

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 28, 1971
Senate called to order by the President.

Prayer by Brigadier Alfred C. Davey of Augusta.

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, February 2, at 10 o'clock in the morning. (S. P. 149)

Which was Read and Passed.

Sent down forthwith for concurrence.

House Papers

Bills and Resolve today received from the House requiring Reference to Committees were acted upon in concurrence, with the following exceptions:

Bill, "An Act Relating to Referendum for Local Housing Projects." (H. P. 261) (L. D. 350)

Comes from the House referred to the Committee on Election Laws and Ordered Printed.

On motion by Mrs. Carswell of Cumberland, referred to the Committee on Legal Affairs in non-concurrence.

Sent down for concurrence.

Communications

STATE OF MAINE

House of Representatives

Office of the Clerk

Augusta, Maine 04330

January 27, 1971

Hon. Harry N. Starbranch

Secretary of the Senate

105th Legislature

Sir:

In accordance with Senate Joint Order (S. P. 60) the Speaker today appointed the following member to fill the vacancy on the Special Interim Legislative Committee to Study the Maine Industrial Building Authority Loans to Maine Sugar Industries:

Mr. AULT of Wayne

He also appointed, in accordance with Senate Joint Order (S. P. 106), the following members to serve on the Joint Select Committee on Constitutional State Reapportionment and Congressional Redistricting:

Messrs. LUND of Augusta
FINEMORE

of Bridgewater

BIRT of East Millinocket

PRATT of Parsonsfield

EMERY of Rockland

CURTIS of Orono

MORRELL of Brunswick

STARBIRD

of Kingman Township

COTE of Lewiston

KELLEHER of Bangor

MARTIN of Eagle Lake

McTEAGUE of Brunswick

He also appointed, in accordance with Senate Joint Order (S. P. 107), the following members to serve on the Joint Select Committee of Inquiry of the Department of Health and Welfare:

Messrs. MILLETT of Dixmont

LEWIS of Bristol

COLLINS of Caribou

IMMONEN of West Paris

BINNETTE of Old Town

SANTORO of Portland

SMITH of Dover-Foxcroft

Respectfully,

s (Mrs.) Bertha W. Johnson

Clerk of the House

Which was Read and Ordered Placed on File.

STATE OF MAINE

Senate Chamber

President's Office

Augusta, Maine 04330

January 28, 1971

The Honorable

Harry N. Starbranch

Secretary of the Senate

State House

Augusta, Maine

Dear Mr. Starbranch:

Pursuant to the authority vested in me by Senate Paper 107, I hereby appoint Senator Richard N. Berry, Senator George H. Chick and Senator David L. Graham to the Special Joint Select Committee of Inquiry to Study the Department of Health and Welfare.

Respectfully yours,
Kenneth P. MacLeod
President of the Senate

Which was Read and Ordered Placed on File.

Senate Papers Appropriations and Financial Affairs

Mr. Fortier of Oxford presented, Bill, "An Act Relating to Working Capital of State Liquor Commission." (S. P. 151) (L. D. 420)

Which was referred to the Committee on Appropriations and Financial Affairs and Ordered Printed.

Sent down for concurrence.

Education

Mr. Minkowsky of Androscoggin presented, Bill, "An Act Relating to School Construction Aid." (S. P. 152) (L. D. 421)

Which was referred to the Committee on Education and Ordered Printed.

Sent down for concurrence.

Health and Institutional Services

Mrs. Carswell of Cumberland presented, Bill, "An Act Relating to Community Mental Retardation Services." (S. P. 153) (L. D. 422)

Which was referred to the Committee on Health and Institutional Services and Ordered Printed.

Sent down for concurrence.

Labor

Mr. Violette of Aroostook presented, Bill, "An Act Increasing Benefits for Particular Injuries and Permanent Impairment under the Workmen's Compensation Law." (S. P. 154) (L. D. 423)

The same Senator presented, Bill, "An Act Providing Notice or Severance Pay by Employers." (S. P. 155) (L. D. 424)

Mr. Conley of Cumberland presented, Bill, "An Act to Extend Unemployment Compensation Benefits during High Periods of Unemployment." (S. P. 156) (L. D. 425)

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

Sent down for concurrence.

Public Utilities

Mr. Moore of Cumberland presented, Bill, "An Act Relating to

Waiver of Certification of Certain Water Utilities." (S. P. 157) (L. D. 426)

Which was referred to the Committee on Public Utilities and Ordered Printed.

