

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

*One Hundred and Fourth
Legislature*

OF THE

STATE OF MAINE

1969

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Thursday, January 2, 1969

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Kenneth Brookes of Augusta.

The journal of yesterday was read and approved.

Messages and Documents

State of Maine
DEPARTMENT OF INDIAN
AFFAIRS

Augusta, Maine

December 26, 1968

The Honorable Bertha Johnson
Clerk, House of Representatives
104th Legislature
State House

Augusta, Maine

Dear Mrs. Johnson:

Enclosed for your records are copies of the Certificates of Election which have been issued to the Penobscot and Passamaquoddy Indian Representatives who were chosen at their respective Tribal Elections, to serve at the 104th Legislature:

John Nelson, Penobscot Tribe

Albert Dana, Passamaquoddy

Tribe

These certificates were prepared and issued in accordance with the provisions of the Laws of Maine (22 M.R.S. § 4792, § 4831).

Sincerely,

(Signed) EDWARD C. HINCKLEY

Edward C. Hinckley
Commissioner

The Communication was read and with accompanying papers ordered placed on file and sent up for concurrence.

House Report of Committee on Elections

Mr. Dennett of Kittery from the House Committee on Elections to which was referred the returns of votes cast for Representatives to the Legislature in the several cities, towns and plantations in the State of Maine at the General Election held on November 5, 1968 reported a Resolution and that it be adopted.

RESOLVED: That the several

persons named in the list dated January 1, 1969 of Representatives-elect to the 104th Legislature certified by Joseph T. Edgar, Secretary of State, are hereby declared legally elected Representatives to the 104th Legislature.

Report was read and accepted and the Resolution read and adopted.

At this point, a message came from the Senate borne by Secretary Speers of that body, 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 Charles F. Trumbull, L. Robert Porteous, Jr., Edmund C. Darey, Kenneth Robinson, Richard Willey, Walter W. Cameron, and Sam A. R. Albair the oaths required by the Constitution to qualify them to enter upon the discharge of their official duties as Executive Councilors.

Thereupon, the House voted to concur in the proposal for a Joint Convention and Mr. Richardson of Cumberland was charged with and conveyed a message to the Senate to that effect.

Mr. Richardson subsequently reported that he had delivered the message with which he was charged.

The Speaker announced the appointment of the following House Standing Committees and Joint Standing Committees:

House Standing Committees**Ways and Means**

Bragdon of Perham

Harriman of Hollis

Brown of York

White of Guilford

Richardson of Cumberland

Jalbert of Lewiston

D'Alfonso of Portland

Leave of Absence

Ross of Bath

Susi of Pittsfield

Baker of Orrington

Hardy of Hope

Shaw of Chelsea

Curran of Bangor

Dudley of Enfield

Bills in the Third Reading

Dennett of Kittery

Lincoln of Bethel
Trask of Milo
Quimby of Cambridge
Watson of Bath
Keyte of Dexter
Carrier of Westbrook

Engrossed Bills

Allen of Caribou
Hall of Windham
Dyar of Strong
Cushing of Bucksport
Eustis of Dixfield
Cox of Bangor
Faucher of Solon

Rules and Business of the House

The Speaker Ex Officio
Baker of Orrington
Benson
of Southwest Harbor
D'Alfonso of Portland

Joint Standing Committees

Agriculture

Senate: Barnes of Aroostook,
District 25
Dunn of Oxford, District 4
Levine of Kennebec,
District 16

House: Evans of Freedom
Mosher of Gorham
Hall of Windham
Buckley of Leeds
Hunter of Durham
Gilbert of Turner
Mitchell of Frankfort

Appropriations and

Financial Affairs

Senate: Sewall of Penobscot,
District 28
Dunn of Oxford, District 4
Duquette of York,
District 2

House: Bragdon of Perham
Birt of East Millinocket
Benson
of Southwest Harbor
Sahagian of Belgrade
Lund of Augusta
Jalbert of Lewiston
Martin of Eagle Lake

Business Legislation

Senate: Logan of York, District 1
Berry of Cumberland,
District 8
Levine of Kennebec,
District 16

House: Scott of Wilton
Harriman of Hollis
Scott of Presque Isle
Trask of Milo
Clark of Jefferson
Gauthier of Sanford
Pecteau of Biddeford

Claims

Senate: Logan of York, District 1
Quinn of Penobscot,
District 29
Martin of Piscataquis,
District 23

House: Lincoln of Bethel
Quimby of Cambridge
Curtis of Bowdoinham
Croteau of Brunswick
Morgan of South Portland
Sheltra of Biddeford
Marquis of Lewiston

Education

Senate: Katz of Kennebec,
District 17
Stuart of Cumberland,
District 11
Kellam of Cumberland,
District 9

