

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 19, 1971

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

Prayer by the Rev. Mr. Ondon Stairs of Augusta.

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

The journal of the previous session was read and approved.

The SPEAKER: The Chair would make some appointments this morning. The Commission on Interstate Cooperation: Messrs. Hardy of Hope, Susi of Pittsfield, and Dudley of Enfield, who are all continuing members. The Committee on Campaign Reports: Mrs. Baker of Orrington and Messrs. Marstaller of Freeport and Carey of Waterville. To the Maine Education Council the Chair is delighted to appoint the gentleman from Dixmont, Mr. Millett, who is the House Chairman of the Committee on Education.

Papers from the Senate

From the Senate: The following Order:

ORDERED, the House concurring, that any legislator may be reimbursed for expenses for ferry service tolls upon submitting a receipt. In such cases, the mileage shall be computed from the mainland port to Augusta and return (S. P. 87)

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

A Bill and a Resolve from the Senate requiring reference were disposed of in concurrence.

Reports of Committees Ought to Pass

Report of the Committee on Education reporting "Ought to pass" on Bill "An Act Increasing Assistance to War Orphans in Securing Higher Education" (S. P. 17) (L. D. 45)

Report of the Committee on Election Laws reporting same on

Bill "An Act relating to Reports of Registration and Enrollment of Voters" (S. P. 30) (L. D. 63)

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

In the House, the Reports were read and accepted in concurrence, the Bills read twice and tomorrow assigned.

Messages and Documents

The following Communication: (H. P. 171)

STATE OF MAINE
DEPARTMENT OF INDIAN
AFFAIRS
AUGUSTA, MAINE

January 14, 1971

Mrs. Bertha W. Johnson
Clerk of the House of
Representatives
105th Legislature

Dear Mrs. Johnson:

The following were elected by their respective Indian tribes as Indian Representatives at the Legislature for the years 1971-72:

Penobscot Tribe elected on December 21, 1970, John Mitchell, Sr.

Passamaquoddy Tribe elected on September 8, 1970, John Bailey.

Respectfully submitted,

(Signed)

JAMES H. MURPHY
James H. Murphy
Commissioner

The Communication was read, ordered placed on file 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:

Appropriations and Financial Affairs

Bill "An Act to Reimburse Town of Jonesboro for Expenses Incurred in Defending Shellfish Conservation Ordinances" (H. P. 145) (Presented by Mr. Kelley of Machias)

Resolve Reimbursing the Town of Greenbush for Loss of Taxes (H. P. 146) (Presented by Mr. Starbird of Kingman Township)

(Ordered Printed)
Sent up for concurrence.

Fisheries and Wildlife

Bill "An Act relating to Certain Penalties under Fish and Game Laws" (H. P. 170) (Presented by Mr. Kelley of Southport)

Bill "An Act to Clarify the Sea and Shore Fisheries Laws" (H. P. 147) (Presented by Mr. Lewis of Bristol)

Bill "An Act relating to the Use of Power Boats on Snow's Pond in the Town of Dover-Foxcroft, Piscataquis County" (H. P. 148) (Presented by Mr. Smith of Dover-Foxcroft)

(Ordered Printed)
Sent up for concurrence.

Judiciary

Bill "An Act Providing Professional Immunity to Certain Persons in Emergency Cases" (H. P. 149) (Presented by Mr. Haskell of Houlton)

Bill "An Act Regulating Handguns" (H. P. 150) (Presented by Mr. Vincent of Portland)

Bill "An Act relating to Notice Requirement under Tenancy at Will by New Owner or Lessee" (H. P. 151) (Presented by same gentleman)

(Ordered Printed)
Sent up for concurrence.

Labor

Bill "An Act relating to Definition of Construction under Board of Construction Safety Rules and Regulations" (H. P. 152) (Presented by Mr. Ross of Bath)

(Ordered Printed)
Sent up for concurrence.

Legal Affairs

Bill "An Act relating to Eye Protection for Persons Riding Motorcycles" (H. P. 153) (Presented by Mr. Dow of West Gardiner)

Bill "An Act to Annex Marshall Island to the Town of Swan's Island" (H. P. 154) (Presented by Mrs. Wood of Castine)

Resolve in favor of Ervin Bubier of Wilton for Damage by Bears (H. P. 155) (Presented by Mr. Scott of Wilton)

(Ordered Printed)
Sent up for concurrence.

Public Utilities

Bill "An Act relating to Property, Capital Stock and Bonds of the Hartland Water Company" (H. P. 156) (Presented by Mr. Herrick of Harmony)

Bill "An Act relating to Capital Stock, Property and Indebtedness of North Berwick Water Company" (H. P. 157) (Presented by Mr. Littlefield of North Berwick)

Bill "An Act relating to Capital Stock of Southwest Harbor Water Company" (H. P. 158) (Presented by Mr. MacLeod of Bar Harbor)

Bill "An Act relating to Holding Property by Greenville Water Company, formerly Greenville Light and Power Company" (H. P. 159) (Presented by Mrs. White of Guilford)

(Ordered Printed)
Sent up for concurrence.

