

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

Wednesday, April 26, 1967

Senate called to order by the President.

Prayer by Rev. Raymond B. Wilbur of Brewer.

Reading of the Journal of yesterday.

House Papers**Joint Resolution**

WHEREAS, Vaughan M. Daggett, who died on November 12, 1966, was a loyal and valued employee of the State Highway Commission for nearly thirty-eight years, serving the last eleven years as Chief Engineer; and

WHEREAS, his deep concern for the public interest reflected sterling qualities of character and mind; and

WHEREAS, his engineering ability and integrity were always applied for the benefit of those he served — the citizens of Maine; and

WHEREAS, he did much to encourage the youth of our state to follow the engineering profession and thus aid the growth and progress of Maine; and

WHEREAS, he was responsible for the engineering of the Interstate Highway System in Maine; and

WHEREAS, one of his last official duties before his death was to cut the ribbon to open the 27.7-mile section of I-95 south of Medway: now, therefore, be it

RESOLVED, that a copy of this Joint Resolution and an engrossed copy of Legislative Document Number 1531 to designate the bridges across the Penobscot River at Medway as the "Vaughan M. Daggett Memorial Bridges" be sent to the family of Vaughan M. Daggett (H. P. 1123)

Comes from the House, Read and Adopted.

Which was Read and Adopted in concurrence.

Bill "An Act Clarifying the Location of Town Line Between China and Winslow." (H. P. 1118) (L. D. 1595)

Comes from the House, referred to the Committee on Legal Affairs.

Which was referred to the Committee on Legal Affairs in concurrence.

Orders

The PRESIDENT: The Chair recognizes the Senator from Somerset, Senator Johnson.

Mr. JOHNSON of Somerset: Mr. President on behalf of myself as representative of the Republican Party and on behalf of Senator Harding on behalf of the Democratic Party, I present an Order and move its passage.

The Secretary read the Order.

ORDERED: that a message be sent to the House of Representatives proposing a Convention of both branches of the Legislature be held at 11:30 A. M. today in the Hall of the House for the purpose of extending to His Excellency, Governor Kenneth M. Curtis, his guest, the Honorable Robert M. Crocker, and his official party an invitation to attend the Convention and address to the same such remarks as either the Governor or his guests may be pleased to make.

Which was Read and Passed.

Thereupon, the President appointed Senator Johnson and Senator Harding to deliver the message. The Senators delivered the message and subsequently reported that they had performed the duty assigned to them.

Mr. LUND of Kennebec presented an Order and moved its passage. The Secretary read the Order.

ORDERED, the House concurring, that the members of the Joint Standing Committee on Public Utilities be authorized to travel to Rowe, Massachusetts to inspect the nuclear power plant at Rowe and that the expense of the same be charged to the Legislative appropriation. (S. P. 613)

Which Order was read and Passed, and on further motion by the same Senator, sent forthwith to the House for concurrence.

Committee Reports**House****Leave to Withdraw**

The Committee on Legal Affairs on Bill "An Act Relating to Pen-

sions for Members of the Police and Fire Departments of the City of Portland." (H. P. 1043) (L. D. 1515)

Reported that the same should be granted Leave to Withdraw.

Comes from the House, report Read and Accepted.

The Committee on Liquor Control on Bill "An Act Providing Local Option for Sunday Sales of Liquor by Hotels, Restaurants and Taverns." (H. P. 70) (L. D. 95)

Reported that the same should be granted Leave to Withdraw.

Comes from the House, report Read and Accepted.

Which reports were Read and Accepted in concurrence.

Ought Not to Pass

The Committee on Industrial and Recreational Development on Bill "An Act Changing the Name of the Department of Economic Development to the Department of Commerce and Industry." (H. P. 860) (L. D. 1273)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

The Committee on Legal Affairs on Bill "An Act Relating to Establishment, Prevention and Redemption of Liens." (H. P. 850) (L. D. 1264)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

Which reports were Read and Accepted in concurrence.

