

# 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, May 6, 1965

Senate called to order by the President.

Prayer by Rev. Ondon Stairs of Augusta.

On motion by Mr. Mendell of Cumberland, the Journal of yesterday was Read and Approved.

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

Bill, "An Act Regulating Fly Fishing in Certain Portion of Kennebec River." (S. P. 425) (L. D. 1360)

In Senate, April 30, Passed to Be Engrossed as amended by Senate Amendment "A" (S-131).

Comes from the House, Majority Ought not to pass report accepted, and motion to reconsider lost.

In the Senate, on motion by Mr. Carter of Kennebec, tabled pending consideration.

**House Paper**

Bill, "An Act Relating to Taking of Alewives in Little River and Boyden Stream." (H. P. 1105) (L. D. 1510)

On motion by Mr. Harding of Aroostook, tabled pending reference to a committee.

**Reports of Committees****House****Ought Not to Pass**

The Committee on Appropriations and Financial Affairs on Bill, "An Act to Provide for the Control of Air Pollution." (H. P. 115) (L. D. 139) reported that the same Ought not to pass.

The same Committee on Bill, "An Act Relating to Eligibility of State Employees for Group Life Insurance." (H. P. 295) (L. D. 398) reported that the same Ought not to pass.

The same Committee on 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) reported that the same Ought not to pass.

The Committee on Judiciary on Bill, "An Act Relating to Larceny of Rented Motor Vehicles." (H. P. 1081) (L. D. 1464) reported that the same Ought not to pass.

The Committee on Taxation on Bill, "An Act Relating to Sales and Use Tax Exemptions on Motor Vehicle Fuel." (H. P. 855) (L. D. 1152) reported that the same Ought not to pass.

The same Committee on Bill, "An Act Relating to Persons Liable for Poll Taxes." (H. P. 859) (L. D. 1155) reported that the same Ought not to pass.

The same Committee on Bill, "An Act Relating to Sales Tax on Rooming House Rentals." (H. P. 934) (L. D. 1271) reported that the same Ought not to pass.

The same Committee on Bill, "An Act Relating to Tax on Lobsters Shipped Beyond the State." (H. P. 938) (L. D. 1282) reported that the same Ought not to pass.

Which reports were Read and Accepted in concurrence.

The Committee on Appropriations and Financial Affairs on Bill, "An Act Repealing the Law Requiring Assessment of Municipalities in Aid to Dependent Children Grants." (H. P. 445) (L. D. 599) reported that the same Ought not to pass.

Comes from the House, Bill substituted for the report, and Passed to Be Engrossed.

In the Senate, on motion by Mr. Duquette of York, the Ought not to pass report was accepted in non-concurrence.

Sent down for concurrence.

**Ought to Pass — As Amended**

The Committee on Inland Fisheries and Game on Resolve Directing a Study of the Moose Population in Maine. (H. P. 226) (L. D. 293) reported that the same Ought to pass as amended by Committee Amendment "A" (H-270)

Comes from the House, Passed to Be Engrossed without the amendment.

In the Senate, on motion by Mr. Manuel of Aroostook, tabled pending acceptance of the report.

**Ought to Pass in New Draft**

The Committee on State Government on Resolve, Authorizing State of Maine to Transfer Western Maine Sanatorium to Town of Hebron. (H. P. 434) (L. D. 563) reported that the same Ought to pass in New Draft under New Title: Resolve Repealing Authorization for Disposal of Western Maine Sanatorium. (H. P. 1096) (L. D. 1493)

Which report was read and accepted in concurrence, the bill read once and tomorrow assigned for second reading.

The Committee on Transportation on Bill, "An Act Relating to Inspection of Certain Farm Trucks." (H. P. 874) (L. D. 1171) reported that the same Ought to pass in New Draft under the same title: (H. P. 1104) (L. D. 1508)

On motion by Mr. Manuel of Aroostook, tabled pending acceptance of the report.

