

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

Friday, March 24, 1967

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

Prayer by Lt. Col. Charles M. Massey, Jr., an Assistant to the Chief of Chaplains of the U. S. Army, of Washington, D.C.

The journal of yesterday was read and approved.

Papers from the Senate

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, March 28, at ten o'clock in the morning. (S. P. 583)

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

From the Senate: The following Order:

ORDERED, the House concurring, that there be printed three thousand (3,000) additional copies of the Senate and House Registers (S. P. 581)

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

Senate Reports of Committees Leave to Withdraw

Report of the Committee on Claims on Resolve to Reimburse Joaquin S. Bettencourt of Liberty for Well Damage in Highway Maintenance (S. P. 447) (L. D. 1127) reporting Leave to Withdraw.

Came from the Senate read and accepted.

In the House, the Report was read and accepted in concurrence.

Ought Not to Pass

Report of the Committee on Inland Fisheries and Game reporting "Ought not to pass" on Bill "An Act Empowering Commissioner of Inland Fisheries and Game to Supervise Water Level of Mooselookmeguntic Lake" (S. P. 427) (L. D. 1081)

Came from the Senate read and accepted.

In the House, the Report was read and accepted in concurrence.

Ought to Pass with Committee Amendment

Report of the Committee on Industrial and Recreational Development on Bill "An Act relating to Definition of Wilderness Area under State Park and Recreation Laws" (S. P. 453) (L. D. 1132) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A".

In the House, the Report was read and accepted in concurrence and the Bill read twice. Committee Amendment "A" was read by the Clerk and adopted in concurrence and the Bill assigned for third reading the next legislative day.

Amended in Senate Tabled and Assigned

Report of the Committee on Inland Fisheries and Game on Bill "An Act Establishing Two Zones for Open Season on Deer" (S. P. 3) (L. D. 6) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted, Committee Amendment "A" indefinitely postponed and the Bill passed to be engrossed as amended by Senate Amendment "A".

In the House, the Report was read.

(On motion of Mr. Gaudreau of Lewiston, tabled pending acceptance of the Committee Report and specially assigned for Tuesday, March 28.)

Non-Concurrent Matter

Bill "An Act Prohibiting Hunting Deer with Certain Firearms" (H. P. 31) (L. D. 51) which was passed to be engrossed as amended by House Amendment "A" in the House on March 17.

Came from the Senate with House Amendment "A" indefinitely postponed in non-concurrence and the Bill passed to be engrossed without Amendment in non-concurrence.

In the House: On motion of Mr. Wood of Brooks, the House voted to recede and concur with the Senate. (Later the motion to reconsider was tabled.)

**Non-Concurrent Matter
Tabled and Assigned**

Bill "An Act relating to Reimbursement for Driver Education and Special Education" (H. P. 310) (L. D. 444) which was passed to be engrossed in the House on February 22.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

In the House: On motion of Mr. Dunn of Denmark, tabled pending further consideration and specially assigned for Wednesday, March 29.

Non-Concurrent Matter

Bill "An Act Regulating the Daily Limit of Certain Fish Taken from Inland Waters of the State" (H. P. 317) (L. D. 451) which was passed to be engrossed in the House on March 16.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

In the House: On motion of Mr. Bourgoin of Fort Kent, the House voted to recede and concur with the Senate.

Non-Concurrent Matter

Bill "An Act to Provide Graduated License Fees for Retail Stores Selling Malt Liquor" (H. P. 1040) (L. D. 1512) which was referred to the Committee on Taxation in the House on March 8.

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

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

Non-Concurrent Matter

Report of the Committee on Taxation on Bill "An Act relating to the Rate of Sardine Tax and Use of Moneys Received" (S. P. 445) (L. D. 1125) reporting Leave to Withdraw which was recalled from the Legislative Files to the Senate by Joint Order (S. P. 577)

Came from the Senate with acceptance of the Report reconsidered and the Bill recommitted to the Committee on Taxation in non-concurrence.

