

# 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**

Tuesday, February 4, 1969

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

Prayer by the Rev. Mr. Wilbur E. Hogg of Portland.

The members stood at attention during the playing of the National Anthem.

The journal of the previous session was read and approved.

**Papers from the Senate**

From the Senate: The following Communication: (S. P. 158)

**UNIVERSITY OF MAINE**

December 30, 1968

To the Honorable Members of the Senate and House of Representatives

104th Maine Legislature

State House

Augusta, Maine

Gentlemen:

It is my pleasure to transmit herewith **A Study of Property Tax Administration in the State of Maine** as prepared by Paul C. Dunham and the staff of the Bureau of Public Administration pursuant to a Joint