

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fourth
Legislature*

OF THE

STATE OF MAINE

1969

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Thursday, January 23, 1969

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

Prayer by the Rev. Mr. Derek Bugler of Augusta.

The journal of yesterday was read and approved.

Papers from the Senate

Bills from the Senate requiring reference were disposed of in concurrence.

Non-Concurrent Matter

Bill "An Act relating to Defenses of Family Relationships in Civil Actions" (H. P. 168) (L. D. 207) which was referred to the Committee on Labor in the House on January 16.

Came from the Senate referred to the Committee on Judiciary in non-concurrence.

In the House: The House voted to recede and concur with the Senate.

Non-Concurrent Matter

Bill "An Act relating to the Registration of Interstate Motor Carriers" (H. P. 184) (L. D. 223) which was referred to the Committee on Transportation in the House on January 16.

Came from the Senate referred to the Committee on Public Utilities in non-concurrence.

In the House: The House voted to recede and concur with the Senate.

From the Senate: The following Order:

ORDERED, the House concurring, that when the House and Senate adjourn, they adjourn to Tuesday, January 28, at 10 o'clock in the morning. (S. P. 96)

Came from the Senate read and passed.

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

Petitions, Bills and Resolves Requiring Reference

The following Bills and Resolves were received and, upon recommendation of the Committee on Reference of Bills, were

referred to the following Committees:

Agriculture

Bill "An Act relating to Payment to Commissioner of Agriculture of Dog License Fees" (H. P. 253)

(Presented by Mr. Dyar of Strong)

Bill "An Act Repealing Law Relating to Prohibiting Transportation of Certain Poultry" (H. P. 254)

(Presented by Mr. Hall of Windham)

(Ordered Printed)

Sent up for concurrence.

Appropriations and Financial Affairs

Bill "An Act Appropriating Funds to Update the Surveys of Penobscot Tribal Lands" (H. P. 255) (Presented by Mr. Carey of Waterville)

Bill "An Act Appropriating Moneys to Provide for Night Pay Differentials for State Employees" (H. P. 256) (Presented by Mr. Dennett of Kittery)

Bill "An Act Increasing the Salaries of the Boxing Commission" (H. P. 257) (Presented by Mr. Kelleher of Bangor)

Bill "An Act Increasing the Salaries of Justices and Judges of the Supreme, Superior and District Courts" (H. P. 258) (Presented by Mr. Lund of Augusta)

Bill "An Act Increasing Payments to Hancock County Law Library" (H. P. 259) (Presented by Mr. McNally of Ellsworth)

(Ordered Printed)

Sent up for concurrence.

Business Legislation

Bill "An Act relating to Installation of Sprinkler Systems in Hotels" (H. P. 260) (Presented by Mr. Lewin of Augusta)

(Ordered Printed)

Sent up for concurrence.

Claims

Resolve to Reimburse Charles L. Thompson of Kittery for Damage by Highway Construction (H. P. 261) (Presented by Mr. Dennett of Kittery)

Resolve in Favor of Alfred Sears of Pembroke (H. P. 262) (Presented by Mr. Donaghy of Lubec)

Resolve to Reimburse William E. Hodgdon of Embden for Well

Damage by Highway Maintenance (H. P. 263) (Presented by Mr. Faucher of Solon)

Resolve to Reimburse Tilton Davis of Solon for Damage by Highway Construction (H. P. 264) (Presented by same gentleman)

Resolve to Reimburse Arthur Holt of North New Portland for Loss of Sheep Killed by Dogs (H. P. 265) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

Education

Bill "An Act relating to Membership of Joint School Committee when Administrative Units Have No Approved Secondary School" (H. P. 266) (Presented by Mr. Chick of Monmouth)

Bill "An Act Appropriating Funds for a Two-Classroom Building at Somerville Plantation" (H. P. 267) (Presented by Mr. Clark of Jefferson)

Bill "An Act relating to List and Salaries of Employees of School Department of City of Auburn" (H. P. 268) (Presented by Mr. Emery of Auburn)

