

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 25, 1969

Senate called to order by the President.

Prayer by Rev. Claude J. Wivell of Augusta.

Reading of Journal of yesterday.

House Papers

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

Communications

Maine-New Hampshire Interstate Bridge Authority
Augusta, Maine

February 19, 1969

To the Honorable Senate and House of Representatives of the One Hundred and Fourth Legislature:

Transmitted herewith is the Fifteenth Biennial Report of the Maine-New Hampshire Interstate Bridge Authority which is being presented in accordance with Chapter 18, Article VI, Private and Special Laws of 1937.

Respectfully submitted,

(Signed)

DAVID H. STEVENS
Chairman

Maine-New Hampshire Interstate Bridge Authority
(S. P. 291)

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

Sent down for concurrence.

Senate Papers

Appropriations and Financial Affairs

Mr. Berry of Cumberland presented Bill "An Act Appropriating Funds to Establish Renal Dialysis Centers." (S. P. 292) (L. D. 972)

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

Sent down for concurrence.

Business Legislation

Mr. Mills of Franklin presented Bill, "An Act Relating to Types of Loans by Credit Unions." (S. P. 292) (L. D. 973)

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 Creating the Maine Higher Education Loan Authority Act." (S. P. 294) (L. D. 974)

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

Sent down for concurrence.

Inland Fisheries and Game

Mr. Hoffses of Knox presented Bill, "An Act to Correct Errors and Inconsistencies in the Fish and Game Laws." (S. P. 295) (L. D. 975)

This Bill was approved for appearance on the calendar, pursuant to Joint Rule No. 10.)

(Signed)

JERROLD B. SPEERS

Secretary of the Senate

Mr. Martin of Piscataquis presented Resolve, Permitting Ice Fishing on Second Chase Lake, Aroostook County. (S. P. 296) (L. D. 1001)

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 Prohibit Possession of Burglar's Tools." (S. P. 297) (L. D. 990)

Mr. Logan of York presented Bill, "An Act to Prohibit Possession of Machine Guns." (S. P. 298) (L. D. 991)

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

Sent down for concurrence.

Retirements and Pensions

Mr. Boisvert of Androscoggin presented Bill, "An Act Revising the Maine State Retirement Law." (Emergency) (S. P. 299) (L. D. 992)

The same Senator presented Bill, "An Act Relating to the Hospital Insurance Benefits Fund Under State Retirement Law." (S. P. 300) (L. D. 993)

The same Senator presented Bill, "An Act Improving Payment of Benefits Under the Maine State Retirement System Law." (S. P. 301) (L. D. 994)

Which were referred to the Committee on Retirements and Pensions and Ordered Printed. Sent down for concurrence.

Sea and Shore Fisheries

Mr. Wyman of Washington presented Bill, "An Act Relating to Operation of Purse Seines Within Territorial Waters of Washington County." (S. P. 302) (L. D. 995)

Which was referred to the Committee on Sea and Shore Fisheries and Ordered Printed.

Sent down for concurrence.

State Government

Mr. Mills of Franklin presented Bill, "An Act to Provide for Disclosure of Compensation and Expenses of Legislative Counsel and Agents." (S. P. 303) (L. D. 996)

(This Bill was approved for appearance on the calendar pursuant to Joint Rule No. 10.)

(Signed)

JERROLD B. SPEERS

Secretary of the Senate

The same Senator presented Bill, "An Act to Designate an Official Rock and Mineral for the State of Maine." (S. P. 304) (L. D. 997)

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

Sent down for concurrence.

Mr. Wyman of Washington presented Bill, "An Act Increasing Salary of County Attorney of Washington County." (S. P. 305) (L. D. 998)

On motion by Mr. Katz of Kennebec, Referred to the Committee on Towns and Counties and Ordered Printed.

Sent down for concurrence.

Taxation

Mr. Martin of Piscataquis presented Bill, "An Act Relating to Assistance to Municipal Assessors." (S. P. 306) (L. D. 999)

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

Sent down for concurrence.

Towns and Counties

Mr. Kellam of Cumberland presented Bill, "An Act to Authorize Cumberland County to Raise Money for Court House Capital Improvements." (S. P. 307) (L. D. 1000)

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

Sent down for concurrence.

**Committee Reports
House**

Leave to Withdraw

The Committee on Taxation on Bill, "An Act Exempting Television Sets from Taxation." (H. P. 105) (L. D. 113)

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 Public Utilities on Bill, "An Act Relating to Financial Responsibility of Water Carriers of the People's Ferry Company." (H. P. 210) (L. D. 260)

Reported that the same Ought Not to Pass.

