

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

Tuesday, February 6, 1973

Senate called to order by the President.

Prayer by the Rev. Robert Canfield of Gardiner.

Reading of the Journal of yesterday.

House Papers

Bills and Resolve today received from the House requiring Reference to Committees were acted upon in concurrence except for the following:

Bill, "An Act Relating to Delivery of Suspensions under the Motor Vehicle Laws." (H. P. 314) (L. D. 432)

Bill, "An Act Relating to Requirement for Filing Proof under Financial Responsibility Law." (H. P. 326) (L. D. 444)

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

On motion by Mr. Berry of Cumberland, the above two Bills were referred to the Committee on Judiciary in non-concurrence and Ordered Printed.

Sent down for concurrence.

Communications

State of Maine

House of Representatives

Augusta, Maine 04330

February 1, 1973

Hon. Harry N. Starbranch

Secretary of the Senate

106th Legislature

Dear Mr. Secretary:

The House voted to Insist and Join in a Committee of Conference on the disagreeing action of the two branches of the Legislature on the JOINT RESOLUTION Memorializing the Honorable Winton M. Blount, Postmaster General and the United States Congress for Restoration of Maine Postal Service. (S. P. 83)

The Speaker of the House appointed the following members to the Committee of Conference:

Messrs. SIMPSON of Standish

KELLEHER of Bangor

HOFFSES of Camden

Respectfully,

E. LOUISE LINCOLN, Clerk

House of Representatives

Which was Read and Ordered Placed on File.

To the Honorable Senate and House of Representatives of the State of Maine, constituting the 106th Legislature of Maine meeting in regular session in 1973:

In compliance with the provisions of Section 6 of Article X of the Constitution of Maine, as amended, I, the undersigned Chief Justice of the Supreme Judicial Court of Maine, have the honor to submit the following draft and arrangement of the Constitution of the State of Maine, as amended, under appropriate titles and in proper articles, parts and sections, having omitted therefrom all sections, clauses and words not in force and having made no other changes in the provisions or language thereof.

Dated at Augusta, Maine, this 29th day of January, 1973.

Respectfully submitted:

ARMAND A. DUFRESNE, Jr.

Chief Justice

Supreme Judicial Court of Maine
Which was Read and Referred to the Committee on Judiciary.

Sent down for concurrence.

Senate Papers

Business Legislation

Mr. Richardson of Cumberland presented, Bill, "An Act to Amend the Savings Bank Law." (S. P. 215)

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

Sent down for concurrence.

County Government

Mr. Wyman of Washington presented, Bill, "An Act Increasing Salaries of County Commissioners of Washington County." (S. P. 216)

Which was referred to the Committee on County Government and Ordered Printed.

Sent down for concurrence.

Judiciary

Mr. Tanous of Penobscot presented, Bill, "An Act Changing Name of Administrative Hearing Office to Administrative Court." (S. P. 217)

Mr. Kelley of Aroostook presented, Bill, "An Act to Improve the Efficiency and Fairness of the Local Welfare System." (S. P. 218)

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

Sent down for concurrence.

State Government

Mr. Fortier of Oxford presented, Bill, "An Act to Authorize Application and Service Fees to be Charged by the Maine Municipal Securities Approval Board." (S. P. 219)

Which was referred to the Committee on State Government and Ordered printed.

Sent down for concurrence.

Taxation

Mr. Wyman of Washington presented, Bill, "An Act Relating to Definition of Cigarettes under Cigarette Tax Laws." (S. P. 220)

Mr. Fortier of Oxford presented, Bill, "An Act Relating to Improved Property Tax Administration." (S. P. 221)

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

Sent down for concurrence.

Order

On motion by Mr. Sewall of Penobscot,

ORDERED, that all Bills and Resolves carrying or requiring an appropriation or involving a loss of revenue that are in order to be passed to be enacted, or finally passed, shall, at the request of a member of the Committee on Appropriations and Financial Affairs, be placed on a special calendar to be called up for consideration only by a member of that committee.

Which was Read and Passed.

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 Relating to Hot and Cold Water in Public Rest Rooms." (H. P. 59) (L. D. 71)

Ought to Pass

The Committee on Taxation on, Bill, "An Act Relating to Interest

and Penalties with Respect to Motor Fuel Taxes." (H. P. 217) (L. D. 290)

Reported that the same Ought to Pass.

Comes from the House, the Bill Passed to be Engrossed.

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

Divided Report

The Majority of the Committee on Appropriations and Financial Affairs on, Resolve, Providing Funds for Development of a State Park at Gleason Point, Town of Perry. (H. P. 77) (L. D. 90)

Reported that the same Ought Not to Pass.

(Signed)

Senators:

SEWALL of Penobscot
CONLEY of Cumberland
MORRELL

of Cumberland

Representatives:

CARTER of Winslow
HASKELL of Houlton
NORRIS of Brewer
SPROUL of Augusta
BRAGDON of Perham
JALBERT of Lewiston

The Minority of the same Committee on the same subject matter reported that the same Ought to Pass.

(Signed)

Representative:

SMITH of Dover-Foxcroft

Comes from the House, the Majority Ought Not to Pass Report Read and Accepted.

