

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, March 4, 1969

Senate called to order by the President.

Prayer by Rev. Fr. Henry B. Dallaire of Hallowell.

Reading of the Journal of yesterday.

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 Relating to Nonprofit Hospital or Medical Service Organizations" (H. P. 808) (L. D. 1047)

Comes from the House Referred to the Committee on Health and Institutional Services and Ordered Printed.

Which was Referred to the Committee on Health and Institutional Services and Ordered Printed in concurrence.

(Action reconsidered later in today's session.)

Bill, "An Act Relating to Size of Conibear Traps for Trapping Animals" (H. P. 813) (L. D. 1052)

Comes from the House Referred to the Committee on Inland Fisheries and Game and Ordered Printed.

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

Senate Papers

Mr. Bernard of Androscoggin presented Bill, "An Act Establishing the Quality Rating of Gasoline." (S. P. 328) (L. D. 1208)

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

Business Legislation

Mr. Gordon of Cumberland presented Bill, "An Act Relating to Truth in Advertising." (S. P. 329) (L. D. 1128)

Mr. Mills of Franklin presented Bill, "An Act Outlawing Trading Stamp Disbursement and Contests or Games by Establishments

Selling Motor Vehicle Fuel." (S. P. 330) (L. D. 1129)

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

Sent down for concurrence.

Education

Mr. Mills of Franklin presented Bill, "An Act Relating to Financing School Administrative Districts." (S. P. 331) (L. D. 1130)

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

Sent down for concurrence.

Inland Fisheries and Game

Mr. Bernard of Androscoggin presented Bill, "An Act Pertaining to Live Bait Dealers." (S. P. 332) (L. D. 1131)

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

Sent down for concurrence.

Judiciary

Mr. Mills of Franklin presented Bill "An Act Relating to Poor Debtors." (S. P. 333) (L. D. 1152)

The same Senator presented Bill, "An Act to Abolish Imprisonment for Debt in Divorce Actions." (S. P. 334) (L. D. 1132)

The same Senator presented Bill, "An Act to Authorize Limited Supervised Practice by Third-Year Law Students on Behalf of Certain State Agencies and Legal Aid Organizations Pursuant to Court Rules." (S. P. 335) (L. D. 1133)

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

Sent down for concurrence.

Legal Affairs

Mr. Moore of Cumberland presented Bill, "An Act Relating to Operating a Motor Vehicle Without a License." (S. P. 336) (L. D. 1134)

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

Sent down for concurrence.

Retirements and Pensions

Mr. Hanson of Kennebec presented Bill, "An Act Altering Formula for Retirement Under

State Retirement System." (S. P. 337) (L. D. 1135)

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

State Government

Mr. Hoffses of Knox presented Bill, "An Act Providing for a State Pilotage System for the Penobscot Bay and River, Maine." (S. P. 338) (L. D. 1136)

Which was referred to the Committee on State Government and Ordered Printed.
Sent down for concurrence.

Towns and Counties

Mr. Mills of Franklin presented Bill, "An Act Relating to Annual Meeting of Farmington Village Corporation." (S. P. 339) (L. D. 1137)

Mr. Bernard of Androscoggin presented Bill, "An Act Relating to the Compensation of Municipalities for the Loss of Services of Municipal Law Enforcement Officers." (S. P. 340) (L. D. 1138)

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

Sent down for concurrence.

Transportation

Mr. Bernard of Androscoggin presented Bill, "An Act Relating to Operating Motor Vehicles on Parking Areas." (S. P. 341) (L. D. 1139)

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

Sent down for concurrence.

Orders

On motion by Mr. Katz of Kennebec,

ORDERED, the House concurring, that notwithstanding the provisions of Joint Rule 8 and Joint Order 242, bills and resolves now in the office of the Director of Legislative Research shall be introduced in complete final form in the appropriate house not later than 1:00 p.m. on Tuesday, March 11, 1969.

(S. P. 342)

Which was Read and Passed.

Sent down forthwith for concurrence.

Committee Reports House

Change of Reference

The Committee on Health and Institutional Services on Bill, "An Act Relating to Tuberculosis Sanatoriums." (H. P. 686) (L. D. 885)

Reported that the same be referred to the Committee on Appropriations and Financial Affairs.