The Committee on Legal Affairs on Bill, "An Act Relating to Number of Members of Superintending School Committee of Town of Old Orchard Beach." (H. P. 744) (L. D. 981) reported out in New Draft under New Title: "An Act Amending Certain Provisions of the Charter of the Town of Old Orchard Beach." (H. P. 1109) (L. D. 1515), and that it be printed and Recommended to the Committee on Legal Affairs.

Which report was Read and Accepted in concurrence.

The Majority of the Committee on State Government on Bill, "An Act to Exempt University of Maine from Laws Relating to Bureau of Public Improvements." (H. P. 715) (L. D. 953) reports that the same Ought not to pass.

(Signed)

Senators:

MAXWELL of Franklin  
WILLEY of Hancock

Representatives:

KATZ of Augusta  
PITTS of Harrison  
STARBIRD  
of Kingman Township  
EDWARDS of Portland  
DOSTIE of Lewiston

The Minority of the same Committee on the same subject matter reports that the same Ought to pass.

(Signed)

Senator:

STERN of Penobscot

Representatives:

BERRY of Cape Elizabeth  
LIBHART of Brewer

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

In the Senate, on motion by Mr. Snow of Cumberland, tabled pending acceptance of either report and especially assigned for May 12.

The Majority of the Committee on Taxation on Bill, "An Act Imposing Tax on Cigars and Tobacco Products." (Emergency) (H. P. 662) (L. D. 889) reports that the same Ought not to pass.

(Signed)

Senators:

MAXWELL of Franklin  
LETOURNEAU of York  
WILLEY of Hancock

Representatives:

DRIGOTAS of Auburn  
COTTRELL of Portland  
CURRAN of Bangor  
MARTIN of Eagle Lake  
ROSS of Bath

The Minority of the same Committee on the same subject matter reports that the same Ought to pass as amended by Committee Amendment "A". (H-284)

(Signed)

Representatives:

WOOD of Webster  
HANSON of Gardiner

Comes from the House Indefinitely Postponed.

In the Senate on motion by Mr. Harding of Aroostook, tabled pending acceptance of either report.

**Senate****Leave to Withdraw**

Mr. Willey from the Committee on State Government on Bill, "An Act Eliminating Motor Vehicle Dealer Registration Board." (S. P. 458) (L. D. 1403) reported that the same should be granted Leave to Withdraw.

**Ought Not to Pass**

Mr. Violette from the Committee on Judiciary on Bill, "An Act Relating to Conditions of Bail Accepted by Bail Commissioner." (S. P. 382) (L. D. 1198) reported that the same Ought not to pass.

Which reports were Read and Accepted.

Sent down for concurrence.

**Ought to Pass**

Mr. Carter from the Committee on Health and Institutional Services on Bill, "An Act Relating to Governor, Lieutenant - Governor and Tribal Committee of the Passamaquoddy Tribe." (S. P. 402) (L. D. 1222) reported that the same Ought to pass.

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

The Majority of the Committee on Education on Bill, "An Act Requiring all Municipalities to Join School Administrative Districts by 1970." (S. P. 349) (L. D. 1115) reported that the same Ought to pass.

(Signed)

Senators:

SNOW of Cumberland  
MENDELL of Cumberland  
FALON of Penobscot

Representatives:

CARROLL of Limerick  
LEVESQUE

of Madawaska

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

(Signed)

Representatives:

GRAHAM of Freeport  
HANSON of Lebanon  
GIFFORD of Manchester  
RICHARDSON

of Stonington

On motion by Mr. Snow of Cumberland, tabled pending acceptance of either report and especially assigned for May 13.

The PRESIDENT: The Chair at this time would like to recognize forty-three 8th grade pupils in the

Senate gallery. They are chaperoned by Mother Rose Emilie and Sister Mary of Nativity. They are from the town of Winslow. We welcome you here this morning and hope that you enjoy and benefit from your stay here. You are from the County of Kennebec and I would like to introduce to you the Senators from Kennebec County: Senator Carter, Senator Dunn and Senator Shiro. (Applause)

Five members of the Committee on Health and Institutional Services on Bill, "An Act Relating to Qualifications for Practice of Hairdressing and Beauty Culture." (S. P. 491) (L. D. 1456) reported in Report A that the same Ought to pass.

