

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

Friday, April 28, 1967

Senate called to order by Brigadier Alfred Davey of the Salvation Army of Augusta.

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, May 2, at ten o'clock in the morning. (S. P. 615)

Which was Read and Passed.

Sent forthwith to the House for concurrence.

**Papers from the House
Non-concurrent Matters
Ought Not to Pass**

Report of the Judiciary Committee on Bill "An Act Relating to Mandatory Inspection of Penal Institutions by Court Justices." (H. P. 944) (L. D. 1376)

In House, April 20, Recommended to Judiciary Committee.

In Senate, April 21, Ought Not to Pass Report Read and Accepted.

Comes from the House, that body having insisted.

On motion by Mr. Mills of Franklin, the Senate voted to Adhere.

Bill "An Act Authorizing One to Two-Year Sentences to Certain County Jails." (S. P. 265) (L. D. 646)

In Senate, April 18, Passed to be Engrossed As Amended by Senate Amendment "A" (S-36)

Comes from the House, Passed to be Engrossed As Amended by House Amendment "A" (H-213) in non-concurrence.

On motion by Mr. Lund of Kennebec, the Senate voted to Recede and Concur with the House.

House Paper

Bill "An Act Providing Appropriations for Payment of School Construction Aid to the Cities of Westbrook and South Portland." (H. P. 1124) (L. D. 1601)

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

On motion by Mr. Berry of Cumberland, referred to the Committee on Education in non-concurrence.

Sent down for concurrence.

Committee Reports

House

Leave to Withdraw

The Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Funds for Operating Expenses for Maine Maritime Academy." (H. P. 341) (L. D. 489)

Reported that the same should be granted Leave to Withdraw as Covered by Other Legislation.

Comes from the House, report Read and Accepted.

The Committee on Education on Bill "An Act Transferring Responsibility of Educating Indian Children to Department of Indian Affairs." (H. P. 976) (L. D. 1418)

Reported that the same should be granted Leave to Withdraw.

Comes from the House, report Read and Accepted.

The Committee on Labor on Bill "An Act Relating to Applicability of Workmen's Compensation Law to Employers of One or More Employees." (H. P. 8) (L. D. 20)

Reported that the same should be granted Leave to Withdraw.

Comes from the House, report Read and Accepted.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Good.

Mr. GOOD of Cumberland: Mr. President, Members of the Senate: I move that the Senate accept the Committee Report "Leave to Withdraw." There are nine labor bills on the docket for this morning, all of them are unanimous reports of the Committee. There are some divided reports which will come in later. It takes longer to get a divided report on the docket since the committee clerk, of necessity, has to get the signature of each member of the Committee on the divided report.

There are three bills in on reducing the coverage on the Workmen's Compensation to one employee,

and this is one of the first bills. It was "Leave to Withdraw" on this bill because it was felt there was a better bill. Also on the docket this morning under "Ought Not to Pass" Item 6-6 is a second bill which would reduce the coverage under Workmen's Compensation to one employee, and that is reported out "Ought Not to Pass" because we feel that there is a better bill that is going to be probably a divided report reducing the coverage down to one employee. That is not on the docket this morning, but it is L. D. 946 which would reduce coverage to one employee under Workmen's Compensation. On that divided report which will be reported out later by the Committee, I voted that it should be reduced to one employee, and I believe that Senator Norris and Senator Johnson voted likewise.

Workmen's Compensation Law, during the last session of the legislature was amended quite substantially and I have read a resume of the amendments that were enacted by the last session of the legislature on the Workmen's Compensation Law and they built the Workmen's Compensation Law up to a very favorable position with the laws of other states as far as Workmen's Compensation Law is concerned. I was favorably impressed with the resume I read of the Maine Workmen's Compensation Law partly as a result of the last session of the legislature. Of course, along with it, however, came a substantial increase in the premium to the employer and the premium was increased as much as 30 to 40 per cent for the employer.

Now we are going to make some advancement in the Workmen's Compensation Law this time, but we are going to do it with some degree of consideration since many of our businesses in this state, of course, are in competition with those in other states, particularly our textile industry.

I think it is appropriate at this time perhaps to just cite a few things as to the rates that our employers are paying in Maine now for Workmen's Compensation. As I have said before, we have

an excellent law which was substantially brought into line by the last session of the legislature. In 1965, prior to the last session of the legislature, and this information comes at my request from the Bates Manufacturing Company, the maximum weekly benefit in Maine was \$42, South Carolina \$35, Georgia \$37, North Carolina \$37.50 and Alabama \$38, most of them states which the Bates Manufacturing Company is in competition with. Since then Maine's maximum disability benefits have been increased, as a result of the action of the last session of the legislature, to \$59.81. The maximum total disability benefits prior to the last session of the legislature in Maine was \$21,000 and the other four states in the order that I named them before \$10,000, \$12,500, \$12,000, \$15,200.