Sent down for concurrence.

State Government

Mr. Shute of Franklin presented, Bill, "An Act Relating to Retirement Allowance for Former Governors." (S. P. 158) (L. D. 427)

Mr. Schulten of Sagadahoc presented, Bill, "An Act to Create the Maine Historic Preservation Commission." (S. P. 159) (L. D. 428)

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

Sent down for concurrence.

Taxation

Mr. Wyman of Washington presented, Bill, "An Act to Clarify the Exemption of Pollution Control Facilities from the Real Estate and Personal Property Taxes." (S. P. 160) (L. D. 429)

Which was referred to the Committee on Taxation and Ordered Printed.

Sent down for concurrence.

Orders

On motion by Mr. Hoffses of Knox,

ORDERED, that the Senate Majority Floorleader and the Senate Minority Floorleader be authorized to hire one secretary each.

Which was Read and Passed.

On motion by Mr. Quinn of Penobscot,

ORDERED, that the President of the Senate 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 Senate Chamber while the Senate is in session.

Which was Read and Passed.

On motion by Mr. Sewall of Penobscot,

ORDERED, the House concurring, that there be paid to John Mitchell, Sr., Representative of the Penobscot Tribe of Indians and to

John Bailey, Representative of the Passamaquoddy Tribe of Indians from the legislative appropriation the sum of \$130 per month, paid on a monthly basis until the amount authorized for such Representatives by statute is exhausted. (S. P. 150)

Which was Read and Passed.
Sent down for concurrence.

Reconsidered Matter

On motion by Mr. Johnson of Somerset, the Senate voted to reconsider its action of earlier in today's session whereby Bill, "An Act Relating to Qualifications and Term of Office of Commissioner of Inland Fisheries and Game," (H. P. 262) (L. D. 351), was referred to the Committee on Fisheries and Wildlife and Ordered Printed in concurrence.

On further motion by the same Senator, tabled and tomorrow assigned, pending Reference to Committee.

Committee Reports

House

The following Ought Not to Pass report shall be placed in the legislative files without further action pursuant to Rule 17-A of the Joint Rules:

Bill, "An Act Amending the Absentee Voting Laws." (H. P. 97) (L. D. 141)

Ought to Pass

The Committee on Fisheries and Wildlife on Bill, "An Act to Protect Endangered Species of Fish and Wildlife." (H. P. 45) (L. D. 77)

Reported that the same Ought to Pass.

The Committee on Judiciary on Bill, "An Act Relating to Judges' Instructions in Comparative Negligence Actions." (H. P. 69) (L. D. 110)

Reported that the same Ought to Pass.

The Committee on Legal Affairs on, Bill, "An Act Changing Name of Pine Tree Chapter of the Construction Specifications Institute, Inc." (H. P. 74) (L. D. 115)

Reported that the same Ought to Pass.

Come from the House, the reports Read and Accepted and the

Bills Passed to be Engrossed.

Which reports were Read and Accepted in concurrence, and the Bills Read Once and Tomorrow Assigned for Second Reading.

Senate

Ought to Pass

Mr. Marcotte for the Committee on Labor on Bill, "An Act Relating to Witnesses in Workmen's Compensation Hearings." (S. P. 61) (L. D. 93)

Reported that the same Ought to Pass.

Mrs. Carswell for the Committee on Business Legislation on Bill, "An Act To Correct an Error in Filing Fee for a Financing Statement Under Uniform Commercial Code." (S. P. 1) (L. D. 15)

Reported that the same Ought to Pass.

Which reports were Read and Accepted, the Bills Read Once and Tomorrow Assigned for Second Reading.

Second Readers

The Committee on Bills in the Second Reading reported the following:

House

Bill, "An Act Relating to the Content of Motor Vehicle Operators' Licenses." (H. P. 4) (L. D. 4)

Resolve, Designating Certain Bridge Across the Penobscot River as "Levi Lancaster Memorial Bridge." (H. P. 43) (L. D. 75)

Which were Read a Second Time and Passed to be Engrossed in concurrence.

House - As Amended

Bill, "An Act Relating to Conferring Degrees by Unity College." (H. P. 92) (L. D. 136)

Which was Read a Second Time and Passed to be Engrossed, as Amended, in concurrence.

(Off Record Remarks)

The Adjournment Order having been returned from the House, Read and Passed in concurrence, on motion by Mr. Hoffses of Knox, Adjourned until Tuesday, February 2, 1971, at 10 o'clock in the morning.