

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Second
Legislature*

OF THE

STATE OF MAINE

1965

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Thursday, January 28, 1965

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

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

In the absence of the Speaker, the House was called to order by the Clerk, Jerome G. Plante.

In accordance with the rules, the House proceeded to choose a Speaker, pro tempore and the following committee was appointed to receive, sort and count votes.

Mrs. BAKER of Orrington
 Mrs. BAKER of Winthrop
 Mrs. CARSWELL of Portland
 Mrs. HANSON of Lebanon
 Mrs. HARVEY of Windham
 Mrs. KILROY of Portland
 Mrs. LINCOLN of Bethel
 Mrs. RUBY of Bangor
 Mrs. WHEELER of Portland
 Mrs. WHITE of Guilford

On motion of Mr. Ross of Brownville, the Committee was instructed to cast one ballot for Honorable Keith H. Anderson of Orono, to serve as Speaker pro tempore.

Whole number of votes cast 1

Keith H. Anderson had 1

He was subsequently declared elected and assumed the Chair of the Speaker.

The journal of yesterday was read and approved.

Papers from the Senate.

The following 2 bills which were referred to the 102nd Legislature by the 101st Legislature:

Bill "An Act to Consolidate the Maine Unitarian Association with Northeast District of the Unitarian Universalist Association" (S. P. 123) (L. D. 488)

Bill "An Act to Consolidate The Universalist Church of Maine with Northeast District of the Unitarian Universalist Association" (S. P. 124) (L. D. 489)

Came from the Senate referred to the Committee on Legal Affairs.

In the House, referred to the Committee on Legal Affairs in concurrence.

From the Senate:

Resolve Appropriating Funds for Operation of Advisory Committee on Education (S. P. 160) (L. D. 490)

Resolve Providing for a Maine Key Number Digest Committee" (S. P. 161) (L. D. 491)

Came from the Senate referred to the Committee on Appropriations and Financial Affairs.

In the House, referred to the Committee on Appropriations and Financial Affairs in concurrence.

From the Senate:

Bill "An Act to Amend Charter of the Home for Aged Men" (S. P. 162) (L. D. 492)

Came from the Senate referred to the Committee on Business Legislation.

In the House, referred to the Committee on Business Legislation in concurrence.

From the Senate:

Bill "An Act Authorizing the Leasing by the State of Wing of Community General Hospital, Fort Fairfield, to the Hospital" (S. P. 163) (L. D. 493)

Came from the Senate referred to the Committee on Health and Institutional Services.

In the House, referred to the Committee on Health and Institutional Services in concurrence.

From the Senate:

Bill "An Act Increasing Salaries of Official Court Reporters" (S. P. 164) (L. D. 494)

Came from the Senate referred to the Committee on Judiciary.

In the House, referred to the Committee on Judiciary in concurrence.

From the Senate:

Bill "An Act relating to Non-profit Blood Donor Service Corporations" (S. P. 120) (L. D. 487)

Bill "An Act Repealing Law Regulating Business on Sundays and Certain Holidays" (S. P. 165) (L. D. 495)

Came from the Senate referred to the Committee on Legal Affairs.

In the House, referred to the Committee on Legal Affairs in concurrence.

From the Senate:

Bill "An Act Increasing Compensation of Members of Employment Security Commission" (S. P. 166) (L. D. 496)

Resolve Proposing an Amendment to the Constitution Creating the Office of Lieutenant - Governor and Providing for Succession of Office of the Governor (S. P. 168) (L. D. 497)

Came from the Senate referred to the Committee on State Government.

In the House, referred to the Committee on State Government in concurrence.

Senate Reports of Committees Ought to Pass

Report of the Committee on Legal Affairs reporting "Ought to pass" on Bill "An Act relating to Eminent Domain under Urban Renewal Authority Law in City of Bangor" (S. P. 18) (L. D. 30)

Report of same Committee reporting same on Bill "An Act Amending the Charter of the City of Bangor Relative to the Use of Municipal Revenue Bonds" (S. P. 20) (L. D. 32)

Report of same Committee reporting same on Bill "An Act relating to Election of Council Members of City of Portland" (S. P. 21) (L. D. 33)

Came from the Senate with the Reports read and accepted and the Bills passed to be engrossed.

