

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fourth
Legislature*

OF THE

STATE OF MAINE

Volume III

June 17, 1969 to July 2, 1969

Index

1st Special Session

January 6, 1970 to February 7, 1970

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KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Tuesday, January 6, 1970

This being the day designated in the proclamation of the Governor for the meeting of the One Hundred and Fourth Legislature in extra session, the members of the House of Representatives assembled in their hall at nine o'clock in the morning and were called to order by the Speaker.

Prayer was offered by the Rev. Mr. Kenneth Brookes of Augusta.

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

The following Proclamation:

**STATE OF MAINE
PROCLAMATION
BY THE GOVERNOR**

WHEREAS, legislative leaders and I have agreed that it is advisable that the Legislature of this State should meet in a special session for the purpose of considering the following emergency legislation:

An Appropriations Bill, including funds for the Department of Indian Affairs and the Department of Mental Health and Corrections, increases in judges' salaries, increases in the salaries of employees of state institutions who suffered a reduction in pay because of recent working hour changes, and adjustments in the biennial appropriation of several agencies; A Surplus Appropriations Bill, including funds for a Spruce Bud Worm Control Program, Camp Waban, a Kidney Dialysis Program, School Subsidies, Androscoggin County Mental Health Facility and miscellaneous repairs and emergencies for the Adjutant General, Department of Aeronautics, Department of Mental Health and Corrections, University of Maine, Department of Veteran's Affairs, and Parks and Recreation; A Highway Bond Issue; and other matters judged by the Legislature as necessary to the welfare of the State.

WHEREAS, I further deem it necessary to consider the following items:

Funds for state assumption of 50 per cent of the cost of health insurance plans for state employees, increased enrollment at the University of Maine, a management analysis section in Finance and Administration, and the Services for Aging unit of Health and Welfare; Creation of a Consumer's Council; An interest free loan for construction of the Portland Ferry Terminal; Construction of the first phase of a medical-psychiatric unit at the Boys Training Center; Establishment of a Human Rights Commission; Allocation of bond money for water pollution abatement projects; Government reorganization and efficiency measures; A coastal protection act; Control of solid waste; Annual Sessions; Creation of a State Forest Authority; Changes in laws affecting the State Department of Education, the University of Maine, County Attorneys, Sea and Shore Fisheries, the conveyance of land in South Portland, the poor, the retirement system, municipal, state and private employees Liquor Commission, Maine Police Academy, Maine Housing Authority, personnel system, technical provisions of state tax laws, property tax administration and wildlands tax adjustments, county government, home rule, municipal revenue bonds and non-public elementary school assistance.

NOW, THEREFORE, I, KENNETH M. CURTIS, Governor of the State of Maine, by virtue of the power vested in me as Governor, convene the Legislature of this State, hereby requesting the Senators and Representatives to assemble in their respective chambers at the Capitol at Augusta on Tuesday, the sixth day of January, 1970, at nine o'clock in the morning, in order to receive communications and to consider and enact such measures as in their judgment will best promote the welfare of the State.

GIVEN at the office of the Governor at Augusta and sealed with the Great Seal of the State of Maine, this Twenty-second day of December, One Thousand Nine Hundred and Sixty-nine, and of the Independence of the United States

of America, the One Hundred and Ninety-fourth.

(Signed)

KENNETH M. CURTIS
Governor

(Seal)

By the Governor

Joseph T. Edgar
Secretary of State

A true Copy.

Attest: (Signed)

Elden H. Shute, Jr.
Deputy Secretary of State

The Proclamation was read by the Clerk and ordered placed on file.

A roll call was taken. 149 members answered to their names and accordingly a quorum was found to be present.

Those who were absent were Messrs. Cox and Waxman.

On motion of Mr. Richardson of Cumberland, it was

ORDERED, that a Committee of seven be appointed to wait upon His Excellency, the Governor, and inform him that a quorum of the House of Representatives is assembled in the Hall of the House for the consideration of such business as may come before the House.

The Chair appointed the following members:

Messrs. RICHARDSON

of Cumberland
HUBER of Rockland
NORRIS of Brewer
CURTIS of Bowdoinham
BRENNAN of Portland
KELLEHER of Bangor
CASEY of Baileyville

Subsequently Mr. Richardson for the Committee reported that it had attended to the duty to which it was assigned, and the following Communication from the Governor was read by the Clerk:

STATE OF MAINE
EXECUTIVE DEPARTMENT
AUGUSTA

(Seal)

January 6, 1970

Mr. Speaker and Honorable Members of the
House of Representatives of the
104th Legislature

It is my pleasure and duty to transmit for your consideration a separately printed message explaining the items included in my Proclamation convening this Special Session.

Respectfully,

(Signed)

KENNETH M. CURTIS
Governor

*Honorable Members of the Senate and House of Representatives of the
104th Legislature:*

Special Legislative Sessions are becoming an increasingly common practice as modern day problems become too urgent to await the biennial action which was sufficient when society progressed at a more leisurely pace.

Article V, Part First, Section 13, authorizes the Governor to, "on extraordinary occasions, convene the Legislature."

As early as September of last year, it was evident that the 104th Legislature would again have to meet in session.

In preparing the items for the call, I attempted to judge the most pressing and important matters to be considered from some 150 requests made by public officials at all levels of Maine government and from citizen groups as well as individual members of the Legislature. All of the items in the call are urgent and need immediate attention. On other matters the Legislature must decide if the public interest can await action at some future time.

At the outset I would like to thank Legislators of both parties who have advised me during the last few months as the call was being prepared, and I specifically appreciate the cooperation of the elected Legislative Leadership and those members of the Appropriations Committee who spent a good deal of time evaluating the many requests that were submitted to my office. Setting priorities has been time consuming and difficult. The total requests for appropriations from the General Fund alone were over \$20,000,000. Although most of these items are desirable, many will have to be deferred to the next regular session.

I hope that familiarity with many of the items that have been placed before you will assist in making this session both productive and congenial. I will now make a brief explanation of the items that appeared in the proclamation, first discussing the three appropriations acts.

Appropriations Bill—Operations

Both the Legislative and Executive branches have reviewed necessary agency expenditures for the last eighteen months of the biennium. One resulting Act which makes deductions and additions in General Fund appropriations is based on the Appropriations Committee draft as approved by the Legislative Research Committee. The adjusted Act eliminates 13 positions during 1969-70 and 25 positions for the second year. It authorizes for both years 2 positions for the Land Use Regulatory Commission and 8 for the Bureau of Taxation that were funded during the regular session. Two positions with an appropriation are included for the Bureau of Mental Retardation. Also in this Act are readjustments in debt retirement and interest based on bond issues now planned in light of the action taken on bonding questions by the voters at the November Referendum. An item of \$154,574 has been included to provide periodic payments to those institutional employees who experienced a loss in gross pay because of the change of hours upon the installation of the \$9.00 weekly increase passed at the regular session. \$50,000 is recommended to supplement the appropriation to the Department of Indian Affairs in the second year and \$80,000 to the Bangor State Hospital for additional medical drugs and professional fees. This net savings and identified appropriations that would lapse under this Act are \$184,645 for 1969-70 and \$1,603,055 for 1970-71.

Section B of the Act provides \$97,203 for Judges' salaries. If enacted, Justices of the Supreme Judicial Court and Judges of the District Court would receive \$2,000 annual increases to \$22,000 and \$17,000 respectively. Superior Court Justices would be increased by \$2,500 to \$22,000 a year. These increases are essential for attracting and retaining the high quality of judges which has characterized the Maine bench.

Section C of the Act provides for allocation of the \$1,425,000 which remains of the 1963 pollution abatement bond and \$28.6 million of the \$50 million dollar issue approved by the voters in November of 1969. Theoretically, the Environmental Improvement Commission could be called upon to obligate approximately \$34 million additional dollars by July 1, 1971. The time and amount is dependent on Congressional ac-

tion in funding the federal water pollution control programs. If full federal funding is available so that the \$34 million dollars can be obligated, the Commission's actual cash needs by July 1, 1971, for which interest or principal payments need to be budgeted, would probably not exceed 30% of this figure. This is accounted for by the fact that after obligation, the municipal treatment projects must receive approval of final plans, go to bid and be at least 25% completed before the State's payments are started. Bonds will be issued as rapidly as federal and local moneys are arranged to match the State in constructing municipal treatment projects, but there will be some lag after Legislative allocation. The requested allocation will be an important step in planning and accomplishing the expensive but essential cleanup of Maine waters.

Section D of this Appropriations Act would authorize the expenditure of remaining Educational Television network balances for improvement in its facilities.