At my request, I received a communication from Maynard T. Piper, Assistant Treasurer of the Bates Manufacturing Company and he pointed out a couple of factors which would be of interest now in the spring of 1967, and he writes in particular in reference to the waiting period under Workmen's Compensation Law which I will mention a little later, and he says in part, and I quote, "Thank you for your kind interest in that which the writer gave before the Labor Committee yesterday regarding the above L. D. An Act Eliminating Waiting Period Under Workmen's Compensation. I am pleased to submit the items concerning matters mentioned at the hearing." And another paragraph, "The second item mentioned yesterday was the Workmen's Compensation rates in Maine which rose tremendously after the 1965 legislation was enacted. The following listing shows what happened to rates affecting our company in all of its Maine operations." Now I will quote from his letter the percentage of increases in certain codes under the Workmen's Compensation Law. Code 2222, 45 per cent; now I'll go down to the others, 50 per cent, 15 per cent, 69 per cent, 63 per cent and 40 per cent.

I just point this out to go on further to show that the rates were substantially increased due to en-

actment of certain pieces of Workmen's Compensation in the last session of the legislature which I have said before stack up very well with the laws in the rest of the states. So, although 6-3 is "Leave to Withdraw" and 6-6 is "Ought Not to Pass" there will be a bill out to reduce the coverage of Workmen's Compensation to one employee and I believe that will be a divided report as I have said before. Thank you.

Thereupon, the Senate voted to Accept the "Leave to Withdraw" report of the Committee.

The Committee on Labor on Bill "An Act Relating to the Determination of Fair Minimum Wage Rates in the Construction of Public Works." (H. P. 1005) (L. D. 1472)

Reported that the same should be granted Leave to Withdraw.

Comes from the House, report Read and Accepted.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Good.

Mr. GOOD of Cumberland: Mr. President, I move that the Senate accept the Committee "Leave to Withdraw" report. There is another bill which the Committee probably will report out with a favorable report having to do with determining the fair minimum wage rate in construction. We feel it is a better bill. That's not on the docket yet, but will be, and that will be L. D. 1446. Thank you.

Thereupon, the Senate voted to accept the "Leave to Withdraw" report of the Committee.

The Committee on Public Utilities on Bill "An Act to Expand the Territory of the York Water District and to Modernize its Charter." (H. P. 902) (L. D. 1355)

Reported that the same should be granted Leave to Withdraw.

Comes from the House, report Read and Accepted.

Which reports were Read and Accepted in concurrence.

Ought Not to Pass

The Committee on Labor on Bill "An Act Relating to Applicability of Workmen's Compensation Law to Employers of One or More Employees." (H. P. 67) (L. D. 92)

Reported that the same Ought Not to Pass as Covered by Other Legislation.

Comes from the House, report Read and Accepted.

The Committee on Labor on Bill "An Act Establishing Asbestosis as an Occupational Disease. (H. P. 68) (L. D. 93)

Reported that the same Ought Not to Pass as Covered by Other Legislation.

Comes from the House, report Read and Accepted.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Good.

Mr. GOOD of Cumberland: Mr. President, here again we have three bills having to do with compensation under the Workmen's Compensation Law and two of them are being reported out "Ought Not to Pass", and there is a third bill we feel is a better bill which I believe is going to receive a favorable report from the Committee. Now, L. D. 93 simply adds asbestosis to those diseases compensable under the Workmen's Compensation Law. The bill that is going to receive, I hope, a favorable report from the Committee will be one which states in substance that any disease which results through employment in any occupation will be compensable, so we don't need 93. Then, L. D. 731 was a bill which was worthy of consideration which stated that diseases arising out of employment would be compensable, but we didn't feel that that went far enough, that there was a better bill which is not on the docket this morning, L. D. 903, which not only covers any disease which results from any occupation, but also for the first time carries a definition of hearing loss. It has heretofore been compensable, but this spells out the qualifications necessary for hearing loss. Also the bill that we're passing out, 903, for the first time makes disfigurement compensable under the Workmen's Compensation Law. So this is a step forward under Workmen's Compensation coverage. Thank you.

Thereupon, the Senate voted to accept the "Ought Not to Pass" report of the Committee.

The Committee on Labor on Bill "An Act Relating to Occupational Diseases Under Workmen's Compensation Law." (H. P. 519) (L. D. 731)

Reported that the same Ought Not to Pass As Covered by Other Legislation.

Comes from the House, report Read and Accepted.

The Committee on Labor on Bill "An Act Eliminating Waiting Period Under Workmen's Compensation." (H. P. 846) (L. D. 1254)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Good.

Mr. GOOD of Cumberland: Mr. President, we felt that this bill would be quite expensive and Bates Manufacturing Company was quite opposed to this bill. We found quite a bit of opposition to it. To bring Maine's Workmen's Compensation compensable from the first day, under the present law, if anyone is out for 14 days, why then it is compensable from the first day. It goes back to the first day. So we felt that in view of the advances this legislature is making in the field of Workmen's Compensation and in view of the substantial work that was done by the last session of the legislature, we didn't feel that at this time we should burden the employer with additional expense. Thank you.

Thereupon, the Senate voted to accept the "Ought Not to Pass" report of the Committee.

