

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

SENATE

Tuesday, February 7, 1967

Senate called to order by the President.

Prayer by Rev. George Whittier of Augusta.

Reading of the Journal of yesterday.

Papers from the House

JOINT RESOLUTION EXPRESSING Condolences upon the Deaths of Lt. Col. Virgil I. Grissom, USAF; Lt. Col. Edward H. White, II, USAF, and Lt. Comdr. Roger B. Chaffee, USN.

WHEREAS, the members of the One Hundred and Third Legislature have learned with great sorrow of the tragic deaths of Lt. Col. Virgil I. Grissom, Lt. Col. Edward H. White, II and Lt. Comdr. Roger B. Chaffee of the Saturn Apollo I Space Team; and

WHEREAS, this event has brought to an untimely end the useful lives of three patriotic American citizens who gave their lives in the service of our great Nation in a pioneering effort far beyond man's conception; and

WHEREAS, the Nation now pauses in its never ending search for new horizons to mourn the loss of these valiant men whose date of death also ironically marks the signing of a peace in space treaty by sixty nations; and

WHEREAS, the Maine Legislature while united in expressions of profound sorrow due to such brave young men recalls those tense and worried moments of every flight and the joy and rejoicing that spread throughout the land when word came that all was safe; therefore, be it

RESOLVED: that the Members of the One Hundred and Third Legislature of the State of Maine, in regular session in their respective Chambers in the State House, Augusta, Thursday, February 2, 1967, through the foregoing Resolution, voice the deep sense of loss so widespread over the State and acknowledge the profound sympathy and condolences so genuinely expressed; and be it further

RESOLVED: that those Resolutions become a permanent part

of the Journals of these Bodies and of the State of Maine. (H. P. 436)

Comes from the House read and adopted.

Which was read and adopted in concurrence.

Bill "An Act Providing for a State Income Tax." (H. P. 290) (L. D. 410)

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

Comes from the House referred to the Committee on Taxation.

Which were referred to the Committee on Taxation in concurrence.

Bill "An Act Increasing the Salary of the Oxford County Sheriff." (H. P. 292) (L. D. 412)

Bill "An Act Relating to Clothing Allowance for Employees of Public Works Department of Lewiston." (H. P. 293) (L. D. 413)

Bill "An Act Increasing Salaries of Jury Commissioners of Hancock County." (H. P. 294) (L. D. 414)

Bill "An Act Increasing Salary of Deputy Clerk of Courts of Cumberland County." (H. P. 296) (L. D. 416)

Bill "An Act Relating to Tax Collector's Resignation." (H. P. 297) (L. D. 417)

Comes from the House referred to the committee on Towns and Counties.

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

Senate Papers

Bill "An Act Relating to Headlights and Mirrors on Motorcycles and Motor Scooters." (H. P. 298) (L. D. 418)

Comes from the House referred to the Committee on Transportation.

Which was referred to the Committee on Transportation in concurrence.

Appropriations and Financial Affairs

Mr. Hoffses of Knox presented Bill "An Act Relating to Nonlapsing Funds for Development of Swan Island." (Emergency) (S. P. 242)

The same Senator presented Resolve to Provide Funds to Convert Ferry Terminal at North Haven. (S. P. 243)

Which were referred to the Committee on Appropriations and Financial Affairs and ordered printed.

Sent down for concurrence.

Election Laws

Mr. Berry of Cumberland presented Bill "An Act Prohibiting Signing Name of Another Upon Absentee Ballot Applications." (S. P. 244)

Which was referred to the Committee on Election Laws and ordered printed.

Sent down for concurrence.

Inland Fisheries and Game

Mr. Hoffses of Knox presented Bill "An Act Relating to Enforcement Duties of Inland Fish and Game Wardens." (S. P. 245)

Which was referred to the Committee on Inland Fisheries and Game and ordered printed.

Sent down for concurrence.

Judiciary

Mr. Snow of Cumberland presented Bill "An Act Relating to Religious Faith of Foster and Adoptive Homes." (S. P. 246)

Which was referred to the Committee on Judiciary and ordered printed.

