

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

*One Hundred and Fourth  
Legislature*

OF THE

STATE OF MAINE

1969

KENNEBEC JOURNAL  
AUGUSTA, MAINE

**HOUSE**

Tuesday, February 18, 1969

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Lionel Chouinard of Lewiston.

The members stood at attention during the playing of the National Anthem.

The journal of the previous session was read and approved.

**Papers from the Senate**

The following Communication: (S. P. 250)

STATE OF MAINE  
Department of Audit  
Augusta

December 16, 1968

To Governor Kenneth M. Curtis and Members of the One Hundred and Fourth Legislature

In compliance with statutory requirements, I submit herewith the annual report of the State Auditor for the fiscal year ended June 30, 1968. The financial data presented herewith are based upon the accounting records maintained in the Bureau of Accounts and Control.

Based on the scope of our examination, it is our opinion that, except for the exclusion of certain trust and operating fund transactions and balances recorded and controlled locally by State agencies and not reflected herein, the accompanying financial statements present fairly the financial position of the operating funds of the State of Maine at June 30, 1968, and the results of their operations for the fiscal year then ended, in conformity with generally accepted governmental accounting principles applied on a consistent basis.

Respectfully submitted,

(Signed)

ARMAND G. SANSOUCY  
State Auditor

Came from the Senate read and with accompanying Report ordered placed on file.

In the House, the Communication was read and with accompanying Report ordered placed on file in concurrence.

Bills from the Senate requiring reference were disposed of in concurrence.

**Senate Reports of Committees Ought to Pass**

Report of the Committee on Appropriations and Financial Affairs reporting "Ought to pass" on Resolve Appropriating Funds for the Perambulation of the Maine-New Hampshire Boundary Line (S. P. 29) (L. D. 87)

Report of the Committee on Health and Institutional Services reporting same on Bill "An Act relating to Delegation of Authority to Director of Bureau of Corrections under New England Interstate Corrections Compact" (S. P. 125) (L. D. 387)

Came from the Senate with the Reports read and accepted and the Bill and Resolve passed to be engrossed.

In the House, Reports were read and accepted in concurrence, the Bill read twice, Resolve read once, and tomorrow assigned.

**Non-Concurrent Matter**

Bill "An Act relating to Residency Requirements for Aid to Dependents of Veterans" (H. P. 157) (L. D. 183) which was passed to be engrossed in the House on February 5.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

In the House: The House voted to recede and concur with the Senate.

**Non-Concurrent Matter**

Bill "An Act to Place Full-time Deputy Sheriffs under the Personnel Law" (H. P. 530) (L. D. 701) which was referred to the Committee on State Government in the House on February 6.

Came from the Senate referred to the Committee on Towns and Counties in non-concurrence.

In the House: The House voted to recede and concur with the Senate.

**Messages and Documents**

The following Communication:

STATE OF MAINE  
Office of the Governor  
Augusta

February 18, 1969

To Members of the House — 104th  
Legislature:

In September, 1968, I appointed a Committee to recommend ways for the State to strengthen its pollution abatement effort. Because our past efforts at pollution abatement have not been sufficient to solve the problem, I requested the Committee to review existing legislation and suggest means of strengthening enforcement powers; to review the existing enforcements as to both efficiency and adequacy of financing; and to estimate, analyze, and recommend the State financial effort necessary to a meaningful program of construction of pollution abatement facilities.

Working against a very difficult schedule, the Committee has reviewed Maine's anti-pollution legislation and administration and agreed upon measures to strengthen Maine's critical battle against the despoliation of the State's air and water resources.

I need not reemphasize the dangers which pollution poses to a state as heavily dependent on its water resources as Maine. Clean water is essential to the development of our recreational and tourist potential; it is essential to meaningful industrial expansion; most important, it is essential to the health, welfare, and enjoyment of those who live in Maine today.

I transmit this report to you in the hope that it will receive your favorable consideration, for in both this Legislature and in the State as a whole, pollution should have no constituency.

Sincerely,

(Signed)

KENNETH M. CURTIS  
Governor

The Communication was read and ordered placed on file.

The SPEAKER: The Chair will call your attention to Supplement number one.

The following Communication:  
(H. P. 675)

STATE OF MAINE  
Department of State  
Augusta

February 15, 1969

To David J. Kennedy, Speaker of the House of Representatives of the One Hundred and Fourth Legislature:

I have the honor to herewith transmit the budget estimates of expenses of the sixteen counties within the State for the years 1969 and 1970, the same having been filed in this office according to the provisions of Title 30, Sections 252 and 253 of the Revised Statutes of 1964.