The Committee on Labor on Bill "An Act to Establish a Right of Review in Workmen's Compensation Matters." (H. P. 900) (L. D. 1313)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

The Committee on Labor on Bill "An Act Revising Laws Relating to Elevators." (H. P. 928) (L. D. 1358)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

The Committee on Labor on Bill "An Act Relating to Burial Expenses Under Workmen's Compensation Law" (H. P. 1010) (L. D. 1476)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

The Committee on Taxation on Bill "An Act Exempting Boats and Boat Motors from Property Tax." (H. P. 161) (L. D. 224)

Reported that the same Ought Not to Pass. Comes from the House, report Read and Accepted.

The Committee on Taxation on Bill "An Act Repealing the Compact on Taxation of Motor Fuels Consumed by Interstate Buses." (H. P. 249) (L. D. 357)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

The Committee on Taxation on Bill "An Act Relating to Taxation of Farm Machinery Where Situated." (H. P. 728) (L. D. 1052)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

The Committee on Taxation on Bill "An Act Exempting Farm Machinery, Except Tractors, from Personal Property Tax" (H. P. 810) (L. D. 1186)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

The Committee on Transportation on Bill "An Act Relating to Weight Tolerances of Vehicles Loaded with Sawn Lumber." (H. P. 493) (L. D. 706)

Reported that the same Ought Not to Pass — as covered by other legislation.

Comes from the House, report Read and Accepted.

(On motion by Mr. Ferguson of Oxford, tabled pending acceptance of the Committee report.)

The Committee on Transportation on Bill "An Act Relating to Photograph on Motor Vehicle Licenses

and Providing Funds Therefor." (H. P. 1048) (L. D. 1520)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

The Committee on Transportation on Bill "An Act Relating to Obstructing Windshields on Motor Vehicles with Snow or Ice." (H. P. 1049) (L. D. 1521)

Reported that the same Ought Not to Pass.

Comes from the House, report Read and Accepted.

Which reports were Read and Accepted in concurrence.

Ought to Pass — As Amended

The Committee on Appropriations and Financial Affairs on Bill "An Act to Provide Funds for Construction at the Blind Children's Resource Center in Portland." (H. P. 1) (L. D. 1)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-210)

Comes from the House, report Read and Accepted, and the Bill Passed to be Engrossed, As Amended.

The Committee on Health and Institutional Services on Bill "An Act Relating to the Administration of the Aid to Dependent Children Program, and Authorizing Work Experience and Training for Recipients of Aid to Dependent Children." (H. P. 707) (L. D. 1002)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-211).

Comes from the House, report Read and Accepted and the Bill Passed to be Engrossed, As amended.

Which reports were Read and Accepted in concurrence and the Bills read once. Committee Amendments "A" were Read and Adopted in concurrence, and the Bills, As Amended, tomorrow assigned for Second Reading.

Ought to Pass in New Draft

The Committee on Health and Institutional Services on Bill "An Act to Provide a License Law for Practical Nurses." (H. P. 264) (L. D. 385)

Reported that the same Ought to Pass in New Draft under New Title: "An Act Amending the Law

Regulating the Practice of Nursing." (H. P. 1126) (L. D. 1599)

Comes from the House, report Read and Accepted, and the Bill In New Draft Passed to be Engrossed.

The Committee on Health and Institutional Services on Bill "An Act Relating to Authority of Warden of the Maine State Prison to Effect Rehabilitative Programming at the State Prison." (H. P. 741) (L. D. 1064)

Reported that the same Ought to Pass in New Draft Under New Title: "An Act Relating to Authority of Department of Mental Health and Corrections to Effect Rehabilitative and Work Release Programs." (H. P. 1125) (L. D. 1598)

Comes from the House, report Read and Accepted, and the Bill, in New Draft, Passed to be Engrossed.

The Committee on State Government on Bill "An Act Relating to Approval of Plans and Competitive Bids Under Bureau of Public Improvements Law." (H. P. 551) (L. D. 783)

Reported that the same Ought to Pass in New Draft under the same title. (H. P. 1127) (L. D. 1600)

Comes from the House, report Read and Accepted, and the Bill, in New Draft Passed to be Engrossed.

Which reports were Read and Accepted in Concurrence and the Bills, in New Draft, Read once and tomorrow assigned for Second Reading.

(On motion by Mr. Berry of Cumberland, tabled and specially assigned for Wednesday, May 3, pending acceptance of the Committee report.)

Divided Report

The Majority of the Committee on Judiciary on Bill "An Act Relating to Mental Illness as a Ground for Divorce." (H. P. 319) (L. D. 453)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-178) (signed)

Senators:

MILLS of Franklin
HILDREDTH

of Cumberland
HARDING of Aroostook

Representatives:

HEWES of
Cape Elizabeth
FOSTER of
Mechanic Falls
BRENNAN of Portland
DAREY of
Livermore Falls

The Minority of the same Committee on the same subject matter reported that the same Ought Not to Pass.

(signed)

Representatives:

QUINN of Bangor
DANTON of
Old Orchard Beach

Comes from the House, Minority — Ought Not to Pass report Read and Accepted.

(On motion by Mr. Harding of Aroostook, tabled and specially assigned for Tuesday, May 2, pending acceptance of either report.)