(Signed)

Senator:

CARTER of Kennebec

Representatives:

CRESSEY

of North Berwick

HAUGEN

of South Portland

BALDIC of Waterville

CARSWELL of Portland

Five members of the same Committee on the same subject matter reported in Report B that the same Ought not to pass.

(Signed)

Senators:

DUNN of Kennebec

HILTON of Somerset

Representatives:

BINETTE of Old Town

WHITE of Guilford

PEASLEE of Farmington

On motion by Mr. Carter of Kennebec, Report A Ought to Pass was accepted, the bill read once and tomorrow assigned for second reading.

The Majority of the Committee on State Government on Resolve, Proposing an Amendment to the Constitution Affecting Apportionment of Penobscot County for the Election of Senators. (S. P. 503) (L. D. 1469) reports that the same Ought not to pass.

(Signed)

Senator:

MAXWELL of Franklin

**Representatives:**

PITTS of Harrison  
 KATZ of Augusta  
 DOSTIE of Lewiston  
 EDWARDS of Portland  
 LIBHART of Brewer

The Minority of the same Committee on the same subject matter reports that the same Ought to pass.

(Signed)

**Senators:**

STERN of Penobscot  
 WILLEY of Hancock

**Representatives:**

STARBIRD  
 of Kingman Township  
 BERRY of Cape Elizabeth

Mr. BERNARD: Mr. President, I move acceptance of the Ought to pass Minority report of the committee.

Mr. MENDELL of Cumberland: Mr. President, I move that the item be tabled.

Mr. BERNARD: Mr. President, I would like to ask through the Chair, if the Senator will assign a day for this.

The PRESIDENT: The Senator from Penobscot, Senator Bernard directs an inquiry to the Senator from Cumberland, Senator Mendell, who may answer if he so chooses.

Thereupon, on motion by Mr. Mendell of Cumberland, the bill was tabled pending the motion of Senator Bernard of Penobscot to accept the Minority Ought to Pass report, and the bill was especially assigned for one week from today.

**Second Readers**

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

**House**

Resolve, Relating to Fish Screen at Outlet of Rangeley Lake. (H. P. 227) (L. D. 294)

Bill, "An Act Relating to Game Management Areas under Fish and Game Laws." (H. P. 1080) (L. D. 1463)

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

**House — As Amended**

Bill, "An Act Reactivating the Governor's Committee on Children

and Youth." (H. P. 387) (L. D. 500)

Resolve, Appropriating Funds for Ramp and Docking Facilities at Long Island Plantation. (H. P. 392) (L. D. 504)

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

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

Bill, "An Act Revising the Savings Banks Laws." (H. P. 620) (L. D. 857)

Bill, "An Act Increasing Retirement Benefits Under State Retirement System." (H. P. 88) (L. D. 97)

Bill, "An Act Relating to Retirement Benefits for Fire Fighters Under State Retirement System." (H. P. 534) (L. D. 708)

Which were read a second time and Passed to be Engrossed, as amended, in concurrence.

**Senate**

Bill, "An Act Relating to Ownership of Property by Non-stock Corporations." (S. P. 394) (L. D. 1219)

Bill, "An Act Providing for a Study and Revision of Maine Corporate Law." (S. P. 500) (L. D. 1466)

Bill, "An Act Relating to Penalty for Indecent Exposure." (S. P. 501) (L. D. 1467)

Bill, "An Act Relating to Application of Certain Carriers to Gasoline Road Tax." (S. P. 263) (L. D. 917)

Bill, "An Act to Make Allocations from the General Highway Fund for the Fiscal Years Ending June 30, 1966 and June 30, 1967." (S. P. 529) (L. D. 1511)

Bill, "An Act Providing for Cost of Living Plan for Retired State Employees, Teachers and Participating District Employees, or Beneficiaries of Same." (S. P. 530) (L. D. 1509)

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

Sent down for concurrence.