House: Richardson of Stonington
Allen of Caribou
Cummings of Newport
Chick of Monmouth
Millet of Dixmont
Kilroy of Portland
D'Alfonso of Portland

Election Laws

Senate: Anderson of Hancock,
District 31
Katz of Kennebec,
District 17
Letourneau of York,
District 3

House: Henley of Norway
Porter of Lincoln
MacPhail of Owls Head
Boudreau of Portland
Giroux of Waterville
Vincent of Portland
Carter of Winslow

Health and Institutional Services

Senate: Stuart of Cumberland,
District 11
Greeley of Waldo,
District 19
Minkowsky
of Androscoggin,
District 14

House: Soulas of Bangor
White of Guilford
Noyes of Limestone
Payson of Falmouth
Binnette of Old Town
Fraser of Mexico
Carrier of Westbrook

Highways

Senate: Greeley of Waldo,
District 19
Peabody of Aroostook,
District 26

Cianchette of Somerset,
District 22
House: Wood of Brooks
McNally of Ellsworth
Lee of Albion
Hall of Windham
Dudley of Enfield
Nadeau of Biddeford
Burnham of Naples

**Industrial and Recreational
Development**

Senate: Moore of Cumberland,
District 6
Hoffses of Knox,
District 20
Minkowsky
of Androscoggin,
District 14

House: Farnham of Hampden
Johnston of Fort Fairfield
Corson of Madison
Page of Fryeburg
Mills of Eastport
McKinnon
of South Portland
Dam of Skowhegan

Inland Fisheries and Game

Senate: Hoffses of Knox,
District 20
Anderson of Hancock,
District 31
Martin of Piscataquis,
District 23
House: Lewin of Augusta
Thompson of Belfast
Porter of Lincoln
Kelley of Southport
Gaudreau of Lewiston
Bourgoin of Fort Kent
Rocheleau of Auburn

Judiciary

Senate: Mills of Franklin,
District 21
Quinn of Penobscot,
District 29
Violette of Aroostook,
District 24
House: Berman of Houlton
Foster of Mechanic Falls
Hewes of Cape Elizabeth
Moreshead of Augusta
Heselton of Gardiner
Danton
of Old Orchard Beach
Brennan of Portland

Labor

Senate: Tanous of Penobscot,
District 27
Peabody of Aroostook,
District 26
Beliveau of Oxford,
District 5
House: Huber of Rockland

Durgin of Raymond
Good of Westfield
Haskell of Houlton
Bedard of Saco
Casey of Baileyville
McTeague of Brunswick

Legal Affairs

Senate: Tanous of Penobscot,
District 27
Conley of Cumberland,
District 10
Kellam of Cumberland,
District 9

House: Baker of Orrington
Cushing of Bucksport
Shaw of Chelsea
Norris of Brewer
Wheeler of Portland
Cote of Lewiston
Cox of Bangor

Liquor Control

Senate: Berry of Cumberland,
District 8
Conley of Cumberland,
District 10
Boisvert of Androscoggin,
District 13

House: Hichens of Eliot
Stillings of Berwick
Chandler of Orono
Tanguay of Lewiston
Couture of Lewiston
Leibowitz of Portland
Faucher of Solon

Natural Resources

Senate: Berry of Cumberland,
District 8
Sewall of Penobscot,
District 28
Reed of Sagadahoc,
District 18

House: Snow of Caribou
Hardy of Hope
Brown of York
Jameson of Bangor
Eustis of Dixfield
Curran of Bangor
Coffey of Topsham

Public Utilities

Senate: Moore of Cumberland,
District 6
Violette of Aroostook,
District 24
Boisvert of Androscoggin,
District 13

House: Williams of Hodgdon
Clark of Wells
Rand of Yarmouth
Mosher of Gorham
Lawry of Fairfield
Emery of Auburn
Bernier of Westbrook

Retirements and Pensions

Senate: Hanson of Kennebec,
District 15
Duquette of York,
District 2
Cianchette of Somerset,
District 22
House: Meisner of Dover-Foxcroft
Lincoln of Bethel
Pratt of Parsonsfield
Barnes of Alton
Temple of Portland
Marquis of Lewiston
Sheltra of Biddeford

Sea and Shore Fisheries

Senate: Hanson of Kennebec,
District 15
Anderson of Hancock,
District 31
Bernard of Androscoggin,
District 12
House: Bunker of Gouldsboro
Lewis of Bristol
Kelley of Machias
Tyndale of Kennebunkport
Jutras of Sanford
Santoro of Portland
LePage of Scarborough

State Government

Senate: Wyman of Washington,
District 32
Letourneau of York,
District 3
Beliveau of Oxford,
District 5
House: Dennett of Kittery
Rideout of Manchester
Donaghy of Lubec
Marstaller of Freeport
Starbird
of Kingman Township
Watson of Bath
Waxman of Portland