Senate

Leave to Withdraw

Mr. Katz for the Committee on Business Legislation on Bill "An Act Relating to Security for Loans under Small Loan Agency Law." (S. P. 530) (L. D. 1365).

Reported that the same should be granted Leave to Withdraw.

Mr. MacLeod for The Committee on Business Legislation on Bill "An Act to Incorporate the Maine Title Insurance Company." (S. P. 529) (L. D. 1364)

Reported that the same should be granted Leave to Withdraw.

Which reports were Read and Accepted.

Sent down for concurrence.

Ought Not to Pass

Mr. Berry for The Committee on Appropriations and Financial Affairs on Bill "An Act Relating to State Appropiations for Regional Planning Commissions." (S. P. 467) (L. D. 1159)

Reported that the same Ought Not to Pass.

Mr. Duquette for The Committee on Appropriations and Financial Affairs on Bill "An Act Providing for Removal of State of Maine Pavilion at 1967 World Exhibition in Canada." (S. P. 525) (L. D. 1361)

Reported that the same Ought not to Pass.

Mr. Albair for The Committee on Appropriations and Financial Affairs on Bill "An Act Providing Funds to Supplement Vocational Rehabilitation Programs." (S. P. 175) (L. D. 366)

Reported that the same Ought Not to Pass.

(On motion by Mr. Katz of Kennebec, tabled pending acceptance of the Committee report.)

Mr. Boisvert for The Committee on Retirements and Pensions on Resolve, to Permit Philip G. Clark of Winthrop Use of his Out-of-State Credits to Obtain a Retirement Allowance. (S. P. 480) (L. D. 1201)

Reported that the same Ought Not to Pass.

Mr. Couturier for The Committee on Towns and Counties on An Act Relating to Failure to Send County Estimates to Municipalities. (S. P. 515) (L. D. 1228)

Reported that the same Ought Not to Pass.

Which reports were Read and Accepted.

Sent down for concurrence.

Ought to Pass

Mr. Couturier for The Committee on Towns and Counties on Bill "An Act Relating to Payments of Accounts and Claims Against a County or Municipality." (S. P. 521) (L. D. 1341)

Reported that the same Ought to Pass.

Mr. Couturier for The Committee on Towns and Counties on Bill "An Act Permitting Municipalities to Raise Money for Blood Service Programs." (S. P. 185) (L. D. 375)

Reported that the same Ought to Pass.

Which reports were Read and Accepted and the Bills read once, and tomorrow assigned for Second Reading.

Ought to Pass—As Amended

Mr. Duquette for The Committee on Appropriations and Financial Affairs on Bill "An Act Providing Funds for Support of Civil Air Patrol." (S. P. 295) (L. D. 734)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (S-100)

Which report was Read and Accepted and the Bill read once. Committee Amendment "A" Filing S-100 was read by the Secretary as follows:

COMMITTEE AMENDMENT "A" to S. P. 295, L. D. 734, Bill, "An Act Providing Funds for Support of Civil Air Patrol."

Amend said Bill by striking out in the 4th line (same in LD 734) the underlined word "administer" and inserting in place thereof the underlined words 'allocate and supervise'

Committee Amendment "A" was Adopted, and the Bill, As Amended tomorrow assigned for second reading.

Mr. Katz for The Committee on Education on Bill "An Act Relating to Computation of State Aid for School Administrative District No. 12 (Jackman and Moose River Plt.)" (S. P. 598) (L. D. 1579)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (S-97)

Which report was Read and Accepted, and the Bill read once. Committee Amendment "A" Filing S-97 was read by the Secretary as follows:

COMMITTEE AMENDMENT "A" to S. P. 598, L. D. 1579, Bill, "An Act Relating to Compensation of State Aid for School Administrative District No. 12 (Jackman and Moose River Plt.)."

Amend said Bill in the Title by striking out after the words "Moose River" the abbreviation "Plt."

Further amend said Bill in the emergency preamble by striking out in the 5th and 6th lines (5th line in L. D. 1579) the words "Town of Jackman and Moose River Plt." and inserting in place thereof the words 'Towns of Jackman and Moose River'

Further amend said Bill by inserting at the beginning of the first line after the enacting clause the abbreviation and figure 'Sec. 1.'

Further amend said Bill in the 2nd line of subsection 1 (1st line

in L. D. 1579) by striking out the abbreviation "Plt."

Further amend said Bill by inserting before the emergency clause the following new section:

"Sec. 2. Superintendent of schools. The commissioner and the board may approve the employment of a qualified person to serve as superintendent of schools and as supervising principal if the unit does not employ more than 20 teachers notwithstanding the Revised Statutes, Title 20, section 151, subsection 5. The amount paid by the State to the superintendent who also serves as a supervising principal shall not exceed \$675 nor be less than \$575 under the Revised Statutes, Title 20, section 154.'

Committee Amendment "A" was Adopted, and the Bill, As Amended, tomorrow assigned for second reading.

Mr. Viles for The Committee on Public Utilities on Bill "An Act to Protect Intake of Public Water Supply." (S. P. 276) (L. D. 656)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (S-99)

Which report was Read and Accepted, and the Bill read once. Committee Amendment "A" Filing S-99 was read by the Secretary as follows:

COMMITTEE AMENDMENT "A" to S. P. 276, L. D. 656, Bill, "An Act to Protect Intake of Public Water Supply."