Ought to Pass

The Committee on Appropriations and Financial Affairs on Bill "An Act Repealing Bond Issue for Dining Facilities for the Maine Maritime Academy." (H. P. 129) (L. D. 193)

Reported that the same Ought to Pass.

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

The Committee on Appropriations and Financial Affairs on Bill "An Act Relating to Allocation of Funds for Purchase of Real Estate by State." (H. P. 438) (L. D. 613)

Reported that the same Ought to Pass.

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

The Committee on State Government on Bill "An Act to Permit the Interchange of Government Employees." (H. P. 724) (L. D. 1048)

Reported that the same Ought to Pass.

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

The Committee on State Government on Bill "An Act Revising Names of Bureaus in Department of Agriculture." (H. P. 698) (L. D. 979)

Reported that the same Ought to Pass.

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

(On motion by Mr. Barnes of Aroostook, tabled and specially assigned for Wednesday, May 3, pending acceptance of the Committee Report.)

The Committee on State Government on Bill "An Act to Clarify the Organization of the Department of Health and Welfare." (H. P. 918) (L. D. 1327)

Reported that the same Ought to Pass.

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

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

Ought to Pass — As Amended

The Committee on Appropriations and Financial Affairs on Bill "An Act to Make Allocations from Bond Issue for Construction and Equipment of Pollution Abatement Facilities." (H. P. 622) (L. D. 878)

Reported that the same Ought to Pass As Amended by Committee Amendment "A". (H-204)

Comes from the House, report Read and Accepted and the Bill Passed to be Engrossed, As Amended.

Which report was Read and Accepted in Concurrence and the Bill read once. Committee Amendment "A" was Read and Adopted, and the Bill, As Amended, tomorrow assigned for second reading.

Ought to Pass in New Draft

The Committee on Inland Fisheries and Game on Bill "An Act Relating to Closed Season on Bear." (H. P. 188) (L. D. 277)

Reported that the same Ought to Pass in New Draft under title of An Act Relating to Closed Season on Black Bear. (H. P. 1119) (L. D. 1591)

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

The PRESIDENT: The Chair recognizes the Senator from Piscataquis, Senator Ross.

Mr. ROSS of Piscataquis: Mr. President and Members of the Senate: I would like to give you a brief history on some of these bear laws, and then I will make a motion.

In the first place, the Department of Inland Fisheries and Game wanted to make the bear a game animal, so in the 101st Legislature they came out with a bill closing the season on the black bear for January, February and March only. Well, I opposed that bill on the grounds that the bear closes that season himself because he goes to bed and hibernates, as everybody knows, and the bill was killed. So the next session in the 102nd they came out with the same bill. I appeared before the Committee and I said "If the Department is sincere in making the bear a game animal, let's make it one and let's close it until the first day of August whereby you are not shooting a mother bear before that time so the cubs die." I couldn't get it over until the first of August, so we did compromise on June 1st.

Shortly after that there was an editorial in the Bangor Daily News, and I might say that the editorial writer was certainly a prophet because he said, and I quote: "Bears are big business in Maine." And he said, "It was not until the last session of the Maine Legislature that the black bear was given any protection whatsoever, and then it was a limited closed season, something of a reprieve until the Legislature meets again and countless other bear bills make their appearance." Well, he didn't know

how truly he was prognosticating the thing.

The Sebec Lake Fish and Game Club, with 323 members, which happens to be in my county, is unanimously in favor of leaving the bear situation just the way it is, June 1st. As I told you, it was a compromise date, and you do save some cubs because from that date on they should be fairly well able to take care of themselves.

As far as the trapping goes, at the present time the seasons are mixed up if we don't kill this bill, because the trapping season is now, under the new bill, to open June 1st, and this bill would open the hunting season May 15th, so you would have a conflict. Also, the Fish and Game Club would like the two dates to coincide, and I therefore move for the indefinite postponement of this bill and all its accompanying papers.

The PRESIDENT: The Senator from Piscataquis, Senator Ross, moves that we now indefinitely postpone the bill and its accompanying papers. Is the Senate ready for the question?