Bill "An Act relating to Use of School Buildings" (H. P. 269) (Presented by Mr. MacPhail of Owls Head)

Bill "An Act relating to Duties of School Committees Concerning Salaries of Persons Employed by Them Who are Absent" (H. P. 270) (Presented by Mr. Millett of Dixmont)

Bill "An Act Creating the Town of Franklin School District" (H. P. 271) (Presented by Mr. Richardson of Stonington)

Bill "An Act Creating the Town of Sullivan School District" (H. P. 272) (Presented by same gentleman)

Bill "An Act relating to Leaves of Absence of Teachers and Principals" (H. P. 273) (Presented by same gentleman)

Bill "An Act relating to Privately Owned Business, Trade and Technical Schools" (H. P. 274) (Presented by same gentleman)

Bill "An Act relating to Approval of Secondary Schools" (H. P. 275) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

Election Laws

Bill "An Act to Clarify Absentee Voting under the Charter of the Town of Kittery" (H. P. 276) (Presented by Mr. Dennett of Kittery)

Bill "An Act Prohibiting Political Solicitation by County Employees" (H. P. 277) (Presented by Mr. Henley of Norway)

Bill "An Act relating to Time of Filing Certificates of Political Caucus Nominations" (H. P. 278) (Presented by Mr. Hunter of Durham)

Bill "An Act relating to Voting Residence of Wife of Member of Armed Forces" (H. P. 279) (Presented by Mr. Wood of Brooks)

(Ordered Printed)

Sent up for concurrence.

Health and Institutional Services

Bill "An Act Providing for Clinical Treatment and Rehabilitation of Alcoholics" (H. P. 280) (Presented by Mr. Hichens of Eliot)

(Ordered Printed)

Sent up for concurrence.

Highways

Bill "An Act Increasing Fee for Motor Vehicle Duplicate Licenses" (H. P. 304) (Presented by Mr. Tyndale of Kennebunkport)

(Ordered Printed)

Sent up for concurrence.

Inland Fisheries and Game

Bill "An Act Reclassifying Taylor Brook in Auburn" (H. P. 281) (Presented by Mr. Emery of Auburn)

Bill "An Act relating to Closed Time on Gray Squirrels" (H. P. 282) (Presented by Mr. Lewin of Augusta)

Bill "An Act relating to Operating Watercraft so as to Molest Wildlife" (H. P. 283) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act relating to the Sale of Fireworks" (H. P. 284) (Presented by Mr. Corson of Madison)

Bill "An Act relating to Liability of Landowners to Operators of

Snow Traveling Vehicles" (H. P. 285) (Presented by Mr. Evans of Freedom)

Bill "An Act relating to Holding Property by Cumberland Farmers' Club" (H. P. 286) (Presented by Mr. Hall of Windham)

Bill "An Act to Annex Black and Megquier Islands in Thompson Lake to Town of Oxford" (H. P. 287) (Presented by Mr. Henley of Norway)

(Ordered Printed)
Sent up for concurrence.

Liquor Control

Bill "An Act relating to Hours of Sale of Liquor in Class A Restaurants, Hotels and Clubs" (H. P. 288) (Presented by Mr. Corson of Madison)

Bill "An Act relating to Sunday Sale of Liquor" (H. P. 289) (Presented by Mr. Dennett of Kittery)

Bill "An Act Appropriating Funds to Administrative Hearing Commissioner for Subpoenas to Parents of Minors" (H. P. 290) (Presented by Mr. Hichens of Eliot)

(Ordered Printed)
Sent up for concurrence.

Natural Resources

Bill "An Act relating to Certain Exemption to the Law Regulating the Alteration of Wetlands" (H. P. 291) (Presented by Mr. Clark of Wells)

(Ordered Printed)
Sent up for concurrence.