Amend said Bill by striking out all of the 2nd, 3rd, 4th and 5th sentences of the first paragraph of that part designated "§ 2437." (same in L. D. 656) and inserting in place thereof the following:

'Said radius shall not exceed 100 feet and within said area no person shall anchor or moor a boat or carry on ice fishing. Any such buoys placed in the water shall be plainly marked as required by the Director of the Maine State Park and Recreation Commission under Title 38, section 323.'

Committee Amendment "A" was Adopted, and the Bill, As Amended, tomorrow assigned for second reading.

Mr. Curtis for The Committee on Retirements and Pensions on

Bill "An Act Relating to Credit for Military Service Under State Retirement Law." (S. P. 277) (L. D. 657)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (S-96)

Which report was Read and Accepted and the Bill read once. Committee Amendment "A" Filing S-96 was read by the Secretary as follows:

COMMITTEE AMENDMENT "A" to S. P. 277, L. D. 657, Bill, "An Act Relating to Credit for Military Service Under State Retirement Law."

Amend said Bill by striking out all of the last 3 lines (same in L. D. 657) and inserting in place thereof the following: 'A state employee shall be entitled to this credit only if at point of retirement he shall have at least 10 years of membership service or 15 years of creditable service in the State Retirement System.'

Committee Amendment "A" was Adopted, and the Bill, As Amended, tomorrow assigned for second reading.

Ought to Pass in New Draft

Mr. Reny for the Committee on Transportation on Bill "An Act Providing for Periodic Re-examination for Motor Vehicle Operators' Licenses." (S. P. 131) (L. D. 259)

Reported that the same Ought to Pass in New Draft under New Title: An Act Providing for Re-examination of Accident-prone drivers. (S. P. 616) (L. D. 1610)

The PRESIDENT: The Chair recognizes the Senator from Somerset, Senator Johnson.

Mr. JOHNSON of Somerset: Mr. President, I would like to bring to the attention of the Senate that they now can go back home to their constituents with the introduction of this new redraft. Their constituents will not be required to take an examination every four years. This particular bill had its ups and downs in the Committee and we have come out with a very good bill. It received the approval of the Highway Safety, the Secretary of State and all of the people who are involved in automobile safety.

If a person has an accident, three in three years, he will be asked to go for a hearing, and it will be decided at that time whether he should have an examination. We have preserved our federal money and I think we have made everyone happy, including all of the people in this state who drive an automobile.

Mr. MacLeod for the Committee on Business Legislation on Bill "An Act to Permit Savings and Loan Associations to Act as Trustee Under Self-employed Individuals Tax Retirement Act of 1962." (S. P. 392) (L. D. 1025)

Reported that the same Ought to Pass in New Draft under New Title: "An Act to Permit Savings and Loan Associations and Savings Banks to Act as Trustee Under Self-employed Individuals Tax Retirement Act of 1962." (S. P. 614) (L. D. 1604)

Which reports were Read and Accepted and the Bills, in New Draft, read once and tomorrow assigned for Second Reading.

Second Readers

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

House

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

Bill "An Act Relating to Incorporation of Maine Retail Gasoline Dealers Association." (H. P. 678) (L. D. 950)

Which were Read a Second Time and Passed to be Engrossed in concurrence.

House—As Amended

Resolve to Provide Funds for the Purchase of Copies of the "History of the Town of Lisbon." (H. P. 825) (L. D. 1233)

Resolve Appropriating Moneys for Improvements at Pleasant Point and Indian Township Reservation and the Penobscot Indian Reservation. (H. P. 780) (L. D. 1142)

Bill "An Act Relating to Survey of Private Sewage Disposal Sys-

tems by Department of Health and Welfare." (H. P. 910) (L. D. 1320)

(On motion by Mr. Viles of Somerset, tabled and specially assigned for Thursday, May 4, pending passage to be engrossed.)

Bill "An Act Requiring Constructed Public Buildings be Made Accessible to the Physically Handicapped." (H. P. 1114) (L. D. 1583)

Which were Read a Second Time and Passed to be Engrossed, As Amended, in concurrence.

Senate

Bill "An Act Relating to the Length Provision in the Sale or Packaging of Herring." (S. P. 444) (L. D. 1124)

Bill "An Act Exempting Water and Air Pollution Control Facilities from Sales and Use Taxes." (S. P. 413) (L. D. 1042)

Bill "An Act Creating the Position of Community Recreation Specialist." (S. P. 438) (L. D. 1122)

Which were Read a Second Time and Passed to be Engrossed.

Sent down for concurrence.

Senate — As Amended

Bill "An Act Relating to Public Policy on Higher Education." (S. P. 498) (L. D. 1259)

Which was Read a Second Time and Passed to be Engrossed As Amended by Committee Amendment "A".

Sent down for concurrence.

