

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fifth*

*Legislature*

OF THE

STATE OF MAINE

1971

KENNEBEC JOURNAL  
AUGUSTA, MAINE

**HOUSE**

Tuesday, January 12, 1971

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

Prayer by the Rev. Mr. Thomas F. Duffy of Hallowell.

The members stood at attention during the playing of the National Anthem by the Cony High School Band of Augusta.

The journal of the previous session was read and approved.

The Speaker announced the appointment of the following House Standing Committees and Joint Standing Committees:

**House Standing Committees  
Rules and Business of the House**

The Speaker Ex Officio  
Lund of Augusta  
Jalbert of Lewiston  
McTeague of Brunswick

**Engrossed Bills**

Evans of Freedom  
Hall of Windham  
Hawkins of Farmington  
Curtis of Orono  
Faucher of Solon  
Cote of Lewiston  
Kilroy of Portland

**Leave of Absence**

Hanson of Gardiner  
Porter of Lincoln  
Trask of Milo  
Curtis of Bowdoinham  
Lawry of Fairfield  
Gauthier of Sanford  
Tanguay of Lewiston

**Ways and Means**

Bragdon of Perham  
Ross of Bath  
White of Guilford  
Brown of York  
Susi of Pittsfield  
Jalbert of Lewiston  
Kelleher of Bangor

**Bills in the Third Reading**

Evans of Freedom  
Lincoln of Bethel  
Trask of Milo  
McNally of Ellsworth  
Goodwin of Bath  
Keyte of Dexter  
Carrier of Westbrook

**Joint Standing Committees  
Agriculture**

Senate:

Chick of Kennebec, District 15  
Peabody of Aroostook, District 26  
Levine of Kennebec, District 16

House:

Evans of Freedom  
Mosher of Gorham  
Hall of Windham  
Williams of Hodgdon  
Clark of Jefferson  
Albert of Limestone  
Mahany of Easton  
Webber of Belfast  
Berry of Buxton

**Appropriations and Financial  
Affairs**

Senate:

Sewall of Penobscot, District 28  
Dunn of Oxford, District 4  
Conley of Cumberland, District 10

House:

Bragdon of Perham  
Birt of East Millinocket  
Shaw of Chelsea  
Gill of South Portland  
Jalbert of Lewiston  
Carter of Winslow  
Carey of Waterville

**Business Legislation**

Senate:

Schulden of Sagadahoc, District 18  
Danton of York, District 3  
Carswell of Cumberland, District 7

House:

Scott of Wilton  
Trask of Milo  
Clark of Jefferson  
Pratt of Parsonsfield  
Littlefield of North Berwick  
Maddox of Vinalhaven  
Rocheleau of Auburn  
Sheltra of Biddeford  
McKinnon of South Portland  
O'Brien of Portland

**County Government**

Senate:

Peabody of Aroostook, District 26  
Danton of York, District 3  
Martin of Piscataquis, District 23

House:

Wight of Presque Isle  
Dyar of Strong  
Hawkins of Farmington  
Immonen of West Paris  
Churchill of Orland  
Kelley of Southport  
Mills of Eastport  
Bernier of Westbrook  
Kelleher of Bangor  
Pontbriand of Auburn

**Education**

Senate:

Katz of Kennebec, District 17  
Chick of Kennebec, District 15

Minkowsky of Androscoggin, District 14

House:

Millett of Dixmont  
Haskell of Houlton  
Tyndale of Kennebunkport  
Woodbury of Gray  
Simpson of Standish  
Bither of Houlton  
Lawry of Fairfield  
Lucas of Portland  
Lynch of Livermore Falls  
Murray of Bangor

#### Election Laws

Senate:

Shute of Franklin, District 21  
Moore of Cumberland, District 6  
Martin of Piscataquis, District 23

House:

Hanson of Gardiner  
Ross of Bath  
Bunker of Gouldsboro  
Marstaller of Freeport  
Brown of York  
Wood of Castine  
Boudreau of Portland  
Binnette of Old Town  
Vincent of Portland  
Hancock of Casco

#### Fisheries and Wildlife

Senate:

Hoffses of Knox, District 20  
Anderson of Hancock, District 31  
Bernard of Androscoggin, District 12

House:

Lewin of Augusta  
Bunker of Gouldsboro  
Lewis of Bristol  
Kelley of Machias  
Kelley of Southport  
Porter of Lincoln  
Parks of Presque Isle  
Bourgoin of Fort Kent  
Call of Lewiston  
Manchester of Mechanic Falls

#### Health and Institutional Services

Senate:

Hichens of York, District 1  
Greeley of Waldo, District 19  
Minkowsky of Androscoggin, District 14

House:

Payson of Falmouth  
Lewis of Bristol  
Cummings of Newport  
Berry of Madison  
McCormick of Union  
Dyar of Strong  
Santoro of Portland  
Clemente of Portland

Doyle of Bangor  
Lessard of Lisbon

#### Judiciary

Senate:

Tanou of Penobscot, District 27  
Quinn of Penobscot, District 29  
Harding of Aroostook, District 25

House:

Hewes of Cape Elizabeth  
Lund of Augusta  
Baker of Orrington  
Henley of Norway  
White of Guilford  
Page of Fryeburg  
Kelley of Caribou  
Orestis of Lewiston  
Wheeler of Portland  
Carrier of Westbrook

#### Labor

Senate:

Tanou of Penobscot, District 27  
Levine of Kennebec, District 16  
Marcotte of York, District 2

House:

Good of Westfield  
Lincoln of Bethel  
Kelley of Machias  
Lee of Albion  
Rollins of Dixfield  
Simpson of Millinocket  
Bedard of Saco  
McTeague of Brunswick  
Bustin of Augusta  
Genest of Waterville

#### Legal Affairs

Senate:

Quinn of Penobscot, District 29  
Kellam of Cumberland, District 9  
Clifford of Androscoggin, District 13

House:

Norris of Brewer  
Curtis of Bowdoinham  
Brawn of Oakland  
Emery of Rockland  
Silverman of Calais  
Crosby of Kennebunk  
Cote of Lewiston  
Gauthier of Sanford  
Fecteau of Biddeford  
Smith of Dover-Foxcroft

#### Liquor Control

Senate:

Shute of Franklin, District 21  
Hoffses of Knox, District 20  
Fortier of Oxford, District 5

House:

Stillings of Berwick  
Bailey of Woolwich  
Immonen of West Paris  
Hawkens of Farmington

Maddox of Vinalhaven  
 Tanguay of Lewiston  
 Faucher of Solon  
 Lizotte of Biddeford  
 Slane of Portland

**Natural Resources**

Senate:

Schulten of Sagadahoc, District 18

Graham of Cumberland, District 11

Violette of Aroostook, District 24

House:

Hardy of Hope  
 Brown of York  
 Ault of Wayne  
 Cummings of Newport  
 Herrick of Harmony  
 MacLeod of Bar Harbor  
 Curran of Bangor  
 Kilroy of Portland  
 Smith of Waterville  
 Whitson of Portland

**Public Utilities**

Senate:

Moore of Cumberland, District 6

Violette of Aroostook, District 24

Marcotte of York, District 2

House:

Williams of Hodgdon  
 Rand of Yarmouth  
 Mosher of Gorham  
 Tyndale of Kennebunkport  
 Shute of Stockton Springs  
 Bartlett of South Berwick  
 Emery of Auburn  
 Berube of Lewiston  
 Conley of South Portland  
 Marsh of Hampden

**State Government**

Senate:

Johnson of Somerset, District 22

Wyman of Washington, District 32

Clifford of Androscoggin, District 13

House:

Donaghy of Lubec  
 Marstaller of Freeport  
 Hanson of Gardiner  
 Stillings of Berwick  
 Hodgdon of Kittery  
 Curtis of Orono  
 Starbird of Kingman Township  
 Goodwin of Bath  
 Cooney of Webster  
 Farrington of Old Orchard Beach

**Taxation**

Senate:

Wyman of Washington, District 32

Hichens of York, District 1  
 Fortier of Oxford, District 5

House:

Ross of Bath  
 Finemore of Bridgewater  
 Trask of Milo  
 Morrell of Brunswick  
 Collins of Caribou  
 Cottrell of Portland  
 Drigotas of Auburn  
 Dam of Skowhegan  
 Cyr of Madawaska  
 McCloskey of Bangor

**Transportation**

Senate:

Greeley of Waldo, District 19  
 Johnson of Somerset, District 22  
 Kellam of Cumberland, District 9

House:

Wood of Brooks  
 Crosby of Kennebunk  
 Hall of Windham  
 Lee of Albion  
 Barnes of Alton  
 McNally of Ellsworth  
 Dudley of Enfield  
 Lebel of Van Buren  
 Keyte of Dexter  
 Fraser of Mexico

**Veterans and Retirement**

Senate:

Anderson of Hancock, District 31  
 Carswell of Cumberland, District 7

Bernard of Androscoggin, District 12

House:

Lincoln of Bethel  
 Hayes of Windsor  
 Simpson of Millinocket  
 Lewin of Augusta  
 Curtis of Bowdoinham  
 Pratt of Parsonfield  
 Jutras of Sanford  
 Vincent of Portland  
 Dow of West Gardiner  
 Theriault of Rumford

**Paper from the Senate  
 Tabled and Assigned**

From the Senate: The following Order:

ORDERED, that the House concurring, that the joint rules be amended by adding a new Joint Rule 17-A, to read as follows:

17-A. Ought not to pass reports. Any bill or resolve, which bears a unanimous ought not to pass notation by the committee to which it has been referred, shall upon

notification of such action to both Houses be placed in the legislative files. No further action shall be taken following such disposition unless such bill or resolve is recalled for reconsideration by a vote of two-thirds of both Houses. (S. P. 39)

Came from the Senate read and passed.

