

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

Tuesday, February 18, 1969
Senate called to order by the President.

Prayer by Rev. Fr. Clement Thibodeau of Alfred.

Reading of the Journal of yesterday.

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

Bill, "An Act Relating to the Executive Secretary and Procedure of Actuarial Computations Under State Retirement System." (S. P. 59) (L. D. 167)

In Senate, February 5, 1969, Passed to be Engrossed.

Comes from the House, Passed to be Engrossed as Amended by House Amendment "A" (H-32) in non-concurrence.

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

House Papers

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

Communications

State of Maine
Office of the Governor
Augusta, Maine

February 18, 1969
To Members of the Senate—104th Legislature:

In September, 1968, I appointed a Committee to recommend ways for the State to strengthen its pollution abatement effort. Because our past efforts at pollution abatement have not been sufficient to solve the problem, I requested the Committee to review existing legislation and suggest means of strengthening enforcement powers; to review the existing enforcements as to both efficiency and adequacy of financing; and to estimate, analyze, and recommend the State financial effort necessary to a meaningful program of construction of pollution abatement facilities.

Working against a very difficult schedule, the Committee has reviewed Maine's anti-pollution legislation and administration and agreed upon measures to

strengthen Maine's critical battle against the despoliation of the State's air and water resources.

I need not reemphasize the dangers which pollution poses to a state as heavily dependent on its water resources as Maine. Clean water is essential to the development of our recreational and tourist potential; it is essential to meaningful industrial expansion; most important it is essential to the health, welfare, and enjoyment of those who live in Maine today.

I transmit this report to you in the hope that it will receive your favorable consideration, for in both this Legislature and in the State as a whole, pollution should have no constituency.

Sincerely,

(Signed)

KENNETH M. CURTIS
Governor

Which was Read and with accompanying papers Ordered Placed on File.

STATE OF MAINE

Legislative Research Committee
State House
Augusta, Maine

February 18, 1969

To the Members of the 104th Legislature:

The Legislative Research Committee is pleased to transmit herewith a study on the Desirability of Integrating Activities of the Probate Court of Maine into the Superior Court pursuant to a directive of the 103rd Legislature.

This report, which was contractually studied for the Committee, under the authority of the Legislature, contains the findings and recommendations of the Legislative Research Committee as developed by The Institute of Judicial Administration of New York, N. Y.

The Committee sincerely hopes the information developed herein and implementing legislation to follow will prove of great benefit to the Members of the Legislature

and the people of the State of Maine.

Respectfully submitted,
(Signed)

KENNETH P. MacLEOD
Chairman
(S. P. 256)

Which was Read and with
accompanying papers Ordered
Placed on File.

Sent down for concurrence.

STATE OF MAINE

Legislative Research Committee
State House
Augusta, Maine

February 18, 1969

To the Members of the 104th
Legislature:

As Chairman of the Legislative
Research Committee of the 103rd
Maine Legislature it is with great
pride and pleasure that I present
a cumulation of findings and
recommendations that we as a
Committee have developed on our
assigned subjects during the past
biennium.

This, the second of three
volumes, designated as Legislative
Research Committee publication
104-20 (Vol. II), combines in a
single publication of findings and
recommendations developed in nine
specific areas of study which are
individually reported in committee
publications numbered 104-11
through 104-19.

On behalf of the Committee and
myself, I would like to take this
opportunity to extend our grateful
appreciation to Horace A. Hildreth,
Jr., formerly our Committee Chair-
man, to Roger V. Snow, Jr., a
former member of the Committee
and to Frederick W. Kneeland, the
former Legislative Finance
Officer, each of whom resigned
during the interim after having so
faithfully served this Committee.

I also extend, on behalf of the
entire Committee, our sincere
gratitude and appreciation to the
Committee, staff, to the news
media and to the many private
citizens, organizations and
employees of the State, without
whose endless cooperation and
dedicated service the Committee
could not have reached its conclu-
sion.

The members of the Committee
further wish to express their

appreciation for being chosen to
participate in these assignments
and sincerely hope the reports con-
tained herein will prove of benefit
to the Members of the Legislature
and the people of the State of
Maine.