Comes from the House, the report Read and Accepted.

The Committee on Taxation on Bill, "An Act Exempting Water Supplied to Members of a Consumer Cooperative from the Sales Tax." (H. P. 245) (L. D. 300)

Reported that the same Ought Not to Pass.

Comes from the House, the report Read and Accepted.

The Committee on Appropriations and Financial Affairs on Bill, "An Act Appropriating Funds to Update the Survey of Penobscot Tribal Lands." (H. P. 255) (L. D. 331)

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 Towns and Counties on Bill, "An Act Relating

to Fire Protection for Township 8, S. D." (H. P. 200) (L. D. 247)

Reported that the same Ought to Pass.

The Committee on Transportation on Bill, "An Act Increasing Fee for Motor Vehicle Duplicate Licenses." (H. P. 304) (L. D. 380)

Reported that the same Ought to Pass.

The Committee on Health and Institutional Services on Bill, "An Act Relating to Minor Children Committed to State Custody." (H. P. 324) (L. D. 411)

Reported that the same Ought to Pass.

The Committee on Health and Institutional Services on Bill, "An Act Permitting the Commitment of Girls from Stevens Training Center to Half-Way House." (H. P. 429) (L. D. 553)

Reported that the same Ought to Pass.

The Committee on Judiciary on Bill, "An Act Relating to the Transportation of Prisoners to and from Court and Between Institutions by Order of Court." (H. P. 466) (L. D. 603)

Reported that the same Ought to Pass.

The Committee on Judiciary on Bill, "An Act to Make Ballot Tampering a Felony." (H. P. 467) (L. D. 604)

Reported that the same Ought to Pass.

Come from the House, the reports Read and Accepted and the Bills 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 Inland Fisheries and Game on Bill, "An Act Relating to Revocation of Certain Licenses Under Fish and Game Laws." (H. P. 93) (L. D. 102)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-42).

The Committee on Legal Affairs on Bill, "An Act to Grant a New Charter to the Town of Rumford." (H. P. 96) (L. D. 119).

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-46).

The Committee on Education on Bill, "An Act Providing Full Reimbursement for High School Diploma Programs in Maine's General Adult Evening Schools." (H. P. 215) (L. D. 265)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-38).

The Committee on Education on Bill, "An Act Relating to Sick Leave for Teachers Assistants and Aides." (H. P. 221) (L. D. 271)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-40).

The Committee on Inland Fisheries and Game on Bill, "An Act Relating to Taking Smelts for Bait Purposes." (H. P. 235) (L. D. 291)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-41).

The Committee on Legal Affairs on Bill, "An Act Reestablishing the Town Line Between the Town of Jay, Franklin County, and the Town of Canton, Oxford County." (H. P. 238) (L. D. 293)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-43).

The Committee on Education on Bill, "An Act Relating to Use of School Buildings." (H. P. 269) (L. D. 345)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-39).

The Committee on Legal Affairs on Bill, "An Act Permitting Transfer of Property to Monument Lodge Association." (H. P. 341) (L. D. 449)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-45).

Come from the House, the reports Read and Accepted and the Bills Passed to be Engrossed as Amended by Committee Amendments "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.

Ought to Pass in New Draft

The Committee on Education on Bill, "An Act Relating to Expanding the Community School of Boothbay-Boothbay Harbor School District to Include Grades Kindergarten Through Grade 6." (H. P. 217) (L. D. 267)

Reported that the same Ought to Pass in New Draft and Under New Title: "An Act Amending the Charter of Boothbay-Boothbay Harbor Community School District." (H. P. 655) (L. D. 806)

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 and the Bill, in New Draft, Read Once and tomorrow assigned for Second Reading.

Divided Report

The Majority of the Committee on State Government on Resolve, Proposing an Amendment to the Constitution Repealing The Provisions Which Establish the Treasurer of State as a Constitutional Officer. (H. P. 14) (L. D. 14)

Reported that the same Ought to Pass.

Signed:

LETOURNEAU of York
BELIVEAU of Oxford

Representatives:

WATSON of Bath
RIDEOUT of Manchester
D'ALFONSO of Portland
STARBIRD of Kingman
DENNETT of Kittery

The Minority of the same Committee on the same subject matter reported that the same Ought Not To Pass.

