

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Third
Legislature*

OF THE

STATE OF MAINE

1967

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Tuesday, February 7, 1967

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Daniel Tuttle of East Winthrop.

The members stood at attention during the playing of the National Anthem by the Mount View High School Band of Thorndike.

The journal of the previous session was read and approved.

Papers from the Senate

From the Senate:

Bill "An Act to Provide Funds for Enforcement of the Potato Branding Law" (S. P. 176) (L. D. 421)

Came from the Senate referred to the Committee on Agriculture.

In the House, referred to the Committee on Agriculture in concurrence.

From the Senate:

Bill "An Act Appropriating Funds to Aid in Dredging the Saco River" (S. P. 187) (L. D. 422)

Bill "An Act to Authorize the Establishment of a Regional Vocational Education Center in Aroostook County and the Issuance of Not Exceeding One Million Five Hundred Thousand Dollar Bonds of the State of Maine for the Partial Financing Thereof" (S. P. 188) (L. D. 423)

Came from the Senate referred to the Committee on Appropriations and Financial Affairs.

In the House, referred to the Committee on Appropriations and Financial Affairs in concurrence.

From the Senate:

Bill "An Act Prohibiting the Use of Dogs for the Hunting of Wild Animals in Lincoln County" (S. P. 189) (L. D. 424)

Came from the Senate referred to the Committee on Inland Fisheries and Game.

In the House, referred to the Committee on Inland Fisheries and Game in concurrence.

From the Senate:

Bill "An Act Revising the Laws Relating to Disclosures of Debtors" (S. P. 190) (L. D. 425)

Bill "An Act relating to Examination to Determine Sanity of Accused in the District Court" (S. P. 191) (L. D. 426)

Bill "An Act Providing for the Short-term Investment of Idle Funds by Local Government Units or Political Subdivisions" (S. P. 192) (L. D. 427)

Came from the Senate referred to the Committee on Judiciary

In the House, referred to the Committee on Judiciary in concurrence.

From the Senate:

Bill "An Act to Prevent the Employment Security Commission from Enforcing an Unfair Labor Practice" (S. P. 194) (L. D. 428)

Came from the Senate referred to the Committee on Labor.

In the House, referred to the Committee on Labor in concurrence.

From the Senate:

Bill "An Act Amending the Charter of the Augusta Sanitary District" (S. P. 195) (L. D. 429)

Came from the Senate referred to the Committee on Public Utilities.

In the House, referred to the Committee on Public Utilities in concurrence.

From the Senate:

Bill "An Act Increasing Salaries of County Attorney and Assistant County Attorneys of Penobscot County" (S. P. 150) (L. D. 419)

Bill "An Act Increasing Salaries of County Attorney and Assistant County Attorney of Aroostook County" (S. P. 174) (L. D. 420)

Bill "An Act Providing for a Coordinator of Apprenticeship in the Department of Education" (S. P. 199) (L. D. 430)

Bill "An Act Providing for a State Government Internship Program" (S. P. 200) (L. D. 431)

Came from the Senate referred to the Committee on State Government.

In the House, referred to the Committee on State Government in concurrence.

Senate Reports of Committees Referred to Committee on State Government

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act Increasing Salaries of Justices of Supreme Judicial and Superior Courts" (S. P. 74) (L. D. 155) reporting that it be referred to the Committee on State Government.

Report of same Committee reporting same on Bill "An Act Increasing Salaries of District Court Justices" (S. P. 75) (L. D. 156)

Came from the Senate with the Reports read and accepted and the Bills referred to the Committee on State Government.

In the House, the Reports were read and accepted in concurrence and the Bills referred to the Committee on State Government in concurrence.

Referred to Committee on Towns and Counties

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act Increasing Payments to Lincoln County Law Library" (S. P. 103) (L. D. 174) reporting that it be referred to the Committee on Towns and Counties.

Came from the Senate with the Report read and accepted and the Bill referred to the Committee on Towns and Counties.

In the House, the Report was read and accepted in concurrence and the Bill referred to the Committee on Towns and Counties in concurrence.

Non-Concurrent Matter

Bill "An Act to Prohibit the Sale or Use of the Chemical Compound Known as DDT" (H. P. 197) (L. D. 286) which was referred to the Committee on Natural Resources in the House on January 24.

Came from the Senate referred to the Committee on Agriculture in non-concurrence.

In the House: The House voted to recede and concur with the Senate.

