

# 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, March 2, 1971

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

Prayer by the Rev. Mr. Robert Vangel of Kennebunkport.

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

The journal of the previous session was read and approved.

**Orders Out of Order**

Mrs. Berry of Madison presented the following Order and moved its passage:

ORDERED, that Michael Moore of Smithfield be appointed to serve as Honorary Page for today.

The Order was received out of order by unanimous consent, read and passed.

Mr. Tyndale of Kennebunkport presented the following Order and moved its passage:

ORDERED, that John David Vangel of Kennebunkport be appointed to serve as Honorary Page for today.

The Order was received out of order by unanimous consent, read and passed.

**Papers from the Senate  
Reports of Committees****Ought Not to Pass**

Report of the Committee on Fisheries and Wildlife reporting "Ought not to pass" on Bill "An Act relating to Visiting Water Sets under Trapping Laws" (S. P. 190) (L. D. 551)

In accordance with Joint Rule 17-A, placed in the legislative files.

**Leave to Withdraw**

Report of the Committee on County Government on Bill "An Act Increasing Salary of Register of Deeds, Penobscot County" (S. P. 218) (L. D. 664) reporting Leave to Withdraw.

Report of the Committee on Education reporting same on Bill "An Act relating to School Approval" (S. P. 258) (L. D. 764)

Report of same Committee reporting same on Bill "An Act

relating to Chairman and Terms of Members of State Board of Education" (S. P. 260) (L. D. 766)

Report of the Committee on Fisheries and Wildlife reporting same on Bill "An Act to Authorize the Commissioner of Inland Fisheries and Game to Appoint a Special Warden or Caretaker" (S. P. 207) (L. D. 640)

Came from the Senate read and accepted.

In the House, the Reports were read and accepted in concurrence.

**Ought to Pass**

Report of the Committee on Business Legislation reporting "Ought to pass" on Bill "An Act relating to Employees and Agents of Collection Agencies" (S. P. 215) (L. D. 661)

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

In the House the Report was read and accepted in concurrence, the Bill read twice and tomorrow assigned.

**Non-Concurrent Matter**

Bill "An Act relating to Certain Penalties under Fish and Game Laws" (H. P. 170) (L. D. 228) which was passed to be engrossed in the House on February 9.

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

In the House: On motion of Mr. Kelley of Southport, the House voted to recede.

Senate Amendment "C" (S-16) was read by the Clerk and adopted.

Mr. Kelley of Southport offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-37) was read by the Clerk and adopted.

The Bill was passed to be engrossed as amended by Senate Amendment "C" and House Amendment "A" in non-concurrence 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:

#### **Agriculture**

Bill "An Act relating to Fish and Fisheries Product Inspection" (H. P. 901) (Presented by Mr. Simpson of Standish)

(Ordered Printed)

Sent up for concurrence.

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

Bill "An Act to Provide Funds to Improve the Wiscasset Airport" (H. P. 902) (Presented by Mr. Kelley of Southport)

Resolve relating to an Environmental Study in Construction of High-level Bridge between Westport and Wiscasset" (H. P. 903) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

#### **County Government**

Bill "An Act Increasing Salaries of Certain County Officials of Somerset County" (H. P. 904) (Presented by Mr. Dam of Skowhegan)

(Ordered Printed)

Sent up for concurrence.

#### **Fisheries and Wildlife**

Bill "An Act relating to Use of Power Boats on Parks Pond, Penobscot County" (H. P. 905) (Presented by Mr. Norris of Brewer)

Bill "An Act Establishing a State-wide Open Deer Season for the First Three Weeks of November" (H. P. 906) (Presented by Mr. Porter of Lincoln)

(Ordered Printed)

Sent up for concurrence.

#### **Health and Institutional Services**

Bill "An Act Increasing Compensation for Members of the State Board of Barbers" (H. P. 907) (Presented by Mr. Lewin of Augusta)

Bill "An Act relating to Certificate of Registration Limited to Manicuring" (H. P. 908) (Presented by Mr. Vincent of Portland)

(Ordered Printed)

Sent up for concurrence.

#### **Judiciary**

Bill "An Act to Give the Attorney General Authority to Require Certain Telephone Records" (H. P. 909) (Presented by Mr. Hardy of Hope)

Bill "An Act relating to Support of Children under Divorce Laws" (H. P. 910) (Presented by Mr. Kelley of Caribou)

Bill "An Act to Provide for Forfeiture of Vehicles Used to Transport Narcotics" (H. P. 911) (Presented by Mr. Lewin of Augusta)

Bill "An Act Providing for the Confidentiality of Information Gathered in Response to Surveys on Drug Abuse" (H. P. 912) (Presented by Mr. Santoro of Portland)

(Ordered Printed)

Sent up for concurrence.

