

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Second
Legislature*

OF THE

STATE OF MAINE

1965

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Tuesday, February 2, 1965

Senate called to order by the President.

Prayer by the Rev. Fr. Clement Thibodeau of Springvale.

On motion by Mr. Dunn of Augusta, the Journal of yesterday was Read and Approved.

The PRESIDENT: The Chair would like to recognize in the back of the Chambers, Mrs. Ruth Maxwell, wife of Senator Maxwell of Franklin.

House Papers

Bill, "An Act Regulating Use of Pesticides on and Adjacent to Sebago Lake." (H. P. 438) (L. D. 593)

Which was referred to the Committee on Agriculture in concurrence.

Bill, "An Act to Establish a Bureau of Public Administration at the University of Maine in Orono." (H. P. 439) (L. D. 594)

Bill, "An Act to Authorize the Construction of a Science Building for the University of Maine at Portland and the Issuance of Not Exceeding One Million Three Hundred Thousand Dollar Bonds of the State of Maine for Financing Thereof." (H. P. 440) (L. D. 595)

Bill, "An Act to Authorize the Construction of a General Purpose Building for the University of Maine at Portland and the Issuance of Not Exceeding One Million One Hundred Thousand Dollar Bonds of the State of Maine for the Financing Thereof." (H. P. 441) (L. D. 596)

Bill, "An Act Appropriating Funds for Equipment and Repairs at Law School, University of Maine." (H. P. 442) (L. D. 597)

Bill, "An Act Appropriating Funds for Classroom Building at Erskine Academy." (H. P. 444) (L. D. 598)

Bill, "An Act Repealing the Law Requiring Assessment of Municipalities in Aid to Dependent Children Grants." (H. P. 445) (L. D. 599)

Bill, "An Act Providing for an Apprenticeship Representative Under State Apprenticeship Council Law." (H. P. 446) (L. D. 600)

Bill, "An Act to Authorize Construction of Self - Liquidating Student Housing and Dining Facilities for the State Teachers Colleges and the Issuance of Not Exceeding \$3,650,000 Bonds of the State of Maine for the Financing Thereof." (H. P. 447) (L. D. 601)

Resolve Appropriating Moneys to Maine Educational Television Network for Outside Audience Training. (H. P. 448) (L. D. 602)

Resolve Providing Aid to 24 Hour Club of Portland. (H. P. 449) (L. D. 603)

Resolve Appropriating Moneys to Extend Water and Sewer Systems on Indian Island. (H. P. 450) (L. D. 604)

Resolve to Provide Funds for a Gymnasium - Auditorium and a Physical Education Program at the Southern Maine Vocational - Technical Institute in South Portland. (H. P. 451) (L. D. 605)

Resolve Authorizing the Establishment of a Residential and Day School for the Mentally Retarded in Northern Maine. (H. P. 452) (L. D. 606)

Resolve Providing Funds for Indian Day Celebration. (H. P. 453) (L. D. 607)

Which were referred to the Committee on Appropriations and Financial Affairs in concurrence.

Bill, "An Act Decreasing Interest Rate for Small Loan Agencies." (H. P. 454) (L. D. 608)

Bill, "An Act Relating to Interest Rate for Licensed Small Loan Agencies." (H. P. 455) (L. D. 609)

Bill, "An Act Revising the Laws Relating to Credit Unions." (H. P. 456) (L. D. 610)

Bill, "An Act Relating to Filing of Corporation Clerk's Acceptance and Resignation." (H. P. 457) (L. D. 611)

Which were referred to the Committee on Business Legislation in concurrence.

