

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 16, 1965

Senate called to order by the President.

Prayer by the Rev. Clyde Park of Mexico.

On motion by Mr. Jacques of Androscoggin, the Journal of yesterday was read and approved.

Papers from the House**Non-concurrent matters**

Bill, "An Act Relating to Publication of Fish and Game Regulations." (H. P. 133) (L. D. 157)

In Senate February 9, Passed to Be Engrossed as Amended by Committee Amendment "A" (H-11) in concurrence.

Comes from the House Indefinitely postponed in non-concurrence.

In the Senate, on motion by Mr. Harding of Aroostook, the Senate voted to insist and ask for a Committee of Conference.

Change of Reference

Bill, "An Act Relating to Public Notice in Probate Proceedings." (S. P. 294) (L. D. 909)

In Senate, Feb. 3, referred to Committee on Legal Affairs.

Comes from the House referred to the Committee on Judiciary in non-concurrence.

In the Senate, on motion by Mr. Harding of Aroostook, the Senate voted to recede and concur.

Bill, "An Act Relating to Public Notice in Probate Proceedings and Return Dates." (S. P. 295) (L. D. 910)

In Senate, February 3, Referred to Committee on Legal Affairs.

Comes from the House Referred to the Committee on Judiciary in non-concurrence.

In the Senate, on motion by Mr. Harding of Aroostook, the Senate voted to recede and concur.

Committee of Conference Asked

Bill, "An Act to Authorize the Town of Pownal to Form a School Administrative District." (H. P. 47) (L. D. 59)

In House, February 4, Minority—Ought to Pass report Accepted.

In Senate, February 10, Majority — Ought Not to Pass report Accepted in non-concurrence.

Comes from the House, that body having Insisted and asked for a Committee of Conference.

In the Senate, on motion by Mr. Harding of Aroostook, the Senate voted to insist and join in the Committee of Conference; the President appointed as Senate conferees,

Senators

SNOW of Cumberland
FALON of Penobscot
HARDING of Aroostook

Order

(Out of Order)

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

ORDERED, the House concurring, that there be no session of the Legislature on Thursday, February 18th, in order to allow the time for Committee hearings and Executive Committee meetings. (S. P. 391)

Which was Read and Passed, and sent forthwith to the House for concurrence.

The PRESIDENT: The Chair at this time would like to recognize in the Senate Chamber a group of students from Mantello Junior High School, the freshman class accompanied by Carroll Scribner. We are told that there are approximately 170 pupils and they are from Lewiston. We welcome you here this morning and we hope that you enjoy and benefit from your stay here.

The Chair would like to introduce the Senators from your County of Androscoggin. Senator Boisvert, Senator Jacques and Senator Girard. (Applause)

House Papers

Bill, "An Act Relating to Payment by Dealers to Producers for Milk Purchased." (H. P. 790) (L. D. 1067)

Which was referred to the Committee on Agriculture in concurrence.

Bill, "An Act Providing for State Contributions to Industrial Pollution Abatement." (H. P. 791) (L. D. 1068)

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

Bill, "An Act Providing for Professional Immunity to Policemen and Firefighters in Emergency Cases." (H. P. 823) (L. D. 1053)

Which was referred to the Committee on Judiciary in concurrence.

Bill, "An Act Relating to Time of Payments of Benefits Under Employment Security Law." (H. P. 824) (L. D. 1054)

Bill, "An Act Providing Unemployment Compensation for Seasonal State Employees." (H. P. 827) (L. D. 1055)

Bill, "An Act Relating to Payments Under Employment Security Law for Dependent Children." (H. P. 828) (L. D. 1056)

Bill, "An Act Revising the Maine Employment Security Law and Increasing Benefits Thereunder." (H. P. 829) (L. D. 1057)

Which were referred to the Committee on Labor in concurrence.