In the House, the Reports were read and accepted in concurrence, the Bills read twice and assigned the next legislative day.

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

Non-Concurrent Matter

Bill "An Act relating to Taking of Alewives in Tremont, Hancock County" (H. P. 215) (L. D. 283) which was referred to the Committee on Inland Fisheries and Game in the House on January 19.

Came from the Senate referred to the Committee on Sea and Shore Fisheries in non-concurrence.

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

Non-Concurrent Matter

Bill "An Act Repealing the Bounty on Porcupines" (H. P. 218) (L. D. 286) which was referred to the Committee on Inland Fisheries and Game in the House on January 19.

Came from the Senate referred to the Committee on Agriculture in non-concurrence.

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

Non-Concurrent Matter

Bill "An Act Increasing Salary of Commissioner of Inland Fisheries and Game" (H. P. 251) (L. D. 319) which was referred to the Committee on State Government in the House on January 19.

Came from the Senate referred to the Committee on Inland Fisheries and Game in non-concurrence.

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

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn they adjourn to meet on Tuesday, February 2, at ten o'clock in the morning. (S. P. 255)

Came from the Senate read and passed.

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

Messages and Documents

The following Communication:

THE SENATE OF MAINE
AUGUSTA

January 28, 1965

Hon. Jerome G. Plante
Clerk of the House
102nd Legislature
State House

Sir:

Pursuant to Maine Revised Statutes 1964, Title 3, Chapter 9,

Sections 201 and 202, the President of the Senate today appointed Senator Floyd L. Harding of Aroostook, and Senator Carlton L. Faloon of Penobscot to the Maine Commission on Interstate Cooperation.

Senator Emile Jacques of Androscoggin will remain as a member of the Commission in line with Section 202 of Chapter 9.

Respectfully yours,

(Signed)

EDWIN H. PERT

Edwin H. Pert

Secretary of the Senate

The Communication was read and ordered placed on file.

The following Communication:

STATE OF MAINE
HOUSE OF REPRESENTATIVES
AUGUSTA

January 28, 1965

The Honorable Dana W. Childs
Speaker of the House
102nd Maine Legislature
State House
Augusta, Maine

Dear Mr. Speaker:

As you know, I am to be sworn in on Friday, January 29th, as a Complaint Justice in the Maine District Court. Attorney General Dubord has ruled that this position and that of Representative to the Legislature are incompatible, therefore it is with deep reluctance that I hereby submit my resignation as a Representative to the 102nd Maine Legislature, effective immediately.

(Signed)

Sincerely yours,

JOHN L. KNIGHT

John L. Knight
Representative

The Communication was read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Rockland, Mr. Knight.

Mr. KNIGHT: Mr. Speaker, Ladies and Gentlemen of the House: Regretfully this will be the last time that I will have the privilege of speaking to you as a member of the 102nd Legislature. Tomorrow I will take the oath as a Complaint Justice in the District

Court at Rockland. It is not possible for one to hold the position of Representative to the Legislature and at the same time hold a judicial position.

It has been my privilege to be a member, not only of this 102nd Legislature but of the previous three Legislatures. I will remember the 99th, 100th, and 101st Legislatures for many reasons, including foremost, the many friendships that I have made. The thing that impresses me most with this, the 102nd Legislature, is the spirit of enthusiasm. This is an essential element for a productive session. Now I wish you all success in the legislative days ahead and may these days bring happy memories for you. (Applause, the members rising)

Thereupon, the resignation was accepted and the Communication placed on file.

**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 Create a Committee to Determine the Cost of the Liquor Business to the State of Maine" (H. P. 577) (Presented by Mr. Meisner of Dover-Foxcroft)

(Ordered Printed)

Bill "An Act relating to Funeral Expenses of Recipients of Aid to the Aged, Blind or Disabled" (H. P. 578) (Presented by Mr. Wight of Presque Isle)

(Ordered Printed)

Sent up for concurrence.