(Signed)

JOSEPH T. EDGAR  
Secretary of State

The Communication was read and with accompanying papers referred to the Committee on Towns and Counties and sent up for concurrence.

**Petitions, Bills and Resolves  
Requiring Reference**

The following Bills and Resolves were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

**Business Legislation**

Bill "An Act Authorizing the Attorney General to Seek Dissolution of Certain Corporations" (H. P. 656) (Presented by Mr. Heselton of Gardiner)

Bill "An Act relating to Venue of Certain Corporate Court Actions" (H. P. 657) (Presented by same gentleman)

Bill "An Act relating to Consolidation of Corporations with Foreign Corporations" (H. P. 658) (Presented by same gentleman)

Bill "An Act relating to Deposits by Minors in Savings Banks and Shares of Minors in Savings and Loan Associations" (H. P. 659) (Presented by Mr. Hewes of Cape Elizabeth)

Bill "An Act relating to Powers of Attorney on Accounts in Savings Banks" (H. P. 660) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

**Education**

Bill "An Act Concerning the Training of Barbers" (H. P. 661) (Presented by Mr. Porter of Lincoln)

Bill "An Act Granting Authority to North Atlantic College, Great Diamond Island, Portland, to Grant Academic Degrees in Oceanography, Marine Science and Engineering" (H. P. 662) (Presented by Mr. Temple of Portland) (Ordered Printed)  
Sent up for concurrence.

**Inland Fisheries and Game**

Bill "An Act Repealing all Game Preserves and Sanctuaries" (H. P. 663) (Presented by Mr. Gilbert of Turner)

Bill "An Act relating to Open Season for Fishing" (H. P. 664) (Presented by Mr. Thompson of Belfast)

Bill "An Act relating to Open Season for Bass by Ice Fishing" (H. P. 665) (Presented by same gentleman) (Ordered Printed)  
Sent up for concurrence.

**Judiciary**

Bill "An Act relating to Disclosure of Information Concerning Patients at State Hospitals and the Pineland Hospital and Training Center" (H. P. 666) (Presented by Mr. Berman of Houlton)

Bill "An Act Amending Laws Pertaining to the Maine State Prison" (H. P. 667) (Presented by Mr. MacPhail of Owls Head) (Ordered Printed)  
Sent up for concurrence.

**Legal Affairs**

Bill "An Act Extending Time for Relocating of Maine Central Railroad Tracks in Livermore Falls" (H. P. 668) (Presented by Mr. Gilbert of Turner)

Bill "An Act relating to Construction of Municipal Powers" (H. P. 669) (Presented by Mr. Heselton of Gardiner) (Ordered Printed)  
Sent up for concurrence.

**Natural Resources**

Bill "An Act relating to Outdoor Advertising" (H. P. 670)

(Presented by Mrs. Brown of York)

Bill "An Act to Classify Certain Tidal Waters of Hancock County" (H. P. 671) (Presented by Mr. Bunker of Gouldsboro) (Ordered Printed)  
Sent up for concurrence.

**State Government**

Bill "An Act Limiting Municipal Indebtedness to Twelve and One-Half Per Cent of Most Recent State Valuation Adjusted to Fair Market Value" (H. P. 672) (Presented by Mr. Rideout of Manchester)

Resolve Proposing an Amendment to the Constitution Providing for Regulation by the Legislature of Municipal Borrowing (H. P. 673) (Presented by same gentleman) (Ordered Printed)  
Sent up for concurrence.

**Taxation**

Bill "An Act to Clarify Taxation of Annuity Contracts and Insurance Policies" (H. P. 674) (Presented by Mr. Benson of Southwest Harbor) (Ordered Printed)  
Sent up for concurrence.

**Orders**

On motion of Mr. Ross of Bath, it was ORDERED, that Mr. ALLEN of Caribou be excused from attendance for the duration of his illness.

On motion of Mr. Fecteau of Biddeford, it was ORDERED, that Rev. Lewis Berube of South Berwick be invited to officiate as Chaplain of the House on Thursday, March 27, 1969.

On motion of Mr. Lewin of Augusta, it was ORDERED, that Charles Snowman and Timothy Ellis of Augusta be appointed to serve as Honorary Pages for today.