Bill, "An Act Relating to Election of Officers of Independent Churches." (H. P. 831) (L. D. 1058)

Bill, "An Act Relating to Junk Yards." (H. P. 832) (L. D. 1059)

Bill, "An Act to Amend the Law Relative to Ministerial and School Funds." (H. P. 833) (L. D. 1060)

Bill, "An Act Revising the Laws Relating to Fire Protection and Prevention." (H. P. 834) (L. D. 1061)

Bill, "An Act Relating to Rules for and Enforcement of Channel Lines by Municipal Officers." (H. P. 835) (L. D. 1062)

Bill, "An Act Relating to Penalty for Dumping Litter on Highways." (H. P. 836) (L. D. 1063)

Bill, "An Act Exempting Stamp and Coin Societies from Sunday Closing Law." (H. P. 837) (L. D. 1064)

Bill, "An Act Relating to Adoption of Ordinances by Tribal Indians." (H. P. 787) (L. D. 1040)

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

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

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

Senate Papers

Referred to Committees and ordered printed.

Appropriations and Financial Affairs

Mr. Casey of Washington presented Bill, "An Act Relating to Study of Air Pollution." (S. P. 375)

Mr. Shiro of Kennebec presented Bill, "An Act Creating a State Commission on Registration and Voting Participation." (S. P. 376)

Mr. Jacques of Androscoggin presented Bill, "An Act Relating to Working Capital of Liquor Commission." (S. P. 377)

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

Sent down for concurrence.

Business Legislation

Mr. Stern of Penobscot presented Bill, "An Act Providing for Mandatory Cumulative Voting for Directors of Corporations." (S. P. 378)

The same Senator presented Bill, "An Act Amending the Banking Laws." (S. P. 379)

Which were referred to the Committee on Business Legislation.

Sent down for concurrence.

Judiciary

Mr. Shiro of Kennebec presented Bill, "An Act Relating to Petition for Release of Respondents Acquitted on Basis of Mental Defect." (S. P. 380)

The same Senator presented Bill, "An Act Relating to Driving a Vehicle to Endanger." (S. P. 381)

The same Senator presented Bill, "An Act Relating to Conditions of Bail Accepted by Bail Commissioner." (S. P. 382)

Which were referred to the Committee on Judiciary.

Sent down for concurrence.

Legal Affairs

The same Senator presented Bill, "An Act Revising the Elec-

tricians Licensing Laws." (S. P. 383)

Which was referred to the Committee on Legal Affairs.

Sent down for concurrence.

Liquor Control

The same Senator presented Bill, "An Act Relating to Definition of Hotel Under Liquor Laws." (S. P. 384)

Which was referred to the Committee on Liquor Control.

Sent down for concurrence.

Public Utilities

Mr. Jacques of Androscoggin presented Bill, "An Act Relating to Promotion of Locomotive Engineers Without Experience." (S. P. 385)

Which was referred to the Committee on Public Utilities.

Sent down for concurrence.

Sea and Shore Fisheries

The same Senator presented Bill, "An Act Relating to Catching Lobsters by Skindivers." (S. P. 386)

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

Sent down for concurrence.

Towns and Counties

Mr. Shiro of Kennebec presented Bill, "An Act Relating to Realty Subdivisions in Municipalities." (S. P. 388)

The same Senator presented Bill, "An Act Relating to Recording of Realty Subdivisions in Municipalities and Unorganized Territory." (S. P. 389)

Which were referred to the Committee on Towns and Counties.

Sent down for concurrence.

The following Bill was approved for appearance on the Calendar by the majority of the Committee on Reference of Bills, under the provisions of Joint Rule 19-C:

Business Legislation

Mr. Jacques of Androscoggin presented Bill, "An Act to Incorporate the Abby Finance Company." (S. P. 390)

Which was received by unanimous consent and referred to the Committee on Business Legislation.

Sent down for concurrence.

Committee Reports

House

Leave to Withdraw

The Committee on Highways on Bill, "An Act Relating to Expenditures Under Town Road Improvement Fund Law." (H. P. 59) (L. D. 71) reported that the same should be granted Leave to Withdraw as covered by other legislation.