Signed:

Senator:

WYMAN of Washington

Representatives:

MARSTALLER of Freeport
DONAGHY of Lubec

Comes from the House the Majority Ought to Pass Report Read and Accepted and the Resolve Passed to be Engrossed.

Which reports were Read.

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

Divided Report

Five members of the Committee on Education on Bill, "An Act Relating to List and Salaries of Employees of School Department of City of Auburn." (H. P. 268) (L. D. 344)

Reported in Report "A" that the same Ought to Pass as Amended by Committee Amendment "A" (H-37).

Signed:

Senators:

STUART of Cumberland
KELLAM of Cumberland

Representatives:

CUMMINGS of Newport
WAXMAN of Portland
KILROY of Portland

Five members of the same Committee on the same subject matter reported in Report "B" that the same Ought Not to Pass.

Signed:

Senator:

KATZ of Kennebec

Representatives:

CHICK of Monmouth
ALLEN of Caribou
RICHARDSON of

Stonington

MILLETT of Dixmont

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

Which reports were Read.

Thereupon, the Ought to Pass as Amended Report of the Committee was accepted in concurrence and the Bill Read Once. Committee Amendment "A" was Read and Adopted in concurrence and the Bill, as Amended, tomorrow assigned for Second Reading.

Divided Report

The Majority of the Committee on Election Laws on Bill, "An Act to Encourage the Use of Electronic Voting Systems by Municipalities." (H. P. 382) (L. D. 491)

Reported that the same Ought to Pass.

Signed:

Senator:

KATZ of Kennebec

Representatives:

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

The Minority of the same Committee on the same subject matter reported that the same Ought Not to Pass.

Signed:

Senators:

ANDERSON of Hancock
 LETOURNEAU of York

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

Which reports were Read.

The PRESIDENT: The Chair recognizes the Senator from Hancock, Senator Anderson.

Mr. ANDERSON of Hancock: Mr. President, I move indefinite postponement of L. D. 491 and all accompanying papers, and I would speak briefly to the motion.

This carried an appropriation of \$40,000 for the fiscal year ending June 30, 1970 and the sum of \$40,000 for the fiscal year ending June 30, 1971. Now, this document has been defeated twice before, once in the 103rd and once in the 102nd.

Now, I want it clearly understood that I am not against voting machines, but I am against this method of supplying them. This is exactly how new bureaus get started. They start snowballing and the first thing you know the communities would want fire engines and snowplows, and what have you, and that is the way the thing would go.

I feel that if the communities want these voting machines they can get a good deal from their local banks, a good fair interest rate. We are already in the real estate business and in the TV business, so please, I ask you, let's not get into the banking business.

Mr. President, when the vote is taken I move it be taken by a division.

Thereupon, on motion by Mr. Katz of Kennebec, tabled and tomorrow assigned, pending the

motion by Mr. Anderson of Hancock that the Bill and all Accompanying Papers be Indefinitely Postponed.

Senate

Ought to Pass

Mr. Hoffses for the Committee on Inland Fisheries and Game on Resolve, Providing Funds for Conservation Education. (Emergency) (S. P. 164) (L. D. 539)

Reported that the same Ought to Pass.

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

Ought to Pass — As Amended

Mr. Hanson for the Committee on Taxation on Bill, "An Act Relating to Exemption of Certain Neat Cattle from Personal Property Taxation." (S. P. 116) (L. D. 327)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-15).

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

Committee Amendment "A" was Read and Adopted and the Bill, as Amended, tomorrow assigned for Second Reading.

Divided Report

The Majority of the Committee on Inland Fisheries and Game on Resolve Relating to Fishing in Green Lake, Hancock County. (S. P. 129) (L. D. 391)

Reported that the same Ought Not to Pass.

Signed:

Senators:

HOFFSES of Knox
 MARTIN of Piscataquis

Representatives:

ROCHELEAU of Auburn
 GAUDREAU of Lewiston
 BOURGOIN of Fort Kent
 LEWIN of Augusta
 KELLEY of Southport.
 PORTER of Lincoln
 THOMPSON of Belfast

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

Signed:

Senator:

ANDERSON of Hancock

Which reports were Read.
Thereupon, on motion by Mr. Hoffses of Knox, the Majority Ought Not to Pass Report of the Committee was Accepted.
Sent down for concurrence.