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

Non-Concurrent Matter

Report of the Committee on Taxation on Bill "An Act relating to Refunding of Unexpended Portion of the Sardine Tax Funds" (S. P. 464) (L. D. 1156) reporting Leave to Withdraw which was recalled from the Legislative Files to the Senate by Joint Order (S. P. 578)

Came from the Senate with acceptance of the Report reconsidered and the Bill recommitted to the Committee on Taxation in non-concurrence.

In the House: On motion of Mr. Hanson of Gardiner, the House voted to recede and concur with the Senate.

**Petitions, Bills and Resolves
Requiring Reference**

The following Bill, approved by a majority of the Committee on Reference of Bills for appearance on House Calendar, less than one tenth of the members present objecting, was received and referred to the following Committee:

Labor

Bill "An Act relating to Overtime for Class A Restaurants, Restaurants and Other Eating Establishments Under Minimum Wage Law" (H. P. 1086) (Presented by Mr. Soulas of Bangor)

(Ordered Printed)

Sent up for concurrence.

**House Reports of Committees
Leave to Withdraw
Covered by Other Legislation**

Mr. Birt from the Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Money to Supplement Federal Vocational Funds for Area Education Programs for Apprentices and Other Adult Workers" (H. P. 81) (L. D. 111) reported Leave to Withdraw, as covered by other legislation.

Report was read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Shaw from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act to Amend the Charter of the City of Saco" (H. P. 229) (L. D. 319)

Report was read and accepted and sent up for concurrence.

**Ought to Pass in New Draft
New Draft Printed
Passed to Be Engrossed**

Mr. Bragdon from the Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Funds for Capital Construction and Equipment at the Madawaska Airport, Aroostook State College, Gorham State College, Central Maine Vocational-Technical Institute, Southern Maine Vocational-Technical Institute, Bureau of Public Improvements and Stevens Training Center" (H. P. 301) (L. D. 436) reported same in a new draft (H. P. 1087) (L. D. 1549) under title of "An Act Appropriating Funds for Capital Construction and Equipment at Aroostook State College, Gorham State College, Central Maine Vocational-Technical Institute and Stevens Training Center" and that it "Ought to pass"

Report was read and accepted and the New Draft read twice.

On motion of Mr. Bragdon of Perham, under suspension of the rules, the New Draft was given its third reading, passed to be engrossed and by unanimous consent was sent forthwith to the Senate.

**Ought to Pass
Printed Bills**

Mr. Gill from the Committee on Health and Institutional Services

reported "Ought to pass" on Bill "An Act relating to Salaries Paid by the State to Ministers of the Gospel" (H. P. 83) (L. D. 113)

Mr. Nadeau from the Committee on Highways reported same on Bill "An Act relating to Area Directional Sign for China Lake Region" (H. P. 138) (L. D. 202)

Mr. Jannelle from the Committee on Indian Affairs reported same on Bill "An Act relating to Biennial Elections of Penobscot Tribe of Indians" (H. P. 746) (L. D. 1068)

Mr. Rideout from same Committee reported same on Bill "An Act relating to Biennial Elections of Passamaquoddy Tribe of Indians" (H. P. 748) (L. D. 1095)

Reports were read and accepted, the Bills read twice and assigned the next legislative day.

Mrs. Baker from the Committee on Legal Affairs reported "Ought to pass" on Bill "An Act relating to Registration and Safety of Inland Steamers for Hire" (H. P. 523) (L. D. 754)

Report was read.

The SPEAKER: The Chair recognizes the gentleman from Mars Hill, Mr. Dickinson.

Mr. DICKINSON: Mr. Speaker and Members of the House: I would appreciate an explanation of what this bill does. In reading it I notice that it repeals two chapters. If anyone can tell me what those two chapters were I would like to know.

The SPEAKER: The gentleman from Mars Hill, Mr. Dickinson, poses a question through the Chair to any member who may answer if they choose.

The Chair recognizes the gentleman from Orrington, Mrs. Baker.

Mrs. BAKER: Mr. Speaker, we were told by Mr. Johnson of the Bureau of Watercraft that these were obsolete now, no further use to the State—had to do with inland steamers, and I believe they are obsolete also.

The SPEAKER: Does the gentleman consider his question answered?

Mr. DICKINSON: Yes, sir.

Thereupon, the Report was accepted, the Bill read twice and

assigned the next legislative day.