Business Legislation

Bill "An Act to Revise the Real Estate Law" (H. P. 579) (Presented by Mrs. Kilroy of Portland)

(Ordered Printed)

Sent up for concurrence.

Education

Bill "An Act relating to Application for School District Formation" (H. P. 580) (Presented by Mr. Carroll of Limerick)

(Ordered Printed)

Sent up for concurrence.

Health and Institutional Services

Bill "An Act relating to Qualifications and Fees under Nursing Law" (H. P. 581) (Presented by Mrs. Kilroy of Portland)

(Ordered Printed)

Sent up for concurrence.

**Industrial
and Recreational Development**

Resolve Proposing an Amendment to the Constitution Pledging Credit of State for Guaranteed Loans for Recreational Purposes (H. P. 582) (Presented by Mr. Katz of Augusta and Mr. Danton of Old Orchard Beach)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act relating to Removal of Vehicles Parked Illegally on Highways" (H. P. 583) (Presented by Mr. Graham of Freeport)

(Ordered Printed)

Bill "An Act relating to Certain Expenses of Supreme Judicial Court Paid by State to Cumberland County" (H. P. 584) (Presented by Mrs. Kilroy of Portland)

(Ordered Printed)

Bill "An Act Revising Laws Relating to Search and Seizure" (H. P. 585) (Presented by Mr. Knight of Rockland)

(Ordered Printed)

Bill "An Act relating to Number of Official Court Reporters" (H. P. 586) (Presented by Mr. Lund of Augusta)

(Ordered Printed)

Bill "An Act Providing for Compensation of Attorneys Appointed for Indigent Persons Charged with Crimes" (H. P. 587) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Driving Motor Vehicles to the Left on a Curve" (H. P. 588) (Presented by Mr. Ross of Brownville)

(Ordered Printed)

Bill "An Act relating to Jurisdiction of Municipal Police Officers in Fresh Pursuit" (H. P. 589) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

Labor

Bill "An Act Regulating Manufacture and Sale of Stuffed Toys"

(H. P. 590) (Presented by Mrs. Kilroy of Portland)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act Revising the Laws Relating to Plumbers" (H. P. 591) (Presented by Mr. Conley of Portland)

(Ordered Printed)

Bill "An Act Revising Laws Relating to Boilers and Unfired Steam Pressure Vessels" (H. P. 592) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act Revising Laws Relating to Exemptions and Inspections under Boiler and Unfired Steam Pressure Vessels Law" (H. P. 593) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act Revising Laws Relating to Fees for Inspections and Inspection Certificates under Boiler and Unfired Steam Pressure Vessel Law" (H. P. 594) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Time of Complaint Against Dangerous Dogs" (H. P. 595) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Litter Law Enforcement" (H. P. 596) (Presented by Mrs. Kilroy of Portland)

(Ordered Printed)

Bill "An Act relating to Qualification of Persons Working on Heating Plants in Schoolhouses" (H. P. 597) (Presented by same member)

(Ordered Printed)

Sent up for concurrence.

Liquor Control

Bill "An Act Providing for Local Option for Sale of Spirituous Liquor in Restaurants" (H. P. 598) (Presented by Mr. Edwards of Portland)

(Ordered Printed)

Sent up for concurrence.

Public Utilities

Bill "An Act to Extend the Charter of the R. and T. Cement Railroad Company" (H. P. 599)

(Presented by Mrs. Kilroy of Portland)

(Ordered Printed)

Sent up for concurrence.

Sea and Shore Fisheries

Bill "An Act Revising Laws Relating to Advisory Council of Sea and Shore Fisheries" (H. P. 600) (Presented by Mr. Benson of Southwest Harbor)

(Ordered Printed)

Sent up for concurrence.