Public Utilities

Bill "An Act relating to a Civil Penalty for Utilities" (H. P. 292) (Presented by Mr. Clark of Wells)

Bill "An Act relating to a Civil Penalty for Gas Companies or Natural Gas Pipeline Companies" (H. P. 293) (Presented by same gentleman)

Bill "An Act relating to Election of Members of Board of Trustees of Ashland Water and Sewer District" (H. P. 294) (Presented by Mr. Good of Westfield)

(Ordered Printed)
Sent up for concurrence.

Sea and Shore Fisheries

Bill "An Act relating to Taking

of Alewives in Da m a r i s c o t t a River" (H. P. 295) (Presented by Mr. Clark of Jefferson)

(Ordered Printed)
Sent up for concurrence.

State Government

Bill "An Act to Clarify the State Museum Law" (H. P. 296) (Presented by Mr. Birt of East Millinocket)

Bill "An Act relating to Maintenance of Paupers by Certain Plantations" (H. P. 297) (Presented by Mr. Clark of Jefferson)

Bill "An Act relating to Issuance of Certificates Permitting the Carrying of Weapons" (H. P. 298) (Presented by Mr. Dennett of Kittery)

Bill "An Act relating to Approval of Appointment of Assistant County Attorney for Washington County" (H. P. 299) (Presented by Mr. Donaghy of Lubec)

Bill "An Act Increasing the Salary of the County Attorney for Washington County" (H. P. 300) (Presented by same gentleman)

Bill "An Act Placing All State Forestry Department Employees on the Merit Service Step System" (H. P. 301) (Presented by Mr. Mills of Eastport)

Bill "An Act Creating a Second Assistant County Attorney for the County of York" (H. P. 302) (Presented by Mr. Nadeau of Biddeford by request)

Bill "An Act Eliminating Boards of Visitors for State Institutions and Creating Committee on Corrections" (H. P. 303) (Presented by Mr. Soulas of Bangor)

(Ordered Printed)
Sent up for concurrence.

Orders

On motion of Mr. Ross of Bath, it was

ORDERED, that Mr. Curran of Bangor be excused from attendance for the duration of his illness.

On motion of Mr. Lee of Albion, it was

ORDERED, that Rev. John Wriglesworth of Albion be invited to officiate as Chaplain of the

House on Tuesday, January 28, 1969.

Mr. JUTRAS of Sanford was granted unanimous consent to address the House.

Mr. JUTRAS: Mr. Speaker, Ladies and Gentlemen of the House: Yesterday we were privileged to hear a prayer by the Reverend Harold Rowley of Augusta, and this prayer I am glad to be able to make a part of the record today because I think it was one of the finest delivered in this session.

In this prayer he said: "We may hide from responsibilities by refusing them. We may hide from fullness of life by rejecting opportunities of service. We may hide from being responsible men and women by ceasing to love and to be concerned. But we cannot hide from Thee.

There is no place in it or the heavens where we can hide from Thee. We cannot hide behind the skirts of our traditions. We cannot hide behind the adequacies or inadequacies of our education. We cannot hide behind the culture of our times. We cannot hide behind the facade of untruth, veneer with which we may surround ourselves. There is no spiritual hiding place from Thee.

Help us then, as individuals, as a legislative body, as responsible citizens of the State and as responsible citizens of the Nation, to realize anew and afresh that we are under God; that our particular responsibilities are to bring to all of the people all the gifts that God has given, gifts that have to do with our physical, our moral and our spiritual well-being, that may it be our major concern to fulfill these responsibilities insofar as they rest on legislative matters.

Forgive us for occasions when we've tried to dodge issues, to pass the buck, and to fail to accept responsibility."

This prelude to a simple, very brief remark that I would like to make today in reference to the Maine Sesquicentennial Commission budget proposal. Why is it that one body of this Legislature has been provided with a breakdown of the budget proposal, and the

other body has not had the same opportunity to examine this budget? I believe that we should, as Legislators, be furnished the same information as members of the other house. This is all I have to say.