Section E, the last section of the Act, makes the October 1, 1969, increase from 9 to 10 cents a mile for use of privately owned vehicles effective retroactively as of July 1, 1969. Sufficient funds are now appropriated for agencies to make any necessary back payments.

Appropriations from Surplus—The Basic Act

My meetings with Legislative groups revealed a number of important items lost in the November bond questions or which were not adequately funded by the regular session. The general agreement of the importance of these projects has resulted in an Act to appropriate \$2,336,029 of money from surplus for non-recurring items. The first item in the Surplus Act provides \$119,000 for a one-third State contribution to suppress a severe spruce-budworm outbreak in Aroostook County. The control of this epidemic will be through the use of an organophosphate chemical—Sumithion—which is potent, yet decomposes much more rapidly than hydrocarbons like DDT. As the Department of Forestry has agreed to return an unexpended \$97,348 to the General Fund, the net additional appropriation required by the Department amounts to \$21,652.

Three recommended appropriations would help a number of handicapped Maine people. Unfortunately, the \$210,000 bond issue to construct facilities at Camp Waban for retarded and handicapped children failed to receive voter approval. It has been the feeling of many people, including myself, that the Camp Waban bond issue failed because the wording on the ballot did not mention that it was a facility for retarded children. The overwhelming support given to facilities for the retarded in recent referenda is proof of this, it seems to me. Because Camp Waban is doing so much good, I am recommending a minimum of \$50,000 of direct appropriations to encourage this project which has widespread support in York County, has already received some state funding, and expects to receive considerable matching federal help. Also recommended is a program of support for a Renal Dialysis Center. This program will help Maine get started in treating patients with severe kidney diseases. Third, \$10,000 is included as a direct grant to

the Child and Family Mental Health Services at Lewiston. This would help finance this community mental health clinic which has received previous state support.

In November voters approved a \$22,000,000 bond issue to initiate monthly payments by the State for general purpose school subsidies which have formerly been paid in August and December through lump sums. The \$22,000,000 was originally computed as sufficient to cover six monthly payments based on the subsidy formula used during the first year of the biennium. During the 104th regular session, the Legislature substantially revised the formula in the second year and repealed, effective January 1, 1970, the provision that would have distributed the bond issue money according to the first year formula. The present law now requires that the \$22,000,000 be distributed according to the second year subsidy provisions. School units have planned and budgeted on this expectancy. Therefore, \$947,479 is recommended to supplement the \$22,000,000 bond issue in conformity with the intent of the Regular Session and to meet the State's announced obligation for the January through June payments.

Failure of the University of Maine bond issue has created three emergency problems which should be resolved from surplus appropriations. Repairs to the sewage plant at Gorham State College will cost \$85,000. Another \$45,000 is needed at Aroostook State College to renovate boilers. At the University of Maine in Augusta, \$60,000 is requested for development of the new building site.

Out of surplus I am requesting that the Parks and Recreation Commission receive \$69,900 to carry out the most urgent projects which were contained in the defeated bond issue. This appropriation to Parks and Recreation is primarily intended to correct sanitation deficiencies at heavily used State Parks and to meet the same sanitary, health, and safety standards as privately operated areas are being required to meet by the Department of Health and Welfare.

For the Department of the Adjutant General, funds are recommended to complete three essential projects. At the Augusta Armory \$9,700 would be expended for fire protection and \$14,000 for expansion of facilities. \$5,000 is recommended for bulk gasoline storage with a protective firewall.

To complete the Veterans' Cemetery I have recommended that \$12,100 be appropriated to the Department of Veterans Services.

The Surplus Act also includes funds for four important projects undertaken by the Aeronautics Department. The Presque Isle Municipal Airport has received approval for federal matching funds by the Federal Aviation Authority. Of the total project cost of \$817,400, the local share has been raised and the project awaits the State's share of \$178,350. The FAA has agreed to reserve a claim on federal funds for this project to enable the Special Session to appropriate the money, if it chooses. I hope this sum will be included to assure that runways and instrument landing facilities are developed to meet Federal standards.

Installation of this equipment and construction of runway improvements will give the State of Maine three all weather jet airports—at Portland, Bangor and Presque Isle—nicely suited to serve the expansion of our economy and population in the years immediately ahead.

Another result of our failure to enact the bond issue for air transportation and State improvements at the regular session is the need to provide \$313,000 which remains as the unfunded State share for the Terminal Building at Bangor International Airport. This project is budgeted to receive \$400,500 of local money, \$1,652,000 from the Economic Development Administration and the New England Regional Commission and \$400,500 from the State of Maine, for a total project cost of \$2,453,000.

For several years the State has been committed to assist the construction of a safe and adequate airport for Northern Aroostook County which is now reached through an airport in Edmundston, New Brunswick. Through Chapter 178, P. & S., 1967, \$30,000 of state assistance is already available. The engineering estimate for constructing this new facility has been developed by the Northern Aroostook Development Commission and the Department of Aeronautics. The total project would cost \$580,000, with 50% federal money to come from the Economic Development Administration. Of the State's remaining share of \$115,000, \$57,500 is requested from surplus. I expect this sum will be supplemented by a similar amount from the New England Regional Commission.

The fourth item in the emergency surplus bill for the Aeronautics Department is \$60,000 for road repair and improvement of grounds at the new Augusta Terminal Building.

The Supplemental Appropriations Act

In addition to the items previously described, a number of appropriations requests were reviewed that have a great deal of merit. These recommendations have been presented in a Supplemental Act providing for reductions of \$583,486, appropriations for operations of \$899,983, and a \$375,000 appropriation from surplus. In the Act, 78 authorized positions from the General Fund are recommended for elimination.

Present highway construction plans for the connection to the new bridge over the Piscataqua River call for use of the site of the present Information Center in the summer of 1971. At that time the State should be prepared to construct a new suitable and attractive Information Center at Kittery. To assure that plans will be sufficiently advanced, I am asking for \$10,000 for architectural drawings and cost analysis for the proposed Information Center. Based on these drawings and estimates, the regular session of the 105th Legislature will be requested to finance a building to assure the Maine tourist industry of a continued opportunity to meet and service the many in-state travelers entering Maine through the Interstate System.

The second item in this Act affects the operations of the Department of Finance and Administration. The first calls for two persons to provide a management analysis staff. All Legislators have been mailed copies of the savings identified by administrative actions. The estimated savings of \$860,000 this biennium have been possible to identify because of a great deal of extra effort and work by persons in Finance and Administration who were already assigned other fulltime functions. The added management analysis staff is essential to continuing and improving the ability of the Department of Finance and Administration to work with other agencies on projects where preliminary reviews have indicated substantial savings are possible. This small staff will pay for itself many times over the \$38,882 appropriation that is recommended for the remainder of the biennium. Also requested is \$10,000 each year to continue the contractual analysis of the federal cost allocation plan.

For the Services for Aging function of the Department of Health and Welfare, I have recommended an appropriation of \$9,000 each year to provide money to match available federal grants from the Older Americans Act. These grants on a 3 to 1 matching formula would yield \$54,000 in federal money to improve state services to the elderly and to increase our ability to plan more adequately to meet problems faced by aging persons. This small investment of \$18,000 offers much promise.

The University of Maine has identified about three million dollars of additional operating needs for the remainder of the biennium. I believe our first priority should be to help assure that additional deserving students can be admitted for the next school year. These students have already indicated their desire to improve themselves by making their application to one of the University campuses. As I am convinced that there is a definite need for additional operating funds, I am proposing \$500,000 for the second year of the biennium to provide for admission of new students. This is the minimum responsibility which the State should accept.

Two items in the supplemental act affect programs in our correctional institutions. One item is \$375,000 for the first phase of a Diagnostic Unit at the Boys Training Center. During recent years the Department of Mental Health and Corrections has developed plans for this medical-psychiatric unit and it was one of the items eliminated from the Department's bond issue by the regular session. The recent tragedy at the Center highlights the need for a facility that will enable better care and closer observation of the disturbed boys who have been committed to State custody.

The second item concerning the Bureau of Corrections is the recommendation to close the Women's Correctional Center at Skowhegan which is budgeted to expend \$389,669 during the second year of the biennium. Although this institution is operating a good program featuring rehabilitation, we have concluded that the expense of the physical plant, the relatively large staff (46) and low number of women in custody (39) make it possible to phase out this institution at considerable savings of money without lowering quality. It would also provide for

better use of the staff of other State institutions in treating juvenile offenders. Women offenders would be transferred to an institution in the Commonwealth of Massachusetts under the New England Interstate Corrections Compact to which Maine is a party state. \$182,754 is the required appropriation to the Bureau of Corrections and the Probation and Parole Board to provide for these transfers and an improved probation program that will assure a better female probation service for women over 17 years of age. State employees will be provided opportunities as satisfactory as vacancies make possible. The balance of \$206,915 appropriated to the Women's Correctional Center would either lapse to the unappropriated surplus of the General Fund or be available for current reappropriation.