Resolve in Favor of Seth A. Whitcomb of Readfield for Injuries Sustained While State Employee. (H. P. 458) (L. D. 612)

Resolve in Favor of Joseph T. Sewall of Boothbay Harbor for Land Damage. (H. P. 459) (L. D. 613)

Resolve to Reimburse Arthur E. Thompson of New Gloucester for Fire Loss. (H. P. 460) (L. D. 614)

Resolve in Favor of Margaret Sinclair of Windham for Fire Loss. (H. P. 461) (L. D. 615)

Resolve in Favor of Roland S. Rose of Arundel for Well Damage by Highway Construction. (H. P. 462) (L. D. 616)

Resolve to Reimburse Maud Morgridge of South Berwick for Well Damage by Highway Construction. (H. P. 463) (L. D. 617)

Resolve in Favor of Lloyd Magoon of Mattawamkeag. (H. P. 464) (L. D. 618)

Which were referred to the Committee on Claims in concurrence.

Bill, "An Act Relating to Conveyance of Secondary School Pupils." (H. P. 465) (L. D. 619)

Bill, "An Act Authorizing the Municipalities of Cushing, Friendship, St. George and Thomaston to Form a School Administrative District." (H. P. 467) (L. D. 620)

Bill, "An Act to Reconstitute School Administrative District No. 32." (H. P. 407) (L. D. 519)

Which were referred to the Committee on Education in concurrence.

Bill, "An Act Appropriating Funds for Construction of Eddy Bridge, an Interstate Bridge." (H. P. 408) (L. D. 520)

Bill, "An Act Appropriating Funds for Construction of New Dam Bridge, an Interstate Bridge." (H. P. 409) (L. D. 521)

Bill, "An Act Relating to Snow Removal in Towns Exceeding Three Thousand Inhabitants." (H. P. 410) (L. D. 522)

Resolve Authorizing the Erection of a Marker Honoring the Memory of the Reverend Peter Powers of Deer Isle. (H. P. 411) (L. D. 523)

Resolve Authorizing State Highway Commission to Study Desirability of Bridge Across Saco River. (H. P. 412) (L. D. 524)

Which were referred to the Committee on Highways in concurrence.

Bill, "An Act Relating to Enforcement of Laws Relating to Taking Alewives in Town of Blue Hill." (H. P. 413) (L. D. 525)

Bill, "An Act Regulating Taking of Alewives in Narraguagus River." (H. P. 414) (L. D. 526)

Which were referred to the Committee on Inland Fisheries and Game in concurrence.

Bill, "An Act Increasing Clerical Assistance for Justices of Superior Court." (H. P. 415) (L. D. 527)

Bill, "An Act Relating to Trial Terms of Superior Court in Washington County." (H. P. 416) (L. D. 528)

Bill, "An Act Relating to Jurisdiction of Law Court on Questions of State Law Certified by Federal Courts." (H. P. 417) (L. D. 529)

Resolve Appropriating Money to Continue Preparation of Court Rules of Criminal Procedure. (H. P. 418) (L. D. 530)

Resolve Discharging Town of Brooks from Part of the Indebtedness to State for Preparation of Agreement for Dissolution of School Administrative District No. 3. (H. P. 419) (L. D. 531)

Which were referred to the Committee on Judiciary in concurrence.

Bill, "An Act Relating to Improper Conditions for Industrial Safety." (H. P. 420) (L. D. 532)

Which was referred to the Committee on Labor in concurrence.

Bill, "An Act Relating to Hours of Moving Pictures on Sunday." (H. P. 421) (L. D. 533)

Bill, "An Act Ratifying the Ownership of Hungry Island by Town of Bremen." (H. P. 422) (L. D. 534)

Bill, "An Act Establishing Representative Town Meetings in the Town of Fort Fairfield." (H. P. 423) (L. D. 567)

Which were referred to the Committee on Legal Affairs in concurrence.

Bill, "An Act Relating to Delinquency in Payments to Winthrop Water District." (H. P. 424) (L. D. 556)

Bill, "An Act Relating to Extension of Old Town Water District." (H. P. 425) (L. D. 557)

Bill, "An Act to Create the Mapleton Sewer District." (H. P. 426) (L. D. 569)

Bill, "An Act to Incorporate Mapleton Water District." (H. P. 427) (L. D. 558)

Bill, "An Act to Create the Van Buren Sewer District." (H. P. 428) (L. D. 570)

Bill, "An Act Relating to Cumberland Water District and Portland Water District." (H. P. 429) (L. D. 568)

Which were referred to the Committee on Public Utilities in concurrence.

