

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

Thursday, February 4, 1965

Senate called to order by the President.

Prayer by Rev. Douglas Robins of Augusta.

On motion by Mr. Faloon of Penobscot, the Journal of yesterday was Read and Approved.

**Order
(Out of Order)**

On motion by Mr. Harding, out of order and under suspension of the rules

ORDERED, the House concurring, that, in order to accelerate the Legislative processes, beginning the week of February 8, the Senate and House will convene at ten o'clock in the morning on Tuesday, Wednesday, Thursday and Friday, until further change by Joint Order. (S. P. 256)

Which was Read and Passed.
Sent forthwith to the House.

The PRESIDENT: The Chair at this time would like to recognize in the back of the Senate a former seatmate and a former Senator from Penobscot County, Senator Ida Harrington. (Applause)

House Papers

Resolve Appropriating Funds for Recreational Aid for the Mentally Retarded at Pineland Hospital and Training Center. (H. P. 608) (L. D. 800)

Resolve Appropriating Money for Improvements at Indian Reservation at Pleasant Point. (H. P. 609) (L. D. 801)

Bill, "An Act to Create a Committee to Determine the Cost of the Liquor Business to the State of Maine." (H. P. 577) (L. D. 769)

Bill, "An Act Relating to Funeral Expenses of Recipients of Aid to the Aged, Blind or Disabled." (H. P. 578) (L. D. 770)

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

Bill, "An Act to Revise the Real Estate Law." (H. P. 579) (L. D. 771)

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

Bill, "An Act Relating to Applications for School District Formation." (H. P. 580) (L. D. 772)

Resolve Transferring Corinna Union Academy to Town of Corinna. (H. P. 610) (L. D. 802)

Which was referred to the Committee on Education in concurrence.

Bill, "An Act Relating to Qualifications and Fees Under Nursing Law." (H. P. 581) (L. D. 773)

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

Resolve Proposing an Amendment to the Constitution Pledging Credit of State for Guaranteed Loans for Recreational Purposes. (H. P. 582) (L. D. 774)

Which was referred to the Committee on Industrial and Recreational Development in concurrence.

Bill, "An Act Relating to Removal of Vehicles Parked Illegally on Highways." (H. P. 583) (L. D. 775)

Bill, "An Act Relating to Certain Expenses of Supreme Judicial Court Paid by State to Cumberland County." (H. P. 584) (L. D. 776)

Bill, "An Act Revising Laws Relating to Search and Seizure." (H. P. 585) (L. D. 777)

Bill, "An Act Relating to Number of Official Court Reporters." (H. P. 586) (L. D. 778)

Bill, "An Act Providing for Compensation of Attorneys Appointed for Indigent Persons Charged with Crimes." (H. P. 587) (L. D. 779)

Bill, "An Act Relating to Driving Motor Vehicles to the Left on a Curve." (H. P. 588) (L. D. 780)

Bill, "An Act Relating to Jurisdiction of Municipal Police Officers in Fresh Pursuit." (H. P. 589) (L. D. 781)

Which were referred to the Committee on Judiciary in concurrence.

Bill, "An Act Regulating Manufacture and Sale of Stuffed Toys." (H. P. 590) (L. D. 782)

Which was referred to the Committee on Labor in concurrence.

Bill, "An Act Revising the Laws Relating to Plumbers." (H. P. 591) (L. D. 783)

Bill, "An Act Revising Laws Relating to Boilers and Unfired Steam Pressure Vessels." (H. P. 592) (L. D. 784)

Bill, "An Act Revising Laws Relating to Exemptions and Inspections Under Boiler and Unfired Steam Pressure Vessels Law." (H. P. 593) (L. D. 785)

Bill, "An Act Revising Laws Relating to Fees for Inspections and Inspection Certificates Under Boiler and Unfired Steam Pressure Vessel Law." (H. P. 594) (L. D. 786)

Bill, "An Act Relating to Time of Complaint Against Dangerous Dogs." (H. P. 595) (L. D. 787)

Bill, "An Act Relating to Litter Law Enforcement." (H. P. 596) (L. D. 788)

Bill, "An Act Relating to Qualification of Persons Working on Heating Plants in Schoolhouses." (H. P. 597) (L. D. 789)

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

Bill, "An Act Providing for Local Option for Sale of Spiritous Liquor in Restaurants." (H. P. 598) (L. D. 790)

Which was referred to the Committee on Liquor Control in concurrence.