A nonappropriation item in this supplemental act recommends authorization for the Bureau of Accounts and Control to receive payment from State agencies for computer services rather than receiving a direct appropriation for this purpose. This authority to transfer money would enable State agencies to budget and pay for central data processing service and should result in improved administration with a reduction of 13 General Fund employees.

Other Recommendations Requiring Appropriations

Let me summarize. Thus far I have discussed three appropriation Acts. The net result of these Acts affecting General Fund Appropriations indicates a reduction of \$1,412,000. An appropriation from General Fund Surplus of \$2,711,029 is recommended. For the second year of the biennium 103 authorized General Fund positions are recommended for elimination and 22 new positions created.

In addition there are several special items carrying appropriation requests that warrant your consideration which will be introduced as five separate bills. All of these items are vitally important to some areas of our State or to certain public groups. First, the City of Portland has entered into an agreement with Lion Ferry to construct a terminal as part of the Portland to Yarmouth Ferry Service. Portland's share of the construction cost will exceed \$1,000,000. Because of the regional importance of this new transportation service I expect to obtain a \$200,000 grant from the New England Regional Commission to help. The City of Portland is now asking the State of Maine for an \$800,000 interest free loan. As a precedent has been set for such State loans in the financing of the Bar Harbor Terminal for the Bluenose Ferry, I urge the Legislature to provide this loan from surplus to help fulfill the progressive goal of bringing Nova Scotia and Southern Maine closer together.

Last June the bill to create a Human Rights Commission was passed by both houses of the Legislature, but in differing versions which could not be reconciled in the closing hours of the Session. I have received a great deal of public support as well as encouragement by Legislators for reintroducing this measure. I am glad to recommend it to you. To create the Commission effective July 1, 1970, will cost \$41,200.

Although this Legislature provided a \$9.00 a week increase for State employees and improved the retirement system, the situation of our public employees in terms of real income and take home pay has continued to deteriorate. Both the national inflation of consumer prices and increased deductions for health insurance and federal and State income tax contribute to this condition. Consequently, I am recommending that the State pay 50% of the health insurance plans for State employees, including programs for the 2,200 former employees who are now retired. Those State employees who do not participate in what is now a voluntary health insurance program will have an early opportunity to join the system. The estimated General Fund cost for this benefit beginning July 1, 1970, is \$441,500 for the remainder of this biennium.

Four years ago the Legislature commissioned the Bureau of Public Administration of the University of Maine to evaluate and recommend improvements in our property tax administration. The 103rd Legislature provided additional funds to complete the study which was submitted to the regular session of the 104th Legislature. The proposed legislation to establish a system of full time assessors with uniform State standards has been carefully redrafted and should be ready for enactment. The cost of this long overdue property tax reform is \$189,276 for the second year of the biennium.

The Act to create a Consumer's Council also has a long Legislative history. First introduced to the 103rd Legislature, it was approved up to final passage by the regular session last year. A Consumer Council would offer protection both to the consuming public and to legitimate businesses operating in an ethical manner. Commencing July 1, 1970, the cost for the Council would be \$22,475 for this biennium.

Summary of Appropriation Requests

This table clearly summarizes my recommendations involving the General Fund showing a net reduction of \$597,580 in Operations and an appropriation from surplus of \$3,511,029.

RECOMMENDED APPROPRIATIONS AND ADJUSTMENTS FROM THE GENERAL FUND

| Appropriations Bills | Operations | | Surplus |
|-----------------------------------------------------------------------|-------------|--------------------------|---------------|
| | Deduction | Appropriations | Appropriation |
| An Act Making Deductions and Additional Appropriations (L. D. 1629) | (2,776,512) | 1,048,015 | |
| An Act to appropriate Moneys for Non-recurring Items (L. D. 1632) | | | 2,336,029 |
| An Act Making Supplemental Appropriations and Deductions (L. D. 1749) | (583,486) | 899,983 | 375,000 |
| Separate Bills | | | |
| Lion Ferry Loan | | | 800,000 |
| Human Rights Commission | | 41,200 | |
| 50% Health Plan | | 441,500 | |
| Property Tax Reform | | 189,276 | |
| Consumer Council | | 22,475 | |
| Totals | (3,359,998) | 2,642,449 | 3,511,029 |
| Net Loss to General Fund Undedicated Revenue | | 119,969 | |
| | (3,359,998) | 2,762,418 (3,359,998) | 3,511,029 |
| Less Deductions | | | |
| Net Effect—General Fund | | (597,580) | 3,511,029 |

State Highway Program

Failure of the Highway bond issue to receive passage has threatened severe curtailment of our highway construction. At stake during the current biennium is nearly \$80,000,000 of a planned program to build roads. Failure to provide State dollars may result in a permanent loss of up to \$60,000,000 of federal funds that is available through the 90-10 and 50-50 matching basis.

I do not believe people in the State of Maine want a two year moratorium on highway construction and I do not believe our tourist, transportation, and construction industries should suffer the inevitable depression that would accompany such a reduction. And, I do not think that other businesses and residents of the State should be subjected to the inconvenience of deteriorating highway travel. Consequently, I am recommending a revised bond issue of \$19,500,000 to build State highways.

Governmental Reorganization and Efficiency

The Citizens Task Force on Governmental Reorganization has reported its findings, which emphasized the need to consolidate State agencies and to better coordinate programs. It is clear that major changes in State governmental structure need to be accomplished step by step rather than abruptly. I believe it imperative that overall consolidation should begin now — at this Special Session — so that details of organization and budgets can be developed for submission to the 105th regular session. If reorganization of several major activities is not accomplished this Session it will not be possible until the 1973-75 biennium. This is too long to wait and, I believe, constitutes a true emergency. For this reason, I am presenting for your consideration a number of important recommendations that would contribute to efficiencies and improved management in State government.

I wish to repeat the Task Force stress on the need to develop improved management techniques with some new forms for better administration. At the same time the Citizens Task Force praised our present State employees and agency heads for working patiently and well within an outdated framework. As the report stated, "It should not be concluded from our recommendations that Maine is poorly governed today. However, we believe it would be better governed if the officers of administration worked within a framework more appropriate to their present day undertakings. The central theme of our report is that the present organization of the Executive branch does not adequately serve the need for coherent, coordinated government."

Recommended first in the Reorganization Act is a procedure for moving towards the consolidation of several State agencies under four secretaries. In the field of Manpower it is proposed that the Legislature grant authority to the Executive Branch to proceed during 1970 toward the consolidation of the Maine Employment Security Commission, the Department of Labor and Industry, the Industrial Accident Commission, the Division of Vocational Rehabilitation of the Department of Health and Welfare, and several manpower activities of the Department of Education under a single Department of Manpower Development. Preliminary investigations, sustained by the heads of various departments themselves, have shown that there are duplications of effort among these agencies, and the general consensus of all persons consulted in the field is that consolidation, subject to continuing Legislative review, would effect a more efficient operating process for Manpower services.

A similar consolidation procedure would lead to the creation of umbrella agencies concerning Natural Resources, Transportation, and Cultural Affairs.

Grouped under the Natural Resources proposal are the Department of Inland Fisheries and Game, the Department of Sea and Shore Fisheries, the Department of Forestry, the State Parks and Recreation Commission, the Mining Bureau, the State Geologist, and the Soil and Water Conservation Commission. Results of the research undertaken thus far indicate that there is considerable overlap among the several functions of these agencies, and in the interests of effectiveness and economy these functions should fall under one administrative head.

In the field of Transportation, approval is sought to proceed with the establishment of a Department of Transportation, drawing together the Aeronautics Department, the State Highway Commission and the Maine Port Authority. Service to the public in this area would certainly improve under such a setup, and it is felt that significant economies of operation would be realized under the new coordinated arrangement.

Finally, Legislative approval is sought for combining the State Library, State Archives, the State Museum, the Arts and Humanities Commission, and the office of the State Historian, into a Department of Cultural Affairs. Elimination and prevention of duplicative services, in addition to some decrease in operating expenditures, will result from such a merger.

All four of these proposals follow very closely the technique by which a comprehensive reorganization plan was initiated by the Commonwealth of Massachusetts earlier this year. All four proposals are written so that a full year of study by both Executive agencies and the Legislature can take place before the final enactment of implementing legislation and consolidated budgets during the regular session of the 105th Legislature in 1971.