**Senate — As Amended**

Bill, "An Act Relating to Weight of 3-Axle Trucks." (S. P. 155) (L. D. 395)

Bill, "An Act Providing State Aid to Towns for Care of Poor Persons." (S. P. 80) (L. D. 225)

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 to Grant a New Charter for the Town of Scarborough." (H. P. 361) (L. D. 486)

Bill, "An Act Providing for a Council-Manager Form of Government for Town of Limestone." (H. P. 520) (L. D. 693)

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

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

Bill, "An Act Increasing Certain Fees to Town Clerks." (H. P. 869) (L. D. 1166)

Bill, "An Act Relating to Penalties for State House Parking Violations." (H. P. 1005) (L. D. 1338)

Bill, "An Act Permitting Municipalities to Designate Historic Areas." (H. P. 1008) (L. D. 1340)

Which Bills were Passed to Be Enacted.

Resolve, Authorizing Improvements to Road to WCBB Transmitting Facilities in Litchfield. (S. P. 171) (L. D. 37)

On motion by Mr. Brown of Hancock, tabled pending final passage and especially assigned for later in today's session.

**Emergency**

Bill, "An Act Relating to Compensation Rates in Certain Technical and Professional Classifications." (S. P. 438) (L. D. 1426)

On motion by Mr. Duquette of York, placed on the Special Appropriations Table pending passage to be enacted.

**Orders of the Day**

The President laid before the Senate the first tabled and today assigned matter (H. P. 577) (L. D. 873) House Reports from the Committee on Business Legislation on Bill, "An Act for Shrinkage Allowance on Motor Fuel for Service Stations." Majority Report, "Ought to pass as amended by Committee Amendment 'A'; Minority Report "Ought not to pass, which was tabled on April 28th by Senator Bernard of Penobscot pending motion by Senator Brown of Hancock to indefinitely postpone bill and reports.

On motion by Senator Bernard of Penobscot the bill and reports were tabled until May 12th pending the motion of Senator Brown that the bill and accompanying reports be indefinitely postponed.

The President laid before the Senate the second tabled and today assigned matter (H. P. 491) (L. D. 644) House Reports from the Committee on Legal Affairs on Bill, "An Act Permitting the Establishment of Private Shooting Preserves." Majority Report "Ought not to pass; Minority report "Ought to pass," which was tabled on April 29th by Senator Shiro of Kennebec pending motion by Senator Jacques of Androscoggin to accept the Minority "Ought to pass" report.

On motion by Mr. Carter of Kennebec the bill was tabled until the next legislative day pending motion of Senator Jacques of Androscoggin to accept the Minority "Ought to pass" report.

The President laid before the Senate the third tabled and today assigned matter (S. P. 343) (L. D. 1088) Senate Report "Ought to pass" in New Draft (S. P. 512) (L. D. 1483) same title from the Committee on Public Utilities on Bill, "An Act Imposing Limitation Upon Holding both Permit for Common Carriers and Contract Carriers," which was tabled on April 29th by Senator Maxwell of Franklin pending acceptance of report.

On motion by Senator Maxwell the "Ought to pass" report of the

committee was accepted and the New Draft was given its first reading. The same Senator presented Senate Amendment "A" and moved its adoption. Senate Amendment "A" was read by the Secretary. On further motion by Senator Maxwell the bill was tabled until the next legislative day pending adoption of Senate Amendment "A".

The President laid before the Senate the fourth tabled and today assigned matter (H. P. 545) (L. D. 717) House Report "Ought to pass as amended by Committee Amendment "A" (H. P. 545) (L. D. 717) from the Committee on State Government on Bill, "An Act Increasing Salaries of Members of Harness Racing Commission, which was tabled by Senator Smith of Cumberland on April 30th pending acceptance of report.

