

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

Thursday, February 16, 1967

Senate called to order by the President.

Prayer by Rev. Charles E. Karsten, Jr., of Gardiner.

Reading of the Journal of yesterday.

Out of order and under suspension of the rules, on motion by Mr. Ross of Piscataquis,

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, February 21, at ten o'clock in the morning. (S. P. 334)

Which was read and passed.

Sent forthwith to the House for concurrence.

Papers from the House

Bill "An Act Relating to Time Limit of Keeping Sick or Injured Dogs by Agency Boarding Such Dogs." (H. P. 602) (L. D. 846)

Bill "An Act Relating to Application for Aid to Aged, Blind or Disabled." (H. P. 603) (L. D. 847)

Come from the House referred to the Committee on Health and Institutional Services.

Which were referred to the Committee on Health and Institutional Services in concurrence.

Bill "An Act Relating to State Aid for Construction of Highways." (H. P. 604) (L. D. 848)

Comes from the House referred to the Committee on Highways.

Which was referred to the Committee on Highways in concurrence.

Bill "An Act Providing for Regulating Water Well Construction and Pump Installation." (H. P. 584) (L. D. 831)

On Motion by Mr. Berry of Cumberland tabled pending reference to a committee.

Bill "An Act Relating to Equal Fault of Claimant Under Comparative Negligence Law." (H. P. 605) (L. D. 849)

Bill "An Act Relating to Amount of Damages for Tortious Conduct

of Charitable Corporations." (H. P. 606) (L. D. 850)

Bill "An Act Relating to Children Needing Protective Custody." (H. P. 607) (L. D. 851)

Come from the House referred to the Committee on Judiciary.

Which were referred to the Committee on Judiciary in concurrence.

Bill "An Act Relating to Qualifications for Locomotive Engineer." (H. P. 593) (L. D. 823)

Bill "An Act Clarifying Compensation for Disfigurement Under the Workmen's Compensation Act." (H. P. 608) (L. D. 852)

Come from the House referred to the Committee on Labor.

Which were referred to the Committee on Labor in concurrence.

Bill "An Act Relating to Keeping Dogs within an Enclosure Under Kennel Licenses." (H. P. 610) (L. D. 853)

Bill "An Act Relating to Charging Fees for Services to Persons Acting as Subjects for Student Instruction and Training in Beauty Schools." (H. P. 611) (L. D. 854)

Bill "An Act to Provide for Electing the Civil Service Commission for the Fire Department of City of Biddeford." (H. P. 613) (L. D. 855)

Come from the House referred to the Committee on Legal Affairs.

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

Bill An Act Relating to Hours of Sales of Liquor." (H. P. 594) (L. D. 824)

Comes from the House referred to the Committee on Liquor Control.

Which was referred to the Committee on Liquor Control in concurrence.

Bill "An Act to Create the Solon Water District." (H. P. 595) (L. D. 832)

Bill "An Act to Amend the Charter of the York Sewer District." (H. P. 614) (L. D. 856)

Come from the House referred to the Committee on Public Utilities.

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

Bill "An Act Increasing Salary of Treasurer of State." (H. P. 596) (L. D. 825)

Bill "An Act Relating to Municipal Expenses in District Courts." (H. P. 597) (L. D. 826)

Bill "An Act Relating to Term of Office of Members of the State Liquor Commission." (H. P. 598) (L. D. 827)

Resolve "Proposing an Amendment to the Constitution Relating to Disqualification of Legislators for Crimes. (H. P. 615) (L. D. 857)

Come from the House referred to the Committee on State Government.

Which were referred to the Committee on State Government in concurrence.

Bill "An Act Relating to Exemption of Property Taxes of Post of the American Veterans of World War II." (Emergency) (H. P. 599) (L. D. 828)

Bill "An Act Exempting from Excise Tax and Registration, Motor Vehicles Used in Driver Education by Private Schools." (H. P. 600) (L. D. 829)

Bill "An Act Relating to Sale from a Distributor to Another of Cigarettes Stamped with Indicia of Another State." (Emergency) (H. P. 601) (L. D. 830)

Come from the House referred to the Committee on Taxation.

Which were referred to the Committee on Taxation in concurrence.

Bill "An Act Relating to Annual Estimates for County Taxes in Penobscot County." (H. P. 616) (L. D. 858)

Bill "An Act Relating to Payments by Town of York to York Beach Village Corporation." (H. P. 590) (L. D. 845)

Come 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

Appropriations and Financial Affairs

Mr. Curtis of Penobscot presented Bill "An Act to Authorize

Bond Issue in the Amount of Eight Million Two Hundred Five Thousand Dollars for Capital Improvements, Construction, Renovations and Repairs at the University of Maine." (S. P. 350)

Mr. Greeley of Waldo presented Resolve "Authorizing the Sale of State Land Located at Thomaston." (S. P. 357)

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

Sent down for concurrence.

