

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Third
Legislature*

OF THE

STATE OF MAINE

1967

KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Friday, April 7, 1967

Senate called to order by the President.

Prayer by Rev. David Glusker of Hallowell.

Reading of the Journal of yesterday.

On motion by Mr. Ross of Piscataquis, out of order and under suspension of the rules,

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, April 11, at ten o'clock in the morning. (S. P. 596)

Which was Read and Passed and sent forthwith to the House for concurrence.

Papers from the House**Non-concurrent matter**

Bill "An Act to Provide for Practical Nursing Course at Central Maine Vocational - Technical Institute." (S. P. 400) (L. D. 1031)

In Senate, March 30, Passed to be Engrossed As Amended by Committee Amendment "A" (S-41)

Comes from the House, Passed to be Engrossed As Amended by Committee Amendment "A" and by House Amendment "A" (H-152) in non-concurrence.

In Senate, voted to recede and concur with the House.

Bill "An Act Repealing Bounty on Bobcat and Canada Lynx." (S. P. 47) (L. D. 37)

In Senate, March 29, Indefinitely Postponed.

Comes from the House, Passed to be Engrossed As Amended by House Amendment "B" (H-143) in non-concurrence.

(On motion by Mr. Hoffses of Knox, tabled until Wednesday, April 12.)

Bill "An Act Relating to Definition of Wilderness Area Under State Park and Recreation Laws." (S. P. 453) (L. D. 1132)

In Senate, March 23, Passed to be Engrossed As Amended by Committee Amendment "A" (S-28)

Comes from the House Passed to be Engrossed As Amended by Committee Amendment "A", as Amended by House Amendment

"A" (H-136) thereto, in non-concurrence.

In Senate, voted to recede and concur with the House.

Joint Order

ORDERED, the Senate concurring, that Legislative Document No. 1388, An Act Relating to Parking Facilities for Handicapped Persons, (H. P. 1062) be recalled from the Governor to the House. (H. P. 1105)

Comes from the House Read and Pass.

Which was Read and Passed in concurrence.

Committee Reports**House****Change of Reference**

The Committee on Appropriations and Financial Affairs on Bill "An Act Entering the State of Maine Into the New England Interstate Planning Compact." (H. P. 620) (L. D. 876)

Reported that the same should be referred to the Committee on State Government.

Comes from the House, report Read and Accepted.

Which report was Read and Accepted in concurrence.

Leave to Withdraw

The Committee on Education on Bill "An Act to Authorize the establishment of a Regional Vocational Education Center or Centers in Northern Penobscot County and the Issuance of Bonds of the State of Maine Not Exceeding One Million Dollars for the Financing Thereof." (H. P. 739) (L. D. 1062)

Reported that the same should be granted Leave to Withdraw.

Comes from the House, report Read and Accepted.

Which report was Read and Accepted in concurrence.

Ought Not to Pass

The Committee on Education on Bill "An Act to Set a Minimum Wage for Substitute Teachers. (H. P. 306) (L. D. 440)

Reported that the same Ought Not to Pass — covered by other legislation.

Comes from the House, report Read and Accepted.

The Committee on Education on Bill "An Act to Revise Minimum Salaries for Teachers Providing Incentive for Professional Training." (H. P. 575) (L. D. 671)

Reported that the same Ought Not to Pass — covered by other legislation.

Comes from the House, report Read and Accepted.

The Committee on Veterans and Military Affairs on Bill "An Act Relating to Maintenance and Repairs of Cemeteries." (H. P. 397) (L. D. 544)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

The Committee on Taxation on Bill "An Act Establishing an Excise Tax on Livestock." (H. P. 920) (L. D. 1329)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

Which reports were Read and Accepted in concurrence.

(On motion by Mr. Ross of Piscataquis, tabled until Friday, April 14.)

The Committee on Transportation on Bill "An Act Relating to Windshield Wipers on Motor Vehicles." (H. P. 927) (L. D. 1335)

Reported that the same Ought Not to Pass.

Comes from the House, Bill Substituted for the Report, and the Bill Passed to be Engrossed As Amended by House Amendment "A" (H-145)

On motion by Mr. Reny of York, tabled pending passage to be engrossed.)

Ought to Pass — As Amended

The Committee on Claims on Resolve to Reimburse Wayne Smith of East Dixfield for Loss of Sheep." (H. P. 735) (L. D. 1058)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-137)

Comes from the House, report Read and Accepted and the Resolve Passed to be Engrossed As Amended by Committee Amendment "A".