Petitions, Bills and Resolves Requiring Reference

The following Bills and Resolves were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

Appropriations and Financial Affairs

Bill "An Act Providing for Reconstruction of Leavitt Hall, Maine Maritime Academy" (H. P. 437) (Presented by Mr. Benson of Southwest Harbor)

(Ordered Printed)

Bill "An Act relating to Allocation of Funds for Purchase of Real Estate by State" (H. P. 438) (Presented by Mr. Birt of East Millinocket)

(Ordered Printed)

Bill "An Act Providing for Central Heating Plant and Warehouse at Maine Maritime Academy" (H. P. 439) (Presented by Mr. Dennett of Kittery)

(Ordered Printed)

Bill "An Act Appropriating Funds to Expand Homemaking Services in the Department of Health and Welfare" (H. P. 440) (Presented by Mrs. White of Guilford)

(Ordered Printed)

Sent up for concurrence.

Claims

Resolve to Reimburse Raymond Goodwin of Kittery for Well Damage Resulting from Highway Construction (H. P. 441) (Presented by Mr. Dennett of Kittery)

(Ordered Printed)

Sent up for concurrence.

Education

Bill "An Act relating to Financial Matters of the Mount Desert Island Regional School District" (H. P. 442) (Presented by Mr. Benson of Southwest Harbor)

(Ordered Printed)

Bill "An Act to Provide State School Construction Assistance to the Town of Winterport" (H. P. 443) (Presented by Mr. Edwards of Stockton Springs)

(Ordered Printed)

Bill "An Act to Authorize the Town of Winterport to Form a School Administrative District" (H.

P. 444 (Presented by same gentleman)

(Ordered Printed)
Sent up for concurrence.

Election Laws

Bill "An Act to Revise the Election Laws" (H. P. 445) (Presented by Mr. Ross of Bath)

(Ordered Printed)
Sent up for concurrence.

Health and Institutional Services

Bill "An Act relating to Compensation of Patients and Inmates at State Institutions" (H. P. 446) (Presented by Mrs. White of Guilford)

(Ordered Printed)
Sent up for concurrence.

Inland Fisheries and Game

Bill "An Act to Regulate Boating on Little Nesowadnehunk (Sourdnehunk) Lake, Piscataquis County" (H. P. 447) (Presented by Mr. Crommett of Millinocket)

(Ordered Printed)

Resolve Regulating Fishing in Certain Waters in Hancock County (H. P. 448) (Presented by Mr. McNally of Ellsworth)

(Ordered Printed)
Sent up for concurrence.

Judiciary

Bill "An Act relating to Authority of Constables to Serve Writs and Precepts" (H. P. 449) (Presented by Mr. Quinn of Bangor)

(Ordered Printed)

Bill "An Act relating to Charitable Solicitations" (H. P. 450) (Presented by Mr. Ross of Bath)

(Ordered Printed)
Sent up for concurrence.

Legal Affairs

Bill "An Act relating to Definition of Practice of Professional Engineering" (H. P. 451) (Presented by Mr. Brown of Augusta)

(Ordered Printed)

Bill "An Act Repealing Noncontributory Pension Plan for Police Department of City of Brewer" (H. P. 452) (Presented by Mr. Robertson of Brewer)

(Ordered Printed)
Sent up for concurrence.

Liquor Control

Bill "An Act Limiting Outdoor Advertising of Liquor" (H. P. 453) (Presented by Mrs. Lincoln of Bethel)

(Ordered Printed)
Sent up for concurrence.

Natural Resources

Bill "An Act to Provide for the Conservation of Clean Air" (H. P. 454) (Presented by Mrs. Cornell of Orono)

(Ordered Printed)
Sent up for concurrence.

Sea and Shore Fisheries

Bill "An Act Providing for Non-commercial Lobster Fishing Licenses" (H. P. 455) (Presented by Mr. Crosby of Kennebunk by request)

(Ordered Printed)
Sent up for concurrence.

Tabled and Assigned

Bill "An Act relating to Regulations Regarding Atlantic Sea Run Salmon" (H. P. 456) (Presented by Mr. Ross of Bath)

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. Ross.

Mr. ROSS: Mr. Speaker, in reference to item 20, I would respectfully suggest that this go before another Committee, and I would like to speak briefly to this suggestion.

The SPEAKER: The gentleman may proceed.

Mr. ROSS: This bill proposes a major change in the laws governing Atlantic Sea Run Salmon. This is a subject very dear to my heart, because Salmon fishing is the creme de la creme of all sport fishing. My only desire is to improve and conserve this sport primarily for the benefit of the citizens of the State of Maine.

