

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

Friday, March 26, 1965

Senate called to order by the President.

Prayer by Rev. Ida Folsom of Dover-Foxcroft.

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

Out of order and under suspension of the rules, on motion by Mr. Harding of Aroostook

ORDERED, the House concurring, that when the Senate and House adjourn they adjourn to meet on Tuesday morning, March 30th, S. P. 477.

Which was Read and Passed — Sent forthwith to the House for concurrence.

House Papers

Bill "An Act Repealing Westbrook Sewerage District and Transferring Assets to City of Westbrook." (H. P. 1039) (L. D. 1413)

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

Bill "An Act Increasing the Indebtedness of the Veazie Sewer District." (H. P. 1040) (L. D. 1414)

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

Additional Paper from the House

"Resolve for Laying of the County Taxes for the Years Nineteen Hundred Sixty-Five and Nineteen Hundred Sixty-Six." (H. P. 1043)

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

**Communications
Northeast Airlines**

March 23, 1965

Mr. Edwin H. Pert
Secretary of the Senate
State of Maine
State House
Augusta, Maine

Dear Mr. Pert:

This will acknowledge receipt of your letter and the attached reso-

lution which you sent me. (Joint Resolution, H. P. 1030, March 12th)

I would like the members of the Maine House and Senate to know that Northeast does have a firm schedule for the summer period—a schedule we believe to be a good one, one that can be operated dependably and safely. As you know, a very substantial part of our Maine traffic originates and terminates at the Portland, Bangor and Presque Isle airports, and you will be pleased to know that this year our availability of seats and frequency will compare most favorably with any schedule we have ever performed.

With respect to the smaller airports where we, of necessity, must operate DC-3s because of airport limitations, it is our belief that this schedule, also, will meet with favor as the frequency of flights, the times of departure are attractive from the public standpoint.

We look forward to an unprecedented volume of passenger traffic to and from our Maine cities this coming summer season.

Sincerely,

JAMES W. AUSTIN,
President

cc: Mr. Scott Higgins
Director, Maine Aeronautics
Commission

Which was read and ordered placed on file.

Sent down for concurrence.

STATE OF MAINE
House of Representatives
Office of the Clerk
Augusta, Maine

March 23, 1965

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

Sir:

The Speaker of the House today appointed the following Conferees on the disagreeing action of the two branches of the Legislature on H. P. 755, L. D. 992, Bill "An Act Regulating Liquor Salesmen":

Messrs: LUND of Augusta
COTE of Lewiston
ROY of Winslow
Respectfully submitted,
JEROME G. PLANTE
Clerk of the House

Which was read and placed on file.

The following Resolves and Bill were transmitted to the Committee on Reference of Bills on March 25, 1965, pursuant to Joint Rule 19-C and were approved for appearance on the Senate Calendar:

Mr. Shiro of Kennebec presented "Resolve in Favor of Carroll Linnell of Benton for Well Damage by Highway Construction." (S. P. 473)

Which was received by unanimous consent and referred to the Committee on Claims and sent down for concurrence.

Mr. Mendell of Cumberland presented "Resolve Proposing an Amendment to the Constitution Changing the Tenure of Office of Senators and Representatives to Four-Year Terms." (S. P. 475)

Mr. Snow of Cumberland presented Bill, "An Act Relating to Citizenship Requirements for Certain State Employees." (S. P. 476)

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

Reports of Committees

House

Leave to Withdraw

The Committee on Education on Bill "An Act Authorizing the Municipalities of Perham, Wade and Washburn to Form a School Administrative District." (H. P. 198) (L. D. 253)

Reported that the same should be granted leave to withdraw, as covered by other legislation.

The same Committee on Bill, "An Act Authorizing the Municipalities of Buckfield, Hartford and Sumner to Form a School Administrative District." (H. P. 200) (L. D. 255)

Reported that the same should be granted leave to withdraw, as covered by other legislation.

The same Committee on Bill "An Act Authorizing the Municipalities of Alton, Bradley, Greenbush, Lagrange and Milford to Form a School Administrative District." (H. P. 944) (L. D. 1280)

Reported that the same should be granted leave to withdraw, as covered by other legislation.

The same Committee on Bill "An Act Authorizing the Municipalities of Frankfort, Searsport and Stockton Springs to Form a School Administrative District" (H. P. 271) (L. D. 353) reported that the same should be granted leave to withdraw as covered by other legislation.

Which report was read and accepted.