Resolve to Provide Retirement Credit for Seth A. Whitcomb of Readfield. (H. P. 430) (L. D. 559)

Which was referred to the Committee on Retirements and Pensions in concurrence.

Bill, "An Act Repealing Regulation on Dragging for Scallops in Bagaduce River and Bay." (H. P. 431) (L. D. 560)

Which was referred to the Committee on Sea and Shore Fisheries in concurrence.

Bill, "An Act Providing for Inventory of Legislative Property by Legislative Research Committee." (H. P. 432) (L. D. 561)

Bill, "An Act Relating to Legislative Apportionment of Cranberry Isles, Hancock County." (H. P. 164) (L. D. 566)

Resolve Proposing an Amendment to the Constitution Extending Voting Franchises to Persons Eighteen Years of Age. (H. P. 433) (L. D. 562)

Resolve Authorizing State of Maine to Transfer Western Maine Sanatorium to Town of Hebron. (H. P. 434) (L. D. 563)

Which were referred to the Committee on State Government in concurrence.

Bill, "An Act Relating to Taxes Paid by Town of Wells to Ogunquit Village Corporation." (H. P. 435) (L. D. 564)

(On motion by Mr. Shiro of Kennebec, tabled pending reference.)

Bill, "An Act Providing for Safety Seat Belts for Motor Vehicles." (H. P. 436) (L. D. 565)

Which was referred to the Committee on Transportation in concurrence.

Communication

December 29, 1964

To the Members of the 102nd Legislature:

I have the honor to transmit herewith the third summary report of the Legislative Research Committee on studies authorized by the 101st Legislature for the period ending January, 1965. This report contains the findings and recommendations on 10 of the 21 matters assigned by the Legislature for Research Committee study and determination. The study of the feasibility of an income tax for the State, authorized by the 101st Legislature was contractually studied and is separately reported as Committee Publication 102-1. The findings and recommendations of the Committee on the 10 remaining studies are reported as Publication 102-2.

The members of the Committee wish to express their appreciation for being chosen to participate in these assignments, and sincerely hope that the reports submitted will prove of benefit to the members of the Legislature and the people of the State of Maine.

Respectfully submitted,
DWIGHT A. BROWN,
Chairman.

(S. P. 277)

Which was Read and Accepted and Ordered Placed on File with the accompanying report.

Senate Papers Agriculture

(Referred to Committees and ordered printed)

Mr. Hilton of Somerset presented Bill, "An Act Relating to Application of Slaughterhouse Law to Domestic Rabbits." (S. P. 257)

Which was referred to the Committee on Agriculture
Sent down for concurrence.

Appropriations and Financial Affairs

Mr. Girard of Androscoggin presented Bill, "An Act Providing for Study of Welfare Programs." (S. P. 258)

(Received by unanimous consent under Joint Rule 19-C)

Mr. Carter of Kennebec presented Bill, "An Act to Permanently Establish a Maine Commission on Retardation." (S. P. 259)

Which were referred to the Committee on Appropriations and Financial Affairs.

Sent down for concurrence.

Business Legislation

Mr. Snow of Cumberland presented Bill, "An Act to Incorporate the Maine Dental Service Corporation." (S. P. 260)

Which was referred to the Committee on Business Legislation.

Sent down for concurrence.

Health and Institutional Services

Mr. Smith of Cumberland presented Bill, "An Act Relating to Amount of Aid to Aged, Blind or Disabled." (S. P. 261)

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

Sent down for concurrence.

Highways

Mr. Glass of Waldo presented Bill, "An Act Increasing the Reimbursement of Towns for Snow Removal." (S. P. 262)

Which was referred to the Committee on Highways.

