

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 23, 1967

Senate called to order by the President.

Prayer by Rev. Birger T. Johnson of Portland.

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 28, at ten o'clock in the morning. (S. P. 419)

Which was read and passed.

Sent forthwith to the House for concurrence.

Papers from the House

Resolve "Appropriating Funds to Waban Project, Inc. for Retarded Children, to Purchase Land for Summer Camp for Handicapped Children." (Emergency) (H. P. 688) (L. D. 969)

Comes from the House referred to the Committee on Appropriations and Financial Affairs.

Which was referred to the Committee on Appropriations and Financial Affairs in concurrence.

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

Comes from the House referred to the Committee on Business Legislation.

Which was referred to the Committee on Business Legislation in concurrence.

Bill "An Act Relating to Claims Against Estates of Deceased Recipients of Aid to the Aged, Blind and Disabled." (H. P. 690) (L. D. 971)

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

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

Bill "An Act to Authorize the Issuance of Bonds in the Amount of Ten Million Dollars on Behalf

of the State of Maine to Build State Highways." (H. P. 691) (L. D. 972)

Comes from the House referred to the Committee on Highways.

Which was referred to the Committee on Highways in concurrence.

Bill "An Act Prohibiting Shooting at or Near Wildfowl Decoys of Another." (H. P. 692) (L. D. 973)

Bill "An Act Relating to Hours of Hunting Game Birds and Operating Power Boats in Merry-meeting Bay." (H. P. 693) (L. D. 974)

Comes from the House referred to the Committee on Inland Fisheries and Game.

Which were referred to the Committee on Inland Fisheries and Game in concurrence.

Bill "An Act Relating to Time of Terms of the Superior Court in Sagadahoc County." (H. P. 694) (L. D. 975)

Comes from the House referred to the Committee on Judiciary.

Which was referred to the Committee on Judiciary in concurrence.

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

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

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

Bill "An Act to Grant Public Utilities Commission Control Over Cooperatives." (H. P. 696) (L. D. 977)

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

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

Resolve "Relating to Retirement and Pension of Stephen A. Regina of Saco." (H. P. 697) (L. D. 978)

Comes from the House referred to the Committee on Retirements and Pensions.

Which was referred to the Committee on Retirements and Pensions in concurrence.

Bill "An Act Revising Names of Bureaus in Department of Agriculture." (H. P. 698) (L. D. 979)

Bill "An Act Revising the Maine State Personnel Laws." (H. P. 699) (L. D. 980)

Bill "An Act Increasing Salaries of the Several County Attorneys and Their Assistants." (H. P. 700) (L. D. 981)

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

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

Communication

Legislative Research Committee

August 25, 1966

To the Members of the 103rd Legislature:

The Legislative Research Committee is pleased to submit this study on the Feasibility of Establishing a Medical School in Maine pursuant to a directive of the 102nd Legislature.

This report which was contractually studied for the Committee, under authority of the Legislature, contains the findings and recommendations of the Legislative Research Committee as developed by Dr. John B. Truslow, Fortunes Rocks, Biddeford, Maine.

The Committee sincerely hopes the information herein contained will prove of benefit to the members of the Legislature and the people of the State of Maine.

Respectfully submitted,

LOUIS JALBERT, Chairman
Legislative Research Committee
(S. P. 442)

Which was read and with the accompanying report, ordered placed on file.

Sent down for concurrence.

Senate Papers Agriculture

Mr. Girard of Androscoggin presented Bill "An Act Revising Laws on Dealers in Poultry." (S. P. 420)

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

Sent down for concurrence.