Mr. Beliveau from the Committee on Legal Affairs reported "Ought to pass" on Bill "An Act Authorizing the City of Portland to Use Park Lands for Public Highway Purposes" (H. P. 520) (L. D. 732)

Mr. Cushing from same Committee reported same on Bill "An Act Revising the Railroad Workers Credit Union of Maine" (H. P. 676) (L. D. 948)

Mr. Curran from the Committee on Natural Resources reported same on Bill "An Act Reclassifying Certain Tidal Waters of Hancock County" (H. P. 196) (L. D. 285)

Mrs. Fuller from same Committee reported same on Bill "An Act Reclassifying Certain Tidal Waters in York County" (H. P. 236) (L. D. 344)

Mr. Sahagian from same Committee reported same on Bill "An Act Classifying Certain Inland Waters of the Presumpscot River Basin" (H. P. 280) (L. D. 400)

Same gentleman from same Committee reported same on Bill "An Act Reclassifying Certain Tidal Waters of Waldo County" (H. P. 239) (L. D. 347)

Same gentleman from same Committee reported same on Bill "An Act Providing for Oceanographic Research Projects by Division of Geological Survey, Department of Economic Development" (H. P. 536) (L. D. 765)

Reports were read and accepted, the Bills read twice and assigned the next legislative day.

Ought to Pass with Committee Amendment

Mr. Scribner from the Committee on Appropriations and Financial Affairs on Resolve Providing for Purchase of Copies of History of Richmond-on-the-Kennebec (H. P. 464) (L. D. 677) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

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

to H. P. 464, L. D. 677, Resolve, Providing for Purchase of Copies of History of Richmond-on-the-Kennebec.

Amend said Resolve in the 2nd line (3rd line of L. D. 677) by striking out the figure "\$250" and inserting in place thereof the figure '\$500'; and by striking out in the 3rd line (3rd line of L. D. 677) the figure "50" and inserting in place thereof the figure '100'

Committee Amendment "A" was adopted and the Resolve assigned for second reading the next legislative day.

Mr. Waltz from the Committee on Highways on Resolve Designating Certain Highways in Lincoln County as Mariner and Pioneer Trail (H. P. 743) (L. D. 1065) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

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

COMMITTEE AMENDMENT "A" to H. P. 743, L. D. 1065, Resolve Designating Certain Highways in Lincoln County as Mariner and Pioneer Trail.

Amend said Resolve by striking out all of the last two lines (same in L. D. 1065) and inserting in place thereof the following:

Resolved: That suitable tablets and signs designating said Mariner and Pioneer Trail may be erected, subject to the approval of the State Highway Commission.

Committee Amendment "A" was adopted and the Resolve assigned for second reading the next legislative day.

Mr. Bragdon of Perham was granted unanimous consent to address the House.

Mr. BRAGDON: Mr. Speaker and Members of the House: I wish to thank you for the confidence that you had in our Committee in passing along the emergency bill which you just did this morning. I assumed that somebody would ask for an explanation; since they didn't, I didn't offer it. After we had passed it over to the Senate that request was made, and I feel that the House is entitled to an explanation.

I doubt if I can explain it any better than the explanation that we had from the Bureau of Public Improvements before the Appropriations Committee, and I would read from that for the record and for your explanation.

"The reference is made to L. D. 436 pertaining to emergency legislation which would provide funds for the completion of four capital construction projects now under way. At the time contracts were awarded on all four projects, certain areas within the projects were left uncompleted in order to reduce the contract amount within the funds available. Each contract contains the stipulation that if funds are made available on or before April 1, 1967, the contractor agrees to reinsert the deferred work at the same price quoted at the time the contract was entered into. They say to us if monies can be made available on an emergency basis for these projects, buildings can be completed with no increase in cost over and above the amounts proposed when the projects were bid approximately six months ago.

"It is quite likely that should funds not be made available and the work rebid at a later date, a substantial increase in the cost of the completion of these projects would result." And then they list below as they are listed in your bill, the four projects involved and the amount of money necessary to complete the building cost. I thank you.

The SPEAKER: The Chair recognizes the gentleman from Farmington, Mr. Shute.

