

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

Friday, February 26, 1971

Senate called to order by the President.

Prayer by the Rev. Fr. Louis J. Fortier 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, March 2, at 10 o'clock in the morning.

(S. P. 354)

Which was Read and Passed.

Sent down forthwith for concurrence.

Joint Resolution

(For Text of the Joint Resolution, House Paper 867, see House Report of February 25, 1971.)

Comes from the House, Read and Adopted.

Which was Read and Adopted in concurrence.

House Papers

Bills today received from the House requiring Reference to Committees were acted upon in concurrence.

Senate Papers**Health and Institutional Services**

Mr. Minkowsky of Androscoggin presented, Bill, "An Act to Provide Temporary Licenses for Administrators of Medical Care Facilities Other Than Hospitals." (S. P. 355) (L.D. 1051)

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

Sent down for concurrence.

Judiciary

Mr. Kellam of Cumberland presented, Bill, "An Act to Provide for Use of the Courts by Poor Persons." (S. P. 356) (L. D. 1052)

Mr. Katz of Kennebec presented, Bill, "An Act Relating to Restitution of Funds Defrauded from Consumers." (S. P. 357) (L. D. 1053)

Mr. Kellam of Cumberland presented, Bill, "An Act Relating to Trespass on Property of Municipalities and School Administrative Districts." (S. P. 358) (L. D. 1054)

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

Sent down for concurrence.

Legal Affairs

Mr. Wyman of Washington presented, Bill, "An Act Relating to Ambulance Service for Injured or Ill Persons." (S. P. 359) (L. D. 1055)

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

Sent down for concurrence.

Liquor Control

Mr. Hichens of York presented, Bill, "An Act Relating to Definition of Wholesaler under Liquor Laws." (S. P. 360) (L. D. 1056)

The same Senator presented, Bill, "An Act Relating to Machines or Mechanism for Amusement or Entertainment on Liquor Licensed Premises." (S. P. 361) (L. D. 1057)

Mr. Conley of Cumberland presented, Bill, "An Act Relating to Special Agency Stores under Liquor Laws." (S. P. 362) (L. D. 1058)

Which were referred to the Committee on Liquor Control and Ordered Printed.

Sent down for concurrence.

State Government

Mrs. Carswell of Cumberland presented, Bill, "An Act to Regulate the Harvesting of Fiddleheads on Penobscot Reservation Lands." (S.P. 363) (L.D. 1102)

The same Senator presented, Bill, "An Act Relating to Actions by the Attorney General for Injury to Tribal Lands." (S. P. 364) (L. D. 1103)

The same Senator presented, Bill, "An Act to Lower the Voting Age for Biennial Elections of the Penobscot Indians." (S. P. 365) (L. D. 1104)

Mr. Conley of Cumberland presented, **RESOLUTION**, Proposing an Amendment to the Constitution to Increase Credit of State for Guaranteed Loans for

Recreational Purposes. (S. P. 366) (L. D. 1105)

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

Sent down for concurrence.

Taxation

Mrs. Carswell of Cumberland presented, Bill, "An Act Increasing Amount of Real Estate Tax Exemption for Disabled Veterans." (S. P. 367) (L. D. 1106)

The same Senator presented, Bill, "An Act to Increase Amount of Real Estate Tax Exemption for Paralegic Veterans." (S. P. 368) (L. D. 1107)

Mr. Wyman of Washington presented, Bill, "An Act Relating to Amount of Annual Excise Tax on Railroads." (S. P. 369) (L. D. 1108)

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

Sent down for concurrence.

Committee Reports House Ought to Pass

The Committee on State Government on, Bill, "An Act Revising the Laws Relating to Baxter State Park." (H. P. 160) (L. D. 226)

Reported that the same Ought to Pass.

Comes from the House, the report Read and Accepted and the Bill recommitted to the Committee on State Government.

Which report was Read and Accepted.

Thereupon, on motion by Mr. Johnson of Somerset, Recommended to the Committee on State Government in Concurrence.

Ought to Pass in New Draft

The Committee on County Government on, Bill, "An Act Relating to Record of Plans by Registers of Deeds." (H. P. 58) (L. D. 99)

Reported that the same Ought to Pass in New Draft under same Title (H. P. 728) (L. D. 816)

Comes from the House, the report Read and Accepted and the Bill, in New Draft, Passed to be Engrossed.

Which report was Read and Accepted in concurrence, the Bill, in New Draft, Read Once and Tomorrow Assigned for Second Reading.

Senate

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 Relating to Visiting Water Sets Under Trapping Laws." (S. P. 190) (L. D. 551)

Leave to Withdraw

Mr. Chick for the Committee on Education on, Bill, "An Act Relating to Chairman and Terms of Members of State Board of Education." (S. P. 260) (L. D. 766)

Reported that the same be granted Leave to Withdraw.

Mr. Katz for the Committee on Education on, Bill, "An Act Relating to School Approval." (S. P. 258) (L. D. 764)

Reported that the same be granted Leave to Withdraw.

Mr. Anderson for the Committee on Fisheries and Wildlife 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)

Reported that the same be granted Leave to Withdraw.

Mr. Martin for the Committee on County Government on, Bill, "An Act Increasing Salary of Register of Deeds, Penobscot County." (S. P. 218) (L. D. 664)

Reported that the same be granted Leave to Withdraw.