Education

Mr. Katz of Kennebec presented Bill "An Act to Correct Errors and Inconsistencies in the Education Laws." (S. P. 358)

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

Sent down for concurrence.

Highways

Mr. Greeley of Waldo presented Bill "An Act relating to Town's Matching Funds for Reconstructing State Aid Highways." (S. P. 359)

The same Senator presented Bill "An Act Relating to Reimbursement to Towns for Construction of and Snow Removal from Highways." (S. P. 360)

Which were referred to the Committee on Highways and ordered printed.

Sent down for concurrence.

Judiciary

Mr. Lund of Kennebec presented Bill "An Act Relating to Competence to Stand Trial and Release of Persons Found Not Guilty by Reason of Mental Disease or Defect." (S. P. 361) (Emergency)

Mr. Hoffses of Knox presented Bill "An Act Relating to Transfer of State Prison First Offenders Under Age of Thirty-six to Reformatory for Men." (S. P. 362)

Transmitted by the Committee on Reference of Bills, February 15, 1967, pursuant to Joint Rule 10.

Jerrold Speers, Secretary

Mr. Stern of Penobscot presented, Bill "An Act Establishing

a Master Mortgage Recording Act." (S. P. 363)

The PRESIDENT: This item is transmitted by the Committee on Reference of Bills. Unless there be objection by one-tenth of the members present under Joint Rule 10, the Bill may be introduced. Is there objection to the introduction of this Bill? The Chair hears no objection.

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

Sent down for concurrence.

Legal Affairs

Mr. Greeley of Waldo presented Bill "An Act Relating to Septic Tank and Cesspool Cleaners." (S. P. 364)

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

Sent down for concurrence.

Transmitted by the Committee on Reference of Bills, February 15, 1967, pursuant to Joint Rule 10.

Jerrold B. Speers, Secretary

Natural Resources

Mr. Ferguson of Oxford Presented Bill "An Act Relating to Mining License and Rental Fees on State Lands." (S. P. 365)

The PRESIDENT: This item is transmitted by the Committee on Reference of Bills. Unless there be objection by one-tenth of the members present under Joint Rule 10, the Bill may be introduced. Is there objection to the introduction of this Bill? The Chair hears no objection.

Which was referred to the Committee on Natural Resources and ordered printed.

Sent down for concurrence.

Public Utilities

Mr. Harding of Aroostook presented Bill "An Act Creating the Maine Power Commission." (S. P. 366)

Which was referred to the Committee on Public Utilities and ordered printed.

Sent down for concurrence.

State Government

Mr. Johnson of Somerset presented Bill "An Act Providing for the Administration of a Major Medical Insurance Program for State Employees." (S. P. 367)

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

Sent down for concurrence.

Towns and Counties

Mr. Greeley of Waldo presented Bill "An Act to Increase the Salaries of Certain County Officers of Waldo County." (S. P. 368)

The same Senator presented Bill "An Act Increasing Payments to Waldo County Law Library." (S. P. 369)

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

Sent down for concurrence.

Committee Reports

House

Leave to Withdraw

The Committee on Judiciary on Bill "An Act Permitting Creditors to Assign Claims for Civil Action Purposes." (H. P. 271) (L. D. 392)

Reported that the same should be granted Leave to Withdraw.

Comes from the House report read and accepted.

Which report was read and accepted in concurrence.

Ought Not to Pass

The Committee on Judiciary on Bill "An Act Relating to Chemical Tests in Fatal Motor Vehicle Collisions." (H. P. 16) (L. D. 28)

Reported that the same Ought Not to Pass.

Comes from the House report read and accepted.

On motion by Mr. Lund of Kennebec tabled pending acceptance of the Ought not to pass report.

Ought to Pass

The Committee on Appropriations and Financial Affairs on Bill "An Act Relating to Nonlapsing Funds for Armory Construction." (Emergency) (H. P. 52) (L. D. 77)

Reported that the same Ought to Pass.

Comes from the House report read and accepted and the Bill passed to be engrossed.

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

The Committee on Education on Bill "An Act Relating to the Powers and Purposes of the Town of Wiscasset School District." (H. P. 131) (L. D. 195)

Reported that the same Ought to Pass.

Comes from the House report read and accepted and the Bill passed to be engrossed.

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

The Committee on Health and Institutional Services on Bill "An Act Relating to Bureau of Corrections of the Department of Mental Health and Corrections." (H. P. 135) (L. D. 199)

Reported that the same Ought to Pass.

Comes from the House report Read and accepted and the Bill passed to be engrossed.