The Committee on Legal Affairs on Bill, "An Act Relating to Procedure for Commitment to the State Hospitals." (H. P. 641) (L. D. 866)

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, in New Draft under New Title.

The Committee on Labor on Bill "An Act Relating to Equal Pay for Women Employees." (H. P. 892) (L. D. 1189) reported that the same ought to pass in New Draft (H. P. 1041) (L. D. 1412) under the title,"

"An Act Relating to Equal Pay for Men and Women Employees."

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

Senate

Leave to Withdraw

Mr. Boisvert from the Committee on Public Utilities on Bill "An Act to Permit Eastern Maine Electric Cooperative to Build Hydro-electric Plant on Mattawamkeag River." (S. P. 214) (L. D. 673) reported that the same should be granted leave to withdraw.

Mrs. Sproul from the Committee on Legal Affairs on Bill "An Act Relating to Number of Members of all Boards in City of Lewis-

ton." (S. P. 229) (L. D. 688) reported that the same should be granted leave to withdraw.

The same Senator from the same Committee on Bill "An Act Relating to Membership on Boards and Commissions in City of Lewiston." (S. P. 228) (L. D. 687) reported that the same should be granted leave to withdraw.

Ought Not to Pass

Mr. Bernard from the Committee on Business Legislation on Bill "An Act Providing for Mandatory Cumulative Voting for Directors of Corporations." (S. P. 378) (L. D. 1195) reported that the same ought not to pass.

Mr. Stern from the Committee on Judiciary on Bill "An Act Relating to Actions for Injuries Causing Death." (S. P. 311) (L. D. 1024) reported that the same ought not to pass.

Which reports were read and accepted.

Sent down for concurrence.

Ought to Pass

The same Senator from the same Committee on Bill "An Act Repealing Compensation Limitation in Actions for Injuries Causing Death." (S. P. 202) (L. D. 583) reported that the same ought to pass.

Mr. Glass from the Same Committee on Bill "An Act Relating to Title References in Conveyances of Real Estate." (S. P. 399) (L. D. 1224) 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. Jacques from the Committee on Legal Affairs on

Bill "An Act Relating to Sick Leave Benefits for Employees of the Department of Public Works of the City of Lewiston." (S. P. 234) (L. D. 692) reported that the same ought to pass as amended by Committee Amendment "A" (S-84)

Mrs. Sproul from the same Committee on

Bill "An Act Providing for Paid Holidays for Employees of City of

Lewiston." (S. P. 231) (L. D. 689) reported that the same ought to pass as amended by Committee Amendment "A" (S-83)

Which reports were read and accepted, and the bills read once. Committee Amendments "A" were read and adopted, and the Bills, As Amended, tomorrow assigned for second reading.

The PRESIDENT: The Chair would like to recognize in the Senate Chamber a former Senator From Aroostook County, Mrs. Augusta K. Christie. Would she please stand and be recognized? (Applause)

Divided Reports

The Majority of the Committee on Labor on

Bill "An Act Prohibiting Employment of Professional Strikebreakers to Replace Employees Involved in Labor Disputes." (S. P. 267) (L. D. 816) reported that the same ought to pass as amended by Committee Amendment "A" (S-80)

(Signed)

Senators:

CHISHOLM

of Cumberland
SMITH of Cumberland
O'LEARY of Oxford

Representatives:

GAUVIN of Auburn
KITTREDGE
of So. Thomaston
LEVESQUE

of Madawaska
BAKER of Winthrop
BEDARD of Saco
DUMONT of Augusta

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

(Signed)

Representative:

BENSON

of Southwest Harbor

On motion by Mr. O'Leary of Oxford, the Majority Ought to Pass report was accepted, the bill read once, Committee Amendment A was read and adopted, and the bill as amended was tomorrow assigned for second reading.

Second Readers**House**

Bill "An Act Relating to Pensions for Beneficiaries of Members of Lewiston Police and Fire Departments." (H. P. 355) (L. D. 458)

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

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

Bill "An Act Relating to Delivery of Liquor by Manufacturers for Sales Promotion Purposes." H. P. 841) (L. D. 1142)

Bill "An Act Clarifying the Offense of Procuring Liquor for Certain Persons." (H. P. 890) (L. D. 1187)

Which were read a second time and passed to be engrossed in concurrence.

As Amended

Bill "An Act Providing for a Mayor-Council Charter for the City of Westbrook." (H. P. 344) (L. D. 451)

Bill "An Act Relating to Malt Liquor Licenses." (H. P. 710) (L. D. 948)

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

Which were read a second time and passed to be engrossed, as amended, in concurrence.