Mr. Benson of Southwest Harbor presented the following Joint Order and moved its passage:

WHEREAS, under the provisions of Joint Rule 8, all bills and resolves shall be submitted to the Director of Legislative Research not later than 1 P.M. of the fourth Friday following the convening of the Session and such measures, in complete final form, shall be introduced in the appropriate house not later than 1 p.m. of the third Tuesday following;

BE IT ORDERED, the Senate concurring, that all bills and resolves which have been filed with the Director of Legislative Research within the time limit established by the joint rules shall be considered as received, provided such bills and resolves shall be properly titled and accompanied by sufficient information and data required for their preparation. The Director of Legislative Research shall communicate to the Senate and House, respectively, not later than 1 P.M. Tuesday, January 28, 1969, a list of all bills and resolves in the process of preparation in his office, and shall report to the Secretary of the Senate and Clerk of the House, respectively not later than 1 P.M. on the first legislative day of each week beginning February 4th a list of bills and resolves remaining in process of completion in his office, together with a second communication which shall show a list of completed bills ready to be taken by their respective legislative sponsors, and it is further

ORDERED, that this Order shall not apply to bills reported by any joint standing or joint select committee in the regular course of business, nor to such bills and resolves as are intended only to facilitate the business of the One Hundred and Fourth Legislature. (H. P. 305)

The Joint Order received passage and by unanimous consent was ordered sent forthwith to the Senate.

House Reports of Committees Ought to Pass Printed Bills

Mr. Lund from the Committee on Appropriations and Financial Affairs reported "Ought to pass" on Bill "An Act relating to Overtime Payments to Employees of Augusta State Hospital, Bangor State Hospital, Pineland Hospital and Training Center and Governor Baxter State School for the Deaf" (H. P. 203) (L. D. 227)

Mr. Chick from the Committee on Education reported same on Bill "An Act to Validate Certain Proceedings Authorizing the Issuance of Bonds and Notes by School Administrative District No. 54" (H. P. 58) (L. D. 60)

Mr. Nadeau from the Committee on Highways reported same on Resolve Designating a Certain Highway in York County as Harold L. Dow Highway (H. P. 33) (L. D. 34)

Mr. Drigotas from the Committee on Taxation reported same on Bill "An Act relating to Poll Taxes Paid to Prentiss Plantation" (H. P. 78) (L. D. 78)

Mr. Harriman from same Committee reported same on Bill "An Act relating to Confiscated Cigarettes" (H. P. 106) (L. D. 114)

Mr. Susi from same Committee reported same on Bill "An Act relating to Poll Tax Agents of the State Tax Assessor" (H. P. 104) (L. D. 112)

Mrs. White from same Committee reported same on Bill "An Act relating to Enforcement of Real Estate Taxes in Unorganized Territory" (H. P. 103) (L. D. 111)

Reports were read and accepted, the Bills read twice, Resolve read once, and assigned the next legislative day.

Ought to Pass with Committee Amendment

Mr. Ross from the Committee on Taxation on Bill "An Act relating to Taxation of Railroad

Located Right-of-Way" (H. P. 107) (L. D. 115) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

Committee Amendment "A" (H-5) was read by the Clerk and adopted, and the Bill assigned for third reading the next legislative day.

Passed to Be Engrossed

Bill "An Act relating to Membership and Expenses of Maine Recreation Authority" (H. P. 70) (L. D. 70)

Bill "An Act relating to United States Property and Fiscal Officer under Military Law" (H. P. 71) (L. D. 71)

Bill "An Act Prohibiting the Taking of Striped or Sea Bass in Tidal Waters Except by Hand Line or Rod and Reel" (H. P. 251) (L. D. 241)

Were reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed and sent to the Senate.

Amended Bill

Bill "An Act Appropriating Moneys to Carry Out Duties of the Attorney General" (H. P. 111) (L. D. 127)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

Orders of the Day

The SPEAKER: The House is proceeding under Orders of the Day. The Chair would respectfully remind the members to refrain from unanimous consent remarks until we reach the Orders of the Day. This is the proper place that they should be introduced into the record.

On motion of Mr. Bernier of Westbrook,

Adjourned until Tuesday, January 28, at ten o'clock in the morning.