Comes from the House, the report Read and Accepted.

Which report was Read and Accepted in concurrence.

Leave to Withdraw

The Committee on Public Utilities on Bill, "An Act Amending the Charter of the Hallowell Water District." (H. P. 574) (L. D. 761)

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 to Pass

The Committee on Health and Institutional Services on Bill, "An Act Relating to Compensation of Patients and Inmates at State Institutions." (H. P. 431) (L. D. 555)

Reported that the same Ought to Pass.

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

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

Ought to Pass — As Amended

The Committee on Sea and Shore Fisheries on Bill, "An Act to Permit the Use of Draggars in Parts of Sheepscot Bay During the Month of February." (Emergency) (H. P. 20) (L. D. 23)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-65)

The Committee on Legal Affairs on Bill, "An Act to Grant Certain

Changes in the Government of the Town of Sanford." (H. P. 194) (L. D. 248)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-64).

The Committee on Legal Affairs on Bill, "An Act to Grant a Council-Manager Charter to the Town of Orono." (H. P. 340) (L. D. 459)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-62).

The Committee on Appropriations and Financial Affairs on Bill "An Act Relating to State Employees' Suggestion Awards Board and Providing Funds to Activate the Awards Program." (Emergency) (H. P. 208) (L. D. 258)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-61).

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

The Committee on Agriculture on Bill, "An Act Relating to Age of Dogs for Licensing Purposes." (H. P. 206) (L. D. 256)

Reported that the Same Ought to Pass as Amended by Committee Amendment "A" (H-53).

Comes from the House, the report Read and Accepted and the Bill Passed to be Engrossed as Amended by House Amendment "A" (H-73) and Committee Amendment "A" (H-53).

The Committee on Legal Affairs on Bill, "An Act Relating to Registration and Licensing of Dogs on Indian Reservations." (H. P. 366) (L. D. 476)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-63).

Comes from the House, the report Read and Accepted and the Bill Passed to be Engrossed as Amended by Committee Amend-

ment "A" (H-63) and House Amendment "A" (H-71).

Which reports were Read and Accepted in concurrence and the Bills Read Once. Committee Amendments "A" and House 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 Providing Separate Ballots for Voting for President and Vice President." (H. P. 461) (L. D. 598)

Reported that the same Ought Not to Pass.

Signed:

Senators:

LETOURNEAU of York
ANDERSON of Hancock
KATZ of Kennebec

Representatives:

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

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

Signed:

Representatives:

PORTER of Lincoln
MacPHAIL of Owl's Head

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 Ought Not to Pass Report of the Committee was Accepted in concurrence.

Senate

Ought Not to Pass

Mr. Tanous for the Committee on Legal Affairs on Bill, "An Act Relating to Municipal Civil Service Commissions." (S. P. 241) (L. D. 712)

Reported that the same Ought Not to Pass.

Which report was Read.

On motion by Mr. Martin of Piscataquis, tabled and specially assigned for Tuesday, March 11, pending Acceptance of the Committee Report.

Ought to Pass

Mr. Anderson for the Committee on Inland Fisheries and Game on Bill, "An Act Regulating Atlantic Salmon Fishing in Maine Rivers." (S. P. 67) (L. D. 189)

Reported that the same Ought to Pass.

Mr. Cianchette for the Committee on Retirements and Pensions on Bill, "An Act to Increase the Retirement Pay of Certain Retired State Police Sergeants." (Emergency) (S. P. 214) (L. D. 623)

Reported that the same Ought to Pass.

Mr. Tanous for the Committee on Legal Affairs on Bill, "An Act Relating to Amount of Property Held by Coburn Classical Institute." (S. P. 244) (L. D. 753)

Reported that the same Ought to Pass.

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

Ought to Pass — As Amended

Mr. Letourneau for the Committee on Election Laws on Bill, "An Act Relating to the Preparation of Voting Lists." (S. P. 205) (L. D. 614)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-21).

