

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, February 12, 1969

Senate called to order by the President.

Prayer by Rev. Birger T. Johnson of Portland.

Reading of the Journal of yesterday.

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

Bill, "An Act Designating Landlocked Salmon as the State of Maine Fish." (H. P. 150) (L. D. 176)

In the House, January 30, 1969, Passed To Be Engrossed.

In the Senate, February 5, 1969, Passed To Be Engrossed in concurrence.

Comes from the House Passed To Be Engrossed as Amended by House Amendment "A" (H-30) in non-concurrence.

On motion by Mr. Katz of Kennebec, the Senate voted to Recede and Concur.

**Joint Resolution
State of Maine**

In the year of Our Lord one thousand nine hundred and sixty-nine

In Memoriam

WHEREAS, shock and sadness accompany word of the tragic death of our dear friend and colleague, the Honorable Grevis F. Payson of Union; and

WHEREAS, a senseless act on February 8, 1969 has brought to an untimely end the useful life of this devoted and highly respected public servant; and

WHEREAS, his active life of civic deeds had earned for him the admiration, respect and love of all who knew him and whose lives he enriched; and

WHEREAS, the loss of his outstanding services and warm personal friendship will not only be sorely felt by his many friends and associates in the Legislature but by the citizens of the State of Maine as well; now, therefore, be it

RESOLVED; That when we, the Members of the Senate and House of Representatives of the 104th Maine Legislature adjourn this

day, we do so out of respect to the memory of Representative Grevis F. Payson; and be it further

RESOLVED; That a copy of this resolution, suitably engrossed, be transmitted to the family of the deceased. (H. P. 588)

Comes from the House, Read and Adopted.

Which was Read and Adopted in concurrence.

Thereupon, the President appointed Mr. Hoffses of Knox to be the official representative of the Maine Senate at the funeral of Representative Payson tomorrow afternoon.

House Papers

Bills and Resolves today received from the House requiring Reference to Committees were acted upon in concurrence, with the following exceptions:

Bill, "An Act to Clarify the General Law Relating to Formation of Corporations" (H. P. 541) (L. D. 720).

Comes from the House Referred to the Committee on Business Legislation and Ordered Printed.

On motion by Mr. Katz of Kennebec, tabled and tomorrow assigned pending Reference to Committee.

Bill, "An Act Relating to Requirements for Recording Deeds and Other Instruments" (H. P. 532) (L. D. 703).

Comes from the House Referred to the Committee on Taxation and Ordered Printed.

On motion by Mr. Mills of Franklin, tabled and tomorrow assigned pending Reference to Committee.

Senate Papers

Business Legislation

Mr. Mills of Franklin presented Bill, "An Act Relating to the Small Claims Act." (S. P. 246) (L. D. 755)

Which was referred to the Committee on Business Legislation and Ordered Printed.

Sent down for concurrence.

Education

Mr. Stuart of Cumberland presented Bill, "An Act Authorizing the Acceptance of Gifts by School

Administrative Districts." (S. P. 247) (L. D. 756)

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

Sent down for concurrence.

Labor

Mr. Conley of Cumberland presented Bill, "An Act to Extend Coverage of the Minimum Wage on Construction Projects Act." (S. P. 245) (L. D. 754)

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

Sent down for concurrence.

Legal Affairs

Mr. Letourneau of York presented Bill, "An Act Creating a Council - Manager Form of Government for the City of Saco." (S. P. 248) (L. D. 790)

Mr. Levine of Kennebec presented Bill, "An Act Relating to Amount of Property Held by Coburn Classical Institute." (S. P. 244) (L. D. 753)

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

Sent down for concurrence.

State Government

Mr. Berry of Cumberland presented Bill, "An Act Relating to Full - time State's Attorneys." (S. P. 243)

On motion by Mr. Mills of Franklin, tabled and tomorrow assigned pending Reference to Committee.

Committee Reports

House

Change of Reference

The Committee on Inland Fisheries and Game on Bill, "An Act Reclassifying Taylor Brook in Auburn." (H. P. 281) (L. D. 357)

Reported that the same be referred to the Committee on Natural Resources.