The administration is in the hands of the Atlantic Sea Run Salmon Commission and this Commission is made up of the Commissioners of Inland Fish and Game, Sea and Shore Fisheries and a public member. Parts of our salmon rivers are tidal and parts are fresh water, so both departments are interested in this.

A joint hearing might well be warranted, but I think it would be best to have an impartial board and one that can readily see the over-all picture, and I can think of no other group better qualified than the Natural Resources Committee, and I move that this be referred at this time to that august body.

The SPEAKER: The gentleman from Bath, Mr. Ross, now moves that this Bill "An Act relating to Regulations Regarding Atlantic Sea Run Salmon," House Paper 456, be referred to the Committee on Natural Resources, ordered printed and sent up for concurrence.

On motion of Mr. Richardson of Cumberland, tabled pending the motion of Mr. Ross of Bath and tomorrow assigned.

State Government

Bill "An Act Creating County Commissioner Districts" (H. P. 457) (Presented by Mr. Dunn of Denmark)

(Ordered Printed)
Sent up for concurrence.

Transportation

Bill "An Act Requiring Private Motor Vehicle Carriers to Comply With Public Utilities Commission Safety Rules." (H. P. 458) (Presented by Mr. Crosby of Kennebunk)

(Ordered Printed)
Sent up for concurrence.

House Reports of Committees Ought Not to Pass

Mr. Berman from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act Prohibiting Use of Firearms in Commission of Certain Crimes" (H. P. 2) (L. D. 2)

Report was read and accepted and sent up for concurrence.

Tabled and Assigned

Mr. Berman from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to Examination of Vehicles by Police Officers" (H. P. 106) (L. D. 133)

Report was read.

(On motion of Mr. Pendergast of Kennebunkport, tabled pending acceptance of the Report and specially assigned for Wednesday, February 15.)

Mr. Brennan from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to Definition of Mental Defect in Responsibility for Criminal Conduct" (H. P. 103) (L. D. 130)

Report was read and accepted and sent up for concurrence.

Tabled and Assigned

Mr. Foster from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to Chemical Tests in Fatal Motor Vehicle Collisions" (H. P. 16) (L. D. 28)

Report was read.

(On motion of Mr. Humphrey of Augusta, tabled pending acceptance of the Report and specially assigned for tomorrow.)

Mr. Quinn from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act Repealing Law Relating to Liability for Damages for Tortious Conduct of Charitable Corporations" (H. P. 6) (L. D. 10)

Report was read and accepted and sent up for concurrence

Ought to Pass Printed Bills

Mr. Scott from the Committee on Business Legislation reported "Ought to pass" on Bill "An Act relating to Augusta Mutual Insurance Company" (H. P. 91) (L. D. 120)

Mr. Allen from the Committee on Education reported same on Bill "An Act relating to Exceptional Children" (H. P. 56) (L. D. 81)

Mrs. Boudreau from the Committee on Election Laws reported same on Bill "An Act relating to Time for Voting on Local Option Questions Under Liquor Laws" (H. P. 57) (L. D. 82)

Mr. Berman from the Committee on Judiciary reported same on Bill "An Act relating to Actions of Married Women for Loss of

Consortium of Husband" (H. P. 64) (L. D. 89)

Mr. Conley from the Committee on Legal Affairs reported same on Bill "An Act relating to Poll Taxes Paid to Prentiss Plantation" (H. P. 40) (L. D. 59)

Mr. Shaw from same Committee reported same on Bill "An Act to Change the Name of Bridgetown Academy to Bridgton Academy" (H. P. 35) (L. D. 55)

Mrs. Wheeler from same Committee reported same on Bill "An Act relating to the Issuance of Temporary Boat Numbers" (H. P. 3) (L. D. 3)

Reports were read and accepted, the Bills read twice, and tomorrow assigned.

Referred to Committee on Towns and Counties

Mr. Bragdon from the Committee on Appropriations and Financial Affairs on Bill "An Act Increasing Payments to Hancock County Law Library" (H. P. 85) (L. D. 115) reported that it be referred to the Committee on Towns and Counties.

Report was read and accepted and the Bill referred to the Committee on Towns and Counties and sent up for concurrence.

Ought to Pass with Committee Amendment

Mr. Danton from the Committee on Judiciary on Bill "An Act relating to Sale of Fireworks" (H. P. 105) (L. D. 132) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 105, L. D. 132, Bill "An Act Relating to Sale of Fireworks."

