

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

*One Hundred and Third  
Legislature*

OF THE

**STATE OF MAINE**

**Volume III**

**June 16 to July 8, 1967**

**Index**

**1st Special Session**

**October 2 and October 3, 1967**

**2nd Special Session**

**January 9 to January 26, 1968**

**KENNEBEC JOURNAL  
AUGUSTA, MAINE**

**SENATE**

Monday, January 22, 1968

Senate called to order by the President.

Prayer by Rev. Father Henry B. Dallaire of Hallowell.

Reading of the Journal of Yesterday.

**Papers from the House  
Joint Order**

ORDERED, the Senate concurring, that the following be recalled from the Governor's Office to the House: Bill, "An Act Relating to Hearings before Water and Air Environmental Improvement Commission." (H. P. 1322) (L. D. 1868) (H. P. 1334)

Comes from the House Read and Passed.

Which was Read and Passed in concurrence.

**Orders**

Mr. MacLeod of Penobscot presented the following order and moved its passage:

ORDERED, that the Senate rules be amended by repealing and replacing Senate Rule 32, to read as follows:

32. All committees, a sergeant at arms, an assistant sergeant at arms, a postmaster, a doorkeeper and 2 pages shall be appointed by the President, unless the Senate otherwise directs.

Which was Read and Passed.

**Reports of Committees  
House**

**Ought Not to Pass**

The Committee on State Government on Bill, "An Act Providing for Appointment of Judges and Registers of Probate." (H. P. 1295) (L. D. 1801)

Reported that the same Ought Not to Pass.

Comes from the House, Read and Accepted.

Which report was Read and Accepted in concurrence.

**Ought to Pass As Amended**

The Committee on Appropriations and Financial Affairs on Bill, "An Act to Authorize Bond Issue in the

Amount of \$2,750,000 for Dormitory Facilities at Farmington State College and Maine Maritime Academy." (H. P. 1314) (L. D. 1857)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-521)

Comes from the House, report Read and Accepted and the Bill Passed to be Engrossed As Amended by Committee Amendment "A" (H-521) and by House Amendment "A" (H-527)

Which report was Read and Accepted and the bill, as Amended, Read Once. Committee Amendment "A" was Read and Adopted. House Amendment "A" was Read.

The PRESIDENT: Is it now the pleasure of the Senate to adopt House Amendment "A"?

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ of Kennebec: Mr. President, may I ask through the Chair if anyone can explain the impact of House Amendment "A"?

The PRESIDENT: The Senator from Kennebec, Senator Katz, has asked of the Senate the impact of House Amendment "A". Any Senator may answer if he so desires.

The Chair recognizes the Senator from Aroostook, Senator Albair.

Mr. ALBAIR of Aroostook: Mr. President and Members of the Senate: Committee Amendment "A", as brought out from Committee, amended the Farmington State College dormitory from \$1,900,000. down to \$850,000. House Amendment 527, which was adopted in the House, amended this Committee Amendment, increasing the increment from \$850,000. to \$955,000. and also makes this a self-liquidating bond issue.

The PRESIDENT: The pending question is the adoption of House Amendment "A". Is this the pleasure of the Senate?

Thereupon, House Amendment "A" was Adopted and under suspension of the rules, the bill, as Amended, was given its Second Reading and Passed to be Engrossed in concurrence.

**Ought to Pass in New Draft**

The Committee on Judiciary on Bill, "An Act Relating to Appeals

by State on Questions of Law in Criminal Cases." (H. P. 1268) (L. D. 1774)

Reported that the same Ought to Pass in New Draft under New Title "An Act Relating to Appeals on Questions of Law in Criminal Cases." (H. P. 1331) (L. D. 1876)

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

Which report was Read and Accepted and the bill in New Draft Read Once. Thereupon, under suspension of the rules, the bill was given its Second Reading and Passed to be Engrossed in concurrence.

#### Ought to Pass in New Draft

The Committee on Towns and Counties on Bill, "An Act Relating to County Estimates and Finances." (H. P. 1286) (L. D. 1792)

Reported that the same Ought to Pass in New Draft under the same title." (H. P. 1328) (L. D. 1873)

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

Which report was Read and Accepted and the bill, in New Draft, Read Once.

Mr. Ferguson of Oxford presented Senate Amendment "A" and moved its adoption.

Senate Amendment "A", Filing No. S-349, was Read by the Secretary.

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

Mr. FERGUSON of Oxford: Mr. President and Members of the Senate: I would like to give a little explanation of the purpose of this amendment. According to the statutes now, we don't have any provision for making an inventory of county property, such as automobiles, typewriters, office equipment, and anything that might pertain to or be owned by the county. This amendment would set up a procedure where the county commissioners of each county, on or before the first of January of each year, would be required to

make an inventory and file the same with the Clerk of Courts before the first day of each year.

It also provides bid awards and contracts for buildings and other facilities. It provides that up to \$300. there wouldn't be any provision for bidding for contract awards. As it is now, I understand, that not only Oxford County but many of the other counties are dissatisfied with the cost plus system that many of the counties are using. This would be in line with the municipalities and what they have to do.

We get into the question of supplies, services on material and equipment, that would require the commissioners, by competitive bidding, after a purchase is over \$100., that they would be compelled to get some prices from various people who make sales to the counties.

This amendment would give a lot of protection to some of your incoming officers, your elected officers, where we had in our county claims that the county offices were cleaned out of typewriters and other facilities, and we didn't know where to point a finger, whether it was the new people coming into office that cleaned out the offices of equipment and so forth or the people who were getting out of office.