Bill, "An Act Increasing Indebtedness of Jay Village Water District." (H. P. 611) (L. D. 803)

Bill, "An Act to Extend the Charter of the R. and T. Cement Railroad Company." (H. P. 599) (L. D. 791)

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

Bill, "An Act Revising Laws Relating to Advisory Council of Sea and Shore Fisheries." (H. P. 600) (L. D. 792)

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

Resolve Proposing Amendment to the Constitution Relating to

Bond Issues to be Voted Upon by the People. (H. P. 612) (L. D. 804)

Bill, "An Act Relating to Reimbursement of Daily Travel Expenses in Lieu of Housing Expenses." (H. P. 601) (L. D. 793)

Bill, "An Act to Authorize a Bond Issue for Purchase of Voting Machines for Resale to Municipalities." (H. P. 546) (L. D. 768)

(On motion by Mr. Harding of Aroostook, recommitted to the Committee on Reference of Bills in non-concurrence and sent down for concurrence.)

Bill, "An Act Relating to Licensing of Auctioneers." (H. P. 603) (L. D. 795)

Resolve Authorizing State Tax Assessor to Convey Land in Portland to Edward F. Lally of Winthrop, Massachusetts. (H. P. 604) (L. D. 796)

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

Bill, "An Act Increasing State Tax in Unorganized Territory." (H. P. 605) (L. D. 797)

Bill, "An Act to Increase Cigarette Tax Two Cents." (H. P. 606) (L. D. 798)

Which were referred to the Committee on Taxation in concurrence.

Bill, "An Act Increasing Salary of Register of Probate of Washington County." (H. P. 607) (L. D. 799)

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

Resolve, Granting World War I Bonus to Stanley D. Royles of Portland. (H. P. 613) (L. D. 805)

Which was referred to the Committee on Veterans and Military Affairs in concurrence.

THE PRESIDENT: The Chair at this time would like to recognize in the back of the Chambers, Mrs. Bernard, who is the wife of Senator Bernard of Penobscot. (Applause)

Communication
STATE OF MAINE
HOUSE OF REPRESENTATIVES
Office of the Clerk

February 3, 1965

Honorable Edwin H. Pert
 Secretary of the Senate
 102nd Legislature
 Sir:

The Speaker appointed Mr. Davis of Calais, a member of the Joint Standing Committee on Judiciary to fill the vacancy created by the resignation from the House of the Honorable John L. Knight, and Mr. Kennedy of Milbridge, a temporary member of the Joint Standing Committee on Transportation to fill the vacancy created by the resignation from that Committee of the Honorable Elbridge B. Davis.

Respectfully,
JEROME G. PLANTE
 Clerk of the House

Which was Read and Ordered
 Placed on File.

Senate Papers
Referred to Committees
and Ordered Printed
Judiciary

Mr. Harding of Aroostook presented Bill, "An Act to Create the Office of Public Defender." (S. P. 303)

Which was referred to the Committee on Judiciary.

Sent down for concurrence.

Public Utilities

Mr. Stern of Penobscot, and Mr. Glass of Waldo, presented Bill, "An Act to Regulate Community Antenna Television Companies as Public Utilities." (S. P. 304)

(On motion by Mr. Glass of Waldo, tabled pending reference to a committee.)

Mr. Cahill of Somerset presented Bill, "An Act Relating to Rates and Charges of Contract Motor Carriers." (S. P. 305)

Which were referred to the Committee on Public Utilities.

Sent down for concurrence.