Also, in accordance with the report of the Task Force on Governmental Reorganization, I am recommending to the Special Session that the State Personnel Board be abolished and a new Department of Personnel be organized to function as an agency better structured to provide personnel services to other State departments and agencies than the present board type arrangement.

Following the suggestions of the Task Force it is proposed that the secretariat of the Maine Industrial Building Authority, the Maine Recreation Authority, and the Maine Municipal Securities Approval Board be combined to reduce duplication of clerical services and to realize administrative efficiencies of operation.

Other proposals include the consolidation of some 30 scattered occupational licensing boards under a new centralized Bureau of Occupational Licensing; the abolition of several advisory boards and commissions; the reassignment of appointive powers for 38 municipal Voter Registration Boards; and the transfer of the functions and budget

of the Maine Art Commission to the larger Arts and Humanities Commission.

All of the above proposals are recommended for reasons of providing better and more efficient service to the public, and reorganizations can be implemented at no additional cost to Maine taxpayers. Indeed, eventual savings will be realized to either the General Fund or to the various dedicated revenues involved.

Economy Program

An important part of State administration is maintaining and improving efficiency and economy. During both 1968 and 1969, it was necessary to resort to special controls on new hirings and on other types of expenditures to keep costs within the financial resources appropriated by the Legislature. So effectively were expenditures controlled that the State of Maine closed last fiscal year on June 30, 1969, with a surplus of \$3.4 million more income than outgo.

The application of modern management techniques must be a continuous process. On August 23 of this year I issued an Executive Order intended to improve management. This Executive Order, coupled with studies made by the Legislative Research Committee, the Appropriations Committee and citizen's task forces, resulted in a wholesome and beneficial self-examination by State agencies. I believe that we can all have renewed confidence that State services and programs are being increasingly well administered. Steps have now been taken to assure that continued surveillance over State operations will continue to result in good use of tax dollars. Let me list the major actions taken.

Administrative Action

| | <u>Estimated Savings This Biennium</u> | <u>Estimated Ten Year Savings</u> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|-------------------------------------------|
| A Study by Finance and Administration — Budget Office to determine the amount of indirect State support of Federal programs reimbursable to the extent of available Federal Funds. | \$ 245,000 (next biennium) | \$1,250,000 |
| Issuing of an Executive Order relative to approval of contractual services and the establishment of a central review to avoid duplication of unusual contracts. | \$ 75,000 | \$ 500,000 |
| Examination of space requirements of agencies and activities supported by Special Revenue Funds and subsequent notification of rental charges to be instituted January 1, 1970. | \$ 360,000 (Increased Revenue) | \$2,400,000 |
| Survey of computer facilities by Finance and Administration indicates that with centralization and installation of addi- | \$ 120,000 | \$1,320,000 |

tional equipment better and more efficient data processing service is possible.

| | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|------------|
| Survey of the new Centrex telephone installation resulted in a more positive control procedure being established over installation of new equipment and the continuing review of existing equipment. | \$ 10,000 | \$ 150,000 |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|------------|

| | | |
|-----------------------------------------------------------------------------------------------------|-----------|------------|
| Study by the Bureau of Purchases indicates that more effective use of copying machines is possible. | \$ 50,000 | \$ 500,000 |
|-----------------------------------------------------------------------------------------------------|-----------|------------|

| | | |
|-------------------------|------------|-------------|
| Total Estimated Savings | \$ 860,000 | \$6,120,000 |
|-------------------------|------------|-------------|

In addition, a general review of various areas of governmental activity was undertaken, including:

- Use of clerical personnel in major agencies with the objective of making maximum use of the efficiencies possible in clerical pools.
- Use of state-owned vehicles as opposed to mileage allowance, present departmental policies on use of vehicles, and the possible use of a central automobile pool service and bulk storage of gasoline and supplies.
- Use of copying equipment, printing, duplicating equipment and microfilming equipment with the objective of establishing centralized service facilities.
- Exploring the availability and feasibility of use of private capital in building State buildings.

Each one of the areas reviewed showed evidence of very substantial savings if experienced analysis staff is available to assist the various departments. This small staff would pay for itself many times over and has been recommended in the supplemental appropriations act.

Legislative Action

To continue these steps toward more efficient State government and accomplish other important activities, I am recommending to the Special Session the following Legislative actions:

Elimination of several programs, including the Women's Correctional Center and the Jefferson Relief Camp.

Enlargement of management analysis staff within Finance and Administration to continue cost reduction program. The cost for this biennium is \$38,882.

Legislative approval of the sale of certain unneeded State lands. The sale price goes to the State and the land reverts to municipal tax rolls.

If approved by the Legislature, my recommendations would result in the elimination of 107 State jobs and the elimination of approximately 160 State appointed unpaid or per diem positions.

Funds Available for Special Session of the Legislature

Because of careful management and a stable State economy, we should be able to fund our key needs during the Special Session without additional taxes. I would now like to describe the condition of State finances.

| | |
|--------------------------------------------------------------------|-------------|
| Surplus balance 7-1-69 | \$3,298,581 |
| Excess of revenues over appropriations for the current biennium | 429,372 |
| Return of working capital advances | 561,461 |
| | <hr/> |
| Sub Total | \$4,289,414 |
| Project lapsed departmental balances at 6-30-70 | \$2,500,000 |
| | <hr/> |
| Sub Total | \$6,789,414 |
| Less provision for contingent account restoration at 6-30-70 | (500,000) |
| Net available for appropriation Fiscal Year 1970 | \$6,289,414 |

In addition, for the second year of the biennium the administrative management program and Legislative studies have indicated a substantial amount of funds available during the fiscal year ending June 30, 1971. This includes the interest and principal that has been over-appropriated primarily because of the failure of certain General Fund bond issues at the November election. In addition, over \$250,000 of possible savings have been identified by the Appropriations Committee and \$1,153,541 by my Management Development Program. Consequently, if the Legislature approves the necessary economy measures that I have submitted to them, an additional \$2.5 million will be available for reappropriation or savings during the second year of the biennium. Coupled with the first year surplus, this means that \$8.7 million of tax dollars have been identified for new program use or for future expenditures by the 105th Legislature.

Revenue Estimates

I wish to emphasize that these funds are primarily available because of savings identified by management studies carried out since February, 1969. None of the surplus or savings reflect any attempt to increase tax revenues beyond the original estimates. Until we have had a year's experience in collecting and rebating the State income tax no change in tax estimates seems justified. At this time the revenue picture is encouraging.

Annual Sessions

I think we should all be pleased with the results of 2 years of self-examination of our administrative agencies. All agency heads cooperated fully with the Legislature and myself toward the goal of a more effective State government.

These various proposals for economy and efficiency are designed to correct the more obvious inefficiencies and duplications in our State government. It is hoped that these proposals will serve as the basis for a continuing review of our governmental structures toward the end that better services may be provided to Maine voters at lower costs.

Finally, I believe the number of items submitted by the Governor and the Legislature to the last three January Special Sessions indicates that the time has come to let the people vote on a Constitutional Amendment requiring annual sessions of the Legislature. Even after screening of bills by both the Governor and the Legislature many of the recent Special Sessions have considered and passed on a considerable amount of necessary State business.

This chart indicates the extent of these Special Sessions over the past decade, including this Session.

| Special Session | No. Days | Bills Considered | Bills Enacted | Gen'l Fund Approp. | Surplus Approp. | Bond Issues |
|-----------------|----------|------------------|---------------|--------------------|-----------------|-------------|
| Jan. 1960 | 9 | 51 | 45 | \$ 1,031,727 | | |
| Nov. 1961 | 6 | 64 | 51 | \$ 1,212,471 | \$ 994,779 | |
| Jan. 1964 | 10 | 64 | 52 | \$ 1,158,783 | | |
| Sept. 1964 | 3 | 13 | 9 | | | |
| Jan. 1966 | 14 | 216 | 163 | \$ 7,293,438 | \$ 283 | 4 |
| Oct. 1967 | 2 | 10 | 10 | \$13,842,808 | \$3,286,300 | 3 |
| Jan. 1968 | 13 | 130 | 84 | \$ 4,504,846 | \$ 801,627 | 4 |
| Sept. 1968 | 1 | 3 | 3 | | \$ 25,000 | 0 |
| Jan. 1970 | | 171 (approx.) | | | | |

I believe the weight of these figures justifies introducing the Resolve for annual sessions for your consideration at this time.

Educational Law Changes

Three bills are submitted to you containing adjustments in State laws that the University of Maine and the Department of Education consider essential and I am forwarding them for your consideration.