Taxation

Senate: Wyman of Washington,
District 32
Hanson of Kennebec
District 15
Martin of Piscataquis,
District 23
House: Susi of Pittsfield
Ross of Bath
Harriman of Hollis
White of Guilford
Drigotas of Auburn
Cottrell of Portland
Fortier of Rumford

Towns and Counties

Senate: Peabody of Aroostook,
District 26
Mills of Franklin,
District 21

Martin of Piscataquis,
District 23
House: Wight of Presque Isle
Dyar of Strong
Hawkens of Farmington
Hanson of Vassalboro
Crommett of Millinocket
Laberge of Auburn
Fortier of Waterville

Transportation

Senate: Barnes of Aroostook,
District 25
Reed of Sagadahoc,
District 18
Gordon of Cumberland,
District 7
House: Crosby of Kennebunk
Payson of Union
Immonen of West Paris
Finemore of Bridgewater
Lebel of Van Buren
Keyte of Dexter
Carey of Waterville

Veterans and Military Affairs

Senate: Quinn of Penobscot,
District 29
Greeley of Waldo,
District 19
Bernard of Androscoggin,
District 12
House: Shaw of Chelsea
Lewin of Augusta
Henley of Norway
Carter of Winslow
Kelleher of Bangor
Vincent of Portland
Ouellette of South Portland

The SPEAKER: The Chair would advise that the several members appointed to these joint committees if they would like to organize at the conclusion of the session today. Some of these committees are already entrusted with bills to hear and report upon. So I urge you all to join with your Senate Chairmen in the organization of your committees this afternoon prior to returning home.

The SPEAKER: Is there objection to considering a paper from the Senate at this time? The Chair hears none; the Clerk will read the paper.

From the Senate: The following Order:

ORDERED, the House concurring, that when the House and Senate adjourn, they adjourn to

Tuesday, January 7, at 10 o'clock in the morning. (S. P. 10)

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

The SPEAKER: Is there objection to considering Supplement No. 1 to the House Advance Journal? The Chair hears none; the Clerk will proceed.

Papers from the Senate

The following Orders:

ORDERED, the House concurring, that three hundred twenty-five (325) copies of the Legislative Record for the session of 1969 be printed and bound, one copy for each of the members of the Senate, House of Representatives, the Secretary of the Senate and Clerk of the House, and the remainder to be deposited in the State Library for exchange and library use; and be it further

ORDERED, that suitable index be prepared for such legislative Record, under the direction of the Secretary of the Senate and Clerk of the House. (S. P. 11)

ORDERED, the House concurring, that all printing and binding authorized by the Legislature shall be under the direction of the Secretary of the Senate and Clerk of the House. (S. P. 12)

ORDERED, the House concurring, that the Secretary of the Senate and the Clerk of the House jointly prepare the Senate and House Register, and that 10,000 copies be printed for the use of the Legislature. (S. P. 13)

ORDERED, the House concurring, that any Town or City Clerk or Board of County Commissioners may upon written request to the Document Clerk receive without charge, copies of all printed bills, so that there may be available to the public during the legislative session a complete and convenient file of all printed bills. (S. P. 14)

ORDERED, the House concurring, that the Legislative Finance Officer be authorized and directed to prepare weekly, from expense

accounts to be submitted to him by the members of the Senate and House, expense rosters showing the entitlement of each member for meals allowance and lodging reimbursement and to obtain approval thereof by the President of the Senate and the Speaker of the House respectively, and deliver the same to the State Controller for processing and payment, in the manner and form recommended by the Joint Interim Committee of the 101st Legislature created to study and report on a method of implementing the administration of the provision of law relating to the mileage and expenses for members of the Legislature; and be it further

ORDERED, that the Legislative Finance Officer be authorized and directed to provide the forms necessary for such purpose and provide suitable space in his office for the filing and safekeeping of all such expense accounts and other papers and records pertaining thereto (S. P. 15)

ORDERED, the House concurring, that there be paid to the members of the Senate and House as advances on account of compensation established by statute, the amount of two hundred dollars (\$200) fortnightly, according to lists certified to the State Controller by the Secretary of the Senate and Clerk of the House, respectively; and that the final payrolls bear the approval of the Joint Standing Committee on Appropriations and Financial Affairs. (S. P. 16)

ORDERED, the House concurring, that there be paid to the officers of the Senate and House of Representatives as advance on account of compensation, amounts included in fortnightly lists, certified to the State Controller by the Secretary of the Senate and the Clerk of the House, respectively, and that the final payrolls of such officers at the end of the session bear the approval of the Joint Standing Committee on Appropriations and Financial Affairs. (S. P. 17)

ORDERED, the House concurring, the payroll of the officers of the House and Senate of the One Hundred and Third and the One Hundred and Fourth Legislatures who participated in the organization of the One Hundred and Fourth Legislature be paid when approved by the President of the Senate and the Speaker of House respectively. (S. P. 18)

Came from the Senate read and passed.