All those in favor of indefinite postponement say "Yes." Those opposed, "No."

A viva-voce vote being taken, the motion prevailed, and the Bill with all accompanying papers was indefinitely postponed in non-concurrence.

Sent down for concurrence.

The Committee on Retirements and Pensions on Resolve to Permit David Carnevale to Obtain Disability Retirement Allowance." (H. P. 544) (L. D. 776)

Reported that the same Ought to Pass in New Draft under title of Resolve Providing for a State Pension for David Carnevale of Saco. (H. P. 1121) (L. D. 1593)

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

Which report was Read and Accepted in Concurrence. The Resolve was read once in New Draft, and tomorrow assigned for second reading.

Senate**Ought to Pass in New Draft**

Mr. Sewall for the Committee on Natural Resources on Bill "An Act to Regulate the Alteration of Wetlands." (S. P. 507) (L. D. 1221)

Reported that the same Ought to Pass in New Draft, same title, (S. P. 612)

Which report was Read and Accepted and the Bill, in New Draft read once and tomorrow assigned for Second Reading.

Second Readers

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

House

Bill "An Act Relating to the Hunting of Muskrat, Mink, Otter and Fisher by Indians." (H. P. 670) (L. D. 942)

Bill "An Act Relating to Definition of Sporting Camp Under Fish and Game Laws." (H. P. 359) (L. D. 506)

Resolve Increasing Retirement Benefit of Charles S. Hulbert of Shin Pond. (H. P. 914) (L. D. 1323)

Bill "An Act Providing Relocation Assistance by Municipalities." (H. P. 729) (L. D. 1053)

Which were Read a Second Time and Passed to be Engrossed in Concurrence.

House — As Amended

Bill "An Act Permitting Northern Maine General Hospital of Eagle Lake to Maintain Medical or Social Care Institution." (H. P. 889) (L. D. 1303)

Bill "An Act Relating to Charges by Camp Owners Under Fish and Game Laws to Hunters or Fishermen." (H. P. 360) (L. D. 507)

(On motion by Mr. Lund of Kennebec, tabled pending Passage to be Engrossed.)

Bill "An Act Amending the Charter of the Town of Falmouth." (H. P. 760) (L. D. 1107)

Bill "An Act Relating to Payment of Fees to Secretary of State Resulting in Protest." (H. P. 167) (L. D. 230)

Which were Read a Second Time and Passed to be Engrossed, As Amended, in concurrence.

Bill "An Act Relating to Unity Institute." (H. P. 934) (L. D. 1350)

Which was Read a Second Time and Passed to be Engrossed As Amended by House Amendment "B" and Senate Amendment "A" in non-concurrence.

Senate

Resolve Authorizing the Sale of State Land Located at Thomaston. (S. P. 357) (L. D. 941)

Bill "An Act Relating to Number of Officers of Associated Hospital Service of Maine." (S. P. 549) (L. D. 1395)

Resolve Proposing an Amendment to the Constitution to Grant Adult Rights to Persons Twenty Years of Age and to Reduce the Voting Age to Twenty Years. (S. P. 599) (L. D. 1580)

Which were Read a Second Time and Passed to be Engrossed.

Sent down for concurrence.

Senate — As Amended

Resolve Authorizing the Disposal of Northern Maine Sanatorium. (S. P. 239) (L. D. 564)

Which was Read a Second Time and Passed to be Engrossed, As Amended by Committee Amendment "A".

Sent down for concurrence.

At Ease

Called to Order by the President.

A message was received from the House, through Representative Richardson of Cumberland, concurring in the proposition for a Joint Convention at 11:30 A.M. in the Hall of the House to hear such remarks from His Excellency, the Governor and his invited guests as they care to make.