The Committee on Legal Affairs on Bill, "An Act Relating to Unifying Sanford and Springvale Fire Departments." (H. P. 144) (L. D. 167) reported that the same should be granted Leave to Withdraw.

The Committee on State Government on Resolve Proposing an Amendment to the Constitution Authorizing Cities and Towns to Issue Municipal Revenue Bonds. (H. P. 550) (L. D. 721) reported that the same should be granted Leave to Withdraw.

Which reports were Read and Accepted in concurrence.

Ought Not to Pass

The Committee on Judiciary on Bill, "An Act Relating to Acquisition of Land for Public Dumps." (H. P. 281) (L. D. 363) reported that the same Ought Not to Pass.

The Committee on Legal Affairs on Bill, "An Act Relating to Limitations on Permits for Automobile Junk Yards." (H. P. 148) (L. D. 171) reported that the same Ought Not to Pass.

The Committee on State Government on Bill, "An Act Relating to Definition of Legislative Counsel and Legislative Agent." (H. P. 254) (L. D. 322) reported that the same Ought Not to Pass.

The same Committee on Resolve Proposing an Amendment to the Constitution Extending Voting Franchises to Persons Eighteen Years of Age. (H. P. 433) (L. D. 562) reported that the same Ought Not to Pass as covered by other legislation.

The Committee on Taxation on Bill, "An Act Providing Stamped Envelopes When Sales Tax Forms Sent by State Tax Assessor." (H. P. 167) (L. D. 188) reported that the same Ought Not to Pass.

Which reports were Read and Accepted in concurrence.

Committee Reports

House

Ought to Pass

The Committee on Business Legislation on Bill, "An Act Relating to Amount of Property Held by Araxine Wilkins Sawyer Foundation." (H. P. 122) (L. D. 146) reported that the same Ought to Pass.

(On motion by Mr. Glass of Waldo, tabled pending acceptance of the report.)

The same Committee on Bill, "An Act Providing for Group Insurance for Civilian Technicians Employed by the Military." (H. P. 195) (L. D. 250) reported the same Ought to Pass.

The same Committee on Bill, "An Act to Incorporate Dial Acceptance Corporation." (H. P. 308) (L. D. 411) reported that the same Ought to Pass.

The same Committee on Bill, "An Act to Incorporate the Ajax Finance Corporation of Maine." (H. P. 310) (L. D. 413) reported that the same Ought to pass.

The same Committee on Bill, "An Act to Incorporate the Thompson Finance Company." (H. P. 311) (L. D. 414) reported that the same Ought to Pass.

The same Committee on Bill, "An Act to Incorporate the Regional Mortgage Company, Inc." (H. P. 312) (L. D. 415) reported that the same Ought to Pass.

The same Committee on Bill, "An Act to Incorporate Lincoln Acceptance Corporation." (H. P. 313) (L. D. 416) reported that the same Ought to Pass.

The same Committee on Bill, "An Act to Incorporate Cole Acceptance Corporation." (H. P. 314) (L. D. 417) reported that the same Ought to Pass.

The Committee on Claims on Resolve to Reimburse Town of Hanover for Aid Extended Floyd

Merrill. (H. P. 317) (L. D. 420) reported that the same Ought to Pass.

The Committee on Education on Bill, "An Act Relating to Pilot Programs for School Entrance Age." (H. P. 201) (L. D. 256) reported that the same Ought to Pass.

The Committee on Inland Fisheries and Game on Bill, "An Act Relating to Closed Time on Rabbits in Waldo County." (H. P. 272) (L. D. 354) reported that the same Ought to Pass.

The Committee on Public Utilities on Bill, "An Act Relating to the Bonded Indebtedness, Stock Structure and the Power to Hold Real and Personal Property of Phillips Water Company." (H. P. 155) (L. D. 178) reported that the same Ought to Pass.

The same Committee on Bill, "An Act Relating to Stock Structure of Washburn Water Company." (H. P. 156) (L. D. 179) reported that the same Ought to Pass.

