

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

Thursday, January 21, 1971

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

Prayer by the Rev. Mr. Linwood Welch of Hallowell.

The journal of yesterday was read and approved.

Papers from the Senate

From the Senate: The following Communication: (S. P. 91)

STATE OF MAINE
 LEGISLATIVE RESEARCH
 COMMITTEE
 STATE HOUSE
 AUGUSTA, MAINE

December 28, 1970

To the Members of the 105th Legislature:

The Legislative Research Committee hereby has the pleasure of submitting to you Volume II of its report on activities for the past two years.

This volume relates to all remaining matters except for State Government Reorganization H. P. 1468, which was undertaken by the Committee in conjunction with the State Planning Office and previously published and released by that office under separate cover on December 2, 1970.

We of the Committee gratefully acknowledge our indebtedness to the many individuals, organizations and agencies for their valuable contributions to the work of the Committee and it is our hope that the information contained in this report will be of assistance to the Members of the 105th Legislature and the people of the State of Maine.

Respectfully submitted,

(Signed)

WILLIAM E. DENNETT
 William E. Dennett
 Chairman

Legislative Research Committee

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

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

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

Non-Concurrent Matter

Joint Order relative to Dexter Regional High School Tigers (H. P. 125) which was passed in the House on January 13.

Came from the Senate indefinitely postponed in non-concurrence.

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

From the Senate: The following Order:

ORDERED, the House concurring, that when the House and Senate adjourn, they adjourn to Tuesday, January 26, at 10 o'clock in the morning. (S. P. 122)

Came from the Senate read and passed.

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

Petitions, Bills and Resolves Requiring Reference

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

Agriculture

Bill "An Act relating to Definition of Agricultural Societies to Qualify for Stipend" (H. P. 219) (Presented by Mr. Kelleher of Bangor)

(Ordered Printed)

Sent up for concurrence.

Business Legislation

Bill "An Act Creating the Escheat of Postal Savings System Accounts Act" (H. P. 220) (Presented by Mr. Bernier of Westbrook)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act Increasing the Coverage and Entry Fee of Small Claims Law and Defining Certain Procedures" (H. P. 221) (Presented by Mr. Lund of Augusta)

Referred to the Committee on Business Legislation, ordered

printed and sent up for concurrence.

Subsequently, on motion of Mr. Lund of Augusta, the House reconsidered its action whereby the Bill was referred to the Committee on Business Legislation.

On further motion of the same gentleman, referred to the Committee on Judiciary, ordered printed and sent up for concurrence.

County Government

Bill "An Act Increasing Payments to Kennebec County Law Library" (H. P. 222) (Presented by Mr. Lund of Augusta)

(Ordered Printed)

Sent up for concurrence.

Education

Bill "An Act relating to Cost of School Construction for State Aid" (H. P. 223) (Presented by Mr. Carey of Waterville)

(Ordered Printed)

Sent up for concurrence.

Election Laws

Bill "An Act relating to Persons Ineligible to Serve as Election Officials" (H. P. 224) (Presented by Mrs. Berry of Madison)

Bill "An Act Providing Workshops for Ballot Clerks and Wardens for Elections" (H. P. 225) (Presented by same member)

(Ordered Printed)

Sent up for concurrence.

Fisheries and Wildlife

Bill "An Act relating to Use of Power Boats on Long Pond, Franklin County" (H. P. 226) (Presented by Mr. Dyar of Strong)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act Permitting Trials for Petty Offenses Without a Jury" (H. P. 227) (Presented by Mr. Lund of Augusta)

Bill "An Act relating to Destruction of Vending Machines" (H. P. 228) (Presented by Mr. Mills of Eastport)

(Ordered Printed)

Sent up for concurrence.

