

# 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**

Thursday, February 6, 1969

Senate called to order by the President.

Prayer by Rev. W. Harper Welch of Portland.

Reading of the Journal of yesterday.

Out of Order and Under Suspension of the Rules:

On motion by Mr. Hoffses of Knox,

ORDERED, the House concurring, that when the House and Senate adjourn, they adjourn to Tuesday, February 11, at 10 o'clock in the morning. (S. P. 233)

Which was Read and Passed.

Sent down forthwith for concurrence.

**House Papers**

Bills and Resolves today received from the House requiring reference to Committees were acted upon in concurrence.

**Senate Papers  
Agriculture**

Mr. Berry of Cumberland presented Bill, "An Act Immunizing Dogs Against Rabies." (S. P. 218) (L. D. 659)

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

Sent down for concurrence.

**Appropriations and  
Financial Affairs**

Mr. Dunn of Oxford presented Bill, "An Act to Appropriate Moneys for the Expenditure of State Government for the Fiscal Year Ending June 30, 1969." (Emergency) (S. P. 219) (L. D. 660)

Which was referred to the Committee on Appropriations and Financial Affairs and Ordered Printed.

Sent down for concurrence.

**Health and  
Institutional Services**

Mr. Cianchette of Somerset presented Bill, "An Act to Amend the Eating Place Licensing Law." (S. P. 220) (L. D. 668)

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

Sent down for concurrence.

**Inland Fisheries and Game**

Mr. Cianchette of Somerset presented Bill, "An Act Relating to Wild Animals in Captivity." (S. P. 221) (L. D. 661)

Mr. Reed of Sagadahoc presented Bill, "An Act Relating to Hunting Muskrat, Mink and Otter in Cumberland and Sagadahoc Counties." (S. P. 222) (L. D. 662)

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

Sent down for concurrence.

**Judiciary**

Mr. Beliveau of Oxford presented Bill, "An Act to Provide for the Expunging of Certain Records of Arrest." (S. P. 223) (L. D. 663)

The same Senator presented Bill, "An Act Relating to Communications Between Physicians and Patients." (S. P. 224) (L. D. 664)

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

Sent down for concurrence.

**Labor**

Mr. Beliveau of Oxford presented Bill, "An Act Relating to False Statements in Applications for Benefits Under the Employment Security Law." (S. P. 225) (L. D. 665)

The same Senator presented Bill, "An Act Relating to Filing Payroll Reports Under Employment Security Law." (S. P. 226) (L. D. 666)

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

Sent down for concurrence.

**Liquor Control**

Mr. Berry of Cumberland presented Bill, "An Act Relating to Permits for Certain Liquor Licensees Providing Entertainment." (S. P. 227) (L. D. 667)

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

Sent down for concurrence.

**Natural Resources**

Mr. Reed of Sagadahoc presented Bill, "An Act Creating the Maine Mineral Land Conservation Act." (S. P. 228) (L. D. 658)

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

Sent down for concurrence.

**State Government**

Mr. Beliveau of Oxford presented Bill, "An Act Relating to Duties of the Employment Security Commission." (S. P. 229) (L. D. 669)

Which was referred to the Committee on State Government and Ordered Printed.

Sent down for concurrence.

**Towns and Counties**

Mr. Beliveau of Oxford presented Bill, "An Act Increasing Salaries of County Officials of Oxford County." (S. P. 230) (L. D. 670)

Mr. Reed of Sagadahoc presented Bill, "An Act Increasing Payments to Lincoln County Law Library." (S. P. 231) (L. D. 671)

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

Sent down for concurrence.

**Transportation**

Mr. Beliveau of Oxford presented Bill, "An Act Relating to Driver's License Reexamination." (S. P. 232) (L. D. 672)

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

Sent down for concurrence.

**Orders**

On motion by Mr. Sewall of Penobscot,

ORDERED, that all Bills and Resolves carrying or requiring an appropriation or involving a loss of revenue that are in order to be passed to be enacted, or finally passed, shall, at the request of a member of the Committee on Appropriations and Financial Affairs, be placed on a special calendar to be called up for consideration only by a member of that committee.

Which was Read and Passed.

**Committee Reports**

**House**

**Leave to Withdraw**

The Committee on Business Legislation on Bill, "An Act to Incorporate Dead River Acceptance Credit Corporation." (H. P. 134) (L. D. 156)

Reported that the same be granted Leave to Withdraw.

Comes from the House the report Read and Accepted.

Which report was Read and Accepted in concurrence.

**Ought Not to Pass**

The Committee on Inland Fisheries and Game on Bill, "An Act Relating to Power Boats on Certain Waters in Washington County." (Emergency) (H. P. 63) (L. D. 65)

Reported that the same Ought Not to Pass.

Comes from the House the report Read and Accepted.

Which report was Read and Accepted in concurrence.

**Ought Not to Pass,**

**Covered by Other Legislation**

The Committee on Inland Fisheries and Game on Bill, "An Act Relating to Open Season on Muskrat on Portion of East Machias River, Washington County." (H. P. 62) (L. D. 64)

Reported that the same Ought Not to Pass as Covered By Other Legislation.