Comes from the House, the report Read and Accepted.

Which report was Read and Accepted in concurrence.

Leave to Withdraw

The Committee on Inland Fisheries and Game on Bill, "An Act Relating to Hunting or Molesting

Deer from Watercraft." (H. P. 18) (L. D. 21)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the report Read and Accepted.

The Committee on Inland Fisheries and Game on Bill, "An Act Relating to Possession of Firearms in the Southern Hunting Zone." (H. P. 190) (L. D. 230)

Reported that the same be granted Leave to Withdraw.

Comes from the House the report Read and Accepted.

The Committee on Sea and Shore Fisheries on Bill, "An Act Relating to Hauling Lobster Pots on Sundays." (H. P. 178) (L. D. 217)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the report Read and Accepted.

Which reports were Read and Accepted in concurrence.

Ought Not to Pass - Covered by Other Legislation

The Committee on Public Utilities on Bill, "An Act Relating to a Civil Penalty for Utilities." (H. P. 292) (L. D. 368)

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

Comes from the House, the report Read and Accepted.

The Committee on Public Utilities on Bill, "An Act Relating to Injunctive Relief Against a Gas Company or Natural Gas Pipeline Company." (H. P. 173) (L. D. 212)

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

Comes from the House, the report Read and Accepted.

Which reports were Read and Accepted in concurrence.

Ought Not to Pass

The Committee on Education on Bill, "An Act to Permit the Election of an Alternate School Director for Each Town Within a School Administrative District." (Emergency) (H. P. 164) (L. D. 203)

Reported that the same Ought Not to Pass.

Comes from the House, the report Read and Accepted.

The Committee on Education on Bill, "An Act Relating to Tuition

for Pupils Attending School Outside of State." (H. P. 219) (L. D. 269)

Reported that the same Ought Not to Pass.

Comes from the House, the report Read and Accepted.

Which reports were Read and Accepted in concurrence.

Ought to Pass

The Committee on Highways on Bill, "An Act to Allocate Money from the General Highway Fund for State Aid Construction." (H. P. 232) (L. D. 288)

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 Agriculture on Bill, "An Act Repealing Law Relating to Prohibiting Transportation of Certain Poultry." (H. P. 254) (L. D. 330)

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 Public Utilities on Bill, "An Act Relating to Election of Members of Board of Trustees of Ashland Water and Sewer District." (Emergency) (H. P. 294) (L. D. 370)

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 Public Utilities on Bill, "An Act Relating to the Transportation of Refuse." (H. P. 248) (L. D. 303)

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, the Bills Read Once and tomorrow assigned for Second Reading.

Ought to Pass - As Amended

The Committee on Election Laws on Bill, "An Act Relating to Voting Residence of Wife of Member of Armed Forces." (H. P. 279) (L. D. 355)

Reported that the same Ought

to Pass as Amended by Committee Amendment "A" (H-19).

Comes from the House, the report Read and Accepted and the Bill Passed to be Engrossed as Amended by Committee Amendment "A" (H-19).

The Committee on State Government on Bill, "An Act Relating to Purchase of Parcels of Land by Forest Commissioner." (H. P. 45) (L. D. 46)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-20).

Comes from the House, the report Read and Accepted and the Bill Passed to be Engrossed as Amended by Committee Amendment "A" (H-20).

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

The Committee on Election Laws on Bill, "An Act Amending the Election Laws." (H. P. 29) (L. D. 30)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-8).

Comes from the House, the report Read and Accepted and the Bill Passed to be Engrossed as Amended by House Amendment "A" (H-17) and House Amendment "B" (H-18).

Which report was Read and Accepted in concurrence and the Bill Read Once. Committee Amendment "A" was Indefinitely Postponed and House Amendments "A" and "B" were Read and Adopted in concurrence, and the Bill, as Amended, tomorrow assigned for Second Reading.

