

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fourth
Legislature*

OF THE

STATE OF MAINE

1969

KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Wednesday, January 29, 1969

Senate called to order by the Secretary.

Prayer by the Rev. Warren H. Benner of Hallowell.

Reading of the Journal of yesterday.

On motion by Mr. Katz of Kennebec, the Senate voted that Mr. Berry of Cumberland serve as President pro tem for the remainder of today's session.

Thereupon, the Sergeant-at-Arms escorted Mr. Berry to the rostrum where he assumed the duties of President pro tem.

**Papers From The House
Non-concurrent matter**

Bill, "An Act Appropriating Moneys for Vocational and Technical Institute in Waterville." (S. P. 83) (L. D. 280)

In the Senate January 22, referred to the Committee on Education.

Comes from the House, referred to the Committee on Appropriations and Financial Affairs in non-concurrence.

On motion by Mr. Katz of Kennebec, tabled and tomorrow assigned pending consideration.

Joint Order

WHEREAS, the Maine Legislature has set off and established for the public benefit and good order of the people of this State, a vast area known as the Allagash Wilderness Waterway; and

WHEREAS, the Great Northern Paper Company, by act of great generosity, has donated 770 acres of scenic lake and river frontage to expand this wondrous wilderness park; and

WHEREAS, the magnitude of this gift exemplifies the company's longstanding interest in preserving one of Maine's greatest treasures for countless generations to come; now therefore, be it

ORDERED, the Senate concurring, that the Members of the 104th Maine Legislature, by this joint order, do hereby make this public tribute to the Great Northern Paper Company in grateful appreciation for their invaluable

and lasting contributions to the Allagash Wilderness Waterway and public interest of this State; and be it further

ORDERED, that the Secretary of the Senate cause a certified copy of this Joint Order to be presented to the Great Northern Paper Company in token of our gratitude. (H. P. 364)

Comes from the House Read and Passed.

Which was Read and Passed in concurrence.

House Papers

Bill, "An Act Providing the Maine Insurance Code." (H. P. 201) (L. D.)

Comes from the House Referred to the Committee on Business Legislation.

Which was referred to the Committee on Business Legislation in concurrence.

Senate Papers

Claims

Mr. Beliveau of Oxford presented Resolve, to Reimburse Clyde Rollins of Rumford for Damage by Highway Construction. (S. P. 132) (L. D. 416)

Which was referred to the Committee on Claims and Ordered Printed.

Sent down for concurrence.

Education

Mr. Beliveau of Oxford presented Bill, "An Act Relating to Construction or Acquisition of School Buildings for Mentally Retarded Children." (S. P. 133) (L. D. 417)

Which was referred to the Committee on Education and Ordered Printed.

Sent down for concurrence.

Health and Institutional Services

Mr. Stuart of Cumberland presented Bill, "An Act to Require Fluoridation of Water Supplies Used for Public Purposes." (S. P. 134) (L. D. 418)

Which was referred to the Committee on Health and Institutional Services and Ordered Printed.

Sent down for concurrence.

Inland Fisheries and Game

Mr. Logan of York presented Bill, "An Act Providing

Complimentary Hunting Licenses to Maine Residents over 70 Years of Age." (S. P. 135) (L. D. 419)

Mr. Hanson of K e n n e b e c presented Bill, "An Act Providing for a Guest Fishing License." (S. P. 136) (L. D. 420)

Which were referred to the Committee on Inland Fisheries and Game and Ordered Printed.

Sent down for concurrence.

Judiciary

Mr. Quinn of P e n o b s c o t presented Bill, "An Act Relating to Appointment of Clerk Pro Tempore of the Judicial Court." (S. P. 139) (L. D. 421)

The same Senator presented Bill, "An Act Relating to Approval of Court Term Bills." (S. P. 140) (L. D. 422)

Mr. Logan of York presented Bill, "An Act Relating to Control of Riots." (S. P. 141) (L. D. 423)

Mr. Berry of C u m b e r l a n d presented Bill, "An Act relating to Powers and Duties of the Attorney General." (S. P. 142) (L. D. 424)

Mr. Beliveau of Oxford presented Bill, "An Act Relating to Trial Terms of the Superior Court." (S. P. 143) (L. D. 425)

Which were referred to the Committee on Judiciary and Ordered Printed.