Mr. SHUTE: Mr. Speaker, I move that we reconsider our action on item 6, page two, Non-Concurrent Matter, whereby we receded and concurred with the Senate.

The SPEAKER: Is the gentleman referring to House Paper 31, L. D. 51, Bill "An Act Prohibiting Hunting Deer with Certain Firearms"?

Mr. SHUTE: Yes.

The SPEAKER: The gentleman may proceed.

Mr. SHUTE: Mr. Harvey of Woolwich attached an amendment to this bill. Although I am unsympathetic with the amendment, I note

that Mr. Harvey is not present in the House today and out of courtesy to him I would like to suggest that someone table this matter until he is here.

The SPEAKER: The gentleman from Farmington, Mr. Shute, moves that the House reconsider its action whereby it receded and concurred with the Senate.

Thereupon, on motion of Mr. Richardson of Cumberland, tabled pending the motion to reconsider and specially assigned for Tuesday, March 28.

Passed to Be Engrossed

Bill "An Act relating to Election of Town Officials" (S. P. 332) (L. D. 866)

Bill "An Act relating to Cooperative Agreements to Enforce Highway Transportation Laws" (S. P. 356) (L. D. 940)

Bill "An Act relating to Open Season on Muskrats in Somerset County" (H. P. 221) (L. D. 311)

Bill "An Act to Regulate Boating on Little Nesowadnehunk (Sourd-nahunk) Lake, Piscataquis County" (H. P. 447) (L. D. 622)

Bill "An Act relating to Fishing Without License for Patients at Veterans Administration Hospital" (H. P. 499) (L. D. 712)

Bill "An Act relating to Dealers in Deer Skins and Heads" (H. P. 836) (L. D. 1244)

Bill "An Act relating to Hunting Waterfowl on Haley Pond, Town of Rangeley and Dallas Plantation, Franklin County" (H. P. 841) (L. D. 1249)

Bill "An Act relating to Insurance for Commercial Driver Education School Graduates" (H. P. 1084) (L. D. 1544)

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

Third Reader Tabled and Assigned

Bill "An Act relating to Removal of Motor Vehicles Parked Illegally on Highways and Highway Rights-of-Way" (H. P. 1085) (L. D. 1545)

Was reported by the Committee on Bills in the Third Reading and read the third time.

(On motion of Mr. Bedard of Saco, tabled pending passage to be engrossed and specially assigned for Thursday, March 30.

Resolve to Continue Review of Maine Criminal Statutes (S. P. 374) (L. D. 987)

Resolve Regulating Fishing in Certain Waters in Hancock County (H. P. 448) (L. D. 623)

Resolve to Reimburse Dwight H. Wheeler of Manchester for Payment of Fine in Motor Vehicle Speeding Case (H. P. 877) (L. D. 1289)

Resolve in Favor of Town of Greenbush, Penobscot County, for Damage to Bridge (H. P. 878) (L. D. 1290)

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

Amended Bills

Bill "An Act relating to Transfer of State Prison First Offenders Under Age of Thirty-six to Reformatory for Men" (S. P. 362) (L. D. 958)

Bill "An Act Authorizing the Taking of Bail in the District Court" (S. P. 375) (L. D. 988)

Bill "An Act relating to Quantity of Liquor to be Transported Into State by an Individual" (H. P. 534) (L. D. 764)

Bill "An Act Revising the Savings and Loan Association Laws" (H. P. 689) (L. D. 970)

Were 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.

Passed to Be Enacted Emergency Measure

An Act to Clarify State Aid for School Construction Purposes and Borrowing in Anticipation Thereof (S. P. 63) (L. D. 107)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 121 voted

in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and subsequently, on motion of Mr. Richardson of Cumberland, by unanimous consent sent forthwith to the Senate.