Respectfully submitted,
(Signed)

KENNETH P. MacLEOD
Chairman
Legislative Research Committee
(S. P. 257)

Which was Read and with
accompanying papers Ordered
Placed on File.

Sent down for concurrence.

Committee Reports
House

Ought Not to Pass

The Committee on State Govern-
ment on Bill, "An Act Permitting
Designation of House of
Representative Districts by
Numbers." (H. P. 179) (L. D. 218)

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 to Pass

The Committee on Appropria-
tions & Financial Affairs on Bill,
"An Act Relating to Nonlapsing
Funds for Armory Construction."
(H. P. 2) (L. D. 2)

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 Election Laws
on Bill, "An Act to Clarify Absen-
tee Voting Under the Charter of
the Town of Kittery." (H. P. 276)
(L. D. 352)

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 Health and
Institutional Services on Bill, "An
Act Providing for Clinical Treat-
ment and Rehabilitation of
Alcoholics." (H. P. 280) (L. D. 356)

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 Appropriations & Financial Affairs on Bill, "An Act Appropriating Funds to Office of Chief Medical Examiner." (Emergency) (H. P. 403) (L. D. 514)

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 Towns and Counties on Bill, "An Act Relating to Annual Reports of Counties." (H. P. 109) (L. D. 117)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-29).

Comes from the House, recommitted to the Committee on Towns and Counties.

Which was recommitted to the Committee on Towns and Counties in concurrence.

Ought to Pass in New Draft

The Committee on Appropriations & Financial Affairs on Resolve, Appropriating Funds for Ramp and Docking Facilities at Long Island Plantation. (H. P. 132) (L. D. 154)

Reported that the same Ought to Pass in New Draft under same Title. (H. P. 589) (L. D. 731)

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

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

Divided Report

The Majority of the Committee on Appropriations & Financial Affairs on Bill, "An Act Providing Funds for the Official Observance of the 150th Anniversary of the Formation of the State of Maine." (H. P. 83) (L. D. 83)

Reported that the same Ought to Pass in New Draft under same Title. (H. P. 590) (L. D. 732)

Signed:

Senators:

DUNN of Oxford
SEWALL of Penobscot
DUQUETTE of York

Representatives:

JALBERT of Lewiston
SAHAGIAN of Belgrade
LUND of Augusta
BRAGDON of Perham
BENSON

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

Signed:

Representatives:

BIRT of E. Millinocket
MARTIN of Eagle Lake

Comes from the House, the Majority Ought to Pass in New Draft Under Same Title Report Read and Accepted and the Bill, in New Draft, Passed to be Engrossed as Amended by House Amendment "A" (H-33).

Which reports were Read.

On motion by Mr. Katz of Kennebec, tabled and specially assigned for Thursday, February 20, 1969, pending Acceptance of Either Report.

Senate

Ought to Pass

Mr. Katz for the Committee on Education on Resolve, Proposing an Amendment to the Constitution Pledging Credit of State for Loans of Maine School Building Authority. (S. P. 97) (L. D. 307)

Reported that the same Ought to Pass.

The same Senator for the Committee on Education on Bill, "An Act Relating to Fulfillment of Contracts by Teachers About to Retire." (S. P. 98) (L. D. 308)

Reported that the same Ought to Pass.

Mr. Stuart for the Committee on Education on Bill, "An Act Appropriating Funds for Health Education." (S. P. 121) (L. D. 383)

Reported that the same Ought to Pass.