The Committee on Sea and Shore Fisheries on Bill, "An Act Repealing the Time Limitation on Law Repealing the Two Inch Soft-Shell Clam Law." (H. P. 249) (L. D. 317) reported that the same Ought to Pass.

The Committee on Taxation on Bill, "An Act Increasing Maine Forestry District Taxes." (H. P. 169) (L. D. 190) reported that the same Ought to pass.

The same Committee on Bill, "An Act Directing an Improvement of Property Tax Administration" (H. P. 257) (L. D. 327) reported that the same Ought to Pass.

The same Committee on Resolve in Favor of the City of Augusta. (H. P. 378) (L. D. 480) reported that the same Ought to Pass.

The Committee on Towns and Counties on Bill, "An Act Relating to Expending Aroostook County Funds for Ricker College." (H. P. 2) (L. D. 2) reported that the same Ought to Pass.

The same Committee on Bill, "An Act Relating to Fire Depart-

ment Officers as Fire Wards." (H. P. 106) (L. D. 114) reported that the same Ought to Pass.

The same Committee on Bill, "An Act Relating to Additional Persons to Aid Overseers of the Poor." (H. P. 178) (L. D. 199) reported that the same Ought to Pass.

The same Committee on Bill, "An Act Relating to Expending Aroostook County Funds for Maine Potato Blossom Festival." (H. P. 380) (L. D. 482) reported that the same Ought to Pass.

Come from the House, 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.

The Committee on Sea and Shore Fisheries on Bill, "An Act Relating to Taking Smelts at Dam-ariscotta Mills, Lincoln County." (H. P. 335) (L. D. 438) reported that the same Ought to Pass.

Comes from the House Passed to Be Engrossed as amended by House Amendment "A" (H-37)

Which report was read.

Mrs. SPROUL of Lincoln: Mr. President, I don't have a copy of this amendment. Can anyone from the Sea and Shore Fisheries Committee tell me what it does?

The PRESIDENT: The Senator from Lincoln, Senator Sproul directs an inquiry to any member of the Committee on Sea and Shore Fisheries. Any Senator may answer who so desires.

Thereupon, on motion by Mr. Jutras of York, the bill and accompanying papers were tabled pending acceptance of the committee report.

Ought to Pass — As Amended

The Committee on Business Legislation on Bill, "An Act in Relation to Capital Stock of Rumford Bank and Trust Company." (H. P. 196) (L. D. 251) reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-21)

The Committee on Liquor Control on Bill, "An Act Permitting

Entrances from Liquor Premises to Owners Living Quarters." (H. P. 284) (L. D. 366) reported that the same Ought to Pass as amended by Committee Amendment "A" (H-23)

Divided Report

The Majority of the Committee on Highways on Resolve to Reconstruct Route No. 5 between Cornish and Limerick, York County. (H. P. 333) (L. D. 436) reported that the same Ought Not to Pass.

(Signed)

Senators:

CAHILL of Somerset
CASEY of Washington
NORRIS of Oxford

Representatives:

STOUTAMYER of Madison
WALTZ of Waldoboro
ROSS of Brownville
CARTER of Etna
DUDLEY of Enfield

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

(Signed)

Representatives:

NADEAU of Biddeford
LENT of Scarborough

Comes from the House, Ought Not to Pass Report Accepted.

In the Senate the reports were read, and on motion by Mr. Norris of Oxford, the Ought Not to Pass report was accepted in concurrence.

Second Readers

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

House — As Amended

Resolve Authorizing Kermit O. Stadig to Bring Civil Action Against State of Maine. (H. P. 230) (L. D. 299)

Which was Read a Second Time and on motion by Mr. Sterns of Penobscot, tabled pending passage to be engrossed.

Senate

Bill, "An Act Relating to Group Life Insurance for State Employees Retired for Other Than Occu-

pational Liability." (S. P. 57) (L. D. 118)

Which was read a second time.

Mr. Smith of Cumberland presented Senate Amendment A (S-12)

Which amendment was read and adopted and the bill as amended passed to be engrossed.