#### **Legal Affairs**

Bill "An Act relating to Bond, License Fee and Penalty for Misrepresentation as a Private Detective" (H. P. 913) (Presented by Mr. Martin of Eagle Lake)

Resolve to Reimburse Clifford V. Tracy of Skowhegan for Well Damage by Highway Maintenance (H. P. 914) (Presented by Mr. Dam of Skowhegan)

(Ordered Printed)

Sent up for concurrence.

#### **Liquor Control**

Bill "An Act relating to Wholesale Purchase of Wine and Malt Beverages by Food Serving Organizations for International Travel" (H. P. 915) (Presented by Mr. Kelleher of Bangor)

(Ordered Printed)

Sent up for concurrence.

#### **Natural Resources**

Bill "An Act to Provide for Landscaping of Parking Areas" (H. P. 916) (Presented by Mr. Hardy of Hope)

Bill "An Act relating to Disposal of Septic Tank or Cesspool Waste" (H. P. 917) (Presented by Mr. Littlefield of North Berwick)

(Ordered Printed)

Sent up for concurrence.

#### **Public Utilities**

Bill "An Act relating to Public Utility Transmission Lines" (H. P.

918) (Presented by Mr. Marstaller of Freeport)

(Ordered Printed)

Sent up for concurrence.

#### State Government

Bill "An Act to Create a Crime Laboratory" (H. P. 919) (Presented by Mrs. Payson of Falmouth)

(Ordered Printed)

Sent up for concurrence.

#### Taxation

Bill "An Act Providing for Property Tax Relief for the Elderly" (H. P. 920) (Presented by Mr. Collins of Caribou)

Bill "An Act Providing Rental Relief for the Elderly" (H. P. 921) (Presented by same gentleman)

Bill "An Act Levying a Tax for Research and Promotion of Maine Wild Blueberries" (H. P. 922) (Presented by Mr. Hardy of Hope)

Bill "An Act Prohibiting Publication of Real Estate Tax Exemptions of Veterans and Servicemen" (H. P. 923) (Presented by Mr. Lewin of Augusta)

Bill "An Act Providing that House Trailers on Land Owned by the Owner of the Trailer Shall be Taxed as Real Estate" (H. P. 924) (Presented by Mr. Littlefield of North Berwick)

(Ordered Printed)

Sent up for concurrence.

#### Veterans and Retirement

Resolve Providing Minimum Retirement Benefits for Certain Teachers (H. P. 925) (Presented by Mr. Porter of Lincoln)

(Ordered Printed)

Sent up for concurrence.

#### Orders

Mr. Porter of Lincoln presented the following Order and moved its passage:

WHEREAS, the members of the House have learned of the illness of Mr. Bragdon of Perham,

BE IT ORDERED, that the members of the House wish him a speedy recovery; and be it further

ORDERED, that he be excused from attendance for the duration of his illness.

The Order received passage.

Mr. Jalbert of Lewiston presented the following Joint Order and moved its passage:

ORDERED, the Senate concurring, that the Legislative Research Committee be directed to make a comprehensive study of County Government in the State of Maine and all associated agencies; and be it further

ORDERED, that the Committee report its recommendations, together with such legislation as it deems appropriate, at the next special session or regular session of the Legislature. (H. P. 926)

The Joint Order was read by the Clerk.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. JALBERT: Mr. Speaker and Members of the House: This order would bring about a thorough, comprehensive study of county government and all of its associated industries. Which certainly mean also the agencies concerning themselves with the method of the jury system, court appointed attorneys, and it would go into the program as, in my opinion, it should.

A few years ago I presented an order to study county government with the thought in mind to have all agencies, all counties placed under line budgeting. This program succeeded so that now line budgeting is before us. I think many of you have read the letter as I distributed this morning to you, which would indicate that we have little to say insofar as county government is concerned on this budget, outside of the salaries of departmental heads, which in my opinion should be studied, and also this study certainly would include that study.

I can hardly see myself, or any of you possibly, should know what the Register of Deeds should earn in Piscataquis County, no more than the individual legislators should know what the Register of Deeds should earn in Androscoggin County. I think we have spent a great deal of time and money and effort that we needn't have spent in the last session, and this is only

an area where we possibly could streamline it.

Mr. Speaker, I hope the order has passage.

Thereupon, the Joint Order received passage and was sent up for concurrence.