On motion by Senator Smith of Cumberland the "Ought to pass" report of the committee was accepted and the bill was given its first reading. Committee Amendment "A" was read and adopted. Senator Smith presented Senate Amendment "A" and moved its adoption. Senate Amendment "A" was read and adopted and the bill was assigned for second reading on the next legislative day.

The President laid before the Senate the 5th tabled and today assigned item (H. P. 678) (L. D. 905) House Reports from the Committee on Legal Affairs on Bill, "An Act Providing for a Mayor-Council Charter for the Town of Sanford"; Report A, Ought to pass; Report B Ought not to pass; tabled on May 5 by Senator Sproul of Lincoln pending motion by Senator Jacques of Androscoggin to indefinitely postpone bill and reports; and Senator Sproul moved the pending question.

Thereupon, the bill and reports were indefinitely postponed.

On motion by Mr. Manuel of Aroostook, the Senate voted to take from the table the 38th tabled and unassigned item (S. P. 413) (L. D. 1309) Bill, "An Act Relating to Closed Time on Deer in Certain

Zones"; tabled by that Senator on April 27 pending motion by Senator O'Leary of Oxford to insist; and Senator Manuel yielded to Senator O'Leary.

Thereupon, Mr. O'Leary of Oxford withdrew his motion to insist and yielded to Senator Manuel of Aroostook.

On motion by Mr. Manuel of Aroostook, the bill and all accompanying papers were indefinitely postponed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Mendell of Cumberland, the Senate voted to take from the table the 53rd tabled and unassigned item (S. P. 411) (L. D. 1307) Senate Report, Ought not to pass, from the Committee on Business Legislation on Bill, "An Act Relating to Advisory Board on Examinations of Life Insurance Agents"; tabled by that Senator on April 30 pending acceptance of the report; and on further motion by the same Senator, the bill was recommitted to the Committee on Public Utilities.

Sent down for concurrence.

On motion by Mr. Harding of Aroostook, the Senate voted to take from the table the 62nd tabled and unassigned item (H. P. 832) (L. D. 1059) Bill, "An Act Relating to Junk Yards"; tabled by that Senator on May 5 pending enactment; and on further motion by the same Senator, the Senate voted to reconsider its former action whereby the bill was passed to be engrossed. The same Senator presented Senate Amendment A and moved its adoption.

Which amendment (S-181) was read and adopted.

On motion by Mr. Jacques of Androscoggin, the bill was tabled pending passage to be engrossed and was especially assigned for tomorrow morning.

On motion by Mr. Harding of Aroostook, the Senate voted to take from the table the 49th tabled and unassigned item (H. P. 933) (L. D. 1270) Bill, "An Act to Create the Maine Indian Housing Authority"; tabled by that Senator on April 29 pending consideration.



Mr. HARDING of Aroostook: Mr. President, in relation to page 16, Item 49, L. D. 1270, I would like to pose a question to the Chair. It is my memory that the Senate voted to reconsider its action whereby it voted to recede and concur. Am I correct?

The PRESIDENT: The Senator is correct. The calendar is in error.

Thereupon, on motion by Mr. Harding of Aroostook, the Senate voted to reconsider its former action whereby the bill was passed to be engrossed; House Amendment A was read and adopted.

Mr. Harding of Aroostook then presented Senate Amendment A.

Which amendment (S-180) was read and adopted and the bill as

amended was passed to be engrossed in non-concurrence.  
Sent down for concurrence.

The President laid before the Senate Item 8-7 on page 6, Resolve Authorizing Improvements to Road to WCBB Transmitting Facilities in Litchfield (S. P. 171) (L. D. 537), tabled earlier in today's session by Senator Brown of Hancock pending final passage; and on motion by Mr. Cahill of Somerset, the Resolve was placed on the Special Highway Appropriations Table pending final passage.

On motion by Mr. Harding of Aroostook

Adjourned until tomorrow morning at 9:30 o'clock.