Bill, "An Act Exempting Firemen from Waiting Period Under Workmen's Compensation." (S. P. 42) (L. D. 213)

Bill, "An Act Relating to Traffic Ordinances." (S. P. 98) (L. D. 265)

Bill, "An Act Permitting Merger of Maine General Hospital with Maine Medical Center." (S. P. 69) (L. D. 130)

Bill, "An Act to Extend the Military Law to Females." (S. P. 105) (L. D. 272)

Resolve Designating U. S. Route No. 2 as the 43rd Infantry Division Memorial Highway. (S. P. 156) (L. D. 396)

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

Sent down for concurrence.

Senate — As Amended

Bill, "An Act Relating to Part-Time School Attendance." (S. P. 59) (L. D. 120)

Bill, "An Act to Correct Errors and Inconsistencies in the Sea and Shore Fisheries Laws." (S. P. 100) (L. D. 267)

Resolve Reimbursing Certain Municipalities on Account of Property Tax Exemptions of Veterans. (S. P. 47) (L. D. 218)

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

Sent down for concurrence.

Enactors

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

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)

Which was passed to be enacted.

Bill, "An Act Relating to License for Sardine Packers." (H. P. 94) (L. D. 103)

On motion by Mrs. Sproul of Lincoln, tabled pending passage to be enacted.

Emergency

Bill, "An Act Relating to the Display of Boat Numbers." (H. P. 70) (L. D. 204)

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

Orders of the Day

On motion by Mr. Violette of Aroostook, the Senate voted to take from the table the third tabled and unassigned matter (H. P. 619) (L. D. 827) Bill, "An Act Permitting Certain Corporations to Hold Stockholder Meetings Outside of State," which was tabled by that Senator on February 9th pending reference; and on further motion by the same Senator the bill was referred to the Committee on Judiciary in non-concurrence and sent down for concurrence.

On motion by Mr. Violette of Aroostook, the Senate voted to take from the table the fifth tabled and unassigned matter, (H. P. 644) (L. D. 869) Bill, "An Act Relating to Amending Provision of Charters and Bylaws of Corporations Relating to Preemptive Rights," which was tabled by that Senator on February 9th pending reference; and on further motion by the same Senator the bill was referred to the Committee on Judiciary in non-concurrence and sent down for concurrence.

On motion by Mr. Maxwell of Franklin, the Senate voted to take from the table the sixth tabled and unassigned matter, (H. P. 557) (L. D. 873) Bill, "An Act for Shrinkage Allowance on Motor Fuel for Service Stations," which was tabled by that Senator on February 10th pending reference; and on further motion by the same

Senator the bill was referred to the Committee on Business Legislation in concurrence.

On motion by Mr. Bernard of Penobscot, the Senate voted to take from the table the eleventh tabled and unassigned matter, (H. P. 615) (L. D. 189) House Report—"Ought not to pass" from the Committee on Taxation on Bill, "An Act Revising Law Relating to Facility Improvement Fund for Agricultural Fairs," which was tabled by that Senator on February 11th pending reference; and on further motion by the same Senator the bill was referred to the Committee on Agriculture in concurrence.

On motion by Mr. Hilton of Somerset, the Senate voted to take from the table the 4th tabled and unassigned matter, (S. P. 40) (L. D. 211) Senate Reports — from

the Committee on Education on Bill, "An Act to Authorize the Municipalities of Belgrade, Mercer, New Sharon, Norridgewock and Smithfield to form a School Administrative District," Majority Report "Ought not to pass"; Minority Report "Ought to pass, which was tabled by that Senator on February 9th pending acceptance of Majority "Ought not to pass" Report (Motion by Senator Snow of Cumberland)

Mr. HILTON: Mr. President, I now support the motion of Senator Snow of Cumberland to accept the "Ought not to pass" report.

The motion prevailed and the "Ought not to pass" report was accepted. Sent down for concurrence.

On motion by Mr. Harding of Aroostook,

Adjourned until ten o'clock tomorrow morning.