Sent down for concurrence.

Mr. Letourneau of York presented Bill, "An Act Relating to Application of Certain Carriers to Gasoline Road Tax." (S. P. 263)

(On motion by Mr. Letourneau of York tabled pending reference.)

Judiciary

Mr. Stern of Penobscot presented Bill, "An Act Revising the Laws Relating to Disclosures of Debtors." (S. P. 264)

Mr. Maxwell of Franklin presented Bill, "An Act Creating the Division of Northern Androscoggin and Franklin of the District Court." (S. P. 265)

Mr. Glass of Waldo presented Bill, "An Act Authorizing Appeals by State in Criminal Proceedings." (S. P. 266)

Which were referred to the Committee on Judiciary.

Sent down for concurrence.

Labor

Mr. Southard of Penobscot presented Bill, "An Act Prohibiting Employment of Professional Strike breakers to Replace Employees Involved in Labor Disputes." (S. P. 267)

Which was referred to the Committee on Labor.

Sent down for concurrence.

Public Utilities

Mr. McDonald of Piscataquis presented Bill, "An Act Relating to Liability of Railroads for Property and Personal Damages of Employees in Motor Vehicles on Railroad Business." (S. P. 268)

Which was referred to the Committee on Public Utilities.

Sent down for concurrence.

Taxation

Mr. Letourneau of York presented Bill, "An Act Relating to Sales and Use Tax Liability of Lessors of Tangible Personal Property." (S. P. 269)

Mr. Maxwell of Franklin presented Bill, "An Act Relating to Use Tax on Personal Property Withdrawn from Inventory." (S. P. 270)

Mr. Willey of Hancock presented Bill, "An Act Relating to Credit for Uncollectible Accounts Under Sales and Use Tax Law." (S. P. 271)

Which were referred to the Committee on Taxation.

Sent down for concurrence.

Towns and Counties

Mr. Maxwell of Franklin presented Bill, "An Act Relating to Office Hours for Registry of Deeds." (S. P. 272)

Mr. Glass of Waldo presented Bill, "An Act Increasing Salaries of Certain County Officers of Waldo County." (S. P. 273)

Which were referred to the Committee on Towns and Counties.

Sent down for concurrence.

Transportation

Mr. Letourneau of York presented Bill, "An Act Establishing Minimum Safety Standards for Tires." (S. P. 274)

Which was referred to the Committee on Transportation.

Sent down for concurrence.

Public Utilities

Mr. Violette of Aroostook presented Bill, "An Act Providing for the Formation of Sanitary Districts." (S. P. 275)

Which was referred to the Committee on Public Utilities.

Sent down for concurrence.

Order

On motion by Mr. Snow of Cumberland

ORDERED, the House concurring, that a Legislative Study Committee be created for the purpose of investigating and reporting to the 102nd Legislature on the possible location, size, construction and approximate cost of an official state museum. The Committee should consider that the museum might include suitable exhibition space for significant historical objects, paintings, documents and other material of significance in the history of the State, for special exhibits of statewide interest, and as a depository for Maine archives; and be it further

ORDERED, that the committee shall consist of 2 members of the Senate, to be appointed by the President of the Senate, with one designated as Senate Chairman, and 5 members of the House, to be appointed by the Speaker of the House, with one to be designated as House Chairman; and be it further

ORDERED, that the Committee may draw on the best advice known to its members within the State to aid in its deliberations; and be it further

ORDERED, that the committee shall be permitted to draw funds from the Legislative Appropriation not to exceed \$1,500 for the purpose of clerk hire and to defray expenses of members and advisers at standard state rates, and to publish its findings. (S. P. 276)

Which was Read and Passed.

Sent down for concurrence.

Committee Reports House

Recommitted

The Committee on Legal Affairs on Bill, "An Act Relating to Municipal Officers in City of Lewiston." (H. P. 78) (L. D. 88) re-

ported that the same Ought Not to Pass.