State Government

Bill "An Act Revising the Laws Relating to Baxter State Park" (H. P. 160) (Presented by Mrs. White of Guilford)

(Ordered Printed)
Sent up for concurrence.

Taxation

Bill "An Act to Abolish the Poll Tax" (H. P. 161) (Presented by Mr. Clemente of Portland)

Bill "An Act relating to Voluntary Sales Tax Registrants" (H. P. 162) (Presented by Mr. Collins of Caribou)

Bill "An Act to Provide an Effective Income Tax Warrant Procedure" (H. P. 163) (Presented by Mr. Cottrell of Portland)

Bill "An Act relating to Administration of the State Income Tax" (H. P. 164) (Presented by same gentleman)

Bill "An Act relating to Sales Tax Exemption of Pollution Control Facilities" (H. P. 165) (Presented by Mr. Drigotas of Auburn)

Bill "An Act relating to Payment of Tax by Use Fuel Dealers" (H. P. 166) (Presented by Mr. McCloskey of Bangor)

Bill "An Act relating to Redemption of Cigarette Tax Stamps" (H.

P. 167) (Presented by Mr. Morrell of Brunswick)

Bill "An Act Exempting Certain Scientific Laboratories from the Sales and Use Tax" (H. P. 168) (Presented by Mrs. Wood of Castine)

(Ordered Printed)

Sent up for concurrence.

Veterans and Retirement

Bill "An Act relating to Service Retirement under State Retirement Law" (H. P. 169) (Presented by Mrs. Berry of Madison)

(Ordered Printed)

Sent up for concurrence.

Orders

Mr. Keyte of Dexter presented the following Joint Order and moved its passage:

WHEREAS, the Tigers of Dexter Regional High School, winners of the Little Ten Conference and the Ramblers of Winthrop High School, found that they could play football with bigger and faster teams provided each squad rose to the occasion; and

WHEREAS, the members of these co-championship teams demonstrated such teamwork and ability by winning state Class C football championship for 1970; and

WHEREAS, the title is now shared by the Towns of Dexter, Exeter, Garland and Ripley under School Administrative District No. 46 and the Town of Winthrop; now, therefore, be it

ORDERED, the Senate concurring, that the Members of the One Hundred and Fifth Legislature commend these outstanding teams and their Coaches Wilson and Tucker for their accomplishments in the field of sports and wish them continued success in their efforts which have brought great honor to their respective towns, schools and State; and be it further

ORDERED, that duly attested copies of this order be transmitted forthwith to the principals and coaches of Dexter Regional High School and Winthrop High School in recognition of their achievement. (H. P. 172)

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

House Reports of Committees Leave to Withdraw

Mr. Bunker from the Committee on Fisheries and Wildlife on Resolve Regulating Fishing for Salmon at Sebago Lake Station (H. P. 20) (L. D. 29) reported Leave to Withdraw.

Report was read and accepted and sent up for concurrence.

The SPEAKER: The Chair observes in the Hall of the House the elected Representative of Orrington, Mrs. Baker. The Chair would request that the gentleman from Dixmont, Mr. Millett, escort the gentlewoman from Orrington, Mrs. Baker, to the Governor's office to take and subscribe to her duties of office prior to succeeding to same. (Applause)

Whereupon, Mrs. Baker of Orrington was conducted to the Governor's office.

Ought to Pass Printed Bills

Mr. Bourgoin from the Committee on Fisheries and Wildlife reported "Ought to pass" on Bill "An Act relating to Open Season for Fishing" (H. P. 39) (L. D. 71)

Mr. Bunker from same Committee reported same on Bill "An Act relating to Open Season for Bass by Ice Fishing" (H. P. 38) (L. D. 70)

Same gentleman from same Committee reported same on Bill "An Act relating to Daily Bag Limit of Certain Fish Taken by Ice Fishing" (H. P. 40) (L. D. 72)

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

Passed to Be Engrossed

Bill "An Act relating to Nonlapsing Funds for Armory Construction" (H. P. 26) (L. D. 35)

Bill "An Act Validating Certain Proceedings at Town Meeting of Winslow" (H. P. 37) (L. D. 69)

Were reported by the Committee on Bills in the Third Reading, read

the third time, passed to be engrossed and sent to the Senate.

Orders of the Day

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

An Act Defining Secondary Schools (H. P. 48) (L. D. 81) (Emergency)

Tabled — January 14, by Mr. Jalbert of Lewiston.

Pending — Passage to be enacted.

Whereupon, this being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 123 voted in favor of same and 3 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

On motion of Mr. Porter of Lincoln,

Adjourned until ten o'clock tomorrow morning.