Comes from the House the report Read and Accepted.

Which report was Read and Accepted in concurrence.

**Ought to Pass**

The Committee on Legal Affairs on Bill, "An Act Converting the Plantation of Grand Lake Stream into the Town of Grand Lake Stream." (Emergency) (H. P. 39) (L. D. 40)

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 Legal Affairs on Bill, "An Act Changing Name of Methodist Church to United Methodist Church." (H. P. 146) (L. D. 172)

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 Veterans and Military Affairs on Bill, "An Act to Clarify the Law for the Establishment of Veterans Memorial Cemetery." (H. P. 156) (L. D. 182)

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 Veterans and Military Affairs on Bill, "An Act Relating to Residency Requirements for Aid to Dependents of Veterans." (H. P. 157) (L. D. 183)

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 Natural Resources on Bill, "An Act Relating to Powers of Park and Recreation Commission." (H. P. 195) (L. D. 242)

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 Read Once and tomorrow assigned for Second Reading.

#### Ought to Pass - As Amended

The Committee on Highways on Bill, "An Act Relating to the Authority to Regulate Motor Vehicle Speeds." (H. P. 60) (L. D. 62)

Reported that the same Ought to Pass as Amended by Committee Amendment "A". (Filing H-9)

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

The Committee on Taxation on Bill, "An Act Relating to Sales Tax on Sales of Boats to Nonresidents." (H. P. 126) (L. D. 142)

Reported that the same Ought to Pass as Amended by Committee Amendment "A". (Filing H-10)

Comes from the House the report Read and Accepted and the Bill

Passed to be Engrossed As Amended by Committee "A".

Which Reports were Read and Accepted in concurrence and the Bills Read Once. Committee Amendments "A" were Read and Adopted in concurrence, and the Bills, as Amended, tomorrow assigned for Second Reading.

#### Divided Report

The Majority of the Committee on Election Laws on Bill, "An Act Relating to Use of Nomination Papers for Council or School Board Membership in Town of Falmouth." (H. P. 89) (L. D. 98)

Reported that the same Ought Not to Pass.

Signed:

Senators:

ANDERSON of Hancock  
KATZ of Kennebec  
LETOURNEAU of York

Representatives:

MacPHAIL of Owl's Head  
PORTER of Lincoln  
HENLEY of Norway

The Minority of the same Committee on the same subject matter reported that the same Ought to Pass As Amended by Committee Amendment "A". (Filing H-14)

Signed:

Representatives:

VINCENT of Portland  
BOUDREAU of Portland  
GIROUX of Waterville  
CARTER of Winslow

Comes from the House the Majority Ought Not to Pass Report Read and Accepted.

Which reports were Read.

On motion by Mr. Anderson of Hancock, the Majority Ought Not to Pass Report was Accepted in concurrence.

#### Divided Report

The Majority of the Committee on Election Laws on Bill, "An Act Determining Position of Names of Candidates on Primary Ballots and Nominees on General Election Ballots." (H. P. 90) (L. D. 99)

Reported that the same Ought Not to Pass.

Signed:

Senators:

ANDERSON of Hancock  
LETOURNEAU of York

Representatives:

HENLEY of Norway  
 MacPHAIL of Owl's Head  
 PORTER of Lincoln  
 GIROUX of Waterville  
 CARTER of Winslow

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

Signed:

Senators:

KATZ of Kennebec

Representatives:

VINCENT of Portland  
 BOUDREAU of Portland

Comes from the House the Majority Ought Not to Pass Report Read and Accepted.

Which reports were Read.

On motion by Mr. Anderson of Hancock, the Majority Ought Not to Pass Report was Accepted in concurrence.

#### Senate

##### Ought Not to Pass

Mr. Conley for the Committee on Liquor Control on Bill, "An Act Providing for Compulsory Adult Identification Cards Under Liquor Law." (S. P. 92) (L. D. 281)

Reported that the same Ought Not to Pass.

Which report was Read and Accepted.

Sent down for concurrence.

##### Ought to Pass — As Amended

Mr. Mills for the Committee on Judiciary on Bill, "An Act Increasing Entry Fee Under Small Claims Law." (S. P. 90) (L. D. 252)

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

Which Report was Read and Accepted and the Bill Read Once. Committee Amendment "A", Filing No. S-9, was Read and Adopted, and the Bill, as Amended, tomorrow assigned for Second Reading.