The bill concerning the University has four features. It would allow the Trustees to change the name of campuses. Another change would authorize the Governor and Council when requested by the Trustees to take land by eminent domain for University of Maine purposes. Third, the Trustees wish to repeal a provision of the ETV law that has seriously limited the effectiveness of ETV in providing a forum for the discussion of important public issues. It is especially difficult to comply with the present law when scheduling national education television programs that cannot be given review before local transmission. Finally, a provision is included which would give the Board of Trustees the legal authority to vest certain powers in the Staff as well as in the person of the Chancellor.

The changes in the laws of the Department of Education consist of correcting errors and inconsistencies, clarifying the statutes on school construction aid subsidy payments, and tuition charges.

A third bill carries out the intent of the November referendum authorizing \$25,000,000 of state credit for school construction loans under the Maine School Building Authority.

Also, I am submitting for your consideration an Act prepared by the Legislative Research Committee to help meet the difficult problem of financing the operation of non-public schools.

Environmental Control

In Maine, state agencies, study groups, and private sources have been actively developing legislative proposals to protect the Maine environment by filling gaps in state laws and municipal ordinances. Three measures are of immediate importance and were thus included in my proclamation. The first is an Act to protect the coast from damages caused by the conveyance and processing of petroleum. The basic draft of this proposal was prepared at my request by the Subcommittee on Pollution of the Machiasport Planning Committee. Modifications and additions have been made by the Subcommittee on Conveyance of Petroleum of the Legislative Research Committee. Enactment of these regulations is essential to assure both the public and potential industrial prospects that the State is determined to preserve the coastal and ocean ecology so important to recreation and fishing activities along the many miles of Maine coast.

I am submitting another measure to prohibit dumping of out-of-state waste matter in the State on either public or private lands. This legislation is the result of a direct environmental threat. I believe we should take this action now, but that extensive future study should be given to the entire problem of solid waste disposal.

A third measure would clarify certain important enforcement powers of the Department of Sea and Shore Fisheries and the powers of the Maine Mining Bureau to carry out the Oil and Gas Conservation and Development Control Act.

Municipal and County Measures

A number of matters that need immediate attention involve programs affecting the well-being of our cities and towns. One measure defers the problem of creating full-time county attorneys to another Legislature by revising salaries and workloads of county attorneys and their assistants to assure adequate public prosecution until a more satisfactory solution is agreed upon. An Act is included at the request of county officials to modify requirements pertaining to county reports and purchasing through bids. Also included in the call is a change in law relating to Deputy Sheriff for Androscoggin County.

Another Act is being submitted to convey title of State property now used by the United States Government that will be made available by the federal government for industrial expansion to further strengthen the economy of the City of South Portland. Minor amendments have been submitted to the Maine Police Academy Law intended to balance repre-

sentation and assist this program to achieve its promise of improved law enforcement training for municipal and county officials. Bonding counsel and the Maine Municipal Association have advised that there is a problem dealing with the Municipal Revenue Bond Law as it relates to municipal sewerage facility construction and airport construction. Consequently, changes have been recommended in this law.

A final essential measure submitted for Legislative review is an Act to provide increased Home Rule to Carry out the intent of the Constitutional Amendment approved by the voters in November.

Private and Municipal Employees

Several changes are submitted for Legislative consideration that would benefit working people in Maine. One Act suggests amendments to the Public Employee Labor Relations Law that will clarify problems that have arisen since the Act took effect and that will permit negotiation of employee group security agreements. Another Act I support would expand the death coverage of the Workman's Compensation Law. Emergency legislation has been recommended to assure that State law provide adequate coverage for protection of the health and safety of Maine industrial workers. This measure is needed to modify legislation enacted by the regular session.

I am recommending three changes in the retirement law. The first extends the \$80 a month minimum retirement provision to a few teachers and state employees with 10 years of service who are now excluded. The second change would extend to the employees of AFSCME-AFL-CIO, Council 74, the same opportunity as exists for several other employee groups to belong to the Maine Retirement System. The third provision would update the law regarding pensions for unmarried widows of Governors.

I am recommending for your consideration, an Act to exempt doctors, psychologists, and certain classes of social workers from classification restrictions of the personnel system. If the Legislature will approve this policy it will help the Department of Mental Health and Corrections employ professional staff and thereby improve the quality of services to the level intended by the Legislature, but now impossible of fulfillment because of inadequate staffing at our institutions.

Other Provisions

I am including two statutory changes developed through an examination of conditions of low income people who rent their housing. The first would establish a rent escrow procedure and the second would change the notice requirements under tenancy at will by a new owner or lessee. Enactment of these statutory changes would provide fairer housing laws for low income people who rent their homes.

Several small but important legal changes of the Maine Housing Authority are submitted in order to assure the effective operation of the Act as intended by the Legislature.

Three matters are presented concerning the State liquor laws. One would permit hotels with 10-13 rental rooms to retain their present liquor licenses. This change is necessary as the regular session increased the requirement from 10 to 14 rooms. The State Liquor Commission now has authorization to sell liquor to scheduled airlines. A change is recommended to extend this permission to aircraft of unscheduled airlines as a convenience to providing more complete service by the Bangor International Airport. Legislative authorization is also sought to permit the transfer of receipts from the sale of special commemorative bottles to the Maine Sesquicentennial Commission.

Recommendations are being placed before you to make the state income tax continually comply with certain federal income tax provisions that are referred to in the Maine law and to make the boat registration laws compatible with federal laws.

Under the terms of Governor Baxter's will I believe it essential to create a State Forest Authority, to insure that his farsighted desire to provide natural sanctuaries for the enjoyment of future generations will be carried out according to his wishes.

As promised last year to several Legislators, I have included in my proclamation an Act to increase property taxes in the unorganized townships which make up 50% of the geographical area of the State. From the proceeds of this Act, if you approve, a meaningful program to provide rent and property tax relief for needy elderly persons can be initiated.

Conclusion

In the preceding pages I have briefly and factually identified the substance of my proclamation which will make up part of your Special Session agenda. The selection of these items was based primarily on urgency and importance. Wherever possible, all matters have been submitted for the advice of elected Legislative leadership and discussed with many other members of the Senate and House of Representatives.

I fully recognize the needs presented in many other requests that the Reference of Bills Committee has recommended for admission as supplemental matters to consider. The total amount of Legislative business on our agenda and the number of items requested but excluded point again to the need to move as soon as possible to regularly scheduled annual sessions so that our citizens' needs can be more adequately studied and so that all Legislators can have an opportunity to share in policy decisions each year.

Best wishes for a fruitful session.

Respectfully,



Kenneth M. Curtis
Governor

The Communication with accompanying Message ordered placed on file.

At this point, a message was received from the Senate, borne by Secretary Harry N. Starbranch of that body, informing the House that a quorum was present and that the Senate was ready to transact such business as might properly come before it.

On motion of Mr. Benson of Southwest Harbor, it was

ORDERED, that a message be conveyed to the Senate that a quorum of the House of Representatives is present for the consideration of such business as may come before the House.

Thereupon, Mr. Benson of Southwest Harbor was appointed to convey the message and subsequently reported that he had performed the duty assigned him.

The following Communication:

STATE OF MAINE
DEPARTMENT OF STATE
AUGUSTA

December 18, 1969

To Bertha W. Johnson
Clerk of the House of Representatives of the One Hundred and Fourth Legislature:

This is to notify you of the change of name of Representative Kathleen D. Watson of Bath to Representative Kathleen W. Goodwin.

Respectfully,

(Signed)

JOSEPH T. EDGAR
Secretary of State

The Communication was read and ordered placed on file.

The SPEAKER: The House at this time and the Chair offers a warm affection to the gentlewoman from Bath, now known as Mrs. Kathleen W. Goodwin. (Applause)

Mr. Richardson of Cumberland presented the following Order and moved its passage:

ORDERED, that all matters placed upon the table during this Special Session, shall be considered automatically assigned for consideration on the next legislative day and the Speaker, under Orders of the Day, shall lay such

matters before the House in the order in which they were tabled.

The Order was tabled under the rules, ordered reproduced and tomorrow assigned.

Mr. Jalbert of Lewiston presented the following Order and moved its passage:

WHEREAS, it appears to the Members of the House of the 104th Legislature that the following are important questions of law and the occasion is a solemn one, and

WHEREAS, a Bill, H.P. 1395, entitled "An Act Creating a Non-public Elementary Education Assistance Act", Legislative Document No. 1751, has been introduced into the House and is now pending before that body, and the constitutionality of the proposed legislation has been questioned, and it is important that the Legislature be informed as to the constitutionality of the proposed bill,

NOW, THEREFORE, Be It Ordered, that in accordance with the provisions of the Constitution of the State, the Justices of the Supreme Judicial Court are hereby respectfully requested to give to the House their opinion on the following questions:

I

Do any of the provisions of H. P. 1395, L. D. 1751, violate the Establishment Clause of the First Amendment of the United States Constitution or Article I Section 3 of the Constitution of the State of Maine?