In the House, the Order was read.

(On motion of Mr. Cooney of Webster, tabled pending passage in concurrence and specially assigned for tomorrow.)

#### **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:

#### **Appropriations and Financial Affairs**

Resolve Reimbursing Mars Hill Utility District for Bonds Issued for Sewer Construction (H. P. 89) (Presented by Mr. Good of Westfield)

Resolve Providing for Purchase of Copies of History of Three Corners (H. P. 90) (Presented by Mr. Starbird of Kingman Township)

(Ordered Printed)

Sent up for concurrence.

#### **County Government**

Bill "An Act Creating Aroostook County Commissioner Districts" (H. P. 91) (Presented by Mr. Finemore of Bridgewater)

(Ordered Printed)

Sent up for concurrence.

#### **Education**

Bill "An Act relating to Conferring Degrees by Unity College" (H. P. 92) (Presented by Mrs. Cummings of Newport)

Bill "An Act relating to Initiated Referendum on Decisions of Directors of School Administrative Districts" (H. P. 93) (Presented by Mr. Dyar of Strong)

Bill "An Act Providing for Item Veto at School Administrative District Budget Meetings" (H. P.

94) (Presented by Mr. Dyar of Strong)

Bill "An Act Providing for Voting in School Administrative Districts by Residents of Unorganized Territory" (H. P. 95) (Presented by same gentleman)

Bill "An Act to Increase the Borrowing Capacity of the Four Corners Community School District" (H. P. 96) (Presented by Mr. Finemore of Bridgewater)

(Ordered Printed)

Sent up for concurrence.

#### **Election Laws**

Bill "An Act Amending the Absentee Voting Laws" (H. P. 97) (Presented by Mr. Emery of Rockland)

(Ordered Printed)

Sent up for concurrence.

#### **Fisheries and Wildlife**

Bill "An Act Regulating Hunting from Certain Public Ways" (H. P. 98) (Presented by Mr. Kelley of Southport)

Bill "An Act relating to Shooting at or Near Wildlife Decoys" (H. P. 99) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

#### **Judiciary**

Bill "An Act Repealing the Abortion Law" (H. P. 100) (Presented by Mrs. Doyle of Bangor)

Bill "An Act Prohibiting the Turning Back of Speedometers or Odometers on Motor Vehicles" (H. P. 101) (Presented by Mr. Dyar of Strong)

Bill "An Act relating to Actions to Stay or Prevent Public Nuisances" (H. P. 102) (Presented by Mr. Whitson of Portland)

(Ordered Printed)

Sent up for concurrence.

#### **Legal Affairs**

Bill "An Act Requiring Referendum Elections on Certain Municipal Public Works Appropriations" (H. P. 103) (Presented by Mr. Emery of Rockland)

Bill "An Act relating to Capital Stock and Indebtedness of Northern Water Company" (H. P. 104)

(Presented by Mr. Birt of East Millinocket)

Bill "An Act relating to Capital Stock and Indebtedness of the Waldoboro Water Company" (H. P. 105) (Presented by Mr. Clark of Jefferson)

(Ordered Printed)

Sent up for concurrence.

#### Taxation

Resolve to Reimburse Bernard Powers of Newry for Loss of Cigarettes (H. P. 106) (Presented by Mrs. Lincoln of Bethel)

(Ordered Printed)

Sent up for concurrence.

#### Orders

Mr. Bragdon of Perham presented the following Joint Order and moved its passage:

ORDERED, the Senate concurring, that there be paid to the officers of the Senate and House of Representatives as advance on account of compensation, amounts included in fortnightly lists, certified to the State Controller by the Secretary of the Senate and the Clerk of the House, respectively, and that the final payrolls of such officers at the end of the session bear the approval of the Joint Standing Committee on Appropriations and Financial Affairs. (H. P. 107)

The Joint Order received passage and was sent up for concurrence.

By unanimous consent, ordered sent forthwith.

#### Orders of the Day

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

Bill "An Act relating to Sales of Beverages in Nonreturnable Bottles" (H. P. 76) (Committee on Reference of Bills suggested Committee on Liquor Control)

Tabled — January 7, by Mr. Martin of Eagle Lake.

Pending — Reference.

The SPEAKER: The Chair recognizes the gentleman from Eagle Lake, Mr. Martin.

Mr. MARTIN: Mr. Speaker and Members of the House: As a member of the Committee on Reference of Bills, when we looked at this item, we thought it dealt primarily with liquor bottles, and it does not. On second looking at it, it really should go to the Committee on Natural Resources. And so I would now move that the bill be referred to the Committee on Natural Resources.

Thereupon, referred to the Committee on Natural Resources, ordered printed, and sent up for concurrence.

On motion of Mr. Susi of Pittsfield,

Adjourned until ten o'clock tomorrow morning.