, and make it possible for them to have coverage which under present conditions they probably do not have, and I would urge the House to vote

against the motion to indefinitely postpone this bill.

The SPEAKER: The Chair recognizes the gentleman from Wilton, Mr. Scott.

Mr. SCOTT: Mr. Speaker and Members of the House: Earlier in the session we passed legislation that would prohibit the formation of fictitious groups to purchase fire and casualty insurance. For example of a fictitious group, if you will recall, I gave an example of the state employees. Now we have this bill here that will do the very thing that we passed a bill that would prohibit the formation of these groups of fire and casualty business, now they want to extend it to include wives, spouses and children of people now insured.

I don't think this is in the interest of free enterprise, for sure. Next session, I don't want to be face-tious, but next session I suppose they'll come in with a bill to extend the membership of this group to include uncles and aunts, and in view of this I would favor the motion of indefinite postponement by Mr. Fraser.

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

Mr. BROWN: Mr. Speaker and Members of the House: I would like to read a letter from the Insurance Department in Augusta. It states: "The Maine insurance laws Title 24, 1751 through 1755 provide for the issuance of group life coverage on qualified individuals only. When not providing for coverage of dependents of these insured persons specifically in the insurance laws, it must be assumed that the issuance of dependent group life contracts would be in violation of our group life laws as specified above."

I would like to further state that I have no opposition per se to state employees insuring their dependents under the group life plans. Presently, there is no law in the State of Maine or no other group that would have this benefit. It's my belief that we could encounter serious trouble in the future by passing this permissive legislation and allowing this segment to get

under a group coverage for their dependents and spouses. I can see a great deal of trouble where persons transferring from one job to another going under group insurance and then assuming that their dependents were covered for group life insurance, then having a death claim, perhaps, and saying — well I was covered under my other policy, and why aren't I covered here?

I think that this will create a great deal of confusion and will create an unnecessary hardship to the people.

Now the gentlewoman from Winthrop, Mrs. Baker, stated that this would probably allow the lower income family to purchase life insurance that they otherwise wouldn't get through salary deductions. I might state that today in the State of Maine, under its present law, to the best of my knowledge, does have what we call the salary savings plan in which it is permissible to buy life insurance and have this deducted on a payroll basis.

I would further state that if once we do this with one specific group that we're going to get into the field of another group wanting to do this, and if we continue this, the first thing we know the approximately 1200 industrial or debit agents in the State of Maine, and I am not an industrial or debit agent in the State of Maine, licensed in the State, are going to be put in a bad situation having permanent life insurance that is now carried on their children and their spouse cancelled, the cash values — the money that they're saving is going to be spent, and then at some time in the future they're going to have a claim, they think they're going to be covered, and they're not going to be covered.

As I said before, I have nothing against the state employees getting under the plan. I believe this is a wedge in the door.

I might state further that there are what we call "family plans" in life insurance. The family plan generally, one unit will insure the father for \$5,000; approximately \$1,000 to \$1,500 on the spouse and \$1,000 on each child. This \$1,000

on the wife, to \$1,500 depending on her age, and the \$1,000 on the child is pure term insurance. The regular cost I would say on an average is approximately \$16.00 a year for this coverage for the wife and children.

To my knowledge with all the reputable companies this is fully convertible when the child reaches age twenty-five or the spouse reaches age sixty-five or the death of the father, whichever occurs first as far as the spouse is concerned. Now not only that, it has more liberal provisions in it. As I read this law, there is nothing in it which says that there will be conversion privileges. There is nothing in it which determines rates. We all know that rates are determined upon the average age of the persons involved in the group, or all of us who have anything to do with insurance.

This bill would not affect me financially; it would not affect me in any way that I know of. I just think that it is a wedge in the door and it is going to cause a lot of hardship in the future. I therefore go along with the gentleman from Mexico and hope that you indefinitely postpone this bill.

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

Mr. HUNTER: Mr. Speaker and Ladies and Gentleman of the House: This looks like good legislation to me because it is not going to cost the taxpayers of the State anything at all. All it really does is give the person that is working for the State a little burial money so that he can bury his spouse if she happened to die because it would be his responsibility to take care of her, and it is not going to cost anyone anything and I like it.