II

Do any of the provisions of H. P. 1395, L. D. 1751, violate the Free Exercise Clause of the First Amendment of the United States Constitution?

III

Whether any provisions of Section 3804 of H. P. 1395, L. D. 1751, delegates legislative power to any administrative unit in violation of Article IV, Part First, Section 1 of the Constitution of Maine?

IV

Do any of the provisions of H. P. 1395, L. D. 1751, violate the provisions of Section 1 of Article VIII of the Constitution of Maine?

The Order was tabled under the rules, ordered reproduced and tomorrow assigned.

The SPEAKER: At this time the Chair would like to announce the appointment of some of the subordinate officers of the House. I am today appointing William E. Dowling of Augusta as Sergeant-at-Arms of this Special Session of the 104th Legislature, Andrew Couture of Gardiner as Assistant Sergeant-at-Arms, and Pages Robin Lambert of Farmingdale and David Dix of Augusta.

The Speaker announced the appointment of the following member to fill a vacancy on the Joint Standing Committee on Inland Fisheries and Game:

Mr. Ricker of Lewiston

**Petitions, Bills and Resolves
Requiring Reference**

The following Bills and Resolves were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

**Appropriations and Financial
Affairs**

Bill "An Act to Pay for Fifty Percent of Health Insurance Plans for State Employees Beginning July 1, 1970" (H. P. 1306) (L. D. 1620) (Presented by Mr. Levesque of Madawaska)

Bill "An Act Appropriating Funds for Eastern Maine Vocational-Technical Institute" (H. P. 1312) (L. D. 1641) (Presented by Mr. Birt of East Millinocket)

Bill "An Act Appropriating Funds for Grants by the Maine School Building Authority" (H. P. 1313) (L. D. 1642) (Presented by Mr. Clark of Jefferson)

Bill "An Act relating to Salary of the Assistant Director of Legislative Research" (H. P. 1314) (L. D. 1643) (Presented by Mr. Dennett of Kittery)

Bill "An Act relating to Appropriations and Allocations to the Legislative Research Committee" (H. P. 1315) (L. D. 1644) (Presented by same gentleman)

Bill "An Act Appropriating Moneys to Carry Out Duties of the Legislative Research Committee" (H. P. 1316) (L. D. 1645) (Presented by same gentleman)

Bill "An Act to Provide for Black Fly Control" (H. P. 1318) (L. D. 1647) (Presented by Mr. Faucher of Solon)

Bill "An Act Appropriating Funds for Maine Historical Society" (H. P. 1319) (L. D. 1648) (Presented by Mr. Richardson of Cumberland)

Bill "An Act Appropriating Funds to the Department of the Attorney General" (H. P. 1364) (L. D. 1713) (Presented by Mrs. Brown of York)

Bill "An Act Appropriating Funds to Combat the Drug Abuse" (H. P. 1365) (L. D. 1714) (Presented by Mr. Martin of Eagle Lake)

Bill "An Act Appropriating Funds for Construction of Phase II of the Marine Research Laboratory at Boothbay Harbor" (H. P. 1388) (L. D. 1737) (Presented by Mr. Benson of Southwest Harbor)

Bill "An Act Appropriating Funds to Maine Maritime Academy for Library Acquisitions and Salary Increases" (H. P. 1396) (L. D. 1752) (Presented by Mr. Benson of Southwest Harbor)

Bill "An Act to Extend Medical Assistance to the Medically Indigent" (H. P. 1397) (L. D. 1753) (Presented by Mrs. Goodwin of Bath)

Bill "An Act Appropriating Funds to Greater Bangor Chamber of Commerce to Aid in Defraying Costs of a Promotional Film" (H. P. 1402) (L. D. 1758) (Presented by Mr. Norris of Brewer)

Bill "An Act relating to Snow Removal from Airports" (H. P. 1411) (L. D. 1777) (Presented by Mr. Wight of Presque Isle)

Resolve to Loan Funds from the Unappropriated Surplus for the Construction of an International Ferry Terminal (H. P. 1310) (L. D. 1624) (Presented by Mr. D'Alfonso of Portland)

Sent up for concurrence.

Business Legislation

Bill "An Act to Clarify the Interest Cost for Local Industrial Recreational Bonds" (H. P. 1307) (L. D. 1621) (Presented by Mr. Moreshead of Augusta)

Bill "An Act relating to Fees of Certain Corporations Payable to Secretary of State" (H. P. 1320)

(L. D. 1649) (Presented by Mr. Benson of Southwest Harbor)

Bill "An Act to Amend the Charter of the Community Life Insurance Company" (H. P. 1321) (L. D. 1650) (Presented by Mr. Scott of Wilton)

Bill "An Act to Make Direct Billing of Property and Casualty Insurance Voluntary" (H. P. 1387) (L. D. 1736) (Presented by Mr. Dennett of Kittery)

Bill "An Act Establishing a Consumer's Council" (H. P. 1405) (L. D. 1761) (Presented by Mrs. Coffey of Topsham)

Sent up for concurrence.

Education

Bill "An Act to Authorize the Insurance of the Payment of Revenue Bonds of the Maine School Building Authority" (H. P. 1305) (L. D. 1618) (Presented by Mr. Millett of Dixmont)

Bill "An Act to Clarify the Education Laws and Subsidy Payments" (H. P. 1309) (L. D. 1623) (Presented by Mrs. Kilroy of Portland)

Bill "An Act relating to Secondary School Tuition" (H. P. 1322) (L. D. 1651) (Presented by Mrs. Cummings of Newport)

Bill "An Act Transferring Funds for Educational Subsidy" (H. P. 1323) (L. D. 1652) (Presented by same member)

Bill "An Act Increasing Interest Rates on Maine School Building Authority Bonds" (H. P. 1324) (L. D. 1653) (Presented by Mrs. Kilroy of Portland)

Bill "An Act to Change the Name of Westbrook Seminary and Junior College to Westbrook College" (H. P. 1325) (L. D. 1654) (Presented by Mr. Richardson of Cumberland)

Bill "An Act to Clarify School Construction Aid" (H. P. 1326) (L. D. 1655) (Presented by Mr. Richardson of Stonington)

Bill "An Act Authorizing the State Board of Education to Lease a Section of Property at Southern Maine Vocational-Technical Institute to the Research Institute of the Gulf of Maine" (H. P. 1327) (L. D. 1656) (Presented by Mr. Waxman of Portland)

Bill "An Act relating to Definition of School Bus" (H. P. 1373) (L. D. 1722) (Presented by Mr. Richardson of Cumberland)

Bill "An Act to Create the Eastern Hancock County Community School District" (H. P. 1393) (L. D. 1748) (Presented by Mr. Bunker of Gouldsboro)

Sent up for concurrence.

Tabled and Assigned

Bill "An Act Creating the Nonpublic Elementary Education Assistance Act" (H. P. 1395) (L. D. 1751) (Presented by Mr. Jalbert of Lewiston)

(On motion of Mr. Jalbert of Lewiston, tabled pending reference and specially assigned for tomorrow.)

Bill "An Act to Authorize Town of Winterport to Form a School Administrative District" (H. P. 1398) (L. D. 1754) (Presented by Mr. Mitchell of Frankfort)

Bill "An Act to Create a School Administrative District in the Town of Madawaska" (H. P. 1403) (L. D. 1759) (Presented by Mr. Levesque of Madawaska)

Resolve Approving of Conveying of Anson Academy to School Administrative District No. 74 (H. P. 1328) (L. D. 1657) (Presented by Mr. Faucher of Solon)

Sent up for concurrence.

Health and Institutional Services Tabled and Assigned

Bill "An Act relating to Rules and Regulations for the Protection of Health and Safety" (H. P. 1311) (L. D. 1625) (Presented by Mrs. Coffey of Topsham)

(On motion of Mr. Donaghy of Lubec, tabled pending reference and specially assigned for tomorrow.)

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

Mr. ROSS: I would like to pose a question through the Chair, Mr. Speaker, on Item 36 on Page 5. Was that tabled until the next legislative day? If it was, my question is, I see that it is scheduled for a hearing this afternoon. Would that make any difference? If the gentleman would like it referred to another committee, I would think it would make a difference.

The SPEAKER: The Chair must rule that this has been tabled pending reference. It is unfortunate that it is advertised for hearing this afternoon.