Sent down for concurrence.

Labor

Mr. Beliveau of Oxford presented Bill, "An Act Revising the Bedding and Upholstered Furniture Law." (S. P. 145) (L. D. 426)

Which was referred to the Committee on Labor and Ordered Printed.

Sent down for concurrence.

Legal Affairs

Mr. Quinn of P e n o b s c o t presented Bill, "An Act Ratifying Easement Conveyed by the State of Maine to the Bangor Water District." (S. P. 146) (L. D. 427)

The same Senator presented Resolve, Authorizing Conveyance of State Land to the City of Bangor. (S. P. 147) (L. D. 428)

Which were referred to the Committee on Legal Affairs and Ordered Printed.

Sent down for concurrence.

Liquor Control

Mr. Hanson of K e n n e b e c presented Bill, "An Act Relating to Display of Maine Products in State Liquor Stores." (S. P. 148) (L. D. 429)

Mr. Beliveau of Oxford presented Bill, "An Act Repealing Right of Appeal from Decisions of Administrative Hearing Commissioner to the State Liquor Commission." (S. P. 149) (L. D. 430)

Which were referred to the Committee on Liquor Control and Ordered Printed.

Sent down for concurrence.

Natural Resources

Mr. Berry of C u m b e r l a n d presented Bill, "An Act Revising the Law Regulating the Alteration of Wetlands." (S. P. 150) (L. D. 431)

Which was referred to the Committee on Natural Resources and Ordered Printed.

Sent down for concurrence.

State Government

Mr. Quinn of P e n o b s c o t presented Bill, "An Act Increasing the Number of Official Court Reporters." (S. P. 137) (L. D. 434)

The same Senator presented Bill, "An Act Increasing Number of Justices of the Superior Court." (S. P. 138) (L. D. 473)

(On motion by Mr. Mills of Franklin, tabled and tomorrow assigned pending Reference.)

Mr. Beliveau of Oxford presented Bill, "An Act Increasing Salaries and Duties of Liquor Commissioners Other Than the Chairman." (S. P. 151) (L. D. 432)

Mr. Berry of C u m b e r l a n d presented Bill, "An Act Relating to Expenses of State Liquor Commission." (S. P. 152) (L. D. 433)

Which, except for the tabled matter, were referred to the Committee on State Government and Ordered Printed.

Sent down for concurrence.

Taxation

Mr. Beliveau of Oxford presented Bill, "An Act Eliminating Dedicated Funds from Stuffed Toy Law." (S. P. 144) (L. D. 435)

Which was referred to the Committee on Taxation and Ordered Printed.

Sent down for concurrence.

Towns and Counties

Mr. Beliveau of Oxford presented Bill, "An Act Increasing Salary of Sheriff of Oxford County." (S. P. 153) (L. D. 436)

Which was referred to the Committee on Towns and Counties and Ordered Printed.

Sent down for concurrence.

Transportation

Mr. Barnes of Aroostook presented Bill, "An Act Relating to Application for New Motor Vehicle Registration Plates and Issuance of Temporary Facsimile Plates." (S. P. 154) (L. D. 437)

Which was referred to the Committee on Transportation and Ordered Printed.

Sent down for concurrence.

Committee Reports

House

Ought to Pass

The Committee on Appropriations and Financial Affairs on Bill, "An Act Relating to Overtime Payments to Employees of Augusta State Hospital, Bangor State Hospital, Pineland Hospital and Training Center and Governor Baxter State School for the Deaf." (Emergency) (H. P. 203) (L. D. 227)

Reported that the same Ought to Pass.