Which reports were Read and Accepted.

Sent down for concurrence.

Ought to Pass

Mr. Chick for the Committee on Education on, Bill, "An Act Changing the Name of the Committee on Educational Television and Relating to Educational Services in Communication Media." (S. P. 96) (L. D. 260)

Reported that the same Ought to Pass.

Mr. Anderson for the Committee on Veterans and Retirement on, Bill, "An Act Relating to Death Benefits for Fish and Game and

Coastal Wardens under the State Retirement System." (S. P. 147) (L. D. 386)

Reported that the same Ought to Pass.

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

Mr. Dunn for the Committee on Appropriations and Financial Affairs on, Bill, "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)

Reported pursuant to Joint Order (S. P. 340) that the same Ought to Pass.

Which report was Read and Accepted and the Bill Read Once.

Thereupon, under suspension of the rules, the Bill was given its Second Reading and Passed to be Engrossed.

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

Divided Report

The Majority of the Committee on Appropriations and Financial Affairs on, Bill, "An Act Appropriating Funds for Defaulted Maine Sugar Industries, Inc. Loans." (S. P. 370) (L. D. 951)

Reported pursuant to Joint Order (S. P. 339) that the same Ought to Pass.

Signed:

Senators:

SEWALL of Penboscot

DUNN of Oxford

Representatives:

GILL of South Portland

BIRT of East Millinocket

BRADGON of Perham

SHAW of Chelsea

The Minority of the same Committee on the same subject matter reported that the same Ought Not to Pass.

Signed:

Senator:

CONLEY of Cumberland

Representatives:

CARTER of Winslow

CAREY of Waterville

Which reports were Read.

On motion by Mr. Berry of Cumberland, tabled and tomorrow

assigned, pending Acceptance of Either Report.

Second Readers

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

House

Bill, "An Act Relating to Return Date for Warrants Against Owner or Keeper of Unlicensed Dogs." (H. P. 395) (L. D. 581)

Bill, "An Act Regulating the Use of Power Boats on Lily Pond, Lincoln County." (H. P. 295) (L. D. 395)

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

Senate

Bill, "An Act Relating to Employees and Agents of Collection Agencies." (S. P. 215) (L. D. 661)

Which was Read a Second Time and Passed to Be Engrossed.

Sent down for concurrence.

Enactors

The Committee on Engrossed Bills reported as truly and strictly engrossed the following:

An Act Relating to Contempts Before the Industrial Accident Commission. (H. P. 269) (L. D. 358)

An Act Relating to Persons Ineligible to Serve as Election Officials. (H. P. 224) (L. D. 306)

An Act Relating to Waiver of Certification of Certain Water Utilities. (S. P. 157) (L. D. 426)

Which were Passed to be Enacted and, having been signed by the President, were by the Secretary presented to the Governor for his approval.

Orders of the Day

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

HOUSE REPORTS — from the Committee on Legal Affairs on Bill, "An Act Requiring Referendum Elections on Certain Municipal Public Works Appropriations." (H. P. 103) (L. D. 147) Majority Report, Ought Not to Pass; Minority Report, Ought to Pass.

Tabled—February 23, 1971 by Senator Quinn of Penobscot.

Pending—Acceptance of Either Report.

On motion by Mr. Quinn of Penobscot, retabled and specially assigned for March 3, 1971, pending Acceptance of Either Report.

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

Bill, "An Act Relating to a Game Warden for the Penobscot Indian Reservation." (S. P. 349)

Tabled—February 26, 1971 by Senator Johnson of Somerset.

Pending—Reference.

On motion by Mr. Hoffses of Knox, referred to the Committee on Fisheries and Wildlife and Ordered Printed.

Sent down for concurrence.

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

Bill, "An Act Relating to Use of Duck Blinds on Penobscot Reservation Lands." (S. P. 350)

Tabled—February 26, 1971 by Senator Johnson of Somerset.

Pending—Reference.

On motion by Mr. Hoffses of Knox, referred to the Committee on Fisheries and Wildlife and Ordered Printed.

Sent down for concurrence.

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

HOUSE REPORT—Ought to Pass as Amended by Committee

Amendment "A" —Filing H-32 from the Committee on Transportation on Bill, "An Act Relating to Length of Certain Motor Vehicles." (H. P. 213) (L. D. 280)

Tabled—February 26, 1971 by Senator Berry of Cumberland.

Pending—Acceptance of Report.

Thereupon, the Ought to Pass as Amended Report of the Committee was Accepted in concurrence and the Bill Read Once.

Committee Amendment "A" was Read and Adopted in concurrence and the Bill, as Amended, Tomorrow Assigned for Second Reading.

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

Bill, "An Act Relating to Certain Penalties Under Fish and Game Laws." (H. P. 170) (L. D. 228)

Tabled—February 26, 1971 by Senator Hoffses of Knox.

Pending — Adoption of Senate Amendment "C"—Filing S-16.

On motion by Mr. Hoffses of Knox, Senate Amendment "C" was Adopted and the Bill, as amended, Passed to be Engrossed in non-concurrence.

Sent down for 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, March 2, at 10 o'clock in the morning.