In the House, the Orders were read and passed in concurrence.

At this point, the Senate entered the Hall of the House of Representatives and a Joint Convention was formed.

In Convention

The President of the Senate, the Honorable Kenneth P. MacLeod, in the Chair.

The Convention was called to order by the Chairman.

On motion of Senator Hoffses of Knox, it was

ORDERED, that a message be sent to the Councilors-elect, informing them that the two branches of the Legislature are in Convention assembled, ready to administer to them the oaths required by the Constitution to qualify them to enter upon the discharge of their official duties.

The Chairman appointed Senator Hoffses of Knox to convey the message.

Subsequently, that Senator reported that he had performed the duty assigned him and that the Councilors-elect would attend forthwith.

Thereupon, the Honorable Charles F. Trumbull, L. Robert Porteous, Jr., Edmund C. Darey, Kenneth Robinson, Richard Willey, Walter W. Cameron, and Sam A. R. Albair accompanied by the outgoing Councilors entered the Hall and in the presence of both branches of the Legislature in Convention assembled, before the President of the Senate, took and subscribed the oaths required by the Constitution to qualify them to enter upon the discharge of their official duties.

The Councilors and suite then withdrew amid the applause of the Convention.

The purpose for which the Convention was called having been accomplished, the Chairman declared the same dissolved.

The Senate then retired to its Chamber, amid applause of the House, the members rising.

In the House

The House was called to order by Speaker Kennedy.

Mr. Ross of Bath was granted unanimous consent to briefly address the House.

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: Yesterday the Speaker appointed two Monitors, the gentleman from Durham, Mr. Hunter, and me. We were admonished by the Speaker to check the rules and find out what our duties were. This, we have dutifully done.

It used to be that Monitors made the actual count of people on division votes and reported to the House. Now, in the true, true spirit of progress we are automated here in the House, and these flashing machines on either side of the House make and record the count via pushbutton. We only have a standing vote if they fail to work, and that only happened twice during the last session albeit a marathon one. But we do have other serious duties. These are spelled out on page 79, section 5 of the Rules, and our duties are to see that members do not transgress any rule, and that includes the rule on attendance; you might read that rule sometime. And it is also our responsibility to help the legislative members in procedure.

Now albeit Mr. Hunter and I are of different political parties, and a bit different in size, we do have one thing in common—we have good loud voices, and we trust that we will not have to raise these voices in the pursuit of our new and arduous tasks. Thank you very much.

Mr. Hichens of Eliot was granted unanimous consent to

briefly address the House.

Mr. HICHENS: Mr. Speaker, Ladies and Gentlemen of this 104th Legislature: I believe that many of you are aware of the fact that Representative John Meisner of Dover-Foxcroft suffered a heart attack a few weeks ago. He, to my knowledge, is still hospitalized in the Dover-Foxcroft Hospital, and upon his return home will have to stay at home for about three weeks at least. At last report from Mrs. Meisner, he is coming along fine.

As most of you know, he is the eldest member of this House. I know that he would enjoy receiving good wishes from the members of the House that know him and some of the newly elected members also.

The SPEAKER: The House is proceeding under Orders of the Day.

Mr. Crommett of Millinocket was granted unanimous consent to address the House.

Mr. CROMMETT: I don't have any desire to address the House, Mr. Speaker. What I would really like to do is to read a public notice if I may.

The SPEAKER: The gentleman may proceed.

Mr. CROMMETT: State of Maine. Public Notice.

In accordance with Title 12, Section 1960, Chapter 303, of the Re-

vised Statutes of Maine, the Commissioner of Inland Fisheries and Game is authorized and directed to promulgate the following rules and regulations for Penobscot County, effective January 1, 1969.

rules and regulations
Penobscot County

Millimagassett Lake, T7R8, W. E. L. S. Ice fishing restricted to 2 lines per person with a daily and possession limit of 2 fish in the aggregate of either salmon, trout and togue species during February and March.

Making it unlawful for any person to fish in any manner or at any time or to have in possession at any time any kind of fish taken from the above named waters, except as may be provided in these rules and regulations or by law.

Whoever violates any provision of these rules and regulations shall be subject to a penalty of not more than \$300.00 and costs or imprisonment for not more than ninety days, or both said fine and imprisonment.

Dated at Augusta, Maine, this 2nd day of December, A. D., 1968.
(Signed) RONALD T. SPEERS

Ronald T. Speers, Commissioner
Inland Fisheries and Game
Thank you.

On motion of Mr. Binnette of Old Town,

Adjourned until Tuesday, January 7, at ten o'clock in the morning.