

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

SENATE

Thursday, January 7, 1971

Senate called to order by the President.

Prayer by the Very Rev. Msgr. Vincent A. Tatarczuk.

Reading of the Journal of yesterday.

Joint Order

Out of Order and Under Suspension of the Rules:

On motion by Mr. Hoffses of Knox,

ORDERED, the House concurring, that when the House and Senate adjourn, they adjourn to Tuesday, January 12 at 10 o'clock in the morning. (S. P. 63)

Which was Read and Passed.

Sent forthwith to the House for concurrence.

Committee Report

Out of Order and Under Suspension of the Rules:

STATE OF MAINE

The Joint Select Committee of the One Hundred and Fifth Legislature on returns of votes for Governor given in the several cities, towns and plantations of this State for the political years 1971, 1972, 1973 and 1974, has attended to its duty and asks leave to report that the whole number of votes returned for Governor was 325,386; and that James S. Erwin of York had 162,248 votes; and that Kenneth M. Curtis of Augusta had 163,138 votes.

RICHARD N. BERRY

Chairman on the

Part of the Senate

DONALD F. COLLINS

Chairman on the

Part of the House

Which was Read and Accepted.

Under suspension of the rules, sent down forthwith for concurrence.

Papers From The House**Joint Resolution****STATE OF MAINE**

In the Year of Our Lord One Thousand Nine Hundred and Seventy-One

In Memoriam

WHEREAS, the Legislature learned with deep sorrow on December 19, 1970 of the sudden

and tragic death of Harry R. Knight, Representative-elect of Scarborough; and

WHEREAS, at age 32 his dedicated service as a selectman, chairman of the board of selectmen, and councilman for the Town of Scarborough, as chairman of his party's town committee and member of the greater Portland council of governments, as a past president of the Scarborough Jaycees, a 32nd Degree Mason and success in business has won for him the admiration and respect of all who knew him and whose lives he enriched; and

WHEREAS, his fellow members of the 105th Legislature had felt honored to elect a man with Mr. Knight's outstanding abilities and experience as a public servant and were looking forward to working closely with him during their legislative session and having the benefit of his unique ability as well as his warm friendship; and

WHEREAS, the loss of this devoted and conscientious public servant will be sorely felt not only by his many friends and admirers in Scarborough but the citizens of the State as well; now, therefore, be it

RESOLVED: That when we, the Members of the Senate and House of Representatives of the 105th Legislature adjourn this day, we do so out of respect to the memory of the Honorable Harry R. Knight; and be it further

RESOLVED: That a copy of this Joint Resolution, suitably engrossed be immediately transmitted, with our deepest sympathy, to his family. (H. P. 54)

Comes from the House, Read and Adopted.

Which was Read and Adopted in concurrence.

Joint Order

ORDERED, the Senate concurring, that the Speaker of the House be authorized, at his discretion, to permit radio or sound television film or live television, or any two or three of these communication media, in the Hall of House of Representatives while the House is in session, or during joint conventions of the Legislature. (H. P. 55)

Comes from the House, Read and Passed.

Which was Read and Passed in concurrence.

Senate Papers Fisheries and Wildlife

Mr. Hichens of York presented, Resolve, Regulating Fishing in Mousam Lake, Square Pond and Wilson Pond in York County. (S. P. 62) (L. D. 88)

Which was referred to the Committee on Fisheries and Wildlife and Ordered Printed.

Sent down for concurrence.

Judiciary

Mr. Harding of Aroostook presented,

Bill, "An Act Relating to Penalty for Larceny." (S. P. 40) (L. D. 89)

The same Senator presented,

Bill, "An Act Relating to Jurisdiction of the District Court in Civil Actions." (S. P. 52) (L. D. 90)

The same Senator presented,

Resolve, Authorizing Ansel Green of Bangor to Bring Action Against the State of Maine. (S. P. 54) (L. D. 91)

Which were referred to the Committee on Judiciary and Ordered Printed.

Sent down for concurrence.

Labor

Mr. Levine of Kennebec presented,

Bill, "An Act Relating to When Overtime Pay Commences for Employees." (S. P. 56) (L. D. 92)

Mr. Harding of Aroostook presented,

Bill, "An Act Relating to Witnesses in Workmen's Compensation Hearings." (S. P. 61) (L. D. 93)

Which were referred to the Committee on Labor and Ordered Printed.

Sent down for concurrence.

State Government

Mr. Harding of Aroostook presented,

Resolution, Proposing an Amendment to the Constitution Reducing the Size of the House of Representatives and the Senate. (S. P. 53) (L. D. 94)

Mr. Levine of Kennebec presented,

Bill, "An Act Relating to Term of Office of Department Heads Appointed by the Governor." (S. P. 55) (L. D. 95)

The same Senator presented,

Resolution, Proposing an Amendment to the Constitution Providing for Annual Legislative Sessions. (S. P. 57) (L. D. 96)

Which were referred to the Committee on State Government and Ordered Printed.