Labor

Bill "An Act relating to Compensation Under Workmen's Compensation Law for Total Incapacity, Partial Incapacity and Death" (H. P. 229) (Presented by Mr. McTeague of Brunswick)

Bill "An Act relating to Interest on Compensation Payable Under Workmen's Compensation Law" (H. P. 230) (Presented by same gentleman)

Bill "An Act relating to Minimum Wages as Affected by the Federal Retail Consumer Index" (H. P. 231) (Presented by same gentleman)

Bill "An Act Providing that Minimum Wages in Maine be the Same as Federal Standards" (H. P. 232) (Presented by same gentleman)

Bill "An Act relating to Minimum Wages as Affected by the Average Weekly Wage in Maine" (H. P. 233) (Presented by same gentleman)

Bill "An Act Prohibiting Discrimination for Testifying or Asserting Claim Under Workmen's Compensation Law" (H. P. 234) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act relating to the Design of Buildings by Architects and Engineers" (H. P. 235) (Presented by Mr. Carey of Waterville)

Bill "An Act relating to Basic Training at the Maine Police Academy for All Law Enforcement Officers" (H. P. 236) (Presented by Mr. Cooney of Webster)

Bill "An Act Changing the Name of the Preachers' Aid Society of the Maine Conference of the Methodist Church" (H. P. 237) (Presented by Mr. Gill of South Portland)

Bill "An Act relating to Maine Chiropractic Association" (H. P. 238) (Presented by Mr. McTeague of Brunswick)

(Ordered Printed)

Sent up for concurrence.

Public Utilities

Bill "An Act to Authorize Augusta Water District and

Augusta Sanitary District to Exchange Customer Accounting Records" (H. P. 239) (Presented by Mr. Lund of Augusta)
(Ordered Printed)
Sent up for concurrence.

Tabled and Assigned

Bill "An Act relating to Surety Bonds on Contractors for Public Works" (H. P. 240) (Presented by Mr. Lee of Albion)

Referred to the Committee on State Government, ordered printed and sent up for concurrence.

Subsequently, on motion of Mr. Lee of Albion, the House reconsidered its action whereby the Bill was referred to the Committee on State Government.

On further motion of the same gentleman, tabled pending reference and specially assigned for Tuesday, January 26.

State Government

Bill "An Act Creating a Second Assistant County Attorney for Kennebec County" (H. P. 241) (Presented by Mr. Lund of Augusta)
(Ordered Printed)
Sent up for concurrence.

Taxation

Bill "An Act to Relieve Certain Permanently Handicapped Persons of a Portion of the Property Tax or Rental Burdens" (H. P. 242) (Presented by Mrs. Baker of Orrington)

Bill "An Act relating to Inheritance Tax Exemptions for Brothers and Sisters" (H. P. 243) (Presented by Mrs. Berry of Madison)

Bill "An Act relating to the Property Tax Exemption for Parsonages" (H. P. 244) (Presented by Mr. Brawn of Oakland)

Bill "An Act Increasing Tax on Beer" (H. P. 245) (Presented by Mr. Hardy of Hope)
(Ordered Printed)
Sent up for concurrence.

Transportation

Bill "An Act Authorizing the Issuance of a Motor Vehicle Operator's License to Persons

Legally Blind for Identification Only" (H. P. 246) (Presented by Mr. Hardy of Hope)

Bill "An Act to Clarify the Duty of Licensed Users to File Use Fuel Tax Reports" (H. P. 247) (Presented by Mr. Trask of Milo)

Bill "An Act to Allocate Money from the General Highway Fund for State Aid Construction" (H. P. 248) (Presented by Mr. Wood of Brooks)

(Ordered Printed)
Sent up for concurrence.

Veterans and Retirement

Bill "An Act relating to Payment of Retirement Allowances under State Retirement System" (H. P. 249) (Presented by Mrs. Lincoln of Bethel)

Bill "An Act relating to Death Benefits before Retirement under Maine Retirement System" (H. P. 250) (Presented by same member)
(Ordered Printed)
Sent up for concurrence.