The Committee on Legal Affairs on Bill "An Act to Allow the State of Maine to Arbitrate Disputes in Contracts." (H. P. 517) (L. D. 804)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-138)

Comes from the House, report Read and Accepted and the Bill Passed to be Engrossed As Amended by Committee Amendment "A".

Which reports were Read and Accepted in concurrence and the Bill and Resolve read once. Committee Amendments "A" were Read and Adopted in concurrence, and the Bill and Resolve, As Amended, tomorrow assigned for second reading.

Ought to Pass in New Draft

The Committee on Transportation on Bill "An Act Relating to Quality of Inspection Stickers for Motor Vehicles." (H. P. 926) (L. D. 1334)

Reported that the same Ought to Pass in New Draft under same title (H. P. 1102) (L. D. 1569)

Comes from the House, report Read and Accepted, and the Bill, in New Draft, Passed to be Engrossed.

The Committee on Transportation on Bill "An Act Requiring Trucks Carrying Explosive or Inflammable Cargoes to Stop at Railroad Crossings." (H. P. 864) (L. D. 1277)

Reported that the same Ought to Pass in New Draft under same title" (H. P. 1101) (L. D. 1568)

Comes from the House, report Read and Accepted, and the Bill, in New Draft, Passed to be Engrossed.

The Committee on Legal Affairs on Bill "An Act Relating to Definition of Elevator Under Board of Elevator Rules and Regulations." (H. P. 528) (L. D. 759)

Reported that the same Ought to Pass in New Draft under same title (H. P. 1100) (L. D. 1567)

Comes from the House, report Read and Accepted and the Bill in New Draft, Passed to be Engrossed.

Which reports were Read and Accepted in concurrence, the Bills read once and tomorrow assigned for second reading.

Divided Report

The Majority of the Committee on Election Laws on Bill "An Act Relating to Applications for and Marking of Absentee Ballots." (H. P. 215) (L. D. 305)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-108) (signed)

Senators:

ANDERSON of Hancock
BERRY of Cumberland

Representatives:

HAWES of Union
HENLEY of Norway
HODGKINS of Greene
JANNELLE of
Scarborough
BOURGOIN of Fort Kent
BERNARD of Auburn
BOUDREAU of Portland

The Minority of the same Committee on the same subject matter reported that the same Ought Not to Pass.

(signed)

Senator:

COUTURIER of Androscoggin
Comes from the House, Bill Indefinitely Postponed.

Mr. Anderson of Hancock, moved to Indefinitely Postponed in concurrence.

On motion by Mr. Ferguson of Oxford, tabled pending the motion to Indefinitely Postpone.

Divided Report

The Majority of the Committee on Liquor Control on Bill "An Act Relating to Hours of Sales of Liquor." (H. P. 594) (L. D. 824)

Reported that the same Ought Not to Pass.

(signed)

Senators:

BECKETT of Washington
BOISVERT of
Androscoggin

Representatives:

COTE of Lewiston
KYES of Skowhegan
TANGUAY of Lewiston
ROY of Winslow

The Minority of the same Committee on the same subject matter reported that the same Ought to Pass.

(Signed)

Senator:

CURTIS of Penobscot

Representatives:

HICHENS of Eliot

MEISNER of

Dover-Foxcroft

Comes from the House, Bill and Reports Indefinitely Postponed.

On motion by Mr. Beckett of Washington, indefinitely postponed in concurrence.

Senate**Ought Not to Pass**

Mr. Morris for the Committee on Claims on Resolve to Reimburse Town of Vanceboro for Aid Extended William Gardner." (S. P. 494) (L. D. 1344)

Reported that the same Ought Not to Pass.

Which report was Read and Passed.

Sent down for concurrence.

Ought to Pass in New Draft

Mr. Greeley for the Committee on Highways on Bill "An Act to Revise Utility Location Permits in Public Highways." (S. P. 535) (L. D. 1397)

Reported that the same Ought to Pass in New Draft. (S. P. 594) (L. D. 1572)

Which report was read and accepted. The Bill read once and tomorrow assigned for second reading.

Divided Report

The majority of the Committee on Highways on Bill "An Act Relating to Tandem Trailers." (S. P. 157) (L. D. 328)

Reported that the same Ought Not to Pass.

(Signed)

Senators:

FERGUSON of Oxford
ROSS of Piscataquis
GREELEY of Waldo

Representatives:

CROCKETT of Freeport
NADEAU of Biddeford
McNALLEY of Ellsworth
DUDLEY of W. Enfield
WALTZ of Waldoboro

The Minority of the same committee on the same subject matter reported that the same

Ought to Pass in New Draft. (S. P. 595) (L. D. 1573)

(Signed)

Representatives:

WOOD of Brooks
BURNHAM of Naples

Mr. Ferguson of Oxford, moved to accept the Majority Ought Not to Pass Report of the Committee.