Sent down for concurrence.

(Off Record Remarks)

Orders

On motion by Mr. Hoffses of Knox,

ORDERED, the House concurring that a Committee of three on the part of the Senate, with such as the House may join, be appointed to wait upon the Honorable Kenneth M. Curtis and inform him that he has been duly elected Governor of the State of Maine for the political years 1971, 1972, 1973 and 1974. (S. P. 58)

Which was Read and Passed.

Under suspension of the rules, sent forthwith to the House for concurrence.

The President appointed:

Senator Wyman of Washington

Senator Greeley of Waldo

Senator Harding of Aroostook

On motion by Mr. Katz of Kennebec,

ORDERED, the House concurring, that a Joint Select Committee of three on the part of the Senate with such as the House may join, be appointed to consider the Governor's Message and report a reference of its several subjects to appropriate committees. (S. P. 59)

Which was Read and Passed.

Under suspension of the rules, sent forthwith to the House for concurrence.

The President appointed:

Senator Moore of Cumberland

Senator Dunn of Oxford

Senator Levine of Kennebec

On motion by Mr. Schulten of Sagadahoc,

ORDERED, that 3,500 copies of the Governor's Message be printed.

Which was Read and Passed.

On motion by Mr. Johnson of Somerset,

ORDERED, the House concurring, that free telephone service may be provided for each member of the Senate and House, and each representative from the Indian Tribes at the Legislature to the number of 50 calls, of reasonable duration, to points within the limits of the State of Maine, the privilege granted to be a personal privilege, not to be exercised by other than the member or representative, that each member of the Senate and House, and each representative from the Indian Tribes at the Legislature, may be provided with a credit card under the direction of the Secretary of the Senate and Clerk of the House, respectively, the cost of this service to be paid to the New England Telephone Company at regular tariff rates, and be it further

ORDERED, that free telegraph service may be provided for each member of the Senate and House, and each representative from the Indian Tribes at the Legislature, to the number of 20 messages of reasonable length, to points within the State of Maine, the privilege granted to be a personal privilege, not to be exercised by other than the member or representative, that each member of the Senate and House, and each representative from the Indian Tribes at the Legislature, may be provided with a card under the direction of the Secretary of the Senate and Clerk of the House, respectively, the cost of the service to be paid to Western Union Telegraph Company at regular tariff rates. (S. P. 49)

Which was Read and Passed.

Sent down for concurrence.

On motion by Mr. Wyman of Washington,

ORDERED, that a message be sent to the House of Representatives proposing a Convention of both branches of the Legislature to be held forthwith in the Hall of the House for the purpose of

administering to the Honorables: Richard W. Logan, Deane A. Durgin, Edmund C. Darey, Kenneth D. Robinson, Paul R. Huber, Walter W. Cameron, R. Lafayette Ervin the oaths required by the Constitution to qualify them to enter upon the discharge of their official duties as Executive Councilors, and for the further purpose of administering to the Honorable Kenneth M. Curtis, Governor-elect, the oath required by the Constitution to qualify him to enter upon the discharge of his official duties.

Which was Read and Passed

The Secretary delivered the message and subsequently reported that he had performed the duty assigned to him.

A message was received from the House, through Representative Roosevelt Susi of Pittsfield, concurring in the proposed Convention for the purpose of administering the oaths to the Executive Councilors and to the Governor-elect.

The Senate then retired to the Hall of the House of Representatives where a Joint Convention was formed.

(For proceedings of Joint Convention, see House Report.)

In Senate

The Senate was called to order by the President.

Orders of the Day

The President laid before the Senate the first tabled and specially assigned matter:

JOINT ORDER—Relative to Joint Rule 17-A. (S. P. 39) Tabled—January 6, 1971 by Senator Johnson of Somerset. Pending—Passage.

On motion by Mr. Johnson of Somerset, the Joint Order received Passage.

Sent down for concurrence.

The President laid before the Senate the second tabled and specially assigned matter:

JOINT ORDER—Relative to Special Interim Legislative Committee to Study Maine Industrial Building Authority Being continued and reconstituted. (S. P. 60) Tabled—January 6, 1971 by Senator Violette of Aroostook. Pending—Passage.

On motion by Mr. Johnson of Somerset, retabled and tomorrow assigned, pending Passage.

The Adjournment Order having been returned from the House,

Read and Passed in concurrence, on motion by Mr. Hoffses of Knox, adjourned until Tuesday, January 12, 1971, at 10 o'clock in the morning.