I certainly think this is not asking too much, and many of the people connected with county government have agreed that this is a good amendment and I hope the Senate will support it.

The PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Albair.

Mr. ALBAIR of Aroostook: Mr. President and Members of the Senate: In reviewing L. D. 1873, if you have had a chance to go over it, you will notice that this is a complete revision of Legislative Document 1792. The Towns and Counties Committee has completely revamped this L. D. There are sections which I highly endorse, however, I cannot understand the proposed amendment which Senator Ferguson is proposing and where he came up with the figure of \$300. for any repairs on buildings. I mean, this seems

to me to be an awful low figure. I could understand a higher figure of probably a couple thousand dollars or twenty-five hundred dollars.

Also, the proposed \$100. proposal on services and supplies, I hope the Senator would defer this until tomorrow so we could amend this to a different figure. I am not against the principle on bids; this is certainly in order, but I do object strongly to these small figures.

The PRESIDENT: The pending question is the motion of the Senator from Oxford, Senator Ferguson, that the Senate adopt Senate Amendment "A".

The Chair recognizes the Senator from Cumberland, Senator Good.

Mr. GOOD of Cumberland: Mr. President, I move that the matter be tabled, pending the motion of the Senator from Oxford, Senator Ferguson, that we adopt Senate Amendment "A".

Thereupon, on motion by Mr. Good of Cumberland, tabled and specially assigned for Tuesday, January 23, pending adoption of Senate Amendment "A".

#### Divided Report

Five members of the Committee on Judiciary on Bill, "An Act Relating to Referendum under Maine Housing Authorities Act." (H. P. 1308) (L. D. 1837)

Reported in Report "A" that the same Ought to Pass in New Draft (H. P. 1332) (L. D. 1877) under the same title.

(Signed)

Senators:

HILDRETH  
of Cumberland  
MILLS of Franklin  
HARDING of Aroostook

Representatives:

BRENNAN of Portland  
DANTON  
of Old Orchard Beach

Four members of the same Committee on the same subject matter reported in Report "B" that the same Ought to Pass In New Draft

"B" (H. P. 1333) (L. D. 1878), under the same title.

(Signed)

Representatives:

DAREY

of Livermore Falls  
HEWES of Cape Elizabeth  
BERMAN of Houlton  
FOSTER

of Mechanic Falls

Comes from the House, Report "A" Read and Accepted and the Bill in New Draft (H. P. 1332) (L. D. 1877) Passed to be Engrossed.

Which reports were Read and, on motion by Mr. Cope of Cumberland, Report "B", Ought to Pass in New Draft "B", was accepted and the bill, in New Draft "B", Read Once.

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

Senate Amendment "A", Filing No. S-350, was read by the Secretary.

Thereupon, on motion by Mr. Hildreth of Cumberland, tabled and specially assigned for Tuesday, January 23, pending adoption of Senate Amendment "A".

#### Conference Committee Report

The Committee of Conference on the disagreeing action of the two branches of the Legislature, on Resolve, Providing Moneys for Cerebral Palsy Clinics for Home Care Programs. (H. P. 1251) (L. D. 1757), asked leave to report that the Senate Recede and Concur with the House.

Comes from the House Read and Accepted.

Which report was Read and, upon motion by Mr. Ross of Piscataquis, was accepted. Thereupon, the Senate voted to Recede and Concur with the House.

#### Senate

##### Ought to Pass in New Draft

Mr. Mills for the Committee on Judiciary on Bill, "An Act Relating to Loans on Fishing and Agricultural Projects Under the Maine Industrial Building Act." (S. P. 783) (L. D. 1855)

Reported that the same Ought to Pass in New Draft (S. P. 811) (L. D. 1882) under the same title.

Which report was Read and Accepted and the bill, in New Draft, Read Once. Thereupon, under suspension of the rules, the bill was given its Second Reading and Passed to be Engrossed.

Sent down for concurrence.

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#### Enactors

The Committee on Engrossed Bills reported that the following act and resolve are truly and strictly engrossed:

#### Constitutional Amendment

Resolve, Proposing a Constitutional Amendment to Correct Inconsistency in Election of Judges of Probate. (S. P. 780) (L. D. 1852)

(On motion by Mr. Albair of Aroostook, placed on the Special Appropriations Table).

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#### Bond Issue

An Act Providing a Bond Issue in the Amount of One Hundred and Eighty Thousand Dollars for Constructing a Residential Facility for Mentally Retarded Children in Aroostook County. (S. P. 762) (L. D. 1819)

(On motion by Mr. Albair of Aroostook, placed on the Special Appropriations Table.)

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#### Orders of the Day

The PRESIDENT: The Chair

recognizes the Senator from Penobscot, Senator MacLeod.

Mr. MacLEOD of Penobscot: Mr. President, I would inquire through the Chair whether the Senate is in possession of Bill, "An Act to Correct Errors and Inconsistencies in the Education Laws." (H. P. 1259) (L. D. 1765)?

The PRESIDENT: The Chair will reply in the affirmative.

Mr. MacLEOD: Mr. President, I would move that the Senate reconsider its action whereby it passed this bill to be engrossed, and I would further move that this lie on the table until the next legislative day pending my motion for reconsideration.

The PRESIDENT: The Senator from Penobscot, Senator MacLeod, now moves that the Senate reconsider its action whereby this bill was passed to be engrossed, and further moves that the matter lay on the table pending this motion and be specially assigned for the next legislative day. Is this the pleasure of the Senate?

The motion prevailed and the bill was so tabled, pending reconsideration.

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On motion by Mr. Ross of Piscataquis,

Adjourned until ten o'clock tomorrow morning.