Senate

Bill "An Act Relating to Schooling of Children on Indian Reservations." (S. P. 466) (L. D. 1404)

Which was read a second time and passed to be engrossed.

Sent down for concurrence.

As Amended

"Resolve to Reimburse Richard Robinson of Robbinston for Damage by Highway Construction." (S. P. 142) (L. D. 383)

Bill "An Act Relating to Tuition for Students Attending Secondary School Outside of Residence." (S. P. 335) (L. D. 1080).

Bill "An Act Relating to Time of Ordering Liquor by Certain Licensees." (S. P. 403) (L. D. 1227)

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

Bill "An Act Relating to Management of Insurance Organizations During Periods of Acute Emergency." (H. P. 683) (L. D. 920)

Bill "An Act to Incorporate the Allied Loan Company." (H. P. 725) (L. D. 963)

Bill "An Act to Incorporate Plymouth Capital Finance Company." (H. P. 726) (L. D. 964)

Bill "An Act to Incorporate the Federal Finance Company." (H. P. 727) (L. D. 965)

"Resolve Authorizing Margaret E. Putnam, Administratrix of the Estate of Weldon Putnam, to Bring a Death Action Against the State of Maine." (S. P. 197) (L. D. 578)

Which Resolve was finally passed.

Emergency

Bill "An Act Relating to Exemption of Certain Real Estate from Taxation." (H. P. 556) (L. D. 727)

This Bill, being an emergency measure and having received the affirmative vote of 26 members of the Senate, was passed to be enacted.

Emergency

Bill "An Act Relating to Commercial Driver Education Instructors Appointed by Secretary of State." (S. P. 199) (L. D. 580)

This Bill, being an emergency measure and having received the affirmative vote of 26 members of the Senate, was passed to be enacted.

Orders of the Day

The President laid before the Senate the 1st tabled and today

assigned item (H. P. 873) (L. D. 1170) House Report, Ought not to pass, from the Committee on Transportation on Bill, "An Act Relating to Width of Motor Vehicles"; tabled on March 19 by Senator Maxwell of Franklin pending acceptance of the report; and on motion by Mr. Maxwell, the bill was retabled and especially assigned for April 2.

The President laid before the Senate the 2nd tabled and today assigned item (S. P. 278) (L. D. 840) Bill, "An Act Relating to Schedule of Transportation Charges under Milk Commission Law"; tabled on March 19 by Senator Glass of Waldo pending passage to be engrossed; and on motion by Mr. Hilton of Somerset, the bill was retabled unassigned.

The President laid before the Senate the 3rd tabled and today assigned item (S. P. 293) (L. D. 908) Senate Report Ought to pass, from the Committee on Labor on Bill, "An Act to Repeal the Fish Packing Wage Law"; tabled on March 23 by Senator Moore of Washington pending acceptance of the report; and on motion by that Senator, the bill was retabled and especially assigned for March 30.

The President laid before the Senate the 4th tabled and today assigned item (H. P. 506) (L. D. 659) House Reports from the Committee on Legal Affairs on Bill, "An Act Providing for Election of School Board of City of Old Town; Majority Report, Ought to pass with Committee Amendment A; Minority Report, Ought not to pass; tabled on March 24 by Senator Shiro of Kennebec pending motion by that Senator to accept the Majority Ought to Pass report; and on motion by Mr. Bernard of Penobscot, the bill was retabled and especially assigned for March 31.

The President laid before the Senate the 5th tabled and today assigned item (H. P. 575) (L. D. 745) Bill, "An Act Relating to Adequate Brakes on Truck Tractors and Semitrailers"; tabled

on March 24 by Senator Mendell of Cumberland pending passage to be engrossed; and that Senator presented Senate Amendment A and moved its adoption.

Which amendment was read (S-79) and adopted and the bill as amended was passed to be engrossed in non-concurrence.

Sent down for concurrence.

The PRESIDENT: The Chair at this time takes great pleasure in announcing the presence in the Senate Chamber Of Maine's Junior Miss, Miss Barbara Foote. Barbara is 18, an honor student and a Senior at Caribou High School. She was second runner-up in America's Junior Miss Pageant at Mobile, Alabama, last week. The Town of Caribou has proclaimed this week "The Barbara Foote Week."

Saturday she will be a guest "disk jockey" for a record show over WEGP in Presque Isle. A motor parade this Saturday will take Miss Foote to the General Carter Armory for a reception in her honor.