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

The Committee on Education on Bill, "An Act to Validate Certain Proceedings Authorizing the Issuance of Bonds and Notes by School Administrative District No. 54." (H. P. 58) (L. D. 60)

Reported that the same Ought to Pass.

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

The Committee on Highways on Resolve, Designating a Certain Highway in York County as Harold L. Dow Highway. (H. P. 33) (L. D. 34)

Reported that the same Ought to Pass.

Comes from the House, the Report Read and Accepted and the Resolve Passed to be Engrossed.

The Committee on Taxation on Bill, "An Act Relating to Enforcement of Real Estate Taxes in Unorganized Territory." (H. P. 103) (L. D. 111)

Reported that the same Ought to Pass.

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

The Committee on Taxation on Bill, "An Act Relating to Poll Tax Agents of the State Tax Assessor." (H. P. 104) (L. D. 112)

Reported that the same Ought to Pass.

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

The Committee on Taxation on Bill, "An Act Relating to Confiscated Cigarettes." (H. P. 106) (L. D. 114)

Reported that the same Ought to Pass.

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

The Committee on Taxation on Bill, "An Act Relating to Poll Taxes Paid to Prentiss Plantation." (H. P. 78) (L. D. 78)

Reported that the same Ought to Pass.

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

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

Ought to Pass - As Amended

The Committee on Taxation on Bill, "An Act Relating to Taxation of Railroad Located Right-of-way." (H. P. 107) (L. D. 115)

Reported that the same Ought to Pass as amended by Committee Amendment "A".

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

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.

**Senate
Ought to Pass**

Mr. Gordon for the Committee on Transportation on Bill, "An Act Relating to Application for Registration of Motor Vehicle by Minor Under 15 years of Age." (S. P. 49) (L. D. 152)

Reported that the same Ought to Pass.

Which Report was Read and Accepted, the Bill Read Once and tomorrow assigned for Second Reading.

Mr. Wyman for the Committee on State Government on Resolve, Authorizing Attorney General to Convey Interest of the State in Certain Lands in Cumberland County. (Emergency) (S. P. 25) (L. D. 53)

Reported that the same Ought to Pass.

Which report was Read and Accepted, the Resolve Read Once and tomorrow assigned for Second Reading.

Second Readers

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

House

Bill, "An Act Relating to Membership and Expenses of Maine Recreation Authority." (H. P. 70) (L. D. 70)

Bill, "An Act Relating to United States Property and Fiscal Officer Under Military Law." (H. P. 71) (L. D. 71)

Bill, "An Act Prohibiting the Taking of Striped or Sea Bass in Tidal Waters Except by Hand Line or Rod and Reel." (Emergency) (H. P. 251) (L. D. 241)

Which were Read a Second Time and Passed to Be Engrossed in concurrence.

House - As Amended

Bill, "An Act Appropriating Moneys to Carry Out Duties of the Attorney General." (Emergency) (H. P. 111) (L. D. 127)

Which was Read a Second Time and Passed to Be Engrossed, as Amended, in concurrence.

Senate - As Amended

Bill, "An Act Relating to Settlement with Joint Tortfeasors." (S. P. 41) (L. D. 124)

Bill, "An Act Relating to Workmen's Compensation Third-Party Actions." (S. P. 42) (L. D. 125)

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 Bills:

Emergency

Bill, An Act Increasing Indebtedness of Baileyville School District. (H. P. 27) (L. D. 28)

This Bill, 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

Bill, An Act to Validate Certain Proceedings Authorizing the Issuance of Bonds and Notes by School Administrative District No. 47. (H. P. 28) (L. D. 29)

This Bill, 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.

Orders of the Day

The President pro tem laid before the Senate the first tabled and specially assigned matter, Bill, "An Act Appropriating Funds for a Two-Classroom Building at Somerville Plantation" (H. P. 267) (L. D. 343).

Comes from the House, referred to the Committee on Education and Ordered Printed.

Tabled January 28, 1969 by Senator Dunn of Oxford, pending Reference.

