

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Sixth*

*Legislature*

OF THE

STATE OF MAINE

1973

KENNEBEC JOURNAL  
AUGUSTA, MAINE

**SENATE**

Thursday, January 18, 1973  
Senate called to order by the President.

Prayer by the Rev. Cecil A. Jones of Gardiner.

Reading of the Journal of yesterday.

**Joint Orders**

Out of order and under suspension of the rules:

On motion by Mr. Sewall of Penobscot,

ORDERED, the House concurring, that when the House and Senate Adjourn, they adjourn to Tuesday, January 23, at 10 o'clock in the morning. (S. P. 123)

Which was Read and Passed.

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

Out of order and under suspension of the rules:

On motion by Mr. Sewall of Penobscot,

ORDERED, the House concurring, that the Clerk of the House be authorized to hire a temporary House Reporter at the rate of pay as the present House Reporter for such period as the Clerk deems necessary. (S. P. 120)

Which was Read and Passed.

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

On motion by Mr. Sewall of Penobscot,

ORDERED, the House concurring, that the Secretary of the Senate is directed to carry forthwith to the Secretary of State S. P. 706 — L. D. 1887, An Act Relating to Guarantees by the Maine Industrial Building Authority. (S. P. 121)

Which was Read and Passed.

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

Out of order and under suspension of the rules, On motion by Mr. Tanous of Penobscot,

ORDERED, the House concurring, that the Joint Standing Committee on State Government report out a bill that will effect necessary changes to the Maine

Industrial Building Authority law. (S. P. 122)

Which was Read and Passed.

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

**Papers from the House  
Non-concurrent Matter**

Bill, "An Act Relating to Animal Welfare." (S. P. 42) (L. D. 98)

In the Senate January 9, 1973, referred to the Committee on State Government and Ordered Printed.

Comes from the House, referred to the Committee on Agriculture, in non-concurrence.

Thereupon, on motion by Mr. Hichens of York, the Senate voted to Recede and Concur.

**Joint Resolutions****STATE OF MAINE**

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

Joint Resolution in Honor of the Second Inaugural of  
RICHARD M. NIXON

WHEREAS, on the 20th day of January, 1973, Richard M. Nixon will be inaugurated for a second term as President of these United States of America; and

WHEREAS, the people of this nation through a free and open election process have clearly placed their faith, trust and confidence in Richard M. Nixon; and

WHEREAS, all Americans sincerely pray that the next four years be years filled with peace in the world and prosperity of home; now, therefore, be it

RESOLVED: That, We, the Members of the 106th Legislature of the great and sovereign State of Maine, now assembled, extend our heartfelt congratulations to President Richard M. Nixon and Vice President Spiro T. Agnew on the occasion of their second inauguration; and be it further

RESOLVED: That a duly attested copy of this Resolution be transmitted forthwith by the Secretary of State to the Chief Executive of these United States in honor of the occasion. (H. P. 193)

Comes from the House, Read and Adopted.

Which was Read and Adopted in concurrence.

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

Joint Resolution to Honor the

Memory of

His Excellency

HARRY S. TRUMAN,

Former President of the

United States of

America

WHEREAS, the flags of our  
republic were lowered in deep  
sorrow on December 26, 1972, with  
the passing of the late Harry S.  
Truman, 33rd President of the  
United States of America; and

WHEREAS, he is remembered  
as a "common man" who employ-  
ed a "give 'em hell" technique to  
advance his conception of the Pres-  
ident as champion of "the peo-  
ple;" and

WHEREAS, his achievements  
are too numerous to account but  
few will forget the Truman Doc-  
trine, the Fair Deal, the Berlin Air-  
lift, the close of World War II,  
the Marshall Plan, the North At-  
lantic Treaty Organization, the  
establishment of the United Na-  
tions and the blessed defense of  
Western Civilization; now, there-  
fore, be it

RESOLVED, in concurrence, that  
when We, the Members of the Sen-  
ate and House of Representatives  
of the 106th Legislature of the State  
of Maine adjourn this day, we do  
so in honor and out of respect to  
his memory; and be it further

RESOLVED, that a copy of this  
resolution, suitably engrossed and  
attested on our behalf by our  
presiding officers, be transmitted  
to the family of the deceased. (H.  
P. 192)

Comes from the House Read and  
Adopted.

Which was Read and Adopted in  
concurrence.

#### House Papers

Bills and Resolves today received  
from the House requiring Refer-  
ence to Committees were acted  
upon in concurrence, except for the  
following:

Bill, "An Act Providing for  
Mandatory Jail Sentences for Night  
Hunting." (H. P. 153) (L. D. 186)

Comes from the House referred  
to the Committee on Fisheries and  
Wildlife and Ordered Printed.

On motion by Mr. Speers of  
Kennebec, referred to the Com-  
mittee on Judiciary and Ordered  
Printed in non-concurrence.

Sent down for concurrence.

Bill, "An Act Prohibiting Pol-  
lution of Eagle Lake, Hancock  
County." (H. P. 142) (L. D. 175)

Comes from the House referred  
to the Committee on Public Utili-  
ties and Ordered Printed.