**Tabled and Assigned**

Mr. Dam of Skowhegan presented the following Joint Order and moved its passage:

ORDERED, the Senate concurring, that the Secretary of State is authorized and directed

upon application by any member of the 104th Legislature, pursuant to the Revised Statutes, Title 29, Section 193, to issue in a corporate or company name specially designed number plates and certificate of registration for one designated motor vehicle upon satisfactory proof that said vehicle is assigned to and personally under the control of such member.

(On motion of Mr. Ross of Bath, tabled pending passage and tomorrow assigned.)

On motion of Mr. Benson of Southwest Harbor, it was

**ORDERED**, that the House of Representatives declares a vacancy to exist in the representation in this House of the class towns of Appleton, Thomaston, Union, Warren and Washington on account of the death of the Honorable GREVIS F. PAYSON, and be it further

**ORDERED**, that a copy of this Order, certified by the Clerk of the House, be sent to the Governor, the Secretary of State, and the Chairman of the Board of Selectmen of the oldest town in the representative class in which the vacancy exists.

The Order received passage.

The **SPEAKER**: The Clerk will strike the name of Grevis Payson from the rolls of the House, and the Chair declares that the numerical count now stands at 150.

#### **House Reports of Committees Leave to Withdraw**

Mr. Bourgoin from the Committee on Inland Fisheries and Game on Bill "An Act relating to Open Season on Canada Lynx" (H. P. 165) (L. D. 204) reported Leave to Withdraw.

Report was read and accepted and sent up for concurrence.

#### **Ought Not to Pass Tabled and Assigned**

Mr. Richardson from the Committee on Education reported "Ought not to pass" on Bill "An Act Permitting John F. Kennedy College to Award Degrees" (H. P. 114) (L. D. 130)

Report was read.

(On motion of Mr. Richardson of Stonington, tabled pending

acceptance and tomorrow assigned.)

Mr. Norris from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act relating to Eligibility for Membership on the Council and School Board of the Town of Falmouth" (H. P. 110) (L. D. 118)

Report was read and accepted and sent up for concurrence.

#### **Referred to Committee on Judiciary**

Mrs. Baker from the Committee on Legal Affairs on Bill "An Act relating to Building Liens" (H. P. 475) (L. D. 629) reported that it be referred to the Committee on Judiciary.

Report was read and accepted, the Bill referred to the Committee on Judiciary and sent up for concurrence.

#### **Ought to Pass in New Draft New Draft Printed**

Mrs. Cummings from the Committee on Education on Bill "An Act relating to Expanding the Community School of Boothbay-Boothbay Harbor School District to Include Grades Kindergarten Through Grade 6" (H. P. 217) (L. D. 267) reported same in a new draft (H. P. 655) (L. D. 806) under title of "An Act Amending the Charter of Boothbay-Boothbay Harbor Community School District" and that it "Ought to pass"

Report was read

The **SPEAKER**: The Chair recognizes the gentleman from Stonington, Mr. Richardson.

Mr. **RICHARDSON**: Mr. Speaker, in view of the fact that L. D. 806 is not on our desks as yet, I would respectfully request that somebody table this until tomorrow.

Thereupon, on motion of Mr. Benson of Southwest Harbor, tabled pending acceptance of the Report and tomorrow assigned.

#### **Ought to Pass Printed Bills**

Mrs. Cummings from the Committee on Education reported "Ought to pass" on Bill "An Act relating to Conferring Degrees by

Unity College" (H. P. 214) (L. D. 264)

Mr. Millett from same Committee reported same on Bill "An Act Permitting Partial Payments at Times other than August and December for Operation of Regional Vocational Technical Centers" (H. P. 216) (L. D. 266)

Mr. Lewin from the Committee on Inland Fisheries and Game reported same on Bill "An Act relating to Operating Watercraft so as to Molest Wildlife" (H. P. 283) (L. D. 359)

Mr. Thompson from same Committee reported same on Bill "An Act relating to Closed Time on Gray Squirrels" (H. P. 282) (L. D. 358)

Mrs. Baker from the Committee on Legal Affairs reported same on Bill "An Act relating to Expiration and Renewals of Certificates of Registration for Land Surveyors" (H. P. 237) (L. D. 292)

Mr. Cox from same Committee reported same on Bill "An Act relating to Issuance of Temporary Notes by Hospital Administrative District No. 1 in Penobscot County" (H. P. 342) (L. D. 450)

Mrs. Wheeler from same Committee reported same on Bill "An Act relating to Holding Property by Cumberland Farmers' Club" (H. P. 286) (L. D. 362)

Mr. D'Alfonso from the Committee on State Government reported same on Resolve Authorizing Flowage Rights to Arthur C. Shute and Emma L. Shute of Sebago on State Highway No. 126 in East Sebago (H. P. 198) (L. D. 245)

Mr. Rideout from same Committee reported same on Bill "An Act relating to Maintenance of Paupers by Certain Plantations" (H. P. 297) (L. D. 373)

Miss Watson from same Committee reported same on Bill "An Act Eliminating Boards of Visitors for State Institutions and Creating Committee on Corrections" (H. P. 303) (L. D. 379)

Reports were read and accepted, the Bills read twice, Resolve read once, and tomorrow assigned.