On motion by Mr. Brewer of Sagadahoc, tabled pending the motion to accept the Ought Not to Pass Report of the Committee.

Second Readers

The Committee on Bills in the Second Reading reported the following:

House

Bill "An Act Appropriating Funds for Administration of Bureau of Public Administration at University of Maine." (H. P. 459) (L. D. 672)

Bill "An Act Authorizing Long Term Semi-permanent Registration Plates for Certain Semitrailers." (H. P. 1099) (L. D. 1565)

Which were Read a second time and Passed to be Engrossed in concurrence.

House — As Amended

Bill "An Act Relating to Board of Trustees of Searsport Water District." (H. P. 805) (L. D. 1181)

Which was read a second time and Passed to be Engrossed As Amended in concurrence.

Senate

Bill "An Act to Amend the Charter of the Union Mutual Life Insurance Company." (S. P. 393) (L. D. 1026)

Bill "An Act to Permit State Employees and Teachers to Insure Spouse and Children Under the Group Life Insurance Program." (S. P. 257) (L. D. 637)

(On motion by Mr. MacLeod of Penobscot, tabled pending second reading.)

Resolve to Provide Funds for the Purchase of Copies of the Maine Reports. (S. P. 330) (L. D. 864)

Bill "An Act Relating to Driving Motor Vehicles so as not to Startle Animals Being Ridden or Driven

Upon or Near a Public Way." (S. P. 593) (L. D. 1566)

Which were read a second time and Passed to be Engrossed.

Sent down for concurrence.

Senate — As Amended

Bill "An Act Relating to Certain Guaranteed Loans by Savings Banks." (S. P. 390) (L. D. 1023)

Bill "An Act Relating to Ricker Classical Institute and Ricker College." (S. P. 397) (L. D. 1030)

Which were read a second time and Passed to be Engrossed, As Amended.

Sent down for concurrence.

Enactors

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

An Act Relating to Use of Interest of Organized Townships Fund by Lakeville Plantation. (H. P. 312) (L. D. 446)

An Act Describing the Boundary Line Between the Towns of Paris and West Paris. (H. P. 413) (L. D. 579)

An Act Prohibiting Annoying Telephone Calls. (S. P. 269) (L. D. 650)

An Act Appropriating Matching Funds Under Title VI of the Federal Higher Education Act for Maine Maritime Academy. (S. P. 328) (L. D. 983)

(On motion by Mr. Berry of Cumberland, placed on the Special Appropriations Table.)

An Act Relating to Definition of a Junior High School. (H. P. 783) (L. D. 1145)

(On motion by Mr. Berry of Cumberland, placed on the Special Appropriations Table.)

An Act Relating to Costs of Flander's Bay Community School District. (S. P. 470) (L. D. 1162)

An Act Increasing Penalties for Violation of Fishing Regulations. (H. P. 840) (L. D. 1248)

(On motion by Mr. Hoffses of Knox, tabled pending enactment.)

An Act Relating to Removal of Motor Vehicles Parked Illegally on Highways and Highway Rights-of-Way. (H. P. 1085) (L. D. 1545)

An Act Prohibiting Shooting at or Near Wildfowl Decoys of Another. (H. P. 1090) (L. D. 1557)

Which were Passed to be Enacted, and having been signed by the President, were by the Secretary presented to the Governor for his approval.

Resolve Providing Funds for Dental Education. (S. P. 260) (L. D. 640)

(On motion by Mr. Berry of Cumberland, placed on the Special Appropriations Table.)

Emergency

An Act to Permit School Administrative Districts to Join Together. (S. P. 396) (L. D. 1029)

(On motion by Mr. Berry of Cumberland, placed on the Special Appropriations Table.)

Emergency

An Act Permitting Town of Brunswick to Raise Money for Boarding Home. (H. P. 394) (L. D. 541)

This being an emergency measure and having received the affirmative vote of 30 members of the Senate, was Passed to be Enacted, and having been signed by the President, was by the Secretary presented to the Governor for his approval.

Emergency

An Act to Authorize the Plantation of Matinicus Isle to Form a School Administrative District. (H. P. 482) (L. D. 695)

(On motion by Mr. Berry of Cumberland, placed on the Special Appropriations Table.)

Orders of the Day

On motion of Mr. Mills of Franklin, the Senate voted to take from the table the 29th tabled and unassigned matter (S. P. 340) (L. D. 873) Bill, "An Act Relating to Abandonment off Highways." Tabled April 6 by Senator Mills of Franklin pending consideration.

On further motion by the same Senator, the Senate voted to recede and concur with the House.