Enactors

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

An Act to Create Uniform Fishing Relations on all Boundary Waters between State of Maine and Province of New Brunswick. (H. P. 358) (L. D. 505)

An Act Authorizing Department of Health and Welfare to Provide Comprehensive Health Services. (H. P. 261) (L. D. 641)

An Act Relating to Conflicts of Interest in Municipal and Quasi-Municipal Contracts. (H. P. 634) (L. D. 890)

An Act Relating to Inspection of County Jails. (H. P. 668) (L. D. 923)

An Act to Revise the Oil Burner Men's Law. (H. P. 1074) (L. D. 1504)

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

Which were Passed to be Enacted, and having been signed by the President, were by the Secretary presented to the Governor for his approval.

Orders of the Day

The President laid before the Senate the first tabled and today assigned matter, (H. P. 757) (L. D. 1104) House Reports — from the Committee on Legal Affairs on Bill, "An Act to Annex Black and Megquier Island in Thomaston Lake to Town of Oxford." Majority Report — Ought Not to Pass; Minority Report — Ought to Pass. Tabled April 21 by Senator Ferguson of Oxford, pending Motion by Senator Good of Cumberland to Accept the Majority Ought Not to Pass Report.

The PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Ferguson.

Mr. FERGUSON of Oxford: Mr. President and Members of the Senate: I rise in opposition to the motion of the Senator from Cumberland, Senator Good. The reason for my tabling this bill in the first place was to give the Senate a chance to give some thinking to this bill.

That it is the earnest desire of all the owners on Black and Megquier Islands to be annexed to the Town of Oxford, we have from Representative Henley in that area, who represents the Town of Oxford which this bill concerns. Megquier and Black Islands are islands of approximately thirty-five acres, and they are now part of the Town of Oxford by reason of the causeway.

For some time now there has been action to do this, to present some legislation that would give them the right to be governed by the Town of Oxford. Thomaston Lake, as you know, is a large lake situated in the Counties of Oxford, Cumberland and Andros-cogin. In fact, it covers an area

of 4,426 acres. The reason for them wishing to become annexed and to come totally under the jurisdiction of the Town of Oxford is for services. As it is now they are being taxed in both towns, the Town of Poland and the Town of Oxford. The only service they get from the Town of Poland, for their part, is that they send out a tax bill every year. I think this is pretty high priced for \$35,000 or \$40,000 in taxes.

The Town of Oxford has been giving them services in the way of highways and, in the part that is in the Town of Oxford, police service. So, I hope that the Senate will go along with me today in opposing the motion of the Senator from Cumberland, Senator Good.

I have laid on your desks a map this morning. It is from a Xerox, and it isn't a very good print, but I have one here, if anybody wants to see it. I went over to the Department of Economic Development this morning and I found out that I had to make an investment of 50 cents for each one of these maps, so, being Scotch as I am, I figured possibly that if anybody was interested enough to come up to my desk here and look at this map they could do so. I don't believe there are many that are going to come up here because you can look at the map that was printed by Representative Foster and the map I have prepared for you this morning from this map from the Department of Economic Development, plus the fact of some communication that we have here from a Mrs. Lentch that she is very very desirous of becoming part of the Town of Oxford.

I might say that there are 15 families between the two islands; six of them are in Oxford, five in Androscoggin, and four owning property in both counties, as you can see on your lines here on this sketch. It isn't really a map; it is a sketch. These people are anxious to get a town road in here, and the Town of Oxford is very willing to do this, to establish town ways along their private ways. These people are paying a lot of taxes. I certainly hope the Senate will go along with me this

morning in opposing the motion of the Senator from Cumberland, Senator Good. Thank you.

The PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Stern.

Mr. STERN of Penobscot: Mr. President and fellow Members of the Senate: I rise in opposition to my good friend, Senator Ferguson of Oxford. I can't object to his standing up and fighting for the Township of Oxford. I think it is a pretty good deal when you can ask for property owners on one side of the county line in another county to come over to your side of the line so you can tax them and get the benefits of their property.

We heard this in Committee, and I was impressed, especially by this letter that Senator Ferguson referred to from a constituent, Winifred W. Lentch. I note that the letter is dated March 21, 1967 and comes from 3710 Gulf of Mexico Drive, Sarasota, Florida. And I would like to point out to you that in that letter — I think many of you have a copy of it — apparently the sole objection is that the tax levy in Poland is double that of Oxford. I myself don't blame her for writing such a letter. I perhaps would like to get into the benefits of such a swap or change-over if I could. But I do feel that this would result in a dangerous precedent. There are many other areas where township line would cut certain properties between counties, part of the islands in the lake being in one county and part being in another county. If we permit this to pass I am afraid that we would be flooded by similar bills in the future, and I don't think that it is equitable or fair that we do this just to help Winifred W. Lentch from Sarasota, Florida from paying double taxation to the Town of Poland.

The PRESIDENT: The pending question is on the motion of the Senator from Cumberland, Senator Good, that we accept the Majority Ought Not to Pass Report.

The Chair recognizes the Senator from Oxford, Senator Ferguson.