Enactors

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

An Act Relating to Expending Aroostook County Funds for Ricker College. (H. P. 77) (L. D. 102)

An Act Relating to Carrying Operator's License When Operating Motor Vehicle. (H. P. 178) (L. D. 241)

An Act to Clarify the Motor Vehicle Laws. (S. P. 115) (L. D. 264)

An Act Relating to a Closed Season on Wild Hares and Rabbits in Washington and York Counties. (H. P. 219) (L. D. 309)

An Act Authorizing Beal Business School to Confer Associate Degrees. (S. P. 154) (L. D. 325)

An Act Relating to Published Records of Vital Statistics Purchased by the State Library. (H. P. 378) (L. D. 525)

An Act Relating to Compensation of Patients and Inmates at State Institutions. (H. P. 446) (L. D. 621)

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

An Act Relating to Maternity Homes or Hospitals. (H. P. 485) (L. D. 698)

An Act Relating to Municipal Expenses in District Courts. (H. P. 597) (L. D. 826)

An Act Relating to Application for Aid to Aged, Blind or Disabled. (H. P. 603) (L. D. 847)

An Act Relating to Limited-user Highways. (S. P. 340) (L. D. 873)

An Act Authorizing Positions for Casework Services to the Blind. (H. P. 649) (L. D. 902)

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

An Act Relating to Claims Against Estates of Deceased Recipients of Aid to the Aged, Blind and Disabled. (H. P. 690) (L. D. 971)

(On motion by Mr. Johnson of Somerset, tabled pending Enactment.)

An Act Relating to Earned Income of Recipients of Aid to the Aged, Blind or Disabled and Aid to Dependent Children. (H. P. 706) (L. D. 1001)

An Act Amending Incorporation of and Extending Charter of R. and T. Cement Railroad Company. (H. P. 715) (L. D. 1010)

An Act Relating to State Prison Prisoners' Attendance at Funerals or Deathbed Visits. (H. P. 740) (L. D. 1063)

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

An Act Relating to Limit to Hold Property of the East Liver-

more Campmeeting Association. (H. P. 758) (L. D. 1105)

An Act to Clarify the Purposes of Northeast District of the Unitarian Universalist Association. (H. P. 759) (L. D. 1106)

An Act Relating to Salaries of Board of Trustees of Brunswick Sewer District. (H. P. 761) (L. D. 1108)

An Act Relating to Time of Municipal Election in City of Westbrook. (H. P. 787) (L. D. 1149)

An Act Relating to Trespass on Lands Appurtenant to State Colleges. (H. P. 795) (L. D. 1173)

An Act Making Mandatory the Reporting of Blindness to the Department of Health and Welfare. (H. P. 887) (L. D. 1301)

An Act Relating to Rules and Regulations of Department of Health and Welfare Regarding Health of Employees. (H. P. 888) (L. D. 1302)

An Act Relating to Qualifications of Superintendents at the State Hospitals for the Mentally Ill and Mentally Retarded. (H. P. 935) (L. D. 1351)

An Act Repealing Law Relating to Medical Care Accumulation Fund. (H. P. 987) (L. D. 1428)

An Act Providing for Volunteer Services Within Department of Health and Welfare. (H. P. 988) (L. D. 1429)

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

An Act Relating to Inspection Stickers for Motor Vehicles. (H. P. 1102) (L. D. 1569)

(On motion by Mr. Ferguson of Oxford, placed on the Special Highway Appropriations Table.)

An Act Relating to Voting Rights in Protestant Episcopal Church in the Diocese of Maine. (H. P. 1112) (L. D. 1581)

An Act Relating to Deposit of Ballots in Ballot Box. (S. P. 603) (L. D. 1585)

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, in Favor of the City of Augusta. (H. P. 7) (L. D. 19)

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

Resolve, Reimbursing Certain Municipalities on Account of Property Tax Exemptions of Veterans. (S. P. 173) (L. D. 365)

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

Resolve Designating Certain Bridges of the Interstate System Across the Penobscot River as "Vaughan M. Daggett Memorial Bridges." (H. P. 1058) (L. D. 1531)

Which Resolve was Finally Passed and having been signed by the President, was by the Secretary presented to the Governor for his approval.