State Government

Bill "An Act to Authorize a Bond Issue for Purchase of Voting Machines for Resale to Municipalities" (H. P. 546) (Presented by Mr. Ross of Bath)

(Ordered Printed)

Bill "An Act relating to Reimbursement of Daily Travel Expenses in Lieu of Housing Expenses" (H. P. 601) (Presented by Mr. Berry of Cape Elizabeth)

(Ordered Printed)

Bill "An Act relating to Definition of Agricultural Societies to Qualify for Stipend" (H. P. 602) (Presented by Mr. Cote of Lewiston)

(Ordered Printed)

Bill "An Act relating to Licensing of Auctioneers" (H. P. 603) (Presented by Mr. Katz of Augusta)

(Ordered Printed)

Resolve Authorizing State Tax Assessor to Convey Land in Portland to Edward F. Lally of Winthrop, Massachusetts (H. P. 604) (Presented by Mrs. Kilroy of Portland)

(Ordered Printed)

Sent up for concurrence.

Taxation

Bill "An Act Increasing State Tax in Unorganized Territory" (H. P. 605) (Presented by Mr. Hanson of Gardiner)

(Ordered Printed)

Bill "An Act to Increase Cigarette Tax Two Cents" (H. P. 606) (Presented by Mr. Ross of Bath)

(Ordered Printed)

Sent up for concurrence.

Towns and Counties

Bill "An Act Increasing Salary of Register of Probate of Washing-

ton County" (H. P. 607) (Presented by Mr. Watts of Machias)

(Ordered Printed)

Sent up for concurrence.

The following Bill and Resolves 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, were received and referred to the following Committees:

Appropriations and Financial Affairs

Resolve Appropriating Funds for Recreational Aid for the Mentally Retarded at Pineland Hospital and Training Center (H. P. 608) (Presented by Mrs. Carswell of Portland)

(Ordered Printed)

Resolve Appropriating Moneys for Improvements at Indian Reservation at Pleasant Point (H. P. 609) (Presented by Mr. Mills of Eastport by request)

(Ordered Printed)

Sent up for concurrence.

Education

Resolve Transferring Corinna Union Academy to Town of Corinna (H. P. 610) (Presented by Mr. Bradstreet of Newport)

(Ordered Printed)

Sent up for concurrence.

Public Utilities

Bill "An Act Increasing Indebtedness of Jay Village Water District" (H. P. 611) (Presented by Mr. Scott of Wilton)

(Ordered Printed)

Sent up for concurrence.

State Government

Resolve Proposing an Amendment to the Constitution Relating to Bond Issues to be Voted Upon by the People (H. P. 612) (Presented by Mr. Berry of Cape Elizabeth)

(Ordered Printed)

Sent up for concurrence.

Veterans and Military Affairs

Resolve Granting World War I Bonus to Stanley D. Royles of Portland (H. P. 613) (Presented by Mr. Conley of Portland)

(Ordered Printed)

Sent up for concurrence.

Orders

On motion of Mrs. Ruby of Bangor, it was

ORDERED, that Rev. Father Donald E. Jacques of St. Patrick's Church, Portland, be invited to officiate as Chaplain of the House on Wednesday, February 17, 1965.

On motion of Mr. Baldic of Waterville, it was

ORDERED, that Rev. Lucien Grondin of Waterville be invited to officiate as Chaplain of the House on Thursday, February 18, 1965.

On motion of Mr. Jalbert of Lewiston, it was

ORDERED, that Mr. Susi of Pittsfield be excused from attendance for the duration of his illness.

**House Reports of Committees
Leave to Withdraw**

Mr. Fraser from the Committee on Claims on Resolve in favor of Town of Bancroft (H. P. 43) (L. D. 55) reported Leave to Withdraw

Mr. Boissonneau from the Committee on Legal Affairs reported same on Bill "An Act Revising the Beano or Bingo Laws" (H. P. 76) (L. D. 86)

Reports were read and accepted and sent up for concurrence.

**Ought Not to Pass
Bill Substituted for Report
Recommended**

Mr. Hunter from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act relating to Municipal Officers in City of Lewiston" (H. P. 78) (L. D. 88)

Report was read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Lewiston, Mr. Bussiere.