The following Bill, having been approved by a majority of the Committee on Reference of Bills,

appears on the Calendar pursuant to Joint Rule 19-C:

Mr. Cahill of Somerset presented Bill, "An Act Establishing a Maine Transportation Commission." (S. P. 306)

Which was received by unanimous consent and referred to the Committee on State Government. Sent down for concurrence.

Committee Reports — House

Ought Not to Pass

The Committee on Judiciary on Bill, "An Act Relating to Private Roads to Shoreland on a Great Pond." (H. P. 21) (L. D. 24) reported that the same Ought Not to Pass.

Which report was Read and Accepted in concurrence.

Ought to Pass

The Committee on Health and Institutional Services on Bill, "An Act Relating to Secondary Tuition for Children Committed to the Stevens Training Center." (H. P. 54) (L. D. 66) reported that the same Ought to Pass.

The same Committee on Bill, "An Act Relating to Informal Admission of the Mentally Ill." (H. P. 55) (L. D. 67) reported that the same Ought to Pass.

The Committee on Public Utilities on Bill, "An Act Changing the Time of the Annual Meeting of Kittery Water District." (H. P. 82) (L. D. 92) reported that the same Ought to Pass.

The same Committee on Bill, "An Act Ratifying Lease Given by the State to Portland Pipe Line Corporation." (H. P. 85) (L. D. 94) reported that the same Ought to Pass.

The same Committee on Bill, "An Act to Clarify the Liability for Damages and the Eminent Domain in the Procedure of the Brunswick Sewer District." (H. P. 86) (L. D. 95) reported that the same Ought to Pass.

The same Committee on Bill, "An Act Relating to the Bonded Indebtedness and Stock Structure of Island Falls Water Company." (H. P. 87) (L. D. 96) reported that the same Ought to Pass.

The Committee on Retirements and Pensions on Bill, "An Act to Increase Pensions of Elderly

Teachers." (H. P. 90) (L. D. 99) reported that the same Ought to Pass.

The same Committee on Resolve to Permit Howard G. Richardson, Readfield, Use of His Out-of-State Credits to Obtain a Retirement Allowance. (H. P. 19) (L. D. 19) reported that the same Ought to Pass.

Which reports were Read and Accepted in concurrence, the Bills and Resolve Read Once and tomorrow assigned for second reading.

Ought to Pass — As Amended

The Committee on Claims on Resolve In Favor of Daisy A. Reed of Millinocket for Injuries Sustained at State Armory. (H. P. 40) (L. D. 52) reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-9)

The Committee on Election Laws on Bill, "An Act Providing Voting Place for Kingman." (H. P. 127) (L. D. 151) reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-10)

The Committee on Inland Fisheries and Game on Bill, "An Act Relating to Publication of Fish and Game Regulations." (H. P. 133) (L. D. 157) reported that the same Ought to Pass as amended by Committee Amendment "A" (H-11)

The same Committee on Resolve Regulating Ice Fishing on Echo Lake, Hancock County. (H. P. 134) (L. D. 158) reported that the same Ought to Pass as amended by Committee Amendment "A" (H-12)

The same Committee on Resolve Regulating Fishing in Certain Waters in Penobscot and Piscataquis Counties. (H. P. 135) (L. D. 159) reported that the same Ought to Pass as amended by Committee Amendment "A" (H-13)

The Committee on Legal Affairs on Bill, "An Act Relating to Obstructing Personnel of Fire Departments in Their Duties." (H. P. 79) (L. D. 89) reported that the same Ought to Pass as amended by Committee Amendment "A" (H-15)

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.

The PRESIDENT: The Chair at this time would like to call the attention of the Senate to the presence in the Senate of a former President of this body and former Governor of this State, the Honorable Burton Cross of Augusta. (Applause)

Ought to Pass in New Draft

The Committee on Taxation on Bill, "An Act Relating to Exemption of Houses of Religious Worship." (H. P. 5) (L. D. 5) reported that the same Ought to Pass in New Draft, under same title (H. P. 384) (L. D. 313).