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

Mr. NADEAU: Mr. Speaker, I rise in opposition to the passage of this bill for several reasons. One, first of all, I would like to explain that I am not an insurance agent so I am not trying to protect my own pocketbook, but the main thing, it don't tell us what the cost

of this operation is, the first thing you know they are going to want additional personnel, you know how the State operates, you are opening the door for one group and you are going to have to do it for all the groups. In the first place, as far as insurance goes, I do understand insurance, I did obtain licenses even though I don't sell it just so I could be able to speak on it, and I do know that when these people buy insurance they don't understand. Now the majority of these low income people may not understand this, they will drop their present policies in which they have to get one of a small amount that they have with one of the companies that are now holding insurance. They may become uninsurable in the future and you will do them a disservice by passage of this bill.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: As a member of the State Government Committee that reported this bill unanimous ought to pass, I feel I want to tell the members of the House my reasons for supporting this L. D. First of all, I personally, even though I might have at one time belonged to a School Administrative District and taught, did not buy the group life insurance and did not participate because I as an individual thought that I could get something better myself, but this is not to say that I want to take it away from someone who has that opportunity and I think that someone who can get involved in this program and get the coverage at least should have that coverage.

I would point out to you if you take a look at L. D. 637, the maximum coverage allowable would be \$2,000 for the employee's spouse, \$500 for a child if he were six months to nineteen years of age and if the child was under six months of age it would be \$100. This is all that the life insurance would bring to the individual, and if the House would take a look at the statement of facts on the L. D. and I quote: "This legislation would make it possible for state

employees and teachers, otherwise participating in the Maine State Employees Group Insurance Program, to insure family members for limited sums at group rates. Any cost for this coverage would be borne by the employee or teacher. No state appropriation is required." So there goes the argument that the State would have to find more employees or that the State would have to raise money to participate in this program. This is not so. The employee or the teacher would have to bear the entire cost of the group rates, and so I see no reason why we should indefinitely postpone this bill and I certainly hope that you vote against that motion.

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

Mr. SULLIVAN: Mr. Speaker and Members of the House: Because I have dedicated the rest of my life to the womanhood and the children of this state, of course I am for that bill. Thank you.

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

Mr. BROWN: Mr. Speaker, I think perhaps the reason that there was no opposition to this bill to begin with is that it was originally referred to the Committee on Education. I am sure that the Life Underwriters Association and I am sure that all the industrial agents in the State of Maine were watching to see when this bill which was referred to Education for a hearing and missed it, and so consequently did not appear in opposition when it went before the State Government. I feel very certain this is the reason. I think if it had originally been slated for State Government or Business Legislation where perhaps it might have gone, that this would have had considerable opposition. Thank you.

The SPEAKER: The Chair recognizes the gentleman from China, Mr. Farrington.

Mr. FARRINGTON: Mr. Speaker and Ladies and Gentlemen of the House: It is my understanding that the passage of this measure would

not involve any changes in the general insurance laws. It is also my belief that when a group of any size can benefit by their size those employees within the group they should be allowed to take advantage of such, and I think this is the case. I think this would be the case in industry, I think this would be the case in any respect in regard to insurance. I think we should offer this group plan to our state employees' relatives, their children and their wives. I hope you do not indefinitely postpone this bill.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of Mr Fraser of Mexico, that the Report and Bill "An Act to Permit State Employees and Teachers to Insure Spouse and Children Under the Group Life Insurance Program," S. P. 257, L. D. 637, be indefinitely postponed. All those in favor of indefinite postponement will vote yes, those opposed will vote no, and the Chair will open the vote.

A vote of the House was taken.

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

Thereupon, the Report was accepted in concurrence, the Bill read twice and tomorrow assigned for third reading.

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

MAJORITY REPORT (8) — Ought to Pass — Committee on Judiciary on Bill "An Act relating to Counsel's Argument of Monetary Value of Pain and Suffering in Personal Injury Actions" (S. P. 429) (L. D. 1083) — MINORITY REPORT (2) — Ought Not to Pass. (In Senate, Bill and Reports indefinitely postponed)

Tabled — May 25, by Mr. Brennan of Portland.

Pending — Motion of Mr. Hewes of Cape Elizabeth to Indefinitely Postpone Reports and Bill.

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

Mr. BERMAN: Mr. Speaker and Members of the House: I was personally prepared to support the eight to two majority report of the Judiciary Committee this morning, but my good friend, the gentleman from Portland, Mr. Brennan has approached me and said that his proposed amendment is still in preparation in the Office of the Director of Legislative Research. Therefore, I would hope that someone would have the courtesy to table this bill until tomorrow.

Thereupon, on motion of Mr. Beliveau of Rumford, tabled pending the motion of Mr. Hewes of Cape Elizabeth to indefinitely postpone Reports and Bill and specially assigned for Thursday, June 1.