Orders

Tabled and Assigned

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

ORDERED, the Senate concurring, that a State Trooper be assigned to the House of Representatives for the purpose of security and that the salary of said Trooper shall be prorated in proportion to the number of hours spent in the service of said House.

(On motion of Mr. Jalbert of Lewiston, tabled pending passage and specially assigned for Tuesday, January 26.)

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

ORDERED, the Senate concurring, that the biweekly salaries appearing on Exhibits A and B attached hereto and made a part hereof, for the officers and employees of the Senate and the House of Representatives, respectively, shall become effective as of January 6, 1971 and remain in effect for the duration of the regular or special sessions as the case may be; and be it further

ORDERED, that the Legislative Finance Officer, on lists submitted to him by the Secretary of the Senate and the Clerk of the House, is authorized and directed to certify vouchers of said officers and employees submitted to him in conformance with this order to the State Controller, which vouchers shall bear the approval of the Chairman of the Joint Standing Committee on Appropriations and Financial Affairs, to be paid in biweekly installments; and be it further

ORDERED, that any change in such salaries so ordered shall be made only by concurrent order of the Legislature. (H. P. 251)

EXHIBIT A

**STATE OF MAINE
SENATE CHAMBER
AUGUSTA, MAINE**

The undersigned, the President of the Senate, Kenneth P. MacLeod, and the Speaker of the House, David J. Kennedy, agree that the following salaries for Senate personnel for the 105th Legislature are appropriate and consequently are hereby approved:

EMPLOYEE	BI-WEEKLY
Sylvia Lehr, Secretary to the President	\$220.00
Robert Sellar, Doorkeeper	150.00
Ruby Clark, Secretary to Assistant Secretary	230.00
George Neale, Postmaster	260.00
Imelda Vautour, Recording Secretary	240.00
Robert W. Beauchaine, Sergeant-at-Arms	190.00
Theresa Morrison, Page	160.00
Charlotte Carrie, Page	160.00
May Ross, Index Secretary	300.00
Sue Jenkins, Assistant Reporter	270.00
Dorothy Rollins, Senate Stenographer	200.00
Marion Dearborn, Senate Stenographer	200.00
Patricia A. Rollins, Secretary to Majority Floorleader	220.00
Mary Porter, Secretary to the Secretary	300.00
George MacDonald, Reporter	550.00
Grace Ridlon, Secretary to Minority Floorleader	210.00
Trooper Roger E. Drake, Security	310.00

Wayne Pierce, Assistant Sergeant-at-Arms 170.00

Dated at Augusta, Maine, this 14th of January, 1971.

KENNETH P. MacLEOD

Kenneth P. MacLeod
President of the Senate

David J. Kennedy
Speaker of the House

EXHIBIT B

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
OFFICE OF THE CLERK
AUGUSTA, MAINE**

Roger N. Woodcock Jr., Sergeant-at-Arms	190.00
Larry B. Choate, Assistant Sergeant-at-Arms	190.00
Burleigh Martin, III, Page	160.00
Gordon W. Gamage, Page	160.00
Elwood L. Overlock, Doorkeeper	140.00
Frank Wood, Document Clerk	270.00
Charles H. Hammond, Clerk in Document Room	200.00
Elizabeth F. Bartlett, Secretary to Speaker	200.00
Catherine M. Fenderson, Secretary to Clerk	290.00
Jane E. Bailey, Secretary to Clerk	250.00
Carolyn D. Morang, Secretary to Assistant Clerk	250.00
Germaine C. Longley, Legislative Docket Clerk	270.00
Judith Brimigion, Assistant Legislative Docket Clerk	270.00
Lynda May Ouellette, Journal Copy Clerk	250.00
Frederick W. Pelton, Amendment Clerk	220.00
Richard W. Cox, House Reporter	600.00
Greta H. Merrill, Assistant House Reporter	350.00
Norma A. Morrisette, Transcribing Clerk	190.00
Proofreader (later in session)	180.00
Maxine Scott, Clerk-Stenographer, Majority Party	190.00
Joan V. McClay, Clerk-Stenographer, Minority Party	190.00

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

By unanimous consent, ordered sent forthwith.