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

Committee Reports — Senate

Ought Not to Pass

Mr. Norris from the Committee on Claims on Resolve in Favor of Gordon Weeks of Bristol for Motor Vehicle Damage by Moose. (S. P. 84) (L. D. 228) reported that the same Ought Not to Pass.

On motion by Mrs. Sproul of Lincoln, tabled pending acceptance of the report.

Ought to Pass

Mr. Cahill from the Committee on Highways on Bill, "An Act to Allocate Money from the General Highway Fund for State Aid Construction." (S. P. 62) (L. D. 123) reported that the same Ought to Pass.

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

Second Readers

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

House

Bill, "An Act Increasing Salaries and Relating to Vacancies in Trustees of Boothbay - Boothbay Harbor Community School District." (H. P. 126) (L. D. 150)

Bill, "An Act Relating to Bow and Arrow Hunting on Mount Desert Island, Hancock County." (H. P. 131) (L. D. 155)

Bill, "An Act Providing Compensation for Members of Park Commission, School Committee and Police Commissioners of Town of Sanford." (H. P. 75) (L. D. 85)

Bill, "An Act Relating to Powers and Duties of School Committee of the City of Portland." (H. P. 80) (L. D. 90)

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

House — As Amended

Bill, "An Act Relating to Civil Rights of Persons Hospitalized for Mental Illness." (H. P. 69) (L. D. 80)

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

Enactors

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

Bill, "An Act to Incorporate Auto Loan and Finance Co. of Portland." (H. P. 35) (L. D. 47)

Bill, "An Act Repealing Time Limitation on Size of Salmon Taken from Waters of Aroostook County." (H. P. 62) (L. D. 73)

Bill, "An Act Relating to Open Season on Muskrat in Portion of Cumberland County." (H. P. 66) (L. D. 77)

Which Bills were Passed to be Enacted.

Emergency

Bill, "An Act Relating to Maine Indemnity Company." (H. P. 36) (L. D. 48)

This being an emergency measure and having received the affirmative vote of 32 members of the Senate, was Passed to be Enacted.

Resolve to Reimburse William Cossette of Wiscasset for Truck Damage Incurred at Fort Edgecomb State Park. (H. P. 37) (L. D. 49)

(On motion by Mr. Duquette of York, placed on the Special Appropriations Table pending final passage)

Resolve to Reimburse Clarence P. Christenson of Gardiner for Loss of Poultry. (H. P. 42) (L. D. 54)

(On motion by Mr. Duquette of York, placed on the Special Appropriations Table pending final passage)

At this time the Chair announced the appointment of Senator Snow of Cumberland and Senator Willey of Hancock to serve as the Senate Members of the Legislative Study Committee on the possibilities of an official State Museum, pursuant to Joint Order 276.

Orders of the Day

The President laid before the Senate the first tabled and today assigned matter, Bill, "An Act Relating to Discharge from Juvenile Training Centers," (H. P. 11) (L. D. 11) which was tabled on February 3rd by Senator Harding of Aroostook, pending enactment and on motion by Senator Harding the bill was passed to be enacted.

The PRESIDENT: The Chair would like to recognize in the balcony forty students from the Winterport High School accompanied by Mrs. Margaret Nelson and Mrs. Erma Foley. They are guests of Senator Glass of Waldo. We welcome you here this morning and hope that you both enjoy and benefit from your stay here. (Applause)

On motion by Senator O'Leary of Oxford, the Senate voted to take from the table the 9th tabled and unassigned matter, (S. P. 296) Bill, "An Act Relating to Property of Agricultural Societies taken by Eminent Domain," which was tabled by that Senator on February 3rd; and on further motion by the same Senator the bill was referred to the Committee on Agriculture and sent down for concurrence.