Appropriations and Financial Affairs

Mr. Ross of Piscataquis presented Bill "An Act to Authorize a Bond Issue in Amount of Three Hundred Thousand Dollars for Capital Improvements, Construction, Renovations and Repairs on Public Owned Dams Located on Great Ponds." (S. P. 421)

Mr. Albair of Aroostook presented Bill "An Act Appropriating Funds for Fort Fairfield Municipal Park." (S. P. 422)

Mr. MacLeod of Penobscot presented Bill "An Act to Authorize Construction of Self-liquidating Student Housing and Dining Facilities for the Eastern Maine Vocational-Technical Institute and the Issuance of not Exceeding One Million One Hundred and Twenty-seven Thousand Dollar Bonds of the State for the Financing Thereof." (S. P. 423)

Mr. Hildreth of Cumberland presented Bill "An Act to Authorize the Issuance of Bonds in the Amount of Eight Hundred Twenty-Five Thousand Dollars on Behalf of the State of Maine for Improvements at the Portland Municipal Airport." (S. P. 424)

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

Sent down for concurrence.

Claims

Mr. Viles of Somerset presented Resolve in Favor of Fairview Hospital and Doctors Swett, Kemzys and Jordan. (S. P. 426)

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

Sent down for concurrence.

Election Laws.

Mr. Sewall of Penobscot presented Bill "An Act Authorizing Use of Electronic Voting Systems in Elections and Granting Rule-making Authority." (S. P. 425)

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

Sent down for concurrence.

Inland Fisheries and Game

Mr. Mills of Franklin presented Bill "An Act Empowering Commis-

sioner of Inland Fisheries and Game to Supervise Water Level of Mooselookmeguntic Lake." (S. P. 427).

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

Sent down for concurrence.

Judiciary

Mr. Mills of Franklin presented Bill "An Act to Conform the Statutes with the Amendments to the Rules of Civil Procedure." (S. P. 428)

The same Senator presented Bill "An Act Relating to Counsel's Argument of Monetary Value of Pain and Suffering in Personal Injury Actions." (S. P. 429)

The same Senator presented Bill "An Act Relating to Powers of Attorneys in Taking Acknowledgements for Instruments for Recording." (S. P. 430)

The same Senator presented Bill "An Act Concerning Discovery in Personal Injury Litigation of Applicable Liability Insurance." (S. P. 431)

The same Senator presented Bill "An Act Concerning Duty of Reasonable Care to Social Invitee." (S. P. 432)

The same Senator presented Bill "An Act Relating to Interest on Judgments." (S. P. 433)

The same Senator presented Bill "An Act Relating to Compensation of Complaint Justices of the District Court." (S. P. 434)

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

Sent down for concurrence.

Natural Resources

Mr. Berry of Cumberland presented Bill "An Act Relating to Protecting Source of Public Water Supply." (S. P. 435)

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

State Government

Mr. Stern of Penobscot presented Bill "An Act Increasing Salaries of Members of Industrial Accident Commission." (S. P. 436)

Mr. Sewall of Penobscot presented Bill "An Act Creating a State Planning Council, Planning

Committees and a State Planning and Economic Analysis Office." (S. P. 437)

Mr. Barnes of Aroostook presented Bill "An Act Creating the Position of Community Recreation Specialist." (S. P. 438)

Mr. Hildreth of Cumberland presented Bill "An Act to Create the Office of Ombudsman." (S. P. 439)

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

Sent down for concurrence.

Transportation

Mr. Stern of Penobscot presented Bill "An Act Regulating Unattended Motor Vehicles." (S. P. 440)

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

Sent down for concurrence.

Veterans and Military Affairs

Mr. Girard of Androscoggin presented Resolve "Granting World War I Bonus to Charles Girofalo." (S. P. 441)

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

Sent down for concurrence.

Committee Reports

House

Ought Not to Pass

The Committee on Judiciary on Bill "An Act Prohibiting the Destruction of Political Posters and Signs." (H. P. 192) (L. D. 281)

Reported that the same Ought not to Pass.

Comes from the House, report read and accepted.

On motion by Mr. Wyman of Washington tabled pending acceptance of the committee report.