**Ought to Pass with Committee Amendment**

Mr. Immonen from the Commit-

tee on Transportation on Bill "An Act relating to Operation of Motorcycles while Learning to Drive" (H. P. 128) (L. D. 144) reported "Ought to pass" as amended by Committee Amendment "A" (H-34) submitted therewith.

Mr. Keyte from same Committee on Bill "An Act relating to Trailers Being Securely Fastened" (H. P. 51) (L. D. 52) reported "Ought to pass" as amended by Committee Amendment "A" (H-35) submitted therewith.

Reports were read and accepted and the Bills read twice. Committee Amendment "A" to each was read by the Clerk and adopted, and tomorrow assigned for third reading of the Bills.

Mr. Keyte from the Committee on Transportation on Bill "An Act relating to Headlights and Mirrors on Motorcycles and Motor Driven Cycles" (H. P. 155) (L. D. 181) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice. Committee Amendment "A" (H-36) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Houlton, Mr. Berman.

Mr. BERMAN: Mr. Speaker, I have just been studying Committee Amendment "A" which has reached our desks this morning under filing number H-36, and I would like to pose a question through the Chair as to what would be the ascertainable standards for "an adequate beam"?

The SPEAKER: The gentleman from Houlton, Mr. Berman, poses a question through the Chair to any member of the Committee who may answer the question if they choose.

The Chair recognizes the gentleman from Dexter, Mr. Keyte.

Mr. KEYTE: Mr. Speaker, the constant beam is when the motorcycle stops; unless it has a battery, there is no light, so then it's there, but an adequate beam is — as long as your motorcycle is moving, you have a beam, otherwise you don't. Does that answer the question?

The SPEAKER: The Chair would inquire if the gentleman feels that his question has been answered, and the pending question is the adoption of Committee Amendment "A". Is it now the pleasure of the House that Committee Amendment "A" be adopted?

The motion prevailed, and the Bill assigned for third reading tomorrow.

**Divided Report**

Report "A" of the Committee on Education on Bill "An Act relating to List and Salaries of Employees of School Department of City of Auburn" (H. P. 268) (L. D. 344) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

- Messrs. STUART of Cumberland
- KELLAM of Cumberland
- of the Senate.
- Mrs. CUMMINGS of Newport
- Mr. WAXMAN of Portland
- Mrs. KILROY of Portland
- of the House.

Report "B" of same Committee reporting "Ought not to pass" on same Bill.

Report was signed by the following members:

- Mr. KATZ of Kennebec
- of the Senate.
- Messrs. CHICK of Monmouth
- ALLEN of Caribou
- RICHARDSON of Stonington
- MILLETT of Dixmont
- of the House.

Reports were read.

On motion of Mr. Richardson of Stonington, Report "B" "Ought not to pass" was accepted and sent up for concurrence.

**Order out of Order**

On motion of Mrs. Wheeler of Portland, it was

ORDERED, that Russell Edwards III of Portland be appointed to serve as Honorary Page for today.

**Passed to Be Engrossed**

Bill "An Act relating to Open Season for the Trapping of Foxes" (S. P. 80) (L. D. 238)

Bill "An Act relating to Cooperative Agreements by the Public Utilities Commission" (H. P. 175) (L. D. 214)

Bill "An Act relating to the Registration of Interstate Motor Carriers" (H. P. 184) (L. D. 223)

Bill "An Act relating to Jurisdiction of Juvenile Courts over Offenses in Operating Boats" (H. P. 193) (L. D. 233)

Resolve Reimbursing Certain Municipalities on Account of Property Tax Exemptions of Veterans (S. P. 75) (L. D. 236)

Were reported by the Committee on Bills in the Third Reading, Bills read the third time, Resolve read the second time, all passed to be engrossed and sent to the Senate.