Comes from the House, Bill Substituted for the Report, and the Bill Recommitted to the Committee on Legal Affairs.

The Senate substituted the bill for the report and Recommitted the Bill to the Committee on Legal Affairs in concurrence.

Leave to Withdraw

The Committee on Claims on Resolve in Favor of Town of Bancroft. (H. P. 43) (L. D. 55) reported that the same should be granted Leave to Withdraw.

The Committee on Legal Affairs on Bill, "An Act Revising the Beano or Bingo Laws." (H. P. 76) (L. D. 86) reported that the same should be granted Leave to Withdraw.

Which reports were Read and Accepted in concurrence.

Ought to Pass

The Committee on Sea and Shore Fisheries on Bill, "An Act Relating to License for Sardine Packers." (H. P. 94) (L. D. 103) reported that the same Ought to Pass.

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 Inland Fisheries and Game on Bill, "An Act Providing for Training in Safe Handling of Firearms by Certain Minors." (H. P. 61) (L. D. 72) reported that the same Ought to Pass, As Amended by Committee Amendment "A" (H-5)

The Committee on State Government on Resolve Proposing an Amendment to the Constitution to Eliminate Voting Restrictions on Paupers and Persons under Guardianship. (H. P. 9) (L. D. 9) reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-6)

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.

Committee Reports
Senate

Ought to Pass

Mr. Boisvert from the Committee on Retirements and Pensions on Bill, "An Act to Extend Retirement Benefits to Wives of State Police Members Retired Under Non-contributory Statute." (S. P. 2) (L. D. 21) reported that the same Ought to Pass.

Which report was Read and Accepted, the Bill read once and tomorrow assigned for second reading.

Ought to Pass — As Amended

Mr. Smith from the Committee on Labor on Bill, "An Act to Create a Committee to Study Effect of Foreign Labor in Maine." (S. P. 16) (L. D. 29) reported that the same Ought to Pass, As Amended with Committee Amendment "A" (S-1).

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.

Majority — Ought Not to Pass
Minority — Ought to Pass

The Majority of the Committee on Election Laws on Bill, "An Act Determining Position of Names of Candidates on Primary Ballot." (S. P. 60) (L. D. 121) reported that the same Ought Not to Pass.

(Signed)

Sensors:

LETOURNEAU of York
McDONALD of Piscataquis

Representatives:

BINNETTE of Old Town
BOURGOIN of Fort Kent
JORDAN of Lincoln
CUSHING of Bucksport
HAWES of Union

The Minority of the same Committee on the same subject mat-

ter reported that the same Ought to Pass.

(Signed)

Senator:

DUNN of Kennebec

Representatives:

WUORI of Oxford
DICKINSON of Mars Hill

On motion by Mr. Letourneau of York, the Majority Ought Not to Pass Report was accepted.

Sent down for concurrence.

Majority — Ought Not to Pass
Minority — Ought to Pass

The Majority of the Committee on Election Laws on Bill, "An Act Determining Position of Names of Nominees on General Election Ballot." (S. P. 61) (L. D. 122) reported that the same Ought Not to Pass.

(Signed)

Sensors:

LETOURNEAU of York
McDONALD
of Piscataquis

Representatives:

BINNETTE of Old Town
BOURGOIN of Fort Kent
JORDAN of Lincoln
CUSHING of Bucksport
HAWES of Union

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

(Signed)

Senator:

DUNN of Kennebec

Representatives:

WUORI of Oxford
DICKINSON of Mars Hill

Mr. LETOURNEAU of York: Mr. President, I move that the Senate accept the Majority Ought Not to Pass Report.

(Thereupon, on motion by Mr. Dunn of Kennebec, the bill and accompanying papers were tabled pending motion by Mr. Letourneau of York to accept the Ought Not to Pass Report.)