The Committee on Judiciary on Bill "An Act to Permit Nonstock Corporations to Engage in Budget Planning." (H. P. 225) (L. D. 315)

Reported that the same Ought not to Pass.

Comes from the House, report read and accepted.

Which report was read and accepted in concurrence.

Ought to Pass

The Committee on Education on Bill "An Act Relating to Pro-

hibition of Use of Term "College" to Certain Educational Institutions." (H. P. 263) (L. D. 384)

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.

The Committee on Education on Bill "An Act Authorizing State Board of Education to Enter into Contract with Certain Non-public Schools for Conduct of Vocational Education Programs." (H. P. 305) (L. D. 439)

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.

The Committee on Education on Bill "An Act Requiring that School Expenditures be Reported on a Fiscal Year Annually." (H. P. 309) (L. D. 443)

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.

The Committee on Education on Bill "An Act Relating to Reimbursement for Driver Education and Special Education." (H. P. 310) (L. D. 444)

Reported that the same Ought to Pass.

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

On motion by Mr. Katz of Kennebec tabled pending acceptance of the committee report.

The Committee on Inland Fisheries and Game on Bill "An Act Relating to Hunting from Automobiles by Double Amputees." (H. P. 190) (L. D. 279)

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.

The Committee on Legal Affairs on Bill "An Act Validating Certain Proceedings of the Town of Norway and Authorizing Said Town to Issue General Obligation Securities." (Emergency) (H. P. 232) (L. D. 322)

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.

The Committee on Legal Affairs on Bill "An Act Relating to Powers of Bustin's Island Village Corporation." (H. P. 111) (L. D. 138)

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.

The Committee on State Government on Bill "An Act Relating to Automobile Mileage Allowance for State Employees" (H. P. 9) (L. D. 21)

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.

The Committee on Transportation on Bill "An Act Relating to Proof of Age for Applicant for Motor Vehicle Operator's Permits and Licenses." (H. P. 179) (L. D. 242)

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 Appropriations and Financial Affairs on Resolve "Providing Funds for the Narragagus River Water Control Program." (H. P. 90) (L. D. 119)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-17)

Comes from the House, report read and Accepted and the Resolve Passed to be Engrossed as Amended by Committee Amendment "A".

Which report was read and accepted in concurrence, and the Resolve read once. Committee Amendment "A" was read and Adopted in concurrence, and the Resolve, as Amended, tomorrow assigned for second reading.

Ought to Pass

The Committee on Inland Fisheries and Game on Bill "An Act Relating to Open Season on Muskrat in Penobscot County." (H. P. 61) (L. D. 86)

Reported that the same Ought to Pass.

Comes from the House, report read and accepted and the Bill passed to be engrossed as Amended by House Amendment "A".

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

Ought to Pass - As Amended

The Committee on Judiciary on Resolve "Authorizing Marcella Levasseur to Bring Action Against the State of Maine." (H. P. 193) (L. D. 282)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-18)

Comes from the House, report read and accepted and the Resolve passed to be engrossed, as Amended by Committee Amendment "A".

Which report was read and accepted in concurrence and the Resolve read once. Committee Amendment "A" was read and adopted in concurrence, and the

Resolve, as Amended, tomorrow assigned for second reading.

On motion by Mr. Hildreth of Cumberland, the Senate voted to reconsider its action whereby (S. P. 438) Bill, "An Act Creating the Position of Community Recreation Specialist" was referred to the Committee on State Government. On further motion by the same Senator, the Bill was tabled pending reference to a committee.