Amend said Bill by deleting in the 4th and 5th lines (3rd line of L. D. 132) the underlined words and punctuation 'or possess,'

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Mr. Darey from the Committee on Judiciary on Bill "An Act relating to Suspension of Motor Vehicle Operator's License by Courts" (H. P. 65) (L. D. 90) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

Committee Amendment "A" was read by the Clerk as follows: COMMITTEE AMENDMENT "A" to H. P. 65, L. D. 90, Bill "An Act Relating to Suspension of Motor Vehicle Operator's License by Courts."

Amend said Bill in the 7th line (5th line of L. D. 90) by deleting the underlined words '6 months' and inserting in place thereof the underlined words "30 days"

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Mr. Quinn from the Committee on Judiciary on Bill "An Act relating to the Construction and Assembling of Bombs" (H. P. 108) (L. D. 135) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 108, L. D. 135, Bill "An Act relating to the Construction and Assembling of Bombs"

Amend said Bill by striking out everything after the enacting clause and inserting in place thereof the following:

"R. S., T. 17, §502, repealed and replaced, Section 502 of Title 17 of the Revised Statutes is repealed and the following enacted in place thereof:

'§502. Construction assembling or possession

Except for lawful purposes in any instance, whoever knowingly constructs, assembles, or knowingly has in his possession any device, bomb or infernal machine capable of being exploded, or knowingly possesses materials appropriate for the construction thereof, shall be

punished by a fine of not more than \$1,000 or by imprisonment of not more than 15 years, or by both.

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Mrs. Baker from the Committee on Legal Affairs on Bill "An Act Increasing Indebtedness of Caribou Hospital District" (H. P. 17) (L. D. 31) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 17, L. D. 31, Bill "An Act Increasing Indebtedness of Caribou Hospital District."

Amend said Bill in the 7th and 8th lines (6th line of L. D. 31) of the emergency clause by striking out the words "not later than 4 months after the approval of this Act" and inserting in place thereof the words "not later than December 30, 1967".

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Mrs. Baker from the Committee on Legal Affairs on Bill "An Act to Provide a City Council-Manager Charter for the Town of Caribou" (H. P. 39) (L. D. 68) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 39, L. D. 68, Bill, "An Act to Provide a City Council-Manager Charter for the Town of Caribou.

Amend said Bill by striking out all of subsection 5 of Section 2.11 (same in L. D. 68) and by renumbering subsection 6, 7, 8, and 9 of said section to 5, 6, 7, and 8 respectively.

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Passed to Be Engrossed

Bill "An Act relating to Membership in Advisory Committee of Highway Safety and Change of Name of Executive Secretary" (S. P. 12) (L. D. 18)

Bill "An Act to Allocate Money from the General Highway Fund for State Aid Construction" (H. P. 100) (L. D. 127)

Bill "An Act relating to Permits to Operate Heavy Motor Vehicles in Unorganized Territory" (H. P. 101) (L. D. 128)

Were reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed and sent to the Senate.

Amended Bill

Bill "An Act relating to Appropriations to the Maine Industrial and Recreational Finance Approval Board" (S. P. 44) (L. D. 34)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

Orders of the Day

The Chair laid before the House the first tabled and today assigned matter:

JOINT ORDER Relative to Creation of Joint Select Committee on Indian Affairs. (S. P. 205)

Tabled — February 2, by Mr. Benson of Southwest Harbor.

Pending — Passage in concurrence.

The SPEAKER: The Chair recognizes the gentleman from Kittery, Mr. Dennett.

Mr. DENNETT: Mr. Speaker and Members of the House: I would thank the gentleman from Southwest Harbor, Mr. Benson, for tabling this matter in my absence. When I learned of this Order, I was somewhat concerned, particularly due to the fact that heretofore the Committee on State Government had handled most bills relating to the two Indian tribes. I was a little apprehensive — I thought that perhaps there was an effort being made to set up in this House, in this Legislature, a permanent committee on Indian

Affairs, and with that I could not quite agree. However, I find that such is not the case, that this is simply a Joint Select Committee for this session to handle the heavy load of bills pertaining to Indian Affairs; and this explanation is very satisfactory to me and I think to all concerned. And with this, Mr. Speaker, I now move the passage of this Order in concurrence.

Thereupon, the Order received passage in concurrence.

The SPEAKER: The Chair at this time on behalf of the House

will appoint pursuant to the Joint Order the following Committee members on the part of the House:

Messrs. DENNETT of Kittery
COOKSON of Glenburn
MILIANO of Eastport
RIDEOUT of Manchester
JANNELLE
of Scarborough
DANTON of Old Orchard
Beach
Mrs. CARSWELL of Portland

On motion of Mr. Richardson of Cumberland,

Adjourned until ten o'clock tomorrow morning.