Bill "An Act Exempting Volunteer Fire Department Ambulance Service from Licensing Law" (H. P. 1329) (L. D. 1658) (Presented by Mr. Marsteller of Freeport)

Bill "An Act Extending the Time for Licensing of Ambulance Service, Vehicles and Personnel" (H. P. 1389) (L. D. 1738) (Presented by Mr. Dennett of Kittery)

Sent up for concurrence.

Highways

Bill "An Act relating to Use of Town Highway Employees and Equipment on Certain Highways" (H. P. 1330) (L. D. 1659) (Presented by Mr. Williams of Hodgdon)

Sent up for concurrence.

Inland Fisheries and Game

Bill "An Act relating to Length of Trout in Brooks and Streams" (H. P. 1331) (L. D. 1660) (Presented by Mr. Dyar of Strong)

Bill "An Act relating to Bag Limit on Bears" (H. P. 1374) (L. D. 1723) (Presented by Mr. Lewin of Augusta)

Bill "An Act relating to Penalty for Violations by Guides Under Fish and Game Laws" (H. P. 1401) (L. D. 1757) (Presented by Mr. Bird of East Millinocket)

Sent up for concurrence.

Judiciary

Bill "An Act relating to Sentences for Assault on Officers of, or Escape from, the Men's Correctional Center" (H. P. 1332) (L. D. 1661) (Presented by Mr. Hall of Windham)

Bill "An Act to Authorize Issuance of Warrants for Administrative Searches" (H. P. 1333) (L. D. 1662) (Presented by Mr. Heselton of Gardiner)

Bill "An Act relating to Jurisdiction of Probate Courts in Adoption Cases" (H. P. 1334) (L. D. 1663) (Presented by same gentleman)

Bill "An Act relating to Rate of Interest on Real Property Taxes" (H. P. 1335) (L. D. 1664) (Presented by Mr. Hunter of Durham)

Bill "An Act relating to Easements in Lands" (H. P. 1336) (L. D. 1665) (Presented by Mr. Lund of Augusta)

Bill "An Act relating to Jurisdiction of District Court in Divorce Actions" (H. P. 1337) (L. D. 1666) (Presented by same gentleman)

Bill "An Act relating to Code of Military Justice for the State Military Forces" (H. P. 1338) (L. D. 1667) (Presented by Mr. Rideout of Manchester)

Bill "An Act relating to Leases of Buildings" (H. P. 1366) (L. D. 1715) (Presented by Mr. Brennan of Portland)

Bill "An Act relating to Disqualification of the Administrative Hearing Commissioner" (H. P. 1367) (L. D. 1716) (Presented by Mr. Jalbert of Lewiston)

Bill "An Act relating to Termination Statements under the Uniform Commercial Code" (H. P. 1370) (L. D. 1719) (Presented by Mr. Brennan of Portland)

Bill "An Act to Permit Probable Cause Arrest on Marijuana a Misdemeanor Violations" (H. P. 1375) (L. D. 1724) (Presented by Mr. Lund of Augusta)

Bill "An Act relating to County Jail Detention of Juveniles Pending Redisposition Cases" (H. P. 1381) (L. D. 1730) (Presented by Mrs. Payson of Falmouth)

Bill "An Act relating to the Commitment of Juveniles to Juvenile Institutions" (H. P. 1382) (L. D. 1731) (Presented by same member)

Bill "An Act relating to the Detention of Juveniles" (H. P. 1383) (L. D. 1732) (Presented by same member)

Bill "An Act relating to Clarification of Release and Discharge from Commitment after a Finding of Not Guilty by Reason of Mental Disease or Mental Defect" (H. P. 1384) (L. D. 1733) (Presented by Mr. Heselton of Gardiner)

Bill "An Act Providing for the Regulation of Motion Pictures" (H. P. 1392) (L. D. 1747) (Presented by Mr. Cox of Bangor)

Sent up for concurrence.

Labor

Bill "An Act Amending the Municipal Public Employees Labor Relations Law" (H. P. 1410) (L. D. 1776) (Presented by Mr. Brennan of Portland)

Sent up for concurrence.

Legal Affairs

Bill "An Act relating to Eligibility of Bangor City Councilors for Certain City Government Offices" (H. P. 1339) (L. D. 1668) (Presented by Mr. Cox of Bangor)

Bill "An Act relating to Duties of Lucerne-in-Maine Village Corporation and Town of Dedham as to Education of Children" (H. P. 1340) (L. D. 1669) (Presented by Mr. Cushing of Bucksport)

Bill "An Act relating to Powers and Duties of the Public Safety Commission of the Town of Old Orchard Beach" (H. P. 1341) (L. D. 1670) (Presented by Mr. Danton of Old Orchard Beach)

Bill "An Act relating to Elections in City of Biddeford" (H. P. 1342) (L. D. 1671) (Presented by Mr. Fecteau of Biddeford)

Bill "An Act to Validate Certain Proceedings in Formulating Voting Districts in the Town of Brunswick" (H. P. 1343) (L. D. 1672) (Presented by Mr. McTeague of Brunswick)

Bill "An Act relating to Appointment of Single Town Assessor for Town of Brunswick" (H. P. 1344) (L. D. 1673) (Presented by same gentleman)

Bill "An Act Clarifying and Correcting an Omission in the Charter of the Town of Gorham" (H. P. 1345) (L. D. 1674) (Presented by Mr. Mosher of Gorham)

Bill "An Act to Create the Bangor Parking Authority" (H. P. 1346) (L. D. 1675) (Presented by Mr. Soulas of Bangor)

Bill "An Act to Amend the Charter of Great Northern Paper Company" (H. P. 1368) (L. D. 1717) (Presented by Mr. Birt of East Millinocket)

Bill "An Act relating to the Implementation of a Uniform Fiscal Year" (H. P. 1376) (L. D. 1725) (Presented by Mr. Jalbert of Lewiston)

Bill "An Act to Clarify Inconsistent Laws Relating to Harness Racing" (H. P. 1378) (L. D. 1727) (Presented by Mr. Hall of Windham)

Bill "An Act Amending the Maine Police Academy Law" (H. P. 1385) (L. D. 1734) (Presented by Mr. Faucher of Solon)

Bill "An Act relating to Issuing Bonds for Revenue-Producing

Municipal Facilities" (H. P. 1407) (L. D. 1763) (Presented by Mr. Dam of Skowhegan)

Sent up for concurrence.

Liquor Control

Bill "An Act relating to Fee for and Facilities of Class A Restaurants Serving Malt Liquor" (H. P. 1379) (L. D. 1728) (Presented by Mr. Marquis of Lewiston)

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

Mr. HICHENS: Mr. Speaker, a question please.

The SPEAKER: The gentleman may pose his question.

Mr. HICHENS: Mr. Speaker, there is only one item referred to Liquor Control Committee on the calendar today and yet there are four scheduled for hearing this afternoon. Am I right in assuming that this is the only one that can be heard this afternoon in the hearing?

The SPEAKER: The Chair would advise the gentleman that there is a probability or possibility that they might be Senate papers.

Thereupon, sent up for concurrence.

Natural Resources

Bill "An Act relating to Motor Vehicle Air Pollution Equipment" (H. P. 1369) (L. D. 1718) (Presented by Mr. Moreshead of Augusta)

Bill "An Act Reclassifying Certain Inland and Tidal Waters of York County" (H. P. 1380) (L. D. 1729) (Presented by Mrs. Brown of York)

Bill "An Act relating to Authority of the Maine Mining Bureau" (H. P. 1390) (L. D. 1739) (Presented by Mr. Benson of Southwest Harbor)

Bill "An Act relating to Charts and Publications of the Maine State Park and Recreation Commission" (H. P. 1399) (L. D. 1755) (Presented by Mr. Benson of Southwest Harbor)

Bill "An Act Clarifying the Laws Relating to Parks, Squares and Playgrounds" (H. P. 1400) (L. D. 1756) (Presented by Mr. Lewin of Augusta)

Sent up for concurrence.

Public Utilities

Bill "An Act to Incorporate the Mapleton Water District" (H. P. 1347) (L. D. 1676) (Presented by Mr. Bragdon of Perham)

Bill "An Act Clarifying the Laws Relating to Licensing of Sewage Treatment Plant Operators" (H. P. 1349) (L. D. 1678) (Presented by Mr. Eustis of Dixfield)

Bill "An Act Extending Eagle Lake Water and Sewer District to Plantation of Winterville" (H. P. 1349) (L. D. 1678) (Presented by Mr. Martin of Eagle Lake)

Bill "An Act Enabling Municipalities to Charge for the Readiness to Serve of their Municipal Sewer Systems" (H. P. 1350) (L. D. 1679) (Presented by Mrs. Payson of Falmouth)

Bill "An Act relating to Power of Houlton Water Company to Purchase Securities of other Public Utility Corporations" (H. P. 1408) (L. D. 1774) (Presented by Mr. Haskell of Houlton)

Sent up for concurrence.