Mr. FERGUSON of Oxford: Mr. President and Members of the Senate: Referring to the good Senator from Penobscot, Senator Stern, I know this letter was dated March 21st. However, this goes back a long way. When I was in the Senate in 1961 they wanted me to present a bill. When I was in the Senate in 1963 they wanted me to present a bill. I was neglectful of my duty, and I didn't do it. Representative Lowery two years ago was supposed to present a bill. And we were very careful to get this late date on here. We had some other letters which were dated before this, but we wanted something up to date so that people would not change their minds. I think it is always nice to have something that is up to date.

I might remind the Senate too that up until two years ago the tax levy in the Town of Poland was a good deal lower than it was in the Town of Oxford. That is not a factor. The factor is the services, that the Poland people have to take to the water to get to their township. Up until this last revaluation of the Town of Poland the tax rate in Oxford was considerably higher. In fact, the valuation of the Town of Poland is \$9,226,000 now with the new evaluation, and the tax rate is 18.5. The evaluation of the Town of Oxford is \$2,704,000, with a tax rate of 48. Even with this very, very low tax rate in the Town of Poland, it is costing these people \$18.50 for each thousand dollars of valuation, and I don't believe it is fair.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Good.

Mr. GOOD of Cumberland: Mr. President and Members of the Senate: the controversy also seems to be on a road here that was being maintained by the Town of Oxford. They felt that where they were maintaining the road that they should also annex part of Androscoggin County. But the selectmen from Poland stated that they have never been requested to contribute anything to the maintenance of this road, and they indicated that they would be perfectly willing to do so. So, we felt that

it was a local matter and that the selectmen on the local level could iron this out without changing the lines of a couple counties.

I am wondering, from the remarks of my great friend, the Senator from Oxford, Senator Ferguson, that the season for this lady, who is a large property owner in Poland—apparently her sole reason for changing now is that the tax rate in Oxford is less than it is in Poland. I wonder if we enacted this law, if later on the tax rate became lower in Poland, we would have another request to change it back.

The PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Ferguson.

Mr. FERGUSON of Oxford: Mr. President, I rise to request a division on the vote.

The PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Stern.

Mr. STERN of Penobscot: Mr. President, I just want to advise my fellow Senators that if they go along with Senator Good's motion to accept the Ought Not to Pass Report that I would be very happy to reimburse Senator Ferguson the 50 cents he expended for the map.

The PRESIDENT: Is the Senate ready for the question? As many as are in favor of accepting the Majority Ought Not to Pass Report of the Committee will stand in their places and remain standing until counted.

As many as are opposed to the motion will stand and remain standing until counted.

A division was had. 14 Senators having voted in the affirmative, and 19 Senators having voted in the negative, the motion did not prevail.

Thereupon, on motion by Senator Ferguson of Oxford, the Senate voted to accept the Minority Ought to Pass Report of the Committee in non-concurrence. The Bill was given its first reading and tomorrow assigned for second reading.

The President laid before the Senate the second tabled and today assigned matter, (S. P. 50) (L. D. 40) Bill, "An Act Relating to

Membership of State Soil and Water Conservation Committee." Tabled April 27 by Senator Hoffses of Knox, pending Motion by Senator Berry of Cumberland to Adhere.

On Motion by Mr. Hoffses of Knox, retabled and specially assigned for Thursday, May 4th, pending Motion by Senator Berry of Cumberland to Adhere.

On Motion by Mr. Wyman of Washington, the Senate voted to take from the table the 26th tabled and unassigned matter, (H. P. 921) (L. D. 1330) House Report — Ought to Pass from the Committee on Taxation on Bill, "An Act Providing for a Recess Committee to Study the Feasibility for a Severance Tax on Timber Products." Tabled April 13th by Senator Wyman of Washington, pending acceptance of report.

On further motion by the same senator, the Senate voted to indefinitely postpone the Bill and all accompanying papers in concurrence.

On Motion by Mr. Wyman of Washington, the Senate voted to take from the table the 31st tabled and unassigned matter, (S. P. 586) (L. D. 1551) Bill, "An Act Relating to Housing and Meal Expenses for Legislators." Tabled April 19th by Senator Wyman of Washington, pending Consideration.

(In Senate — April 13th, Recommended to State Government.)

(In House — April 18th, Passed to be Engrossed in Non-Concurrence.)

On further motion by the same Senator, the Senate voted to recede and concur.

On motion by Mr. MacLeod of Penobscot, the Senate voted to take from the table the seventh tabled and unassigned matter, (H. P. 470) (L. D. 683) House Report — Ought to Pass from the Committee on Business Legislation on Bill, "An Act Relating to Fees for Handling Insurance Papers by Those Who Loan on Property." Tabled March 17th by Senator MacLeod of Penobscot, pending Acceptance of Report.

On further motion by the same Senator, the Senate voted to accept the Ought to Pass Committee Report in concurrence. The Bill was given its first reading and tomorrow assigned for second reading.

On motion by Mr. Barnes of Aroostook, the Senate voted to take from the table the 13th tabled and unassigned matter, (H. P. 1092) (L. D. 1560) Bill, "An Act Relating to Protective Headgear by Persons Riding Motorcycles." Tabled April 5th by Senator Barnes of Aroostook, Pending Passage to be Engrossed.

On further motion by the same Senator, the Bill was passed to be engrossed in concurrence.