Emergency

An Act Establishing the Lewiston-Auburn Water Pollution Control Authority. (H. P. 535) (L. D. 770)

This being an emergency measure and having received the affirmative vote of 31 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 Granting Knox Agricultural Society Right to Construct Grandstand Across St. George River. (H. P. 832) (L. D. 1240)

This being an emergency measure and having received the affirmative vote of 32 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 Relating to Exporting of Sardines. (S. P. 602) (L. D. 1584)

This being an emergency measure and having received the affirmative vote of 32 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.

Orders of the Day

The President laid before the Senate the first tabled and today assigned matter, (S. P. 594) (L. D. 1572) Bill, "An Act to Revise Utility Location Permits on Public Highway." Tabled April 21 by Senator Ferguson of Oxford, pending Consideration.

On motion by Mr. Ferguson of Oxford, and under suspension of the rules, the Senate voted to reconsider its action whereby it passed the bill to be engrossed.

The same Senator offered Senate Amendment "A" and moved its adoption.

Senate Amendment "A" was read by the Secretary as follows:

SENATE AMENDMENT "A" to S. P. 594, L. D. 1572, Bill, "An Act to Revise Utility Location Permits in Public Highways."

Amend said Bill in that part designated "§ 2483." of section 6 by adding to subsection 1 the following new paragraphs C and D:

C. "Federal aid highway system" shall consist of Highways selected or designated by the State Highway Commission and approved by the Secretary, Department of Transportation, in accordance with 23 U. S. Code Section 103.

D. "Compact areas" shall in section 2346 and this section mean an area within a municipality having a population over 5,000 where structures on land adjacent to the highway are nearer than 200 feet apart for a distance of $\frac{1}{4}$ of a mile.

Senate Amendment "A" was adopted.

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

Sent down for concurrence.

On motion by Mr. Berry of Cumberland, the Senate voted to take from the table the 45th tabled and unassigned matter, (S. P. 582) (L. D. 1546) Bill, "An Act Appropriating Moneys for Research Study of Pesticides." Tabled April 25th by Senator Berry of Cumberland, pending Enactment.

On further motion by the same Senator, and under suspension of the rules, the Senate voted to reconsider its action whereby it passed the bill to be engrossed.

The same Senator offered Senate Amendment "A" and moved its adoption.

Senate Amendment "A" was read by the Secretary as follows: 'SENATE AMENDMENT "A" to S. P. 582, L. D. 1546, Bill, "An Act Appropriating Moneys for Research Study of Pesticides,"

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

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

Sent down for concurrence.

On motion by Mr. MacLeod of Penobscot, the Senate voted to take from the table the 42nd tabled and unassigned matter, (H. P. 801) (L. D. 1178) House Report — Ought to Pass as Amended by Committee Amendment "A" filing H-198 from the Committee on Legal Affairs on Bill, "An Act Relating to Approval of Ward Boundaries of the City of Brewer." Tabled April 25th by Senator MacLeod of Penobscot, pending Acceptance of Report.

On motion by the same Senator the Senate voted to accept the Ought to Pass as Amended Committee Report. The Bill was given its first reading.

Committee Amendment "A" was read by the Secretary and adopted, and the Bill as amended tomorrow assigned for second reading.

On motion by Mr. Wyman of Washington, the Senate voted to take from the table the 30th tabled and unassigned matter, (H. P. 726) (L. D. 1050) House Report — Ought to Pass from the Committee on State Government on "Resolve, Authorizing Director of Public Improvements to Convey Land in Hallowell to City of Hallowell." Tabled April 18 by Senator Wyman of Washington, pending Acceptance of Report.

On further motion by the same Senator, the Senate voted to accept the Ought to Pass Committee Report. The Resolve was given its first reading and tomorrow assigned for second reading.

At Ease

Called to Order by the President.

The Senate retired to the Hall of the House of Representatives where a Joint Convention was formed.

(For proceedings of Joint Convention, see House Report.)

After Joint Convention

Called to order by the President.

On motion by Mr. Ross of Piscataquis,

Adjourned until ten o'clock tomorrow morning.