On motion by Senator O'Leary of Oxford, the Senate voted to take from the table the 8th tabled and unassigned matter, (H. P. 491) (L. D. 644) Bill, "An Act Permitting the Establishment of Shooting Preserves," which was tabled by that Senator on February 3rd, pending reference; and on further motion by the same Senator the bill was referred to the Committee on Legal Affairs, in non-concurrence and sent down for concurrence.

On motion by Mr. Hoffses of Knox, the Senate voted to take from the table the 7th tabled and unassigned item (H. P. 508) (L. D. 661) Bill, "An Act Relating to Elevators Used on Farms"; tabled by that Senator on February 3 pending reference, and on further motion by the same Senator, the bill was referred to the Committee on Agriculture in non-concurrence and sent down for concurrence.

On motion by Mr. Glass of Waldo, the Senate voted to take from the table the 6th tabled and unassigned item (H. P. 560) (L. D. 730) Bill, "An Act Providing for an Additional Trial Term for York County," tabled by that Senator on February 3 pending reference; and on motion by Mr. Violette of Aroostook, the bill was referred to the Committee on Judiciary in non-concurrence and sent down for concurrence.

On motion by Mr. Glass of Waldo, the Senate voted to take from the table the 10th tabled and unassigned item (H. P. 493) (L. D. 633) Bill, "An Act Relating to Posting Land Against Hunting"; tabled by that Senator on February 3 pending reference; and on motion by Mr. Violette of Aroostook, the bill was referred to the Committee on Judiciary in non-concurrence and sent down for concurrence.

On motion by Mr. Faloon of Penobscot, the Senate voted to take from the table the 11th tabled and unassigned item (H. P. 480) (L. D. 633) Bill, "An Act Relating to Authority of Bureau of Social Welfare"; tabled by that Senator on

February 3 pending reference; and on further motion by the same Senator, the bill was referred to the Committee on Welfare in non-concurrence and sent down for concurrence.

On motion by Mr. Brown of Hancock, the Senate voted to take from the table the 12th tabled and unassigned item (H. P. 487) (L. D. 640) Bill, "An Act Continuing Bureau of Public Improvements Study of Desirability of a Dam Across Taunton River"; tabled by that Senator on February 3 pending reference; and on further motion by the same Senator, the bill was referred to the Committee on Appropriations and Financial Affairs in concurrence.

On motion by Mr. Dunn of Kennebec, the Senate voted to take from the table the 2nd tabled and unassigned item (S. P. 61) (L. D. 122) Senate Reports from the Committee on Election Laws on Bill, "An Act Determining Position of Names of Nominees on General Election Ballot"; Majority Report, Ought Not to Pass; Minority Report, Ought to Pass; tabled by that Senator on February 3 pending motion by Senator Letourneau of York to accept the Majority Ought Not to Pass Report.

Senator Dunn of Kennebec yielded to Senator Cahill of Somerset.

Thereupon, on motion by Mr. Cahill of Somerset, the bill was retabled and especially assigned for Wednesday next.

On motion by Mr. O'Leary of Oxford, the Senate voted to take from the table the 5th tabled and unassigned item (S. P. 60) (L. D. 121) Senate Reports from the Committee on Election Laws on Bill, "An Act Determining Position of Names of Candidates on Primary Ballot"; Majority Report, Ought Not to Pass; Minority Report, Ought to Pass; tabled by that Senator on February 3 pending motion by Senator Snow of Cumberland to accept the Minority Ought to Pass Report; and on motion by Mr. Cahill of Somerset, the bill was retabled and especially assigned for Wednesday next.

On motion by Mr. Letourneau of York, the Senate voted to reconsider its action taken earlier in today's session whereby (Item 7-3) Bill, "An Act Providing Compensation for Members of Park Commission, School Committee and Police Commissioners of Town of Sanford" (H. P. 75) (L. D. 85) was passed to be engrossed; and on further motion

by the same Senator, the bill was tabled pending passage to be engrossed.

The Adjournment Order having been returned from the House, read and passed in concurrence, the Senate.

Adjourned until Tuesday next at ten o'clock in the morning.