

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

*One Hundred and Second
Legislature*

OF THE

STATE OF MAINE

1965

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Tuesday, March 2, 1965

Senate called to order by the President.

Prayer by Rev. Clifford Patnode of Gardiner.

On motion by Mr. Moore of Washington, the Journal of Friday was read and approved.

Order Out of Order

Mr. Harding of Aroostook presented the following Order out of order and under suspension of the rules moved its passage:

ORDERED, that a message be sent to the House of Representatives proposing a Convention of both branches of the Legislature, to be held at ten-thirty A.M. today in the Hall of the House for the purpose of extending to His Excellency Governor John H. Reed an invitation to extend whatever remarks he deems advisable.

Read and passed and sent forthwith to the House.

The PRESIDENT: The Secretary will deliver the message and the Senate will be at ease awaiting his return.

Secretary Pert subsequently reported that he had delivered the message with which he was charged.

At this point Clerk of the House Plante entered the Senate Chamber and reported that the House would be delighted and pleased to concur with meeting in a Joint Convention.

The PRESIDENT: The Chair at this time would like to recognize in the Senate Chambers representatives of the League of Women Voters of Maine, with Mrs. George Healy, their Legislative Chairman and Mrs. Charles McEvoy, their President. They are representatives from the local leagues in Auburn, Bangor, Brunswick, Falmouth, Kittery, Lewiston, Mt. Desert, Orono, Portland, Rockland, South Portland and Waterville.

We welcome you here this morning and hope that you enjoy and benefit from your stay here. (Applause)

House Papers

Bill, "An Act to Establish Savings Bank Life Insurance." (H. P. 992) (L. D. 1373)

Bill, "An Act Relating to Retail Installment Sales." (H. P. 991) (L. D. 1374)

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

Bill, "An Act Relating to Clerk Hire of Clerk of Courts and County Attorney in York County." (H. P. 1012) (L. D. 1372)

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

Order Out of Order

Mr. Harding of Aroostook presented the following order out of order and under suspension of the rules moved its passage:

ORDERED, that Wednesday, March 24th, 1965 be designated as Welcome Back Day in the Senate; and be it further

ORDERED, that all former Presidents of the Senate, all former Members of the Senate and all former officers of the Senate are hereby extended a cordial invitation to be guests of the Senate of the 102nd Legislature in session on that date; and be it further

ORDERED, that individual members of the present Senate be charged with the duty of urging all former Senate members from their counties to avail themselves of the opportunity of returning on Welcome Back Day to renew old established friendships; and be it further

ORDERED: That a committee consisting of the President of the Senate and two members of the Senate be instructed to further the plans for Welcome Back Day.

The order was read and passed.

Committee Reports

House

Leave to Withdraw

The Committee on Health and Institutional Services on Bill, "An Act Relating to Definition of Disabled Under Aid to Dependents of Veterans." (H. P. 689) (L. D. 926) reported that the same should be granted Leave to Withdraw.

The Committee on Highways on Bill, "An Act Increasing Expenditures of Town Road Improvement Fund." (H. P. 483) (L. D. 636) reported that the same should be granted Leave to Withdraw.

The Committee on Legal Affairs on Bill, "An Act Relating to Interest in Contracts by City of Portland Officials." (H. P. 353) (L. D. 456) reported that the same should be granted Leave to Withdraw.

The Committee on Liquor Control on Bill, "An Act Providing for a Separate Licensing Division Under Liquor Commission." (H. P. 648) (L. D. 876) reported that the same should be granted Leave to Withdraw.

The Committee on Retirements and Pensions on Bill, "An Act Increasing Retirement Benefits of Certain Retired Superintendents of Schools." (H. P. 533) (L. D. 707) 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 Inland Fisheries and Game on Bill, "An Act Relating to Wearing Fluorescent Clothing When Hunting." (H. P. 698) (L. D. 936) reported that the same Ought Not to Pass.

Comes from the House, Indefinitely Postponed.

The Committee on Inland Fisheries and Game on Bill, "An Act Permitting Sunday Hunting of Bobcats and Rabbits in Northern and Central Zones." (H. P. 629) (L. D. 836) reported that the same Ought Not to pass.

The same Committee on Bill, "An Act Prohibiting Hunting Deer with Certain Firearms." (H. P. 701) (L. D. 939) reported that the same Ought Not to pass.

The same Committee on Bill, "An Act Providing Free Hunting and Fishing Licenses for Persons Over Seventy Years of Age." (H. P. 630) (L. D. 837) reported that the same Ought Not to pass.