Mr. BUSSIERE: Mr. Speaker, this was a bill that I introduced myself and having been unable to attend the hearing of the Legal Affairs Committee, I have contacted the Chairman of the Legal Affairs Committee, and I asked him to readvertise this bill. I would like to have a fair chance to explain the reason behind this move. There was no one at the commit-

tee hearing who was opposing the bill or anyone who was in favor of the bill. I was taken sick yesterday afternoon and I couldn't attend the hearing, so I will now move that this bill be recommitted to the Committee on Legal Affairs and published over again in the newspapers.

The SPEAKER pro tem: The Chair understands the gentleman from Lewiston, Mr. Bussiere, moves that the Bill be substituted for the "Ought not to pass" Report of the Committee. Is this the pleasure of the House?

The motion prevailed.

Thereupon, the Bill was recommitted to the Committee on Legal Affairs and sent up for concurrence.

**Ought to Pass
Printed Bills**

Mr. Carroll from the Committee on Education reported "Ought to pass" on Bill "An Act Increasing Salaries of and Relating to Vacancies in Trustees of Boothbay-Boothbay Harbor Community School District" (H. P. 126) (L. D. 150)

Mr. Baldic from the Committee on Inland Fisheries and Game reported same on Bill "An Act relating to Bow and Arrow Hunting on Mount Desert Island, Hancock County" (H. P. 131) (L. D. 155)

Mrs. Baker from the Committee on Legal Affairs reported same on Bill "An Act Providing Compensation for Members of Park Commission, School Committee and Police Commissioners of Town of Sanford" (H. P. 75) (L. D. 85)

Mr. Conley from same Committee reported same on Bill "An Act relating to Powers and Duties of School Committee of the City of Portland" (H. P. 80) (L. D. 90)

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

**Ought to Pass with
Committee Amendment**

Mr. Danton from the Committee on Judiciary on Bill "An Act relating to Civil Rights of Persons

Hospitalized for Mental Illness" (H. P. 69) (L. D. 80) 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. 69, L. D. 80, Bill, "An Act Relating to Civil Rights of Persons Hospitalized for Mental Illness."

Amend said Bill in the 10th line from the end by inserting after the underlined word "capacity" and before the underlined comma following underlined words and punctuation 'and except where specifically restricted by other statute of regulation, but not solely because of the fact of admission to a mental hospital'

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

Passed to Be Engrossed

Bill "An Act relating to License for Sardine Packers" (H. P. 94) (L. D. 103)

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

Third Reader

Tabled and Assigned

Bill "An Act Repealing the Law Regulating the Canning of Herring" (H. P. 95) (L. D. 104)

Was reported by the Committee on Bills in the Third Reading.

(On motion of Mr. Richardson of Stonington, tabled pending third reading and specially assigned for Tuesday, February 2.)

Amended Bills

Bill "An Act Providing for Training in Safe Handling of Firearms

by Certain Minors" (H. P. 61) (L. D. 72)

Resolve Proposing an Amendment to the Constitution to Eliminate Voting Restrictions on Paupers (H. P. 9) (L. D. 9)

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

Orders of the Day

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

HOUSE REPORT "Ought to pass" as Amended by Committee Amendment "A" — Committee on Taxation on Bill "An Act Clarifying Excise Taxes and Fees for Camp Trailers." (H. P. 8) (L. D. 8)

Tabled — January 21, by Mr. Hanson of Gardiner.

Pending — Acceptance.

On motion of Mr. Hanson of Gardiner, retabled pending acceptance of the Committee Report and assigned the next legislative day.

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

RESOLVE, Proposing an Amendment to the Constitution to Lower the Voting Age to Eighteen Years. (S. P. 153) (L. D. 394)

Tabled — January 27, by Mr. Levesque of Madawaska.

Pending — Reference. (In concurrence)

On motion of Mr. Levesque of Madawaska, referred to the Committee on State Government in concurrence.

Thereupon, out of respect to the late Honorable Sumner Sewall, Ex-Governor, the House stood adjourned until Tuesday, February 2, at ten o'clock in the morning.