**House Reports of Committees
Ought Not to Pass**

Mr. Hewes from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to Suspension of Operator's Motor Vehicle License When Person Convicted of Larceny or Breaking and Entering" (H. P. 15) (L. D. 24)

Mr. Hall from the Committee on Transportation reported same on Bill "An Act Prohibiting Persons Riding in Bodies of Trucks" (H. P. 19) (L. D. 28)

In accordance with Joint Rule 17-A, the Bills were sent to the Senate and placed in the legislative files.

Leave to Withdraw

Mr. Lund from the Committee on Judiciary on Bill "An Act Prohibiting the Turning Back or Adjusting of Speedometers or Odometers on Motor Vehicles" (H. P. 31) (L. D. 55) reported Leave to Withdraw.

Report was read and accepted and sent up for concurrence.

**Ought to Pass
Printed Bills**

Mr. Crosby from the Committee on Transportation reported "Ought to pass" on Bill "An Act relating to the Content of Motor Vehicle Operators' Licenses" (H. P. 4) (L. D. 4)

Mr. McNally from same Committee reported same on Resolve Designating Certain Bridge Across the Penobscot River as "Levi Lancaster Memorial Bridge" (H. P. 43) (L. D. 75)

Reports were read and accepted, the Bill read twice, Resolve read once, and assigned the next legislative day.

**Ought to Pass with
Committee Amendment**

Mr. Bither from the Committee on Education on Bill "An Act relating to Conferring Degrees by Unity College" (H. P. 92) (L. D. 136) 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-5) was read by the Clerk and adopted, and the Bill assigned for third reading the next legislative day.

Divided Report

Majority Report of the Committee on Fisheries and Wildlife reporting "Ought not to pass" on Bill "An Act to Permit Sunday Hunting" (H. P. 28) (L. D. 37)

Report was signed by the following members:

Messrs. HOFFSES of Knox
ANDERSON of Hancock
BERNARD of

Androscoggin
— of the Senate.

Messrs. PARKS of Presque Isle
CALL of Lewiston
MANCHESTER of
Mechanic Falls

LEWIN of Augusta
PORTER of Lincoln
KELLEY of Southport
BUNKER of Gouldsboro
LEWIS of Bristol
KELLEY of Machias

— of the House.

Minority Report of same Committee reporting "Ought to pass" on same Bill.

Report was signed by the following member:

Mr. BOURGOIN of Fort Kent
— of the House.

Reports were read.

On motion of Mr. Lewin of Augusta, the Majority "Ought not to pass" Report was accepted and sent up for concurrence.

**Passed to Be Engrossed
Amended Bill**

Bill "An Act relating to Time Change of Enrollment in a Political Party" (S. P. 23) (L. D. 51)

Was 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.

Orders of the Day

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

Bill "An Act Providing for a Full-time County Attorney for Cumberland County" (H. P. 194)

(Committee on Reference of Bills suggested Committee on Judiciary)

Tabled—January 20, by Mr. Hewes of Cape Elizabeth.

Pending—Reference.

On motion of Mr. Hewes of Cape Elizabeth, referred to the Committee on Appropriations and Financial Affairs, ordered printed and sent up for concurrence.

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

Bill "An Act to Require the Maine State Housing Authority to Adopt a State Housing Code" (H.

P. 198) (Committee on Reference of Bills suggested Committee on Legal Affairs)

Tabled—January 20, by Mr. Carrier of Westbrook.

Pending—Reference.

On motion of Mr. Carrier of Westbrook, referred to the Committee on Legal Affairs, ordered printed and sent up for concurrence.

On motion of Mr. Susi of Pittsfield,

Adjourned until Tuesday, January 26, at ten o'clock in the morning.