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

House

Bill, "An Act Relating to Nasson College Charter." (H. P. 44) (L. D. 56)

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

House — As Amended

Bill, "An Act Relating to Length of Time for Controlled Atmosphere Storage of Apples." (H. P. 26) (L. D. 38)

Bill, "An Act to Create an Alternating Member to Serve on the State Probation and Parole Board." (H. P. 98) (L. D. 107)

Resolve in Favor of Town of Dixmont for Certain Snow Removal. (H. P. 38) (L. D. 50)

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

Senate

Resolve to Reimburse Allen Bragdon of Ashland for Loss of Poultry. (S. P. 58) (L. D. 119)

Bill, "An Act Relating to Beano." (S. P. 235) (L. D. 535) (New Draft of S. P. 22, L. D. 34)

Which were Read a second time and passed to be engrossed.

Sent down for concurrence.

Orders of the Day

At this point the Chair announced the appointment of Senators Harding of Aroostook, and Faloon of Penobscot to the Maine Commission on Interstate Cooperation, and stated that Senator Jacques of Androscoggin would remain as a member of the Commission according to Section 202 of Chapter 9 of the Revised Statutes.

On motion by Mr. Duquette of York, the Senate voted to take from the table the 2nd tabled and unassigned item (H. P. 1) (L. D. 1) Bill, "An Act Relating to Educational Assistance for Orphans of Veterans"; tabled on January 28 by that Senator pending passage to be enacted; and on motion by Mr. Harding of Aroostook, the bill was passed to be enacted.

On motion by Mr. Brown of Hancock, the Senate voted to reconsider its former action whereby (Item 1-35) Bill, "An Act Relating to Enforcement of Laws Relating to Taking of Alewives in Town of Blue Hill." (H. P. 413) (L. D. 525) was referred to the Committee on Inland Fisheries and Game in concurrence; and on further motion by the same Senator, the bill was tabled pending reference.

On motion by Mr. Brown of Hancock, the Senate voted to reconsider its former action whereby (Item 1-36) Bill, "An Act Regulating Taking of Alewives in Narraguagus River" (H. P. 414) (L. D. 526) was referred to the Committee on Inland Fisheries and Game in concurrence; and on further motion by the same Senator, the bill was tabled pending reference.

Mr. Cahill of Somerset was granted unanimous consent to address the Senate.

Mr. CAHILL: Mr. President and members of the Senate: I am sure that those members of the Legislature who served in either the House or the Senate in the past are familiar with the long and distinguished legislative career of William Cole. Mr. Cole, for many years as Chairman of the Highway Committee, clearly demonstrated his ability as a legislator and also a deep and sincere concern with the welfare of the State of Maine and our people. His achievements were recognized by the last Legislature which passed a joint order directing that a suitable portrait be hung in his memory in the Highway Committee hearing room. This room is now temporarily divided into two small rooms, so that the picture may be hung until the end of this session in the Senate Retiring Room on the fourth floor.

Friends and relatives of the former Senator Cole have been invited to the ceremonies which will be held at 1:30 this afternoon. I would like to cordially invite all members of the Legislature to attend this ceremony this afternoon in the Senate Retiring Room. Thank you.

The PRESIDENT: The Chair would like to thank the Senator and to urge all senators to try to attend.

On motion by Mr. Jacques of Androscoggin, the Senate voted to reconsider its action whereby (Item 1-16) Bill, "An Act Decreasing Interest Rate for Small Loan Agencies" (H. P. 454) (L. D. 608) was referred to the Committee on Business Legislation in concurrence; and on further motion by the same Senator, the bill was tabled pending reference.

On motion by Mr. Jacques of Androscoggin, the Senate voted to reconsider its action whereby (Item 1-17) Bill, "An Act Relating to Interest Rate for Licensed Small Loan Agencies" (H. P. 455) (L. D. 609) was referred to the Committee on Business Legislation in concurrence; and on further motion by the same Senator, the bill was tabled pending reference.

On motion by Mr. Harding of Aroostook

Adjourned until tomorrow morning at ten o'clock.