#### **House Report of Committee Ought Not to Pass**

Mr. Bunker from the Committee on Election Laws reported "Ought not to pass" on Bill "An Act Providing Workshops for Ballot Clerks and Wardens for Elections" (H. P. 225) (L. D. 307)

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

#### **Passed to Be Engrossed**

Bill "An Act Increasing the Indebtedness of Veazie Sewer District" (H. P. 501) (L. D. 647)

Bill "An Act to Regulate Sewer Utilities" (H. P. 503) (L. D. 649)

Bill "An Act Providing for Termination of the Old Town Great Works School District" (H. P. 523) (L. D. 686)

Bill "An Act Repealing Law Relating to Permits for Aircraft Pilots to Transport Fish and Game" (H. P. 526) (L. D. 688)

Bill "An Act Increasing the Number of Members on the Board of Trustees of the Bath Water District" (H. P. 539) (L. D. 712)

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

#### **Third Reader Tabled and Assigned**

Resolution Proposing an Amendment to the Constitution Providing for Early Convening of the Legislature (H. P. 206) (L. D. 272)

Was reported by the Committee on Bills in the Third Reading and read the second time.

(On motion of Mr. Donaghy of Lubec, tabled pending passage to be engrossed and specially assigned for Thursday, March 4.)

#### **Amended Bill**

Bill "An Act Creating County Commissioner Districts for Han-

cock County" (H. P. 330) (L. D. 439)

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.

#### **Passed to Be Enacted Emergency Measure**

An Act Making Additional Appropriations for the Expenditures of State Government for the Fiscal Year Ending June 30, 1971 (S. P. 371) (L. D. 952)

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. 121 voted in favor of same and 9 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

By unanimous consent, ordered sent forthwith to the Senate.

#### **Emergency Measure**

An Act relating to School Administrative District Assessments (H. P. 482) (L. D. 623)

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. 123 voted in favor of same and 4 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### **Finally Passed Emergency Measure**

Resolve relating to Fishing in Mopang Lake, Washington County (H. P. 341) (L. D. 450)

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. 126 voted in favor of same and one against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

**Passed to Be Enacted**

An Act relating to Compensation of the Panel of Mediators (S. P. 18) (L. D. 46)

An Act Clarifying and Revising Certain Election Laws (S. P. 72) (L. D. 151)

An Act relating to Lascivious Speech or Behavior in Public Places (S. P. 85) (L. D. 179)

An Act relating to Charges for Care and Treatment of Persons in State Institutions (S. P. 99) (L. D. 263)

An Act relating to Use of Power Boats on Long Pond, Oxford County (S. P. 110) (L. D. 289)

An Act Authorizing the Recording of Certified Copies of Petitions, Decrees and Orders Filed Pursuant to the Federal Bankruptcy Act (S. P. 113) (L. D. 292)

An Act relating to Definitions and Credit Cards Under Truth-in-Lending Law (S. P. 140) (L. D. 379)

An Act relating to Community Mental Retardation Services (S. P. 153) (L. D. 422)

An Act relating to Recording Floor Plans and Definition of Building under Unit Ownership Act (S. P. 179) (L. D. 531)

An Act relating to Service of Justices of the Supreme Judicial Court and the Superior Court for Retirement (H. P. 67) (L. D. 108)

An Act relating to Administration of the State Income Tax (H. P. 164) (L. D. 227)

An Act to Authorize Augusta Water District and Augusta Sanitary District to Exchange Customer Accounting Records (H. P. 239) (L. D. 321)

An Act relating to Surety Bonds of Contractors for Public Works (H. P. 240) (L. D. 375)

An Act to Prevent Pollution of the Waters of Nokomis Pond, Penobscot and Somerset Counties (H. P. 273) (L. D. 362)

An Act relating to Inspection of Motorcycles and Motor Driven Cycles (H. P. 282) (L. D. 371)

An Act to Authorize Savings Bank Loans Covered by Mortgage Guaranty Insurance (H. P. 327) (L. D. 436)

An Act relating to Transporting Piranhas, Catfish and Fresh-water Fish (H. P. 388) (L. D. 503)

An Act relating to the Conservation and Management of Migratory Birds (H. P. 412) (L. D. 539)

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.

**Order Out of Order**

From the Senate: The following Order:

ORDERED, the House concurring, that there is appropriated the sum of \$850 from the Legislative Account to the Joint Standing Committee on Judiciary to defray the expenses of the Committee by the Joint Order (S. P. 313) referring the Initiated Bill (I. B. No. 1), An Act Repealing the Maine Income Tax Law, and by the Joint Order (S. P. 325) referring the Initiated Bill (I. B. No. 2), An Act Relating to Form of Ballots in General Elections, to the committee for an investigation and report as to the sufficiency of the petitions (S. P. 385)

Came from the Senate read and passed.

In the House, the Order was received out of order by unanimous consent, read and passed in concurrence.

**Orders of the Day**

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

Bill "An Act Prohibiting the Expenditure of Public Funds to Promote or Oppose Measures to Be Voted on at Elections" (H. P. 874) (Committee on Reference of Bills suggested Committee on Election Laws)

Tabled—February 26, 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 Ladies and Gentlemen of the House: In order to be consistent I would now move that this item be referred to the State Government Committee.

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

On motion of Mrs. Berube of Lewiston,  
Adjourned until ten o'clock tomorrow morning.