Retirements and Pensions

Bill "An Act relating to Certain Charges to the State Retirement Allowance Fund" (H. P. 1351) (L. D. 1680) (Presented by Mrs. Lincoln of Bethel)

Sent up for concurrence.

State Government

Bill "An Act Establishing a Human Rights Commission" (H. P. 1302) (L. D. 1619) (Presented by Mr. McTeague of Brunswick)

Bill "An Act Abolishing Full-Time County Attorneys and Increasing Salaries of Certain County Attorneys and Assistant County Attorneys" (H. P. 1303) (L. D. 1616) (Presented by Mr. Jalbert of Lewiston)

Bill "An Act Exempting Doctors, Psychologists and Certain Classes of Social Workers from the State Personnel System" (H. P. 1304) (L. D. 1617) (Presented by Mr. D'Alfonso of Portland)

Bill "An Act relating to Authority of State Employees Appeals Board" (H. P. 1352) (L. D. 1681) (Presented by Mrs. Baker of Orrington)

Bill "An Act Increasing the Salary of the Governor" (H. P.

1353) (L. D. 1682) (Presented by Mr. Hewes of Cape Elizabeth)

Bill "An Act relating to Certain Classified Employees in the Forestry Department" (H. P. 1354) (L. D. 1683) (Presented by Mr. Mills of Eastport)

Bill "An Act relating to the Salary of the Executive Director of the State Board of Nursing" (H. P. 1355) (L. D. 1684) (Presented by Mr. Rideout of Manchester)

Bill "An Act relating to State-Owned Motor Vehicles" (H. P. 1356) (L. D. 1685) (Presented by same gentleman)

Bill "An Act relating to Operation of Snowmobiles and Registration by Bureau of Watercraft Registration and Safety" (H. P. 1357) (L. D. 1686) (Presented by same gentleman)

Bill "An Act relating to Municipal Zoning Ordinance Affecting Indian Lands" (H. P. 1358) (L. D. 1687) (Presented by Mr. Starbird of Kingman Township)

Bill "An Act Authorizing the Commissioner of Mental Health and Corrections to Convey Interest in Real Estate Devised to the Pine-land Hospital and Training Center by the Will of Henrietta K. Allen, Late of Portland" (H. P. 1386) (L. D. 1735) (Presented by Mr. Richardson of Cumberland)

Bill "An Act Extending the Term of the Maine State Sesquicentennial Commission" (H. P. 1391) (L. D. 1740) (Presented by Mr. Birt of East Millinocket)

Resolve Proposing an Amendment to the Constitution Providing for Annual Legislative Sessions (H. P. 1308) (L. D. 1622) (Presented by Mr. Levesque of Madawaska)

Resolve Authorizing Conveyance of Land to International Paper Company (H. P. 1371) (L. D. 1720) (Presented by Mr. Dudley of Enfield)

Resolve Authorizing Forest Commissioner to Purchase Land in Penobscot County (H. P. 1404) (L. D. 1760) (Presented by Mr. Birt of East Millinocket)

Sent up for concurrence.

Taxation

Bill "An Act Imposing a Tax on the Unorganized Territory within the Maine Forestry District for

Spruce Budworm Control" (H. P. 1317) (L. D. 1646) (Presented by Mr. Farnham of Hampden)

Bill "An Act Repealing the Property Tax Certificate Requirement for Registration of Watercraft" (H. P. 1359) (L. D. 1688) (Presented by Mr. Benson of Southwest Harbor)

Bill "An Act relating to the Taxation of Farm Machinery" (H. P. 1360) (L. D. 1689) (Presented by Mr. Hunter of Durham)

Bill "An Act relating to Property Tax Exemption for Nature Conservancy" (H. P. 1372) (L. D. 1721) (Presented by Mrs. Brown of York)

Bill "An Act Amending the State Income Tax and Boat Registration Laws to Provide for Compatibility with Federal Laws" (H. P. 1394) (L. D. 1750) (Presented by Mr. Cottrell of Portland)

Bill "An Act Increasing State Tax in Unorganized Territory, Relieving Elderly Persons from Property Tax and to Study the Assessment of Taxes in Unorganized Territory" (H. P. 1406) (L. D. 1762) (Presented by Mr. Martin of Eagle Lake)

Bill "An Act to Repeal the Bank Stock Tax and to Impose a Corporate Income or Franchise Tax on National Banks" (H. P. 1409) (L. D. 1775) (Presented by Mr. Levesque of Madawaska)

Sent up for concurrence.

Towns and Counties

Bill "An Act relating to Annual Reports of Counties" (H. P. 1361) (L. D. 1690) (Presented by Mr. Jalbert of Lewiston)

Bill "An Act Authorizing Androscoggin County to Borrow Money for an Addition to the County Jail" (H. P. 1362) (L. D. 1691) (Presented by same gentleman)

Bill "An Act to Authorize Kennebec County to Raise Money for Capital Improvements" (H. P. 1363) (L. D. 1692) (Presented by Mr. Lund of Augusta)

Bill "An Act relating to County Purchases" (H. P. 1377) (L. D. 1726) (Presented by Mr. Jalbert of Lewiston)

Sent up for concurrence.

By unanimous consent the foregoing Bills and Resolves were sent forthwith to the Senate.

On motion of Mr. Richardson of Cumberland,

Recessed until the sounding of the gong.

After Recess

Called to order by the Speaker.

The following papers from the Senate were received out of order by unanimous consent.

Bills and Resolves from the Senate requiring reference were disposed of in concurrence.

From the Senate: The following Orders:

ORDERED, the House concurring, that unless received by unanimous consent in both branches, no bill or resolve be considered at this Special Session except those designated Legislative Documents Nos. 1616 to 1792 Inclusive, and such bills or resolves as may be returned by or recalled from the Governor. This Order shall not apply to such bills or resolves as are intended only to facilitate the business of the Special Session. (S. P. 605)

ORDERED, the House concurring, that three hundred twenty-five (325) copies of the Legislative Record for this Special Session, convened on January 6, 1970, be printed and bound, one copy for each of the members of the Senate, House of Representatives, the Secretary of the Senate and Clerk of the House, and the remainder to be deposited in the State Library for exchange and library use; and be it further

ORDERED, that suitable index be prepared for such Legislative Record, under the direction of the Secretary of the Senate and Clerk of the House. (S. P. 606)

ORDERED, the House concurring, that the Secretary of the Senate and Clerk of the House be directed to furnish to each member of the Senate and the House, a copy of the State newspaper each morning during the present Special Session of the Legislature. (S. P. 607)

ORDERED, the House concurring, that the Secretary of the Senate and Clerk of the House respectively, be authorized to furnish wrappers and postage stamps

for each member of the Senate and House, not exceeding \$6.00 in amount each, for the purpose of distributing the various reports of the Departments of State and other public documents such as they may desire to mail to the citizens of the State. (S. P. 608)

ORDERED, the House concurring, that there be paid to the Officers of the Senate and House of Representatives for salaries for this Special Session, the amounts included in weekly lists certified to the State Controller by the Secretary of the Senate and Clerk of the House, respectively, subject to the approval of the Committee on Appropriations and Financial Affairs. (S. P. 609)

Came from the Senate read and passed.

In the House, the Orders were read and passed in concurrence.

Mr. Rideout of Manchester presented the following Resolution out of order and moved its adoption:

WHEREAS, the gentle quiet of personal sadness fills our chambers with the untimely death on New Year's Day of Richard J. Dubord of Waterville; and

WHEREAS, he was a rare person, a compassionate leader, the very conscience of his party, profession and the people of Maine; and

WHEREAS, uniquely possessed with a warm glowing radiance, he

spontaneously uplifted the hearts of all who knew him throughout the Legislature and its several departments; and

WHEREAS, he consistently and constructively used his quiet wisdom and profound skill for the genuine betterment of his community and State; now, therefore, be it

RESOLVED: That the members of the 104th Legislature assembled this day in special session tender a lasting token of our deepest affection to honor the memory of a life that enriched many lives and to express a common sorrow and sadness at the loss of a dear friend and trusted companion; and be it further

RESOLVED: That a suitable copy of this Joint Resolution be sent to his devoted wife and three children, along with our highest regards and heartfelt sympathy. (H. P. 1419)

The SPEAKER: The Chair will declare this Joint Resolution adopted by acclamation.

Will the Members please rise in a moment of respect to this very devoted State citizen. (Whereupon the Members stood for a moment of silence.)

Sent forthwith.

On motion of Mr. Wood of Brooks,

Adjourned until nine o'clock tomorrow morning.