Miss Foote is accompanied by Robert Hemingway, Executive Manager of the Caribou Chamber of Commerce and Mrs. Boyd Tankersley of the Chamber staff.

The Chair would now ask that the Sergeant-at-Arms please escort Miss Foote to the rostrum for the purpose of being recognized and to address the Senate.

Miss Foote was accompanied to the rostrum by the Sergeant-at-Arms amid the applause of the Senate, the members rising.

Miss BARBARA FOOTE: Thank you, Mr. President.

Ladies and gentlemen: it is indeed an honor to be here as it was an honor to be in Mobile representing the State of Maine.

Some people seem to have a mistaken idea about the Pageant. A lot of people turned on their TV's Friday night and said, "Oh no, not another one of these beauty contests." But it wasn't that, it was different. We were judged on poise, on personality, our talents, our general appearance and on scholarship which played such an important part in this Pageant.

In most other pageants the winner is taken out of school for a year to complete her tours, but where scholarship is such an important part of this pageant taking our winner out of school would be defeating our main purpose. We get scholarships for placements. The winner received a \$6,000 scholarship, I received a \$2,000 scholarship, and this a very important part of the pageant.

I found it quite difficult to make people realize that I was not from the sticks and that Maine was just as great as any other state. They didn't think we had any electricity, they really believed that we had dog sleds up here, they think we all come from one-room schoolhouses and villages of about fifty or sixty people apiece. Some of the ideas they have are remarkable. I started talking about Maine potatoes. Of course I am from Aroostook County so I really had to advertise those. They had never heard of Maine potatoes; they thought that Idaho was the only state that grew potatoes.

So advertising the State of Maine was really my job last week and I enjoyed it. I again thank you for asking me here today to address you, and I thank everybody that I had the opportunity to represent the State of Maine. Thank you. (Applause)

The PRESIDENT: The Chair would like to thank Miss Barbara Foote and we wish you well.

On motion by Mrs. Sproul of Lincoln, the Senate voted to take from the table the 2nd tabled and unassigned item (H. P. 94) (L. D. 103) Bill "An Act Relating to License for Sardine Packers"; tabled by that Senator on February 16 pending passage to be enacted.

Mrs. SPROUL of Lincoln: Mr. President, in reference to L. D. 103 and also L. D. 104, I would like to make some remarks and I would like to read some letters which I have. One of them says:

"I have been in the sardine industry for thirty years, and during that time when herring was caught was between December 15th and May 1st. 90 per cent of these

were caught by purse seines and not fit for sardines and generally go to fish meal plants. The bill would have a tendency to affect the price the rest of the year. I, for one, am certainly opposed to year-round seining."

I have another letter from Green Island Packing Company:

"I would like to bring to your attention two bills, L. D. 103 relating to licenses for sardine packers and 104, "An Act Repealing the Law Relating to the Canning of Herring." These bills are just to cover up to allow some sardine packers to pack Canadian fish during the State of Maine closed season" and so on.

I have one from Port Clyde Packing Company:

"Dear Senator Sproul:

This letter is being sent to you to bring your attention to two bills, L. D. 103 and 104. Our industry — and you can confirm this from Mr. Richard Reed — the above bill should be put in to cover up for a few sardine packers who want to pack Canadian fish" etc.

I am reading these letters because I have been criticized for keeping this bill on the table for so long.

I have something else I would like to say: The fishermen in New Harbor, which is in my County of Lincoln, do not fish in the winter, they are not equipped for it and it has not been their custom, nor are they interested in packing or catching fish at this time of year. The belief is that if fish are packed now it will cut down the value of the fish the year round.

Placed on my desk as if by accident last Friday was the Courier Gazette with a front page spread referring to fish caught off Pemaquid. I deliberately took no action on this so I could see what the fishermen in Lincoln County did during the past week. Not one approached me, so it shows there is no great interest in Lincoln County as far as fishing goes in the winter. However, I find that the industry is divided on this, and so, for that reason, I am going to allow the Senator

from Washington County to make the motion on this bill.

Thereupon, on motion by Moore of Washington, the bill was passed to be enacted.

On motion by Mrs. Sproul of Lincoln, the Senate voted to take from the table the 4th tabled and unassigned item (H. P. 95) (L. D. 104) Bill, "An Act Repealing the Law Regulating the Canning of Herring"; tabled by that Senator on February 23 pending passage to be engrossed; and on further motion by the same Senator, the bill was passed to be engrossed.