**Amended Bills**

Bill "An Act Providing for an Additional District Court Judge at Large" (S. P. 64) (L. D. 186)

Bill "An Act relating to Appointment and Duties of Deputy Attorneys General and Assistant Attorneys General" (H. P. 180) (L. D. 219)

Were reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

**Passed to Be Enacted  
Emergency Measure**

An Act to Allocate Money from the General Highway Fund for State Aid Construction (H. P. 232) (L. D. 288)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken, 133 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Emergency Measure**

An Act relating to Election of Members of Board of Trustees of Ashland Water and Sewer District (H. P. 294) (L. D. 370)



Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 134 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Emergency Measure**

An Act Appropriating Funds to Administrative Hearing Commissioner for Subpoenas to Parents of Minors (H. P. 290) (L. D. 366)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 129 voted in favor of same and one against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Passed to Be Enacted**

An Act relating to Fishing in Narraguagus River, Washington County (S. P. 39) (L. D. 122)

An Act Increasing Entry Fee under Small Claims Law (S. P. 90) (L. D. 252)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

**Enactor  
Tabled and Assigned**

An Act Requiring Reconstructed Public Buildings be made Accessible to the Physically Handicapped (S. P. 100) (L. D. 310)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

(On motion of Mr. Birt of East Millinocket, tabled pending passage to be enacted, and specially assigned for tomorrow.)

An Act Amending the Election Laws (H. P. 29) (L. D. 30)

An Act relating to Use of Artificial Lights for Lighting Game (H. P. 92) (L. D. 101)

An Act relating to Violating the Laws Dealing with Certain Birds (H. P. 120) (L. D. 136)

An Act relating to Surrender of Motor Vehicle Instruction Permits (H. P. 129) (L. D. 145)

An Act Designating Landlocked Salmon as the State of Maine Fish (H. P. 150) (L. D. 176)

An Act relating to Powers of Park and Recreation Commission (H. P. 195) (L. D. 242)

An Act relating to Poll Taxes Paid to Caswell Plantation (H. P. 199) (L. D. 246)

An Act Increasing Compensation of Examiners of Podiatrists (H. P. 225) (L. D. 275)

An Act Increasing Fees under State Nursing Law (H. P. 228) (L. D. 284)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

**Enactor  
Tabled and Assigned**

An Act relating to the Transportation of Refuse (H. P. 248) (L. D. 303)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

(On motion of Mr. Benson of Southwest Harbor, tabled pending passage to be enacted and specially assigned for tomorrow.)

An Act Repealing Law Relating to Prohibiting Transportation of Certain Poultry (H. P. 254) (L. D. 330)

**Finally Passed**

Resolve Authorizing the State Tax Assessor to Convey by Sale the Interest of the State in Certain Lands in the Unorganized Territory (S. P. 34) (L. D. 92)

Resolve Authorizing Germaine P. Guerette and Edmund Guerette to Bring Action Against the State of Maine (S. P. 108) (L. D. 319)

Resolve to Reimburse Bernard J. Kinney of Winthrop for Well Damage by Highway Maintenance (H. P. 56) (L. D. 58)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, Bill passed to be enacted, Resolves finally

passed, all signed by the Speaker and sent to the Senate.

**Orders of the Day**

The Chair laid before the House the first tabled and today assigned matter:

“An Act relating to Expending York County Funds for Waban Project, Inc.” (H. P. 652)

Tabled—February 13, by Mr. Bragdon of Perham.

Pending—Reference.

Referred to the Committee on Towns and Counties, ordered printed and sent up for concurrence.

**(Off Record Remarks)**

Mr. Jameson of Bangor was granted unanimous consent to address the House.

Mr. JAMESON: Mr. Speaker, today is just another day in our lives, but we had three great men born this month — four, Lincoln, Washington, Dave Kennedy and now our own Honorable Mr.

Robert Soulas of Bangor. Happy Birthday! (Applause)

Mr. Richardson of Stonington was granted unanimous consent to address the House.

Mr. RICHARDSON: Mr. Speaker and Members of the House: On Wednesday of last week the Education Committee heard a bill which would require that the minimum number in an approved high school be 300.

I would like to publicly extend my congratulations to my very good friend, Representative Kelley for turning out such a wonderful crowd from Washington County. Probably all of you have noticed in the paper that I am bruised and bloodied from the encounter with Representative Kelley's constituents, but I can assure you that my head is not bowed. Thank you.

On motion of Mr. Carrier of Westbrook,

Adjourned until ten o'clock tomorrow morning.