Sent down for concurrence.

Education

Mr. Katz of Kennebec presented Bill "An Act Revising the Laws Relating to Barbers and Schools of Barbering." (S. P. 247)

On motion by Mr. Katz of Kennebec referred to the Committee on Education and ordered printed.

Sent down for concurrence.

Legal Affairs

Mr. Hoffses of Knox presented Bill "An Act Relating to Possession of Dogs or Hunting Gear by Persons Employed in Forest Operations." (S. P. 248)

Which was referred to the Committee on Legal Affairs and ordered printed.

Sent down for concurrence.

State Government

Mr. Hoffses of Knox presented Bill "An Act Increasing Salary of Commissioner of Inland Fisheries and Game." (S. P. 249)

The same Senator presented Bill "An Act Relating to Method of Fixing Salary of Commissioner of Inland Fisheries and Game." (S. P. 250)

Which were referred to the Committee on State Government and ordered printed.

Sent down for concurrence.

Towns and Counties

Mr. Snow of Cumberland presented Bill "An Act to Authorize Cumberland County to Raise Money for Court House Capital Improvements." (S. P. 251)

Which was referred to the Committee on Towns and Counties and ordered printed.

Sent down for concurrence.

House Committee Reports

The Committee on Appropriations and Financial Affairs on Bill "An Act Relating to Salaries Paid by the State to Ministers of the Gospel." (H. P. 83) (L. D. 113) reported that the same should be referred to the Committee on Health and Institutional Services.

Comes from the House report read and accepted and the Bill referred to the Committee on Health and Institutional Services.

Which report was read and accepted and the Bill referred to the Committee on Health and Institutional Services in concurrence.

The same Committee on Bill "An Act Increasing Payments to Piscataquis County Law Library." (H. P. 88) (L. D. 118) reported that the same should be referred to the Committee on Towns and Counties.

The same Committee on Bill "An Act Increasing Payments to Sagadahoc County Law Library." (H. P. 126) (L. D. 190) reported that the same should be referred to the Committee on Towns and Counties.

Come from the House, reports read and accepted and the Bills referred to the Committee on Towns and Counties.

Which reports were read and accepted and the Bills referred to the Committee on Towns and Counties in concurrence.

**Senate Committee Reports
Ought Not to Pass**

Mr. MacLeod for the Committee on Education on Bill "An Act Relating to Attending Secondary School Outside of Residence." (S. P. 7) (L. D. 13) reported that the same Ought not to pass.

Which report was read and accepted.

Sent down for concurrence.

Ought to Pass

Mr. MacLeod for the Committee on Business Legislation on Bill "An Act Relating to By-laws of Trust Companies." (S. P. 79) (L. D. 160) reported that the same ought to pass.

Mr. Katz for the same Committee on Bill "An Act Relating to Sale of Negotiable Checks and Money Orders." (S. P. 77) (L. D. 18) reported that the same Ought to pass.

Which reports were read and accepted and the Bills read once and tomorrow assigned for second reading.

Divided Report

The Majority of the Committee on State Government on Bill "An Act Authorizing Appointment of the Commissioner of Agriculture by the Legislature." (S. P. 51) (L. D. 41) reported that the same ought to pass.

Signed:

Senators:

WYMAN of Washington
LUND of Kennebec

Representatives

PHILBROOK
of South Portland
BENNETT of Kittery
WATTS of Machias
CORNELL of Orono
RIDEOUT of Manchester

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

Signed:

Senator:

STERN of Penobscot

Representatives:

MARTIN of Eagle Lake
STARBIRD of Kingman

Mr. Wyman of Washington: Mr. President, I move that we accept the Majority, Ought to pass report of this Committee.

On motion by Mr. Snow of Cumberland, the bill was tabled pending acceptance of the Committee report.

Second Readers

The Committee on Bills in the Second Reading reported the following Resolve:

Resolve Designating Certain Portions of the Interstate System at Kittery as "The Piscataqua River Bridge." (S. P. 46) (L. D. 36)

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

Sent down for concurrence.