Mr. HARDING of Aroostook: Mr. President, I would like to inquire if H. P. 6, L. D. 6, Resolve Proposing an Amendment to the Constitution to abolish the Council and make Adjustments in the matter of Gubernatorial Appointments and their Confirmation, is in the possession of the Senate?

The PRESIDENT: The Chair would inform the Senator that it is, having been held at the request of the Senator.

Thereupon, on motion by Mr. Harding of Aroostook, the Senate voted to reconsider its action whereby the resolve was passed to be engrossed; and to further reconsider its action whereby Committee Amendment A was adopted.

The same Senator then presented Senate Amendment A to Committee Amendment A and moved its adoption.

Which amendment (S-81) was read and adopted and Committee Amendment A as amended by Senate Amendment A was read and adopted.

Mr. Harding of Aroostook then presented Senate Amendment A to the resolve (L. D. 6) and moved its adoption.

Senate Amendment A (S-82) was read and adopted, and the bill as amended was passed to be engrossed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Carter of Aroostook, the Senate voted to take from the table the 6th tabled and unassigned item (S. P. 438)

Bill, "An Act Relating to Compensation Rates in Certain Technical and Professional Classifications"; tabled by that Senator on February 24 pending reference to a committee; and on further motion by the same Senator, the bill was referred to the Committee on State Government.

Sent down for concurrence.

Mr. Jacques of Androscoggin was granted unanimous consent to address the Senate.

Mr. JACQUES: Mr. President, on behalf of myself, and I know I speak for many other members of this body past and present, I want to express my appreciation to you, to the Senator from Hancock, Senator Willey, the Senator from Washington, Senator Moore, and the Secretary of the Senate, Mr. Pert, as well as members of the other body who served on the Welcome Back Day committee. Wednesday was a day that we will always remember as being overwhelmingly successful in every respect. It was a wonderful opportunity to renew friendships with former legislators and to enjoy a splendid joint convention and a delicious lunch. It was undoubtedly the most successful Welcome Back Day in the history of Maine legislatures. I did not want the fine work of all those who planned that day's activities to go unnoticed in the record. Again may I say that I deeply appreciate all of the effort that went into making this day a memorable one.

Mr. President, I would like to have the members of the Senate applaud the members who served on that committee. (Applause)

The PRESIDENT: The Chair would thank the Senator for his remarks.

On motion by Mr. Harding of Aroostook, the Senate voted to take from the table the 17th tabled and unassigned item (S. P. 153) (L. D. 394) Senate Reports from the Committee on State Government on Resolve Proposing an Amendment to the Constitution to Lower the Voting Age to Eighteen Years; Majority Report, Ought Not to Pass; Minority Report, Ought to

pass; tabled by that Senator on March 16 pending acceptance of either report; and the same Senator moved acceptance of the Minority Ought to Pass report.

Mr. GLASS of Waldo: Mr. President, I would request a division on the motion.

A division of the Senate was had.

Twenty having voted in the affirmative and five in the negative, the motion prevailed and the Minority Ought to Pass report was accepted, the bill read once and tomorrow assigned for second reading.

Mr. Shiro of Kennebec was granted unanimous consent to address the Senate.

Mr. SHIRO of Kennebec: Mr. President, in regard to Item 17 on Page 11, I would like to have the Senate reconsider my vote. I had not realized that the Majority report was the Ought Not to Pass report and since this is a bill which I sponsored, I don't want to be on record as having opposed my own bill.

The PRESIDENT: The Chair cannot change the vote unless the Senate reconsiders its action whereby the bill was passed, but the record will show the Senator's remarks.

The PRESIDENT: The Chair would like to recognize in the Senate, the husband of one of our Senators, Senator Chisholm. Would Mr. Chisholm please stand and be recognized? (Applause)

The Chair would also like to recognize in the balcony a group of Winslow High School students. This is the senior class in Problems of Democracy and they are chaperoned by Raymond Richard and Charles O'Leary. They are from Winslow and that is Kennebec County so the Chair would like to introduce the Senators from that County, Senator Shiro, Senator Dunn and Senator Carter. We welcome you here today and hope that you enjoy and benefit from your stay. (Applause)

The Chair would also like to recognize in the Senate a former Senator from Penobscot, Senator Harrington and we ask her to stand and be recognized. (Applause) Also present in the Senate this morning is the wife of one of our Senators. Would Mrs. Stern, the wife of Senator Stern, please stand? (Applause)

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.