Which report was Read and Accepted, and the Bill Read Once. Committee Amendment "A" (S-21) 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 to Incorporate the Town of Dresden School District." (Emergency) (H. P. 220) (L. D. 270)

Bill, "An Act Relating to Taking of Alewives in Dyer River, Town of Jefferson, Lincoln County." (H. P. 243) (L. D. 298)

Bill, "An Act Relating to Membership of Joint School Committee When Administrative Units Have No Approved

Secondary School." (H. P. 266) (L. D. 342)

Bill, "An Act Creating the Town of Franklin School District." (H. P. 271) (L. D. 347)

Bill, "An Act Creating the Town of Sullivan School District." (Emergency) (H. P. 272) (L. D. 348)

Bill, "An Act Reclassifying Taylor Brook in Auburn." (H. P. 281) (L. D. 357)

Bill, "An Act Repealing Ganeston Park Game Preserve." (H. P. 329) (L. D. 438)

Bill, "An Act Relating to the Second Injury Fund." (H. P. 333) (L. D. 442)

Bill, "An Act Relating to Issuance of Temporary Notes by Hospital Administrative District No. 1 in Penobscot County." (Emergency) (H. P. 342) (L. D. 450)

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

House — As Amended

Bill, "An Act Relating to Amortization Requirements of Bond Issue for Women's Dormitory at Farmington State College of the University of Maine." (H. P. 115) (L. D. 131)

Bill, "An Act Relating to Duties of Sheriffs in Enforcement of Dog Laws." (H. P. 204) (L. D. 254)

Bill, "An Act to Incorporate the Town of Palermo School District." (H. P. 218) (L. D. 268)

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

Bill, "An Act Relating to Winthrop to Augusta Interlocal Trunk Sewer." (Emergency) (H. P. 391) (L. D. 501)

Which was Read a Second Time.

The PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ of Kennebec: May I ask the status, please, of L. D. 501?

The PRESIDENT: The Secretary will give the status of the Bill.

The SECRETARY: February 26, 1969, in the House of Representatives, passed to be engrossed as amended by House Amendment

“A” and by Committee Amendment “A”. In the Senate, February 27th, read once, Committee Amendment “A” adopted and House Amendment “A” adopted.

Mr. KATZ: Mr. President, there is a conflict between House Amendment “A” and Committee Amendment “A”. I therefore move that House Amendment “A” be indefinitely postponed.

Thereupon, on motion by Mr. Katz of Kennebec, the Senate voted to reconsider its action whereby House Amendment “A” was adopted.

On further motion by the same Senator, House Amendment “A” was Indefinitely Postponed and the Bill, as Amended, Passed to be Engrossed in non-concurrence.

Sent down for concurrence.

Senate

Bill, “An Act to Create the Orono - Veazie Water District.” (S. P. 238) (L. D. 713)

Which was 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 Fulfillment of Contracts by Teachers About to Retire. (S. P. 98) (L. D. 308)

An Act Appropriating Funds for Health Education. (S. P. 121) (L. D. 383)

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

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

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

An Act Relating to Conferring Degrees by Unity College. (H. P. 214) (L. D. 264)

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)

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

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

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

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

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

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

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

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, 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)

Which was Finally Passed, 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:

Bill, “An Act Concerning the Adoption of State Wards.” (H. P. 760) (L. D. 980)

Tabled — February 27, 1969 by Senator Katz of Kennebec.

Pending — Reference.

On motion by Mr. Katz of Kennebec, referred to the Committee on Judiciary and Ordered Printed in non-concurrence.

Sent down for concurrence.

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

Bill, “An Act Requiring the Registration of Real Estate Subdivisions.” (S. P. 313) (L. D. 1140)

Tabled — February 26, 1969 by Senator Quinn of Penobscot.

Pending — Reference.

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

Sent down for concurrence.

(Off Record Remarks)

On motion by Mr. Katz of Kennebec, the Senate voted to reconsider its action of earlier in today's session whereby Bill, "An Act Relating to Nonprofit Hospital or Medical Service Organizations," (H. P. 808) (L. D. 1047), was referred to the Committee on Health and Institutional Services and Ordered Printed in concurrence.

On further motion by the same Senator, tabled and tomorrow assigned, pending Reference to Committee.

(Senate at East)

Called to order by the President.

Paper from the House

Out of order and under suspension of the rules, the Senate voted to take up the following Paper from the House:

Enactor

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

Emergency

Bill, an "Act Relating to Deposit of State Funds." (H. P. 643) (L. D. 831).

This Bill, 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. Hoffses of Knox,

Adjourned until 10 o'clock tomorrow morning.