Second Readers

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

House

Bill "An Act Relating to Retirement Allowances of Persons Who Become Legislative Employees or Legislators." (Emergency) (H. P. 156) (L. D. 219)

Bill "An Act Relating to Allocations from Gasoline Tax for Public Facilities for Boats and to Department of Sea and Shore Fisheries." (H. P. 205) (L. D. 294)

Bill "An Act Relating to Assessments Under Gasoline Tax Act." (H. P. 204) (L. D. 293)

Bill "An Act Relating to Payments to Maine Forestry District by Baxter State Park Authority and Indian Township Improvement Fund." (H. P. 162) (L. D. 225)

Bill "An Act Imposing a Tax on the Unorganized Territory Within the Maine Forestry District for Spruce Budworm Control." (Emergency) (H. P. 44) (L. D. 63)

Bill "An Act Increasing Maine Forestry District Taxes." (Emergency) (H. P. 45) (L. D. 64)

Resolve "Changing Name of Muddy River Pond to Sebago Cove." (H. P. 48) (L. D. 67)

Bill "An Act Relating to Labeling of Margarine." (H. P. 256) (L. D. 377)

Bill "An Act Relating to Distribution of Stipend Fund to Harness Racing Track." (H. P. 257) (L. D. 378)

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

House - New Draft

Bill "An Act to Authorize and Direct the Relocation of a Certain Water Tower of the York Water District." (H. P. 685) (L. D. 860)

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

House - As Amended

Bill "An Act Relating to Inspection of Certificates for Mechanics in Motor Vehicle Inspection Stations." (H. P. 173) (L. D. 236)

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

Senate

Bill "An Act Relating to Definition of Restaurant Under the Liquor Laws." (S. P. 113) (L. D. 184)

Bill "An Act Relating to Local Option Questions on Sale of Liquor." (S. P. 218) (L. D. 481)

Which were read a second time and passed to be engrossed. Sent down for concurrence.

As Amended

Bill "An Act Relating to Legal Size of Salmon Taken from Green Lake and Alligator Lake, Hancock County." (S. P. 108) (L. D. 179)

Which was 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 Resolves:

Resolve, to Change the Name of Mud Pond, Old Town, to Perch Pond." (S. P. 117) (L. D. 246)

Mr. BARNES of Aroostook: Mr. President, I would like to direct a question through the Chair to the honorable Senator from Penobscot, Senator Sewall, the question being: Are there not other ponds in the State of Maine that have this same name, Perch Pond?

The PRESIDENT: Senator Sewall hears the question and may answer it if he so desires.

Mr. SEWALL of Penobscot: Mr. President, I must admit I really don't know.

Mr. LUND of Kennebec: Mr. President and members of the Senate: I was under the impression that the Sewall Company had photographs or maps of every square inch of the State of Maine, and, as a matter of fact, in discussing this legislation earlier, I had been given to understand there perhaps was no other pond in the State of Maine bearing the name of Perch Pond, but I find indeed that there is another pond in the State of Maine that bears that name, and perhaps the Senator from Penobscot would like to make a note that there is such a pond in Township 15, Range 9, west of the east line of the State. The length of the pond is three-tenths of a mile, the elevation 1262 feet. It is shown on the map of the Fish River Lake quadrangle. It is true that in Maine we have some 67 Mud Ponds plus two Muddy Ponds and 15 Muddy Lakes. However, I do think it is a very serious question whether we should have this duplication of names and have two Perch Ponds in the State of Maine.

The PRESIDENT: Does that answer the question of the Senator from Aroostook, Senator Barnes?

Mr. BARNES: Yes, Mr. President.

Which resolve was finally passed, and having been signed by the President, was by the Secretary presented to the Governor for his approval.

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

On motion by Mr. Berry of Cumberland placed on the Special Appropriations Table, pending enactment.

Orders of the Day

On motion by Mr. Brewer of Sagadahoc, the Senate voted to take from the table the 8th tabled and unassigned matter, (S. P. 408) Bill, "An Act Concerning Collective Bargaining by Municipalities," which was tabled on February 22

by that Senator, pending reference; and on further motion by the same Senator the bill was referred to the Committee on Labor.

Sent down for concurrence.

The adjournment order having been received from the House, on motion by Mr. Ross of Piscataquis,

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