The PRESIDENT: The Chair  
recognizes the Senator from Saga-  
dahoc, Senator Schulten.

Mr. SCHULTEN: Mr. President,  
would I be in order to inquire why  
this particular bill concerning  
pollution of Eagle Lake is being  
referred to Public Utilities rather  
than Natural Resources?

The PRESIDENT: The Senator  
from Sagadahoc, Senator Schulten,  
has posed a question through the  
Chair which any Senator may an-  
swer if he wishes.

The Chair recognizes the Senator  
from Cumberland, Senator Berry.

Mr. BERRY: Mr. President and  
Members of the Senate: Eagle  
Lake is a public water supply, and  
two similar bills that have pre-  
ceded this have been referred to  
the Committee on Public Utilities.  
Ordinarily they would be referred  
to the Committee on Natural Re-  
sources.

The PRESIDENT: Is it the plea-  
sure of the Senate that this bill  
be referred to the Committee on  
Public Utilities and ordered printed  
in concurrence?

Thereupon, the Bill was referred  
to the Committee on Public Utili-  
ties and Ordered Printed in con-  
currence.

#### Communications

STATE OF MAINE

Office of the Governor

Augusta, Maine

04330

January 17, 1973  
Honorable Members of the Senate  
of the 106th Legislature:

In a separate written report I  
am presenting today my Special  
Message on Tax Reform. It con-  
tains specific proposals for relief  
and reform of the property tax and  
suggests a number of other  
changes in public finance that the  
Legislature may wish to consider.

During the months ahead I look forward to working with you in developing a meaningful tax reform program for the benefit of Maine people.

Respectfully,  
KENNETH M. CURTIS  
Governor

KMC-gwd

Which was Read and with accompanying papers Ordered Placed on File.

### **Senate Papers Agriculture**

Mr. Shute of Franklin presented, Bill, "An Act Prohibiting the Feeding of Public or Commercial Garbage to Swine." (S. P. 100)

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

Sent down for concurrence.

### **Appropriations and Financial Affairs**

Mr. Tanous of Penobscot presented, Bill, "An Act Appropriating Funds for Replacement Volumes of the Revised Statutes." (S. P. 85)

The same Senator presented, Resolve, Providing for Purchase of Copies of History of Millinocket. (S. P. 86)

Mr. Schulten of Sagadahoc presented, Resolve Appropriating Funds to the Bath-Brunswick Mental Health Association to Purchase a Facility for a Federal Funded Expanded Program. (S. P. 108)

Mr. Hichens of York presented, Bill, "An Act Relating to the Southern Regional Center for the Severely and Profoundly Mentally Retarded at Kittery." (S. P. 109)

Mr. Anderson of Hancock presented, Resolve, Discharging Town of Brooksville from Part of Indebtedness to State for Preparation of Agreement for Dissolution of School Administrative District No. 73. (S. P. 112)

Mr. Greeley of Waldo presented, Resolve, Appropriating Funds for the Perambulation of the Maine-New Hampshire Boundary Line. (S. P. 115)

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

Sent down for concurrence.

### **Business Legislation**

Mr. Clifford of Androscoggin presented, Bill, "An Act to Repeal the Maine Fair Trade Act." (S. P. 87)

Which was referred to the Committee on Business Legislation and Ordered Printed.

Sent down for concurrence.

### **Education**

Mr. Tanous of Penobscot presented, Bill, "An Act Relating to Duties of School Committees Concerning Persons not Immunized Against Certain Diseases." (S. P. 88)

Mr. Katz of Kennebec presented, Bill, "An Act Relating to Educational Research." (S. P. 99)

Mr. Cyr of Aroostook presented, Bill, "An Act to Authorize Eleven New Regions and Central Aroostook County Region for Vocational Education." (S. P. 110)

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

Sent down for concurrence.

### **Fisheries and Wildlife**

Mr. Anderson of Hancock presented, Bill, "An Act Relating to Sale of Certain Publications of Department of Inland Fisheries and Game." (S. P. 113)

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

Sent down for concurrence.

### **Health and Institutional Services**

Mr. Speers of Kennebec presented Resolve Providing Funds for Cerebral Palsy Centers. (S. P. 102)

Mr. Hichens of York presented, Bill, "An Act Relating to Purchase of Blind-made Products by State and Political Subdivisions." (S. P. 105)

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

Sent down for concurrence.