On motion by Mr. Dunn of Oxford, referred to the Committee on Appropriations and Financial Affairs and Ordered Printed in non-concurrence.

Sent down for concurrence.

The President pro tem laid before the Senate the second tabled and specially assigned matter, Bill, "An Act Relating to Holding Property by Cumberland Farmers' Club" (H. P. 286) (L. D. 362).

Comes from the House referred to the Committee on Legal Affairs and Ordered Printed.

Tabled January 28, 1969 by Senator Logan of York, pending Reference.

On motion by Mr. Logan of York, referred to the Committee on Legal Affairs and Ordered Printed in concurrence.

The President pro tem laid before the Senate the third tabled and specially assigned matter, Bill, "An Act Relating to Approval of Appointment of Assistant County Attorney for Washington County" (H. P. 299) (L. D. 375).

Comes from the House referred to the Committee on State Government and Ordered Printed.

Tabled January 28, 1969 by Senator Wyman of Washington, pending Reference.

On motion by Mr. Wyman of Washington, referred to the Committee on Towns and Counties and Ordered Printed in non-concurrence.

Sent down for concurrence.

The President pro tem laid before the Senate the fourth tabled and specially assigned matter, Bill, "An Act Increasing the Salary of the County Attorney for Washington County" (H. P. 300) (L. D. 376).

Comes from the House referred to the Committee on State Government and Ordered Printed.

Tabled January 28, 1969 by Senator Wyman of Washington, pending Reference.

On motion by Mr. Wyman of Washington, referred to the Committee on Towns and Counties and Ordered Printed in non-concurrence.

Sent down for concurrence.

The President pro tem laid before the Senate the fifth tabled and specially assigned matter, Bill, "An Act Creating a Second Assistant County Attorney for the

County of York" (H. P. 302) (L. D. 378).

Comes from the House referred to the Committee on State Government and Ordered Printed.

Tabled January 28, 1969 by Senator Wyman of Washington, pending Reference.

On motion by Mr. Wyman of Washington, referred to the Committee on Towns and Counties and Ordered Printed in non-concurrence.

Sent down for concurrence.

The President pro tem laid before the Senate the sixth tabled and specially assigned matter, Bill, "An Act Relating to Settlement Status of Persons Residing in Rest Homes and Nursing Homes" (H. P. 36) (L. D. 37).

Comes from the House, Passed to be Engrossed, as Amended.

Tabled January 28, 1969 by Senator Peabody of Aroostook, pending Passage to be Engrossed.

Mr. Peabody of Aroostook presented Senate Amendment "A" and moved its adoption.

Senate Amendment "A", Filing No. S-5, was Read and Adopted and the Bill, as Amended, Passed to be Engrossed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Barnes of Aroostook, the Senate voted to take from the table Bill, "An Act Increasing Fee for Motor Vehicle Duplicate Licenses" (H. P. 304) (L. D. 380).

Comes from the House referred to the Committee on Highways and Ordered Printed.

Tabled January 28, 1969 by Senator Barnes of Aroostook, pending Reference.

On motion by Mr. Barnes of Aroostook, referred to the Committee on Transportation and Ordered Printed in non-concurrence.

Sent down for concurrence.

(Senate at Ease)

Called to order by the President pro tem.

Out of order and under suspension of the rules, the President pro tem laid before the Senate the following paper from the House:

Committee Report
House

Ought to Pass - As Amended

The Committee on Legal Affairs on Bill, "An Act Providing for a Council-Manager Charter for the Town of Winslow." (H. P. 5) (L. D. 5)

Reported that the same Ought to Pass As Amended by Committee Amendment "A".

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

Which Report was Read and Accepted and the Bill Read Once.

Committee Amendment "A" was Read and Adopted and, under suspension of the rules, the Bill, as Amended, was given its Second Reading and Passed to be Engrossed in concurrence.

(Off Record Remarks)

On motion by Mr. Hoffses of Knox,

Adjourned until 1:30 p. m. tomorrow afternoon.