Emergency Measure

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

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 123 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act relating to Northern Utilities, Inc. (H. P. 639) (L. D. 895)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 123 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act relating to Malfunctioning Sewage Disposal Units (S. P. 181) (L. D. 371)

An Act relating to Immunization of Dogs to Control Rabies (S. P. 271) (L. D. 652)

An Act Conferring Additional Powers Upon Proprietors of Union Wharf (S. P. 303) (L. D. 742)

An Act relating to Mining License and Rental Fees on State Lands (S. P. 365) (L. D. 961)

An Act relating to Closed Season on Rabbits in Washington County (H. P. 62) (L. D. 87)

An Act relating to Property Tax Exemption for Sewage Disposal Facilities (H. P. 252) (L. D. 360)

An Act relating to Contracts of Municipal Corporations with Non-

profit Hospital or Medical Service Organizations (H. P. 277) (L. D. 397)

An Act relating to Exemption from Sales Tax of Governmental Agencies (H. P. 289) (L. D. 409)

An Act relating to Poll Taxes Paid to Caswell Plantation (H. P. 291) (L. D. 411)

An Act relating to Compensation of Commissioners of the Waterville Sewerage District (H. P. 419) (L. D. 584)

An Act to Repeal the Tax on Insured Pension Plans Qualified Under U. S. Internal Revenue Code (H. P. 644) (L. D. 899)

An Act Clarifying Certain Borrowing Provisions of the Charter of the City of Augusta (H. P. 695) (L. D. 976)

An Act Prohibiting Unreasonable Noise in Operating Motor Vehicles (H. P. 1061) (L. D. 1387)

An Act Revising the Law Relating to School Buses (H. P. 1068) (L. D. 1469)

An Act relating to Licensing of Insurance Companies (H. P. 1073) (L. D. 1488)

Finally Passed

Resolve in Favor of Fairview Hospital and Doctors Swett, Kemezys and Jordan (S. P. 426) (L. D. 1080)

Resolve in Favor of George Hearin of Knox, Waldo County (H. P. 705) (L. D. 1000)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, Bills passed to be enacted, Resolves finally passed, all signed by the Speaker and sent to the Senate.

Orders of the Day

Mrs. Fuller of York was granted unanimous consent to address the House.

Mrs. FULLER: Mr. Speaker and Members of the House: I would like to call to your attention that Fred W. Marshall of York, former Maine Legislator and Senator, passed away Wednesday at the age of eighty-nine. I feel certain there are many who remember him warmly. In York County we always called him the Grand Old Man of the Grand Old

Party. He served in the House from 1945 to 1949 and in the Senate in 1951 and 1952.

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

HOUSE REPORT — Ought to Pass in New Draft—Committee on Legal Affairs on Bill "An Act to Revise the Oil Burner Men's Law" (H. P. 5) (L. D. 9)—New Draft (H. P. 1074) (L. D. 1504)

Tabled—March 17, by Mr Robertson of Brewer.

Pending—Acceptance.

On motion of Mr. Robertson of Brewer, the Report was accepted and the New Draft read twice.

Mr. Rideout of Manchester offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1074, L. D. 1504, Bill "An Act to Revise the Oil Burner Men's Law."

Amend said bill by striking out all of the last sentence of subsection 3 of that part designated "\$2301." of section 1 (same in L. D. 1504) and inserting in place thereof the following:

'He shall present to the board satisfactory evidence that he has one year of practical experience, except that a journeyman oil burner man who has a valid license on the effective date of this Act may exchange his license for a master's license upon payment of the fee of \$25.'

Further amend said Bill by inserting at the end before the semicolon of that part designated subsection "3." of section 2 (same in L. D. 1504) the following underlined words:

'or by an industrial or manufacturing plant'

House Amendment "A" was adopted and the New Draft assigned for third reading the next legislative day.

(Off Record Remarks)

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

Bill "An Act relating to a Closed Season on Wild Hares and Rabbits

in York County" (H. P. 219) (L. D. 309) (H. "A" H-96)

Tabled—March 23 by Mr. Nadeau of Sanford.

Pending — Passage to be engrossed.

The SPEAKER: The Chair recognizes the gentleman from Limerick, Mr. Carroll.

Mr. CARROLL: Mr. Speaker, I was going to offer an amendment to this bill today but I find that we are in a little conflict with

another bill and I would desire to have somebody table this until the next legislative day.

Thereupon, on motion of Mr. Levesque of Madawaska, tabled pending passage to be engrossed and specially assigned for Tuesday, March 28.

On motion of Mr. Richardson of Cumberland,

Adjourned until Tuesday, March 28, at ten o'clock in the morning.