**Senate
Ought to Pass**

Mr. Minkowsky for the Committee on Health and Institutional Services on Bill, "An Act Relating to Delegation of Authority to Director of Bureau of Corrections Under New England Interstate Corrections Compact." (S. P. 125) (L. D. 387)

Reported that the same Ought to Pass.

Mr. Duquette for the Committee on Appropriations and Financial Affairs on Resolve, Appropriating Funds for the Perambulation of the Maine - New Hampshire Boundary Line. (S. P. 29) (L. D. 87)

Reported that the same Ought to Pass.

Which reports were Read and Accepted, the Bill and 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 Appropriating Funds to Administrative Hearing Commissioner for Subpoenas to Parents of Minors." (Emergency) (H. P. 290) (L. D. 366)

Bill, "An Act Increasing Fees Under State Nursing Law." (H. P. 228) (L. D. 284)

Bill, "An Act Increasing Compensation of Examiners of Podiatrists." (H. P. 225) (L. D. 275)

Bill, "An Act Relating to Poll Taxes Paid to Caswell Plantation." (H. P. 199) (L. D. 246)

Bill, "An Act Relating to Use of Artificial Lights for Lighting Game." (H. P. 92) (L. D. 101)

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

House - As Amended

Bill, "An Act Relating to Violating the Laws Dealing with Certain Birds." (H. P. 120) (L. D. 136)

Bill, "An Act Relating to Surrender of Motor Vehicle Instruction Permits." (H. P. 129) (L. D. 145)

Resolve, to Reimburse Bernard J. Kinney of Winthrop for Well Damage by Highway Maintenance. (H. P. 56) (L. D. 58)

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

Senate

Bill, "An Act Relating to Open Season for the Trapping of Foxes." (S. P. 80) (L. D. 238)

Resolve, Reimbursing Certain Municipalities on Account of

Property Tax Exemptions of Veterans. (S. P. 75) (L. D. 236)

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

Sent down for concurrence.

Senate - As Amended

Bill, "An Act Providing for an Additional District Court Judge at Large." (S. P. 64) (L. D. 186)

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 Increasing Borrowing Capacity of Ashland Water and Sewer District. (S. P. 31) (L. D. 89)

An Act Relating to Motor Vehicle Excise Tax Credits. (S. P. 46) (L. D. 149)

An Act Relating to Sales and Use Tax on Property Registered for Use in Maine. (S. P. 47) (L. D. 150)

An Act Relating to Application for Registration of Motor Vehicle by Minor Under 15 Years of Age. (S. P. 49) (L. D. 152)

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

An Act Providing Public Dump for Albany Township and Milton Township, Oxford County. (H. P. 50) (L. D. 51)

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

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

An Act Relating to Duty of Receiver of Unsolicited Merchandise. (H. P. 144) (L. D. 170)

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

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

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, to Reimburse Charles A. Holden of Portland as Agent of Conservator of Casco Mercantile Trust Company. (S. P. 38) (L. D. 121)

(On motion by Mr. Sewall of Penobscot, placed on the Special Appropriations Table.)

Resolve, Authorizing Forest Commissioner to Exchange Land in West Forks, Somerset County. (H. P. 99) (L. D. 107)

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

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

(On motion by Mr. Sewall of Penobscot, placed on the Special Appropriations Table.)

Emergency

An Act to Amend the Charter of the Fryeburg Water Company to Granting Certain Additional Powers and Ratifying and Confirming Certain Acts of said Corporation. (H. P. 94) (L. D. 103)

(On motion by Mr. Moore of Cumberland, tabled and specially assigned for Wednesday, February 19, pending Enactment.)

Emergency

Resolve, Authorizing Attorney General to convey Interest of the State in Certain Lands in Cumberland County. (S. P. 25) (L. D. 53)

(On motion by Mr. Katz of Kennebec, tabled and tomorrow assigned pending Enactment.)

Orders of the Day

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

Bill, "An Act to Remove the Prohibition Against Running Horse Racing During Certain Weeks in the Months of June and July." (H. P. 452) (L. D. 589)

Tabled — February 11, 1969 by Senator Katz of Kennebec.