On Motion by Mr. Barnes of Aroostook, the Senate voted to take from the table the 47th tabled and unassigned matter, (S. P. 612) (L. D. 1597) Bill, "An Act to Regulate the Alteration of Wetlands." Tabled April 27th by Senator Barnes of Aroostook, pending Passage to be Engrossed.

On further motion by the same Senator, the Bill, As Amended, was passed to be engrossed.

Sent down for concurrence.

On Motion by Mr. Berry of Cumberland, the Senate voted to take from the Special Appropriations Table (H. P. 785) (L. D. 1147) Bill, "An Act to Provide for a Trade and Industrial Teacher in Education Service at Gorham State College."

On further motion by the same Senator, under suspension of the rules, the Senate voted to reconsider its action whereby the Bill was passed to be engrossed.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY of Cumberland: Mr. President, I now present Senate Amendment "A" and move its adoption. I would explain to the Members of the Senate that this merely corrects an error in the addition in the Bill.

Senate Amendment "A" Filing No. S-98, was read by the Secretary as follows:

SENATE AMENDMENT "A" to H. P. 785, L. D. 1147, Bill, "An Act to Provide for Trade and Industrial Teacher Education Service at Gorham State College."

Amend said Bill by striking out all of section 2 and inserting in place thereof the following:

'Sec. 2. Appropriation. To provide salaries, incidental expenses and necessary office and instructional equipment provided by this Act, there is appropriated from the General Fund to the Department of Education, Gorham State College, the sum of \$14,500 for the fiscal year ending June 30, 1968 and \$11,150 for the fiscal year ending June 30, 1969, as tabulated below:

| | 1967-68 | 1968-69 |
|--|-------------|-----------|
| EDUCATION, DEPARTMENT OF Gorham State College | | |
| Personal | | |
| Services (2) | \$9,000 (2) | \$9,450 |
| All Other | 1,500 | 1,200 |
| Capital | | |
| Expenditures | 4,000 | 500 |
| | \$14,500 | \$11,150' |

Senate Amendment "A" was adopted, and the Bill, As Amended, passed to be engrossed in non-concurrence.

Sent down for concurrence.

On Motion by Mr. Beckett of Washington, the Senate voted to take from the table the 28th tabled and unassigned matter, (H. P. 747) (L. D. 1094) House Report — Ought Not to Pass from the Committee on Indian Affairs on Bill, "An Act Relating to Special Offices for Indian Tribes." Tabled April 14th by Senator Beckett of Washington, pending Acceptance of Report.

On further motion by the same Senator, the Senate voted to substitute the Bill for the Report, and the Bill was given its first reading.

The same Senator then presented Senate Amendment "A" and moved its adoption.

Senate Amendment "A", Filing No. S-102, was read by the Secretary as follows:

SENATE AMENDMENT "A" to H. P. 747, L. D. 1094, Bill, "An Act Relating to Special Offices for Indian Tribes."

Amend said Bill by Striking out all of the first paragraph of that part designated "S4705" and inserting in place thereof the following:

'The tribal governor of each reservation, with the advice and consent of the tribal council of each such reservation, may appoint persons to the positions of tribal custodian and tribal maintenance-man.'

Senate Amendment "A" was adopted in non-concurrence, and the Bill, As Amended, tomorrow assigned for second reading.

On Motion by Mr. Mills of Franklin, the Senate voted to take from the table the sixth tabled and unassigned matter, (H. P. 393) (L. D. 540) Bill, "An Act Increasing Number of Medical Examiners in Washington County." Tabled March 15th by Senator Mills of Franklin, pending Enactment.

The same Senator then moved that the Bill be Passed to be Enacted.

On Motion by Mr. Berry of Cumberland, retabled and specially assigned the next legislative day, pending Enactment.

On Motion by Mr. Couturier of Androscoggin, the Senate voted to take from the table the 19th tabled and unassigned matter, (S. P. 476) (L. D. 1197) Senate Report — Ought Not to Pass from the Committee on Legal Affairs on Bill, "An Act Relating to Certification of Qualifications of Candidates for Municipal Office in City of Lewiston." Tabled April 11th by Senator Couturier of Androscoggin, pending Acceptance of Report.

On further Motion by the same Senator, the Senate voted to substitute the Bill for the Report, and the Bill was given its first reading.

The same Senator presented Senate Amendment "A" and moved its adoption.

Senate Amendment "A", Filing No. S-101, was read by the Secretary as follows:

SENATE AMENDMENT "A" to S. P. 476, L. D. 1197, Bill, "An Act Relating to Certification of Qualifications of Candidates for

Municipal Office in City of Lewiston.”

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

‘Sec. 6. Certification of qualifications. Before the city clerk proceeds to have ballots printed according to section 5 of this article, he shall examine the qualifications of all candidates for municipal offices and ascertain that each such candidate fulfills all

requirements of this charter as regards to qualifications for holding public office in this city.’

Senate Amendment “A” was adopted, and the Bill, as amended, tomorrow assigned for second reading.

The adjournment order having been received from the House, on motion by Mr. Ross of Piscataquis, adjourned until Tuesday, May 2nd at ten o'clock in the morning.