### **Judiciary**

Mr. Tanous of Penobscot presented, Bill "An Act Governing Disclosure of School Records." (S. P. 89)

Bill, "An Act Relating to Penalty for Buying or Receiving Stolen Property." (S. P. 90)

The same Senator presented, Bill, "An Act Relating to Appointment of Complaint Justices in the District Court." (S. P. 91)

Mr. Clifford of Androscoggin presented, Bill, "An Act Relating to the Builder's and Supplier's Lien Law." (S. P. 94)

The same Senator presented, Bill, "An Act Providing that the Running of Statutory Time Periods Be Governed by the Maine Rules of Civil Procedure." (S. P. 95)

The same Senator presented, Bill, "An Act Relating to Time when Sentence of Imprisonment Commences." (S. P. 96)

Mrs. Cummings of Penobscot presented, Bill, "An Act Prohibiting Pony Pulling Contests." (S. P. 101)

Mr. Shute of Franklin presented, Bill, "An Act Relating to the Franklin Judicial Division of the District Court." (S. P. 103)

Mr. Hichens of York presented, Bill, "An Act Relating to Cruelty to Animals." (S. P. 106)

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

Sent down for concurrence.

#### **Labor**

Mr. Tanous of Penobscot presented, Bill, "An Act Relating to Compensation and Expenses of the State Board of Hairdressers." (S. P. 97)

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

Sent down for concurrence.

#### **Legal Affairs**

Mr. Anderson of Hancock presented, Resolve, to Reimburse Albert S. Herrick of Ellsworth for Boarding Stray Dogs. (S. P. 111)

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

Sent down for concurrence.

#### **Natural Resources**

Mr. Schulten of Sagadahoc presented, Bill, "An Act to Increase Outdoor Advertising License and Permit Fees and Extend Controls Beyond 600 Feet." (S. P. 107)

Which was referred to the Committee on Natural Resources and Ordered Printed.

Sent down for concurrence.

#### **State Government**

Mr. Tanous of Penobscot presented, Bill, "An Act Relating to Reports of Continuous Revision by Director of Legislative Research." (S. P. 92)

The same Senator presented, Resolve, Approving Draft and Arrangement of the State Constitution Made by the Chief Justice of the Supreme Judicial Court, and Providing for the Publication and Distribution. (S. P. 93)

Mr. Hichens of York presented, Bill, "An Act Establishing by Statute the Division of Eye Care for Services to the Blind and the Visually Handicapped." (S. P. 104)

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

Sent down for concurrence.

#### **Transportation**

Mr. Peabody of Aroostook presented, Bill, "An Act Providing a Full-time Office in the Town of Houlton for Registration and Licenses for Operations of Motor Vehicles." (S. P. 98)

Mr. Greeley of Waldo presented, Bill, "An Act Relating to Construction of State Aid Bridges." (S. P. 114)

The same Senator presented, Bill, "An Act Authorizing Department of Transportation to Make Advance Replacement Housing Allowance Payments Under the Relocation Assistance Act." (S. P. 116)

The same Senator presented, Bill, "An Act Repealing the Limited-user Highway Law." (S. P. 117)

The same Senator presented, Bill, "An Act to Authorize the Construction of a Bridge Across Cowseagan Narrows, Back River, between the Towns of Westport and Wiscasset." (S. P. 118)

The same Senator presented, Bill, "An Act Relating to Winter Maintenance of State Aid Highways and Town Ways by Municipalities." (S. P. 119)

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

Sent down for concurrence.

### Orders of the Day

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

Ratification Resolution For Equal Rights Amendment. (H. P. 139) (L. D. 161)

Tabled — January 17, 1973 by Senator Berry of Cumberland. Pending—Reference.

Which was Referred to the Committee on State Government and Ordered Printed in concurrence.

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

Ratification Resolution For Equal Rights Amendment. (H. P. 140) (L. D. 162)

Tabled — January 17, 1973 by Senator Berry of Cumberland. Pending — Reference.

Which was Referred to the Committee on State Government and Ordered Printed in concurrence.

### Reconsidered Matter

Mr. Hichens of York moved that the Senate reconsider its prior action whereby Bill, "An Act Relating to Compensation and Expenses of the State Board of Hairdressers", S. P. 97, was Referred to the Committee on Labor and Ordered Printed.

The PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Tanous.

Mr. TANOUS: Mr. President and Members of the Senate: Bills of this nature have always gone to the Labor Committee; this has been tradition. Much like constitutional bills which have gone to State Government. I feel they should go to Judiciary, but traditionally they have gone to State Government. I am just mentioning

this so you will know what we have done in the past.

The PRESIDENT: The Chair recognizes the Senator from York, Senator Hichens.

Mr. HICHENS: Mr. President and Members of the Senate: The reason this was brought to my attention was the fact that the Health and Institutional Services Committee heard this identical bill during the 105th Legislature, and we are wondering now why it has been referred to Labor instead of that committee.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Berry.

Thereupon, on motion by Mr. Berry of Cumberland, tabled and tomorrow assigned, pending the motion by Mr. Hichens of York to Reconsider.

### Reconsidered Matter

On motion by Mr. Anderson of Hancock, the Senate voted to reconsider its action of yesterday whereby Joint Resolution (S. P. 83) was Adopted.

The same Senator then presented Senate Amendment "A" and moved its Adoption.

Senate Amendment "A", Filing No. S-2, was Read and Adopted and the Joint Resolution, as Amended, was Adopted.

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. Sewall of Penobscot, adjourned until Tuesday, January 23, at ten o'clock in the morning.