#### Second Readers

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

#### House

Bill, "An Act Ratifying Lease Given by the State to Portland Pipe Line Corporation." (H. P. 41) (L. D. 42)

Bill, "An Act to Amend the Charter of the Fryeburg Water Company by Granting Certain Additional Power and Ratifying and Confirming Certain Acts of Said Corporation." (Emergency) (H. P. 94) (L. D. 103)

Bill, "An Act Providing for Legal Assistance by the State to Municipalities in Property Valuation Cases." (H. P. 101) (L. D. 109)

Bill, "An Act Relating to Penalties Under the Use Fuel Tax Act." (H. P. 127) (L. D. 143)

Bill, "An Act Relating to the Exemption of School Bus Operations from Regulation by the Public Utilities Commission." (H. P. 172) (L. D. 211)

Bill, "An Act Increasing Compensation of Trustees of Sanford Sewerage District." (H. P. 174) (L. D. 213)

Resolve, to Reimburse the Town of Strong for Support of Evangeline C. Bean. (H. P. 136) (L. D. 158)

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

Bill, "An Act Relating to Notice Requirement Under Tenancy at Will by New Owner or Lessee." (H. P. 64) (L. D. 66)

Which was Read a Second Time.

The PRESIDENT: Is it the pleasure of the Senate that this bill be passed to be engrossed in non-concurrence?

The Chair recognizes the Senator from Penobscot, Senator Quinn.

Mr. QUINN of Penobscot: Mr. President, I move that this bill be indefinitely postponed.

The PRESIDENT: The Senator from Penobscot, Senator Quinn, moves that this matter, House Paper 64, Legislative Document 66, be indefinitely postponed.

The Chair recognizes the Senator from Franklin, Senator Mills.

Mr. MILLS of Franklin: Mr. President, I note the absence of another member of the committee who joined with me in the position I took and others who were in this position yesterday and I, therefore, request that someone place this on the table unassigned, if they will.

The PRESIDENT: The Chair recognizes the Senator from Knox, Senator Hoffses.

Thereupon, on motion by Mr. Hoffses of Knox, tabled and tomorrow assigned, pending the motion by Mr. Quinn of Penobscot that the Bill be Indefinitely Postponed.

#### Senate

Bill, "An Act Relating to Fishing in Narraguagus River, Washington County." (S. P. 39) (L. D. 122)

Bill, "An Act Requiring Reconstructed Public Buildings Be Made Accessible to the Physically Handicapped." (S. P. 100) (L. D. 310)

Resolve, Authorizing Germaine P. Guerette and Edmund Guerette to Bring Action Against the State of Maine. (S. P. 108) (L. D. 319)

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

Sent down for concurrence.

#### Senate - As Amended

Resolve, Authorizing the State Tax Assessor to Convey by Sale the Interest of the State in Certain Lands in the Unorganized Territory. (S. P. 34) (L. D. 92)

Which was 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 Tenure of Office of Assistant Director of Legislative Research and Method of Appointment of Assistant Finance Officer. (H. P. 42) (L. D. 43)

Which 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 specially assigned matter:

Bill, "An Act Relating to Tandem Trailers." (H. P. 400) (L. D. 510)

Tabled — February 5, 1969 by Senator Katz of Kennebec.

Pending — Motion by Senator Greeley of Waldo to Refer to the Committee on Highways in non-concurrence.

Mr. Katz of Kennebec moved the pending question.

Thereupon, the Bill was referred to the Committee on Highways and Ordered Printed in non-concurrence.

Sent down for concurrence.

The President laid before the Senate the second tabled and specially assigned matter:

Bill, "An Act Relating to Reimbursement of Fuel Tax for Miles Traveled on Maine Turnpike." (H. P. 371) (L. D. 511)

Tabled — February 5, 1969 by Senator Katz of Kennebec.

Pending — Motion by Senator Greeley of Waldo to refer to the Committee on Highways in non-concurrence.

Mr. Katz of Kennebec moved the pending question.

Thereupon, the Bill was referred to the Committee on Highways and Ordered Printed in non-concurrence.

Sent down for concurrence.

The President laid before the Senate the third tabled and specially assigned matter:

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

Tabled — February 5, 1969 by Senator Katz of Kennebec.

Pending — Enactment.

Mr. Katz of Kennebec moved the pending question.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Conley.

Mr. CONLEY of Cumberland: Mr. President and Members of this august body: Yesterday when I attempted to table this bill unassigned it was because I wanted to find out what the appropriation of \$2,500 was going to be used for. I am sorry I didn't clear the tabling matter with the majority floor leader, but I have found out since that time that the Attorney General has done a great deal of work as far as drafting of legislative documents, and that he had to hire additional help. I understand he has done a very articulate job, and I would now move the pending question.

Thereupon, this being an emergency measure and having received the affirmative vote of 27 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.

On motion by Mr. Gordon of Cumberland, the Senate voted to reconsider its action of yesterday whereby Bill, "An Act Providing for a Seven Member Council for the City of Westbrook" (S. P. 217) (L. D. 673) was referred to the

Committee on Towns and Counties and Ordered Printed.

On further motion by the same Senator, the Bill was referred to the Committee on Legal Affairs and Ordered Printed.

Sent down for concurrence.

(Off Record Remarks)

The Adjournment Order having been returned from the House, Read and Passed in concurrence, on motion by Mr. Hoffses of Knox, adjourned until Tuesday, February 11, at 10 o'clock in the morning.