On motion of Mr. Lund of Kennebec, the Senate voted to take from the table the 10th tabled and unassigned matter (H. P. 178) (L. D. 241) Bill, "An Act Relating to Carrying Operator's License when

Operating Motor Vehicle." Tabled March 16 by Senator Lund of Kennebec pending Passage to be Engrossed.

On further motion by the same Senator, the Senate voted to reconsider its action whereby it adopted Committee Amendment "A". Then on further motion by the same Senator, Committee Amendment "A" was indefinitely postponed. Then the same Senator presented Senate Amendment "B". Senate Amendment "B", Filing and moved its adoption. S-65 was read by the Secretary as follows:

SENATE AMENDMENT "B" to H. P. 178, L. D. 241, Bill, "An Act Relating to Carrying Operator's License when Operating Motor Vehicle."

Amend said Bill by adding at the end (same in L. D. 241) the following underlined sentence: 'If the person charged shall exhibit to a state police officer designated by the summoning officer such an operator's license, not later than 24 hours before the time set for the court appearance, then the complaint shall not issue.'

Senate Amendment "B" was adopted.

Then on further motion by the same Senator, and under suspension of the rules, the Bill was passed to be engrossed as amended by House Amendment "A" and Senate Amendment "B".

Sent down for concurrence.

On motion of Mr. Stern of Penobscot, the Senate voted to take from the table the 23rd tabled and unassigned matter (S. P. 83) (L. D. 164) Bill, "An Act Relating to Licensing of Premises for Dancing Purposes." Tabled April 4 by Senator Stern of Penobscot pending consideration.

On further motion by the same Senator, the Senate voted to recede and concur with the House, and on further motion by the same Senator the Senate voted to reconsider its action whereby it voted to recede and concur with the House. On further motion by the same Senator the Senate voted to reconsider its action whereby it passed the Bill to be engrossed.

House Amendment "A" was read and adopted. Then the same Senator presented Senate Amendment "A" and moved its adoption.

Senate Amendment "A", Filing S-64, was read by the Secretary as follows:

SENATE AMENDMENT "A" to S. P. 83, L. D. 164, Bill, "An Act Relating to Licensing of Premises for Dancing Purposes."

Amend said Bill in that part designated "§ 161" by striking out all of the 5th underlined paragraph and inserting in place thereof the following underlined paragraph:

'A fee of \$10 shall be fixed by the Insurance Commissioner for said license and said fee shall be credited to the Division of Fire Prevention.'

Senate Amendment "A" was adopted and, under suspension of the rules, the Bill, as amended by House Amendment "A" and Senate Amendment "B" was passed to be engrossed, in non-concurrence.

Sent down for concurrence.

Mr. Mills of Franklin was granted unanimous consent to address the Senate.

Mr. MILLS: Mr. President and Members of the Senate: I hope it isn't inappropriate for me to do this, being from another County, but at the same time, I knew him personally, and I would like to call to the attention of the Senate the death of Arthur Spear, who was here for 14 years, who died yesterday in Portland who was such a benefactor of the State, and particularly the youth of the State, I think we should note with sadness his passing. Senator Spear was first known to me when I came here 38 years ago. I came here in the Hall of the House as a boy and spoke in the Spear contest. He gave the awards that year, and I remember very distinctly his easy manner in stating the reasons

for setting up the very well known Lydia O. Hamlin Spear Prize Speaking Contest, which has benefitted probably thousands of youngsters in the State of Maine since that time and before, because I can't remember when they started, put it was certainly 40 years ago, it was in memory of his mother. Mr. Shute, the Representative from Farmington was the winner of the first prize some years after that, and probably others of the Legislature participated in those contests over the State.

Arthur Spear is probably best remembered by perhaps the President and others of us were around here during the days of Governor Sewall as the very respected and congenial friend of Governor Sewall and Republican floor leader of the Senate during those times. He was in the real estate business, and I think he originated Spear Folks in the candy business. He was a native of Standish. He was a great aviation enthusiast just as, of course, Governor Sewall was — he was an Ace in World War I. He is remembered, I am sure, for his friendly, congenial and easy manner. I think it is little known perhaps that he was a world traveler and he was a great authority on international relations. When the Committee on International Relations was established in Portland about 15 years ago, he was one of the founding members of it and was associated with it whenever he was not traveling abroad. I am sure that he lived a fine and full life, and it is with sadness that we note the passing of such a man who was able to represent the County of Cumberland for 14 years in this Senate.

The adjournment order having been received from the House, on motion by Mr. Ross of Piscataquis, adjourned until Tuesday April 11th at ten o'clock in the morning.