Pending — Reference.

Mr. Katz of Kennebec moved the pending question.

Thereupon, the Bill was referred to the Committee on Agriculture and Ordered Printed in concurrence.

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

Bill, "An Act Relating to Compensation of Electricians Examining Board and Membership and Compensation of Oil Burner Men's Licensing Board." (H. P. 505) (L. D. 676)

Tabled — February 11, 1969 by Senator Katz of Kennebec.

Pending — Reference.

Mr. Katz of Kennebec moved the pending question.

Thereupon, the Bill was referred to the Committee on Business Legislation and Ordered Printed in concurrence.

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

HOUSE REPORTS — from the Committee on State Government on Bill, "An Act Increasing Compensation of Directors of the Maine Port Authority." (H. P. 8) (L. D. 8) Majority Report, Ought to Pass as Amended by Committee Amendment "A" Filing H-21; Minority Report, Ought Not to Pass.

Tabled — February 11, 1969 by Senator Letourneau of York.

Pending — Acceptance of Either Report.

On motion by Mr. Wyman of Washington, retabled pending Acceptance of Either Report.

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

SENATE REPORTS — from the Committee on Towns and Counties on Bill, "An Act Creating Commissioner Districts." (S. P. 60) (L. D. 168) Majority Report, Ought Not to Pass; Minority Report, Ought to Pass.

Tabled — February 11, 1969 by Senator Moore of Cumberland.

Pending — Acceptance of Either Report.

On motion by Mr. Dunn of Oxford, retabled pending Acceptance of Either Report.

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

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

Tabled — February 11, 1969 by Senator Hoffses of Knox.

Pending — Motion by Senator Quinn of Penobscot to Indefinitely Postpone Bill.

Mr. Hoffses of Knox moved the pending question.

Thereupon, a viva voce vote was taken on the motion and the Chair, being in doubt, ordered a division.

A division was had. Sixteen Senators having voted in the affirmative and fourteen Senators having voted in the negative, the motion prevailed and the Bill was Indefinitely Postponed.

Mr. Anderson of Hancock was granted unanimous consent to address the Senate.

Mr. ANDERSON: Mr. President, I rise to briefly pay tribute to the memory of Abraham Lincoln.

"He little knew that evening
That God stood by his side —
He did not need to know
For he was ready.
Greed, selfishness and lust
Were all unknown to him.
His trail was wide,
Well marked with milestones,
Truth, honesty and love of fellow-
men,
Strong and tender, brave and wise,
He shaped the destinies of men.
He was a teacher and a builder.
He taught his people
In that chaotic era,
That figures were to earn
An honest living, not to be dis-
torted,
Bent to further selfish ends;
That English was a pure expres-
sion,
Of the soul,
Not simply words that readily
Lent themselves to lustful pur-
poses.
He was so big, so calm, so strong,
It almost seemed that
He might live forever,

That time could never dim the eyes
That saw only goodness in all
things,
Or still the tongue that
Spoke no evil words.

"So, in the hush of early hours,
He did not need to know,
Prepare for that dim trail
That leads beyond the lives of men.
Little dreamed the world,
So soon, that it would stand
Beside his bed and watch him
Break the slender ties that
Bound him to this life
He loved so well.

"His destiny was in the stars.
The color of the ground was in
him,
The Red Earth, the rich, red earth
That nurtured the towering oak.
And, like the monarch of the forest
Beset by raging tempest, He
went down with a great shout
That echoed from the hills
And Left an empty space —
Against the sky."

On motion by Mr. Quinn of Penobscot, the Senate voted to take from the table the second tabled and unassigned matter:

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

Tabled — February 5, 1969 by Senator Quinn of Penobscot.

Pending — Enactment.

The same Senator moved the pending question.

Thereupon, 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.

(Off Record Remarks)

On motion by Mr. Hoffses of Knox,
Adjourned until 12 o'clock tomor-
row noon.