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

Bill "An Act Regulating Firearms in Active Lumbering Operations in Unorganized Territory" (H. P. 1167) (L. D. 1668)

Tabled — May 25, by Mr. Birt of East Millinocket.

Pending — Passage to be engrossed.

On motion of Mr. Martin of Eagle Lake, retabled pending passage to be engrossed and specially assigned for Friday, June 2.

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

Bill "An Act Revising Laws Relating to Licensed Small Loan Agencies" (H. P. 468) (L. D. 681)

Tabled — May 25, by Mr. Scott of Wilton.

Pending — Passage to be engrossed. (Committee Amendment "A" (H-318))

The SPEAKER: The Chair recognizes the gentleman from Wilton, Mr. Scott.

Mr. SCOTT: Mr. Speaker and Members of the House: This matter has been retabled two or three different times for there is one section there is some question on. However, there is an amendment being prepared which will be introduced in the Senate which I think will take care of

the objections and there will be plenty of time to debate this later, so I now move this be passed to be engrossed.

Thereupon, the Bill was passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

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

An Act relating to Suspensions Ordered by the Hearing Commissioner (H. P. 269) (L. D. 390)

Tabled — May 25, by Mr. Benson of Southwest Harbor.

Pending—Passage to be enacted.

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

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

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

Tabled — May 26, by Mr. Brennan of Portland.

Pending — Passage to be enacted.

The SPEAKER: The Chair recognizes the gentleman from Eliot, Mr. Hichens.

Mr. HICHENS: Mr. Speaker, in deference to Mr. Brennan who has requested further discussion with me on this bill, I would like to have somebody table it until tomorrow if they would please.

Thereupon, on motion of Mr. Cote of Lewiston, tabled pending passage to be enacted and specially assigned for Thursday, June 1.

The Chair laid before the House the seventeenth 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 26, by Mr. Birt of East Millinocket.

Pending — Adoption of House Amendment "A" (H-346)

On motion of Mr. Birt of East Millinocket, retabled pending the adoption of House Amendment "A" and specially assigned for Friday, June 2.

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

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

Tabled — May 26, by Mr. Benson of Southwest Harbor.

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

The SPEAKER: The Chair recognizes the gentleman from Rumford, Mr. Beliveau.

Mr. BELIVEAU: Mr. Speaker, since we debated this bill at some length last week, I do not intend to take up any more of the House's time in discussing this matter.

As I mentioned last week, briefly this amendment that I proposed here as House Amendment "A" would permit this real estate transfer tax to be administered in the same manner as the present Federal Documentary Tax Stamp which does not delve into the matters of filing affidavits, assessing delinquencies or levying fines. The bill as amended will give the assessors the reliable sales data that they need for the purpose of adjusting real estate taxes, so consequently I now move the adoption of House Amendment "A".

Thereupon, House Amendment "A" was adopted, the Bill passed to be engrossed as amended and sent to the Senate.

(Off Record Remarks)

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

WHEREAS, the members of the House of Representatives of the One Hundred and Third Maine Legislature have learned with profound sorrow of the death of the Honorable Charles R. Lowery, our esteemed colleague from Brunswick, and

WHEREAS, in his long association with the members of the House he was ever honorable and kind and highly regarded for his

character and his qualities of mind and heart; and

WHEREAS, the members of the House of Representatives sense in his passing a personal loss and a genuine grief;

NOW, THEREFORE, BE IT RESOLVED: That the State of Maine mourns the loss of a faithful and valued public servant, and the members of the House of Representatives lament the departure of an esteemed and trusted friend; and

BE IT FURTHER RESOLVED: That these Resolutions be entered in the Journal of the House and an engrossed copy of these Resolutions be sent to the family of the deceased; and

BE IT FURTHER RESOLVED: That as a further token of respect the House do now stand adjourned.

The Resolution was received out of order by unanimous consent, read and adopted.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: Speaking to the Resolution, not only as a fellow Legislator, but as a neighbor both from the next City and the bordering County, as a friend whom I have known for many years, as a fellow active and dedicated churchman, I always had a great deal of respect for this sincere, conscientious, capable public servant.

On behalf of the entire delegation of Sagadahoc County, may I express our sincere regrets for this untimely loss to family, friends and State, and extend our deepest sympathy to his widow, Mrs. Charles R. Lowery.

Whereupon, the House stood adjourned until nine-thirty o'clock tomorrow morning.