Which reports were Read, and the Majority Ought Not to Pass Report of the Committee Accepted in concurrence.

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:

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) (L. D. 257)

Ought to Pass

Mr. Joly for the Committee on Legal Affairs on Bill, "Act to Amend the Charter of Bowdoin College." (S. P. 80) (L. D. 197)
Reported that the same Ought to Pass.

Mr. Conley for the Committee on Appropriations and Financial Affairs on, Bill, "An Act Appropriating Funds for Replacement of Volumes of the Revised Statutes." (S. P. 85) (L. D. 231)

Reported that the same Ought to Pass.

Mr. Morrell for the Committee on Appropriations and Financial Affairs on Resolve, Providing for Purchase of Copies of History of Millinocket. (S. P. 86) (L. D. 232)

Reported that the same Ought to Pass.

Mr. Sewall for the Committee on Appropriations and Financial Affairs on, Resolve, Appropriating Funds for the Perambulation of the Maine-New Hampshire Boundary Line. (S. P. 115) (L. D. 260)

Reported that the same Ought to Pass.

Mr. Morrell for the Committee on Appropriations and Financial Affairs on, Bill, "An Act Relating to Working Capital of the Bureau of Alcoholic Beverages." (S. P. 128) (L. D. 305)

Reported that the same Ought to Pass.

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

Ought to Pass - As Amended

Mr. Anderson for the Committee on Fisheries and Wildlife on, Bill, "An Act Relating to Regulations Governing Horsepower of Boats on Certain Inland Waters." (S. P. 11) (L. D. 68)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-4)

Mr. Fortier for the Committee on Taxation on, Resolve, Authorizing the State Tax Assessor to Convey by Sale the Interest of the State in Certain Lands in the Un-organized Territory. (S. P. 57) (L. D. 140)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-6).

Which reports were Read and Accepted and the Bill and Resolve Read Once. Committee Amendments "A" were Read and Adopted and the Bill and Resolve, as Amended, Tomorrow Assigned for Second Reading.

Divided Report

The Majority of the Committee on Taxation on, Bill, "An Act to Correct Error in Definition of Farmland Under Farm and Open Space Land Law." (S. P. 4) (L. D. 31)

Reported that the same Ought Not to Pass.

(Signed)

Senators:

COX of Penobscot
FORTIER of Oxford

Representatives:

DOW of West Gardiner
MORTON of Farmington
SUSI of Pittsfield
FINEMORE

of Bridgewater
IMMONEN of West Paris
MERRILL

of Bowdoinham
MAXWELL of Jay
COTTRELL of Portland

The Minority of the same Committee on the same subject matter reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-5).

(Signed)

Senator:

WYMAN of Washington

Representative:

DAM of Skowhegan

Which reports were Read, and the Majority Ought Not to Pass Report of the Committee Accepted.
Sent down for concurrence.

Second Readers

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

House

Bill, "An Act Exempting Prosthetic Devices from Sales Tax." (H. P. 30) (L. D. 37)

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

Bill, "An Act Relating to Hunting Pheasants." (H. P. 101) (L. D. 121)

Which was Read a Second Time and Passed to be Engrossed, in non-concurrence.

Sent down for concurrence.

House - As Amended

Bill, "An Act Relating to Amount of Property Held by Empire Grove Campmeeting Association." (H. P. 72) (L. D. 85)

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

Enactors

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

An Act to Change the Name of Gammon Pond, York County to Perry Pond. (H. P. 56) (L. D. 66)

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

Resolve, to Reimburse William Rich of Buckfield for Loss of Bee Hives by Bear. (H. P. 16) (L. D. 16)

(On motion by Mr. Sewall of Penobscot, placed on the Special Appropriations Table.)

Resolve, to Reimburse Merlin Foster of Littleton for Loss of Heifer Destroyed by Dogs. (H. P. 40) (L. D. 47)

Resolve, Reimbursing Mars Hill Utility District for Bonds Issued for Sewer Construction. (H. P. 65) (L. D. 80)

(On motion by Mr. Sewall of Penobscot, placed on the Special Appropriations Table.)

Which, except for the tabled matters, were Finally Passed and, having been signed by the Pres-

ident, were by the Secretary presented to the Governor for his approval.

Emergency

An Act to Validate Certain Proceedings Authorizing the Issuance of Bonds and Notes by School Administrative District No. 6. (H. P. 43) (L. D. 50)

This being an emergency measure and having received the affirmative votes of 32 members of the Senate, was Passed to be Enacted and, having been signed by the President, was by the Secretary presented to the Governor for his approval.

Emergency

An Act Increasing the Borrowing Capacity of Bucksport School District. (H. P. 71) (L. D. 84)

This being an emergency measure and having received the affirmative votes of 32 members of the Senate, was Passed to be Enacted and, having been signed by the President, was by the Secretary presented to the Governor for his approval.

Emergency

An Act Increasing Compensation of Assistant Secretary of the Senate and the Assistant Clerk of the House of Representatives. (H. P. 76) (L. D. 89)

On motion by Mr. Berry of Cumberland, tabled pending Enactment.

(Off Record Remarks)

On motion by Mr. Sewall of Penobscot,

Adjourned until ten o'clock tomorrow morning.