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

The Committee on Health and Institutional Services on Bill "An Act Relating to Collection of Amounts Due for the Support of Persons at State Institutions." (H. P. 136) (L. D. 200)

Reported that the same Ought to Pass.

Comes from the House report read and accepted and the Bill passed to be engrossed.

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

The Committee on Legal Affairs on Bill "An Act Validating the Vote to Convert St. Francis Plantation into the Town of St. Francis." (Emergency) (H. P. 69) (L. D. 94)

Reported that the same Ought to Pass.

Comes from the House, report read and accepted, and the Bill passed to be engrossed.

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

The Committee on Transportation on Bill "An Act Relating to Initial Type Registration Plates for Motor Vehicles." (H. P. 181) (L. D. 244)

Reported that the same Ought to Pass

Comes from the House, report read and accepted and the Bill Passed to be engrossed.

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

Ought to Pass - As Amended

The Committee on Judiciary on Bill "An Act Relating to Sale of Fireworks." (H. P. 105) (L. D. 132)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-2)

Comes from the House, report read and accepted and the Bill Passed to be engrossed, As Amended.

Which report was read and accepted in concurrence and the Bill read once. Committee Amendment "A" was read and adopted in concurrence, and the Bill, As Amended, tomorrow assigned for second reading.

**Senate
Ought to Pass**

Mrs. Sproul for the Committee on Towns and Counties on Bill "An Act Relating to Duties and Salary of Aroostook County Fire Marshall." (Emergency) (S. P. 33) (L. D. 32)

Reported that the same Ought to Pass.

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

Ought to Pass - As Amended

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

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-5)

Which report was read and accepted and the Bill read once. Committee Amendment "A" was read by the Secretary as follows:

COMMITTEE AMENDMENT "A" to S. P. 176, L. D. 421, Bill "An Act to Provide Funds for Enforcement of the Potato Branding Law."

Amend said Bill in the Title by inserting after the word "Provide" the word 'Additional'.

Committee Amendment "A" was adopted., and the Bill, as amended, tomorrow assigned for second reading.

Second Readers

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

House

Resolve "to Reimburse Town of Hanover for Aid Extended Floyd Merrill." (H. P. 130) (L. D. 194)

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

Bill "An Act Relating to Citizenship Requirement for Municipal Assessors." (Emergency) (H. P. 37) (L. D. 57)

Which was read a second time and passed to be engrossed, As Amended by Committee Amendment "A" (H-10), in Non-concurrence.

Senate

Bill "An Act Relating to Certain Participation Loans by Savings Banks." (S. P. 325) (L. D. 835) New Draft of (S. P. 45) (L. D. 35)

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

Sent down for concurrence.

Orders of the Day

On motion by Mr. Lund of Kennebec, the Senate voted to take from the table the 2nd tabled and unassigned matter, (H. P. 64) (L. D. 89) House Report "Ought to Pass" from the Committee on Judiciary on Bill, "An Act Relating to Ac-

tions of Married Women for Loss of Consortium by Husband," which was tabled on February 9th by that Senator pending acceptance of report; and on further motion by the same Senator the "Ought to Pass" report of the committee was accepted and the bill was given its first reading and tomorrow assigned for second reading.

On motion by Mr. Ferguson of Oxford, the Senate voted to take from the table the 8th tabled and unassigned matter, (S. P. 355) Bill, "An Act Relating to Permits and Hearings in Regulation of Contract Carriers," which was tabled on February 15th by that Senator pending reference; and on further motion by the same Senator the bill was referred to the Committee on Public Utilities. Sent down for concurrence.

On motion by Mr. Hoffses of Knox, the Senate voted to take from the table the 5th tabled and unassigned matter, (H. P. 502) (L. D. 715) Bill, An Act Repealing Bounty on Porcupine," which was tabled by the Senator on February 15th pending reference; and on further motion by the same Senator the bill was referred to the Committee on Inland Fisheries and Game in concurrence.

On motion by Mr. MacLeod of Penobscot, the Senate voted to take from the table the 6th tabled and unassigned matter, (S. P. 326) Bill, "An Act to Create a Commission to Prepare a Revision of the Insurance Laws," which was tabled by that Senator on February 15th pending reference; and on further motion by the same Senator the bill was referred to the Committee on Business Legislation. Sent down for concurrence.

On motion by Mr. Mills of Franklin, the Senate voted to reconsider its action of today whereby Item 7-3 Bill, "An Act Relating to Certain Participation Loans by Savings Banks," (S. P. 325) (L. D. 835)

New Draft of (S. P. 45 (L. D. 35) was passed to be engrossed; and on further motion by the same Senator the bill was tabled pending passage to be engrossed.

The adjournment order having been received from the House, on motion by Mr. Ross of Piscataquis, adjourned until Tuesday, February 21 at ten o'clock in the morning.