Enactor

The Committee on Engrossed Bills reported as truly and strictly engrossed the following Resolve:

Emergency

Resolve Relating to Repairing Training Vessel at Southern Maine Vocational Technical Institute in South Portland. (H. P. 24) (L. D. 45)

Which Resolve, being an emergency measure and having received the affirmative vote of 32 members of the Senate, was Finally Passed, and having been signed by the President, was by the Secretary presented to the Governor for his approval.

Orders of The Day

Mr. Snow of Cumberland was granted unanimous consent to address the Senate.

Mr. SNOW: Mr. President and members of the Senate: As Chairman of the Joint Legislative Committee on Education of the 102nd Legislature, I would like to express my concern over remarks of the present Chairman of the Committee on Education as expressed in the Legislative Record and as widely quoted in the press. The good Senator from Kennebec, Senator Katz, Chairman of the Commit-

tee, has been quoted as saying that it was "pathetic" that the first bill to pass through this body was a bill relating to Education. As Chairman of the past committee, I feel that if this is his attitude that this should be explained. I feel that if his use of the word "pathetic" is an indication of the degree of his own education that perhaps the Committee should consider the choice of another chairman. Thank you, Mr. President.

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

Mr. KATZ: Mr. President and ladies and gentlemen: I call to your attention the fact that the second enactor of this legislative session is also an education bill and I find this also "prophetic."

Order Out of Order

Mr. Lund of Kennebec presented the following Order and moved its passage:

WHEREAS, under the present probate court system, one judge is elected in each county and is paid on the basis of a part-time position; and

WHEREAS, it is becoming difficult to secure the services of qualified attorneys as probate judges, especially in the smaller counties where the salary is lower, and restrictions are placed on the law practice of an attorney who is also probate judge; and

WHEREAS, the Legislature requires for its use comprehensive factual information concerning the operations of the probate courts in the 16 counties in order to consider the feasibility of establishing a Probate District Court System of full-time judges to be appointed by the Governor, with the advice and consent of the Council; now, therefore, be it

ORDERED, the House concurring, that a Probate Court Revision Committee is established to consist of the following members: One member representing the public to be appointed by the President of the Senate, one member representing the public to be appointed by the Speaker of the House, 2 probate court judges to be appoint-

ed by the Chief Justice of the Supreme Judicial Court, the Chief Judge of the District Court and 2 attorneys to be appointed by the President of the Maine State Bar Association; and be it further

ORDERED, that the committee shall study the feasibility of establishing a Probate District Court System with full-time judges to be appointed by the Governor, with the advice and consent of the Council; and be it further

ORDERED, that the study shall include but not be limited to a review of current workload as well as trends in the work of the 16 present probate judgeships; a translation of case load into man-hours of the time of the probate judges; consideration of travel time and other factors implicit in full-time judgeships; the administration, staffing, structure, organization and operation of the probate court system; and be it further

ORDERED, that the committee elect a chairman from its membership; and be it further

ORDERED, that the committee report the results of its study with recommendations to the 103rd Legislature by May 15, 1967; and be it further

ORDERED, that the committee members shall serve without compensation but shall receive their necessary expenses incurred in carrying out their duties under this order; and be it further

ORDERED, that the committee is authorized to employ consultants in carrying out the purposes of this order; and be it further

ORDERED, that there is appropriated to the committee from the Legislative Appropriation the sum of \$4,000 to carry out the purposes of this order.

Read and passed. Sent to the House for concurrence.

The PRESIDENT: The Chair at this time will name to the committee to obtain a portrait of Margaret Chase Smith and conduct suitable exercises in honor of the occasion: the Senator from Franklin, Senator Mills, and the Senator from Lincoln, Senator Sproul.

The Chair would also wish to appoint at this time to the Special Study Committee on Property Tax Assessment and Assessors: The Senator from Washington, Senator

Wyman, and the Senator from York, Senator Duquette.

On motion by Mr. Ross of Piscataquis,

Adjourned until ten o'clock tomorrow morning.