Second Readers

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

House

Resolve, Authorizing Flowage Rights to Arthur C. Shute and Emma L. Shute of Sebago on State Highway No. 126 in East Sebago. (H. P. 198) (L. D. 245)

Bill, "An Act Relating to Confering Degrees by Unity College." (H. P. 214) (L. D. 264)

Bill, "An Act Permitting Partial Payments at Times Other than August and December for Operation of Regional Vocational Technical Centers." (H. P. 216) (L. D. 266)

Bill, "An Act Relating to Expiration and Renewals of Certificates of Registration for Land Surveyors." (H. P. 237) (L. D. 292)

Bill, "An Act Relating to Closed Time on Gray Squirrels." (H. P. 282) (L. D. 358)

Bill, "An Act Relating to Operating Watercraft so as to Molest Wildlife." (H. P. 283) (L. D. 359)

Bill, "An Act Relating to Holding Property by Cumberland Farmers' Club." (H. P. 286) (L. D. 362)

Bill, "An Act Relating to Maintenance of Paupers by Certain Plantations." (H. P. 297) (L. D. 373)

Bill, "An Act Eliminating Boards of Visitors for State Institutions and Creating Committee on Corrections." (H. P. 303) (L. D. 379)

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

House — As Amended

Bill, "An Act Relating to Operation of Motorcycles While Learning to Drive." (H. P. 128) (L. D. 144)

Bill, "An Act Relating to Headlights and Mirrors on Motorcycles and Motor Driven Cycles." (H. P. 155) (L. D. 181)

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

Bill, "An Act Providing Funds for the Official Observance of the 150th Anniversary of the Formation of the State of Maine." (Emergency) (H. P. 590) (L. D. 732)

Which was Read a Second Time.

Mr. Sewall of Penobscot presented Senate Amendment "A" and moved its adoption.

Senate Amendment "A", Filing No. S-16, was Read and Adopted and the Bill, as Amended, Passed to be Engrossed in non-concurrence.

Sent down for concurrence.

Senate

Bill, "An Act to Exempt Television Sets and Musical Instruments from Property Taxation." (S. P. 45) (L. D. 148)

Bill, "An Act Relating to the Advisory Board of Review of Operators' License Control Procedures." (S. P. 114) (L. D. 325)

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

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

Sent down for concurrence.

Senate — As Amended

Bill, "An Act Relating to Entrances from Liquor Licensed Premises." (S. P. 212) (L. D. 622)

Which was Read a Second Time and Passed to be Engrossed, as Amended.

Sent down for concurrence.

Enactors

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

(On motion by Mr. Berry of Cumberland, tabled and specially assigned for Thursday, March 6, 1969, pending Enactment.)

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

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

(On motion by Mr. Beliveau of Oxford, tabled and specially assigned for Thursday, February 27, 1969, pending Enactment.)

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

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

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

An Act Relating to Open Season on Deer in the Town of Southport to Conform with Lincoln County. (H. P. 121) (L. D. 137)

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

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

An Act Relating to Residency Requirements for Aid to Dependents of Veterans. (H. P. 157) (L. D. 183)

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

An Act Relating to Method of Sale of Commodities and Liquefied Petroleum Products. (H. P. 207) (L. D. 257)

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

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

Resolve, Reimbursing Certain Municipalities on Account of Property Tax Exemption of Veterans. (S. P. 75) (L. D. 236)

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

Emergency

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

This being an emergency measure and having received the affirmative votes 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.

Emergency

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

This being an emergency measure and having received the affirmative votes 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.

Emergency

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

This being an emergency measure and having received the affirmative votes 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.

Orders of the Day

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

HOUSE REPORT—Ought to Pass as Amended with Committee Amendment "A" Filing H-28 from the Committee on Public Utilities on Bill, "An Act Increasing Borrowing Capacity of Mars Hill Utility District." (H. P. 241) (L. D. 296)

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

Pending—Acceptance of Report.

On motion by Mr. Barnes of Aroostook, the Ought to Pass as Amended Report of the Committee was accepted in concurrence, and the Bill Read Once.

Committee Amendment "A" was Read and Adopted in concurrence and the Bill, as Amended, tomorrow assigned for Second Reading.

On motion by Mr. Katz of Kennebec, the Senate voted to take from the table the seventh tabled and unassigned matter:

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

Tabled—February 19, 1969 by Senator Katz of Kennebec.

Pending—Final Passage.

On motion by Mr. Violette of Aroostook, and under suspension of the rules, the Senate voted to reconsider its action whereby the

Resolve was Passed to be Engrossed.

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

Senate Amendment "A", Filing No. S-14, was Read and Adopted and the Resolve, as Amended, Passed to be Engrossed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Hoffses of Knox,

Adjourned until 10 o'clock tomorrow morning.