Which reports were Read and Accepted, the Bills 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 Relating to Open Season on Deer in the Town of Southport to Conform with Lincoln County." (H. P. 121) (L. D. 137)

Bill, "An Act Increasing Compensation of City of Bath Councillors and School Board Members." (H. P. 152) (L. D. 178)

Bill, "An Act Relating to Sale of Laws to Municipalities." (H. P. 154) (L. D. 180)

Bill, "An Act Providing Preservice and In-Service Educational Activities for Teachers of General Adult Education." (H. P. 223) (L. D. 273)

Bill, "An Act to Repeal Certain Bag Limits on White Perch." (H. P. 233) (L. D. 289)

Bill, "An Act Relating to Taking of Alewives in Damariscotta River." (Emergency) (H. P. 295) (L. D. 371)

Bill, "An Act Relating to Remedies Against Gas Companies and Natural Gas Pipeline Companies for Violations of the Public Utilities Law." (H. P. 587) (L. D. 707)

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

House - As Amended

Bill, "An Act Clarifying Certain Milk and Milk Products Laws." (H. P. 52) (L. D. 54)

Bill, "An Act Relating to Tree and Shrub Seeds Under the Maine Seed Law." (H. P. 53) (L. D. 55)

Bill, "An Act to Remove Debt Limit of Jay Village Water District." (H. P. 69) (L. D. 69)

Bill, "An Act to Clarify Certain Banking Laws." (H. P. 159) (L. D. 198)

Bill, "An Act Extending the Territory of Brunswick Sewer District." (Emergency) (H. P. 176) (L. D. 215)

Bill, "An Act Relating to Method of Sale of Commodities and

Liquified Petroleum Products." (H. P. 207) (L. D. 257)

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

Senate

Bill, "An Act Relating to Definition of Valuation in Reimbursement to Towns for Snow Removal." (S. P. 126) (L. D. 388)

Bill, "An Act to Clarify the Law Relating to Measuring Devices of Speed of Motor Vehicles." (Emergency) (S. P. 130) (L. D. 392)

Bill, "An Act Relating to Appointment of Clerk Pro Tempore of the Judicial Court." (S. P. 139) (L. D. 421)

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

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

Sent down for concurrence.

Enactors

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

An Act Relating to Injury or Incapacity of State Police Officer. (S. P. 58) (L. D. 166)

An Act Relating to the Authority to Regulate Motor Vehicle Speeds. (H. P. 60) (L. D. 62)

An Act Relating to Sales Tax on Sales of Boats to Nonresidents. (H. P. 126) (L. D. 142)

An Act Changing Name of Methodist Church to United Methodist Church. (H. P. 146) (L. D. 172)

(On motion by Mr. Wyman of Washington, tabled and specially assigned for Thursday, February 20, 1969, pending Enactment.)

An Act to Clarify the Law for the Establishment of Veterans Memorial Cemetery. (H. P. 156) (L. D. 182)

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

Emergency

An Act Converting the Plantation of Grand Lake Stream Into the Town of Grand Lake Stream. (H. P. 39) (L. D. 40)

This being an emergency measure and having received the affirmative votes 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 specially assigned matter:

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

Tabled—February 13, 1969 by Senator Katz of Kennebec.

Pending—Consideration.

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

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

Bill, "An Act Relating to Credit Card Crimes." (H. P. 563) (L. D. 744)

Tabled—February 13, 1969 by Senator Kellam of Cumberland.

Pending—Reference.

On motion by Mr. Kellam of Cumberland, referred to the Committee on Legal Affairs 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 Relating to Purchase of Parcels of Land by Forest Commissioner." (H. P. 45) (L. D. 46)

Tabled—February 13, 1969 by Senator Sewall of Penobscot.

Pending—Passage to be Engrossed.

On motion by Mr. Sewall of Penobscot, retabled and tomorrow assigned, pending Passage to be Engrossed.

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

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

Tabled—February 13, 1969 by Senator Katz of Kennebec.

Pending—Enactment.

Mr. Katz of Kennebec moved the pending question.

Thereupon, the Bill 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. Wyman of Washington, the Senate voted to take from the table the third tabled and unassigned 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 12, 1969 by Senator Wyman of Washington.

Pending—Acceptance of Either Report.

The same Senator then moved acceptance of the Minority Ought Not to Pass Report of the Committee.

Thereupon, on motion by Mr. Berry of Cumberland, tabled and tomorrow assigned, pending the Motion by Senator Wyman of Washington to accept the Minority Ought Not to Pass Report of the Committee.

(Off Record Remarks)

On motion by Mr. Hoffses of Knox,

Adjourned until 10 o'clock tomorrow morning.