The Committee on Labor on Bill, "An Act Relating to Advertising for Applicants for Employment." (H. P. 504) (L. D. 657) reported that the same Ought Not to pass.

(On motion by Mr. O'Leary of Oxford, recommitted to the Committee on Labor in non-concurrence; sent down for concurrence.)

The same Committee on Bill, "An Act Relating to Workmen's Compensation Insurance." (H. P. 505) (L. D. 658) reported that the same Ought Not to pass.

Which reports were Read and Accepted in concurrence.

At this point, the Senate retired to the Hall of the House where a Joint Convention was formed.

(For proceedings of Joint Convention, see House Report.)

In Senate

Senate called to order by the President.

Ought to Pass

The Committee on Business Legislation on Bill, "An Act Relating to Amount of Property Held by Portland Public Library." (H. P. 315) (L. D. 418) reported that the same Ought to Pass.

The same Committee on Bill, "An Act Relating to Filing of Corporation Clerk's Acceptance and Resignation." (H. P. 457) (L. D. 611) reported that the same Ought to pass.

The Committee on Education on Bill, "An Act to Reconstitute School Administrative District No. 32." (H. P. 407) (L. D. 519) reported that the same Ought to pass.

The same Committee on Bill, "An Act to Reconstitute School Administrative District No. 35." (H. P. 469) (L. D. 622) reported that the same Ought to pass.

The Committee on Highways on Bill, "An Act Relating to Area Directional Sign for Acadia National Park." (H. P. 481) (L. D. 634) reported that the same Ought to pass.

The same Committee on Bill, "An Act Providing for Access Roads to Public Industrial Development Areas." (H. P. 485) (L. D. 638) reported that the same Ought to pass.

The Committee on Legal Affairs on Bill, "An Act Relating to Minimum Hour and Wage Standards for Firefighting Personnel of Lewiston Fire Department." (H. P.

348) (L. D. 450) reported that the same Ought to Pass.

Which report was read and accepted in concurrence and the bill read once. Thereupon, on motion by Mr. Boisvert of Androscoggin, the rules were suspended, the bill given its second reading and passed to be engrossed in concurrence.

The Committee on Transportation on Bill, "An Act Relating to Lights on Rescue Vehicles of Civil Defense and Public Safety Agencies." (H. P. 292) (L. D. 374) reported that the same Ought to pass.

The Committee on Veterans and Military Affairs on Resolve Granting World War I Bonus to Stanley D. Royles of Portland. (H. P. 613) (L. D. 805) 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.

The Committee on Claims on Resolve in Favor of Town of Woolwich for Loss of Tax Revenues. (H. P. 316) (L. D. 419) reported that the same Ought to pass.

Comes from the House, Report Read and Accepted, and the Bill Passed to Be Engrossed as amended by House Amendment "A" (H-69)

In the Senate, the report was read and accepted and the bill read once; House Amendment A was read and adopted, and the bill as amended was tomorrow assigned for second reading.

Mr. HARDING of Aroostook: Mr. President, I would like to call to the attention of the Senate the presence in the Senate Chamber of two distinguished visitors, which the President of the Senate may not wish to do because of relationship perhaps. They are Mr. and Mrs. John Hunter, who I understand are the brother-in-law and sister of our distinguished Senate President Carlton D. Reed, Jr. I wonder if they would stand and be recognized. (Applause)

Additional Paper From the House:

Bill, "An Act Accepting from Percival Proctor Baxter a Gift of One Thousand Shares of the Capital Stock of Congress Realty Company to be Added to Baxter State Park Trust Fund which was Established by Laws of Maine (1961), Chapter 21, and Administered According to the Provisions of said Baxter State Park Trust Fund." (H. P. 1018)

Mr. HARDING of Aroostook: Mr. President, under suspension of the rules and without reference to a committee, I move that this bill be given its two several readings and be passed to be engrossed.

Thereupon, the bill was received by unanimous consent out of order and under suspension of the rules, and without reference to a committee was given its two several readings and passed to be engrossed.

Sent forthwith to the House for concurrence.

Ought to Pass — As Amended

The Committee on Business Legislation on Bill, "An Act Revising the Laws Relating to Credit Unions." (H. P. 456) (L. D. 610) reported that the same Ought to pass as amended by Committee Amendment "A" (H-55)

Comes from the House, Report Read and Accepted, and the Bill Passed to Be Engrossed, as amended by Committee Amendment "A" (H-55) and by House Amendment "A" (H-67)

In the Senate, the report was read and accepted and the bill read once; Committee Amendment A and House Amendment A were read and adopted in concurrence, and the bill as amended was tomorrow assigned for second reading.

The same Committee on Bill, "An Act Amending Charter of St. Mark's Home, Augusta." (H. P. 267) (L. D. 349) reported that the same Ought to pass, as amended by Committee Amendment "A" (H-54)

The Committee on Legal Affairs on Resolve Permitting Owners of Maple Ridge Island to Construct Road Across Dismal Swamp." (H. P. 521) (L. D. 694) reported that

the same Ought to pass, as amended by Committee Amendment "A" (H-56)

The same Committee on Bill, "An Act Relating to Trespass on Unimproved Land Devoted to Preservation of Wildlife." (H. P. 238) (L. D. 307) reported that the same Ought to pass, as amended by Committee Amendment "A" (H-58)

The same Committee on Bill, "An Act Relating to Budget Committee of Town of Fairfield." (H. P. 345) (L. D. 447) reported that the same Ought to pass as amended by Committee Amendment "A" (H-57)

(On motion by Mr. Shiro of Kennebec, tabled pending acceptance of the report.)

The Committee on State Government on Bill, "An Act to Establish a Keep Maine Scenic Program." (H. P. 291) (L. D. 373) reported that the same Ought to Pass, as amended by Committee Amendment "A" (H-47)

Which reports were Read and Accepted in concurrence, and the Bills and Resolves Read Once. Committee Amendments "A" were Read and Adopted in concurrence, and the Bills and Resolves, as amended, tomorrow assigned for second reading.

The Committee on Veterans and Military Affairs on Resolve Designating Maine Turnpike and Interstate No. 95 as "The Gold Star Memorial Highway" (H. P. 383) (L. D. 485) reported that the same Ought to pass as amended by Committee Amendment A (H-59)

Mr. JACQUES of Androscoggin: Mr. President, this amendment has got me kind of confused and I would like to have a little information on what this amendment would do.

The PRESIDENT: The Senator from Androscoggin, Senator Jacques has requested, through the Chair, an explanation of Committee Amendment "A". Any Senator may answer who so wishes.

Mr. SOUTHARD of Penobscot: Mr. President, this amendment would eliminate Interstate 95 and add "Maine" in front of "Gold Star Memorial Highway."

The PRESIDENT: Does the Senator consider his question answered?

Mr. JACQUES: Mr. President, does this mean that the Maine Turnpike is not going to be known as the Maine Turnpike any more but is going to be known as the Maine Gold Star Memorial Highway?

The PRESIDENT: The Senator from Androscoggin, Senator Jacques, puts another inquiry through the Chair to any Senator who may answer if he so desires.

Mr. SOUTHARD of Penobscot: Mr. President, that is correct, it would be known as the Maine Gold Star Memorial Highway.

The PRESIDENT: Does the Senator consider his question answered?

Mr. JACQUES: Yes, Mr. President.

Committee Amendment A was adopted and the resolve as amended was assigned for second reading on the next legislative day.

Divided Report

The Majority of the Committee on Legal Affairs on Recommended Bill, "An Act Relating to Municipal Officers in City of Lewiston." (H. P. 78) (L. D. 88) reported that the same Ought to pass.

(Signed)
Senator:

SPROUL of Lincoln

Representatives:

COTE of Lewiston
BOISSONNEAU

of Westbrook
WHEELER of Portland
LIBHART of Brewer
CONLEY of Portland

The Minority of the same Committee on the same subject matter reported that the same Ought not to pass.

(Signed)
Senator:

JACQUES

of Androscoggin

Comes from the House, the Majority — Ought to pass Report Accepted and the Bill Passed to Be Engrossed.

Mr. JACQUES of Androscoggin: Mr. President, I move that this bill be tabled.

The PRESIDENT: The Senator from Androscoggin, Senator Jacques, moves that this matter lie on the table pending acceptance of either report.

Mr. SHIRO of Kennebec: Mr. President, I might ask the Senator from Androscoggin whether he wishes to assign this for a certain day.

The PRESIDENT: The Senator from Kennebec, Senator Shiro, inquires through the Chair if the Senator from Androscoggin, Senator Jacques, wishes to assign this bill for a certain day, and the Senator may answer if he chooses.

Mr. JACQUES: Mr. President, I do not wish to assign it because we have many other Lewiston bills in committee at the present time, and this is one of the reasons why I do not wish to assign it. I could explain it but I think I would be out of order.

The motion of the Senator from Androscoggin, Senator Jacques, prevailed and the bill was tabled pending acceptance of either report.

Committee Reports Senate

Leave to Withdraw

Mr. Hoffses from the Committee on Inland Fisheries and Game on Bill, "An Act Relating to Use of Portable Stoves in the Woods." (S. P. 240) (L. D. 750) reported that the same should be granted Leave to Withdraw.

Mr. McDonald from the same Committee on Bill, "An Act Relating to Zones for Deer Hunting." (S. P. 93) (L. D. 237) reported that the same should be granted Leave to Withdraw.

Which reports were Read and Accepted.

Sent down for concurrence.

Ought to Pass

Mr. Manuel from the same Committee on Bill, "An Act Regulating the Running and Training of Dogs in Training Areas Enclosed with Rabbit-Proof Fences." (S. P. 244)

(L. D. 754) reported that the same Ought to Pass.

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

Ought to Pass in New Draft

Mr. Mendell from the Committee on Transportation on Bill, "An Act Relating to Use of Transporter Registration Plates by Wreckers and Service Vehicles." (S. P. 104) (L. D. 271) reported that the same Ought to Pass in New Draft, (S. P. 443) (L. D. 1379)

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

Change of Reference

Mr. Duquette from the Committee on Appropriations and Financial Affairs on Bill, "An Act Creating Special Legislative Committee to Study Need for Bridge and Causeway to Chebeague Island, Cumberland County." (S. P. 110) (L. D. 337) reported that the same should be referred to the Committee on Industrial and Recreational Development.

Which report was Read and Accepted.

Sent down for concurrence.

Second Readers

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

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)

Resolve Changing Name of Ames Cove, Knox County to Flood's Cove. (H. P. 240) (L. D. 309)

Resolve Providing for Pension for Mrs. Mary Belanger of Caribou. (H. P. 92) (L. D. 101)

Resolve Providing Pension for Emily Withee of Vassalboro. (H. P. 536) (L. D. 710)

Bill, "An Act Relating to Taking of Alewives in Tremont, Hancock County." (H. P. 215) (L. D. 283)

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 Permitting Berwick to Apply for Aid Under the Bridge Act for Construction of Ed-dy Bridge." (H. P. 408) (L. D. 520)

Bill, "An Act Relating to Imposition of Sentence to the County Jail by the Court." (H. P. 1011) (L. D. 1305)

Bill, "An Act Increasing Compensation of Councilmen of City of South Portland." (H. P. 147) (L. D. 170)

(On motion by Mr. Snow of Cumberland, tabled pending passage to be engrossed and especially assigned for Friday next.)

Bill, "An Act Increasing Number of Members of Superintending School Committee of Town of Fairfield." (H. P. 234) (L. D. 303)

Bill, "An Act Increasing Payments to Franklin County Law Library." (H. P. 381) (L. D. 483)

Bill, "An Act Relating to Relief of Paupers in Deorganized Places." (H. P. 576) (L. D. 746)

Bill, "An Act Relating to Authority of Bureau of Social Welfare." (H. P. 480) (L. D. 633)

Bill, "An Act Relating to Tandem Axle Weights." (H. P. 60) (L. D. 335)

(On motion by Mr. Harding of Aroostook, tabled pending passage to be engrossed and especially assigned for March 12.)

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

Bill, "An Act Relating to Employment of Minors Under 16 Years of Age." (H. P. 342) (L. D. 445)

Came from the House Recommended to the Committee on Labor.

In Senate, Read a Second Time and Passed to Be Engrossed in non-concurrence.

Sent down for concurrence.

House — As Amended

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

Bill, "An Act Increasing Salaries of Members of Council of City of Rockland." (H. P. 359) (L. D. 462)

Bill, "An Act Providing for Adult Identification Cards Under Liquor Law." (H. P. 149) (L. D. 172)

Bill, "An Act Relating to Hospitalization for Mental Illness of Convicts in County Jails." (H. P. 68) (L. D. 79)

Bill, "An Act Relating to Marine Worm Licenses, Marine Worm Research and Establishment of the Marine Worm Fund." (H. P. 288) (L. D. 370)

Which were Read a Second Time and Passed to Be Engrossed, as amended, in concurrence.

Bill, "An Act Establishing a State Board of Pesticides Control." (S. P. 420) (L. D. 1329)

Bill, "An Act to Appropriate Moneys for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1966 and June 30, 1967." (S. P. 442) (L. D. 1354)

Bill, "An Act Relating to Hunting Turkey Under Inland Fish and Game Laws." (S. P. 242) (L. D. 752)

Bill, "An Act Authorizing the Leasing by the State of Wing of Community General Hospital, Fort Fairfield, to the Hospital." (S. P. 163) (L. D. 493)

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

Sent down for concurrence.

Senate — As Amended

Bill, "An Act to Amend Charter of the Home for Aged Men." (S. P. 162) (L. D. 492)

Bill, "An Act Relating to Renewal of Operators' Licenses for Motor Vehicles." (S. P. 254) (L. D. 764)

Bill, "An Act Relating to Removal of Justices of the Peace and Notaries Public." (S. P. 167) (L. D. 536)

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 and Resolve:

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

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

Bill, "An Act Relating to Meetings of the Public Safety Council in Civil Defense and Public Safety." (H. P. 290) (L. D. 372)

Bill, "An Act Providing Construction Aid for the Flander's Bay Community School District." (H. P. 329) (L. D. 432)

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

Bill, "An Act Relating to Authority of Rumford Water District To Take Land in Town of Peru." (H. P. 363) (L. D. 465)

Bill, "An Act Permitting Livermore Falls Water District to Take Water from Certain Sources." (H. P. 946) (L. D. 1066)

Bill, "An Act Appropriating Monies to Department of Mental Health and Corrections for Inspection of County Jails." (H. P. 955) (L. D. 1069)

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

Which bills were passed to be enacted.

Constitutional Amendment

Resolve Proposing an Amendment to the Constitution to Eliminate Voting Restrictions on Paupers. (H. P. 9) (L. D. 9)

On motion by Mr. Duquette of York, placed on the Special Appropriations Table pending enactment.

Emergency

Bill, "An Act Relating to Expenditure of Town Road Improvement Funds." (H. P. 129) (L. D. 153)

On motion by Mr. Brown of Hancock, tabled pending enactment, and especially assigned for the next legislative day.

Emergency

Bill, "An Act to Amend Charter of Westbrook Sewerage District." (H. P. 157) (L. D. 180)

This Bill, being an emergency measure, and having received the affirmative vote of 30 members of the Senate, was Passed to Be Enacted.

Emergency

Bill, "An Act Relating to Taking Smelts at Damariscotta Mills, Lincoln County." (H. P. 335) (L. D. 438)

This Bill, being an emergency measure, and having received the affirmative vote of 31 members of the Senate, was Passed to Be Enacted.

Orders of The Day

On motion by Mr. O'Leary of Oxford, the Senate voted to take from the table the 22nd tabled and unassigned matter (H. P. 988) (L. D. 1342) Bill, "An Act Directing Review of the Liquor Laws," which was tabled on February 26th by that Senator pending reference. Mr. O'Leary moved that the bill be referred to the Committee on Liquor Control in non-concurrence. On motion by Mr. Harding of Aroostook, the bill was tabled pending the motion of the Senator from Oxford, Senator O'Leary, that the bill be referred to the Committee on Liquor Control in non-concurrence.

On motion by Mr. Violette of Aroostook, the Senate voted to take from the table the 23rd tabled and unassigned matter, (H. P. 998) (L. D. 1330) Bill, "An Act Establishing Daylight Saving Time for All Year," which was tabled on February 26th by that Senator pending reference; and on further motion by the same Senator the bill was referred to the Committee on Liquor Control in non-concurrence and sent down for concurrence.

From the House:

Bill, "An Act Accepting from Percival Proctor Baxter a Gift of One Thousand Shares of the Capital Stock of Congress Realty Company to be Added to Baxter

State Park Trust Fund which was established by Laws of Maine L. D. 961), Chapter 21, and Administered According to the Provisions of said Baxter State Park Trust Fund." (H. P. 1018)

Which was passed to be enacted.

On motion by Mr. Maxwell of Franklin, the Senate voted to take from the table the 2nd tabled and unassigned item (H. P. 168) (L.

D. 189) tabled by that Senator on February 12 pending acceptance of the report; and on further motion by the same Senator, the bill was recommitted to the Committee on Taxation.

Sent down for concurrence.

On motion by Mr. Harding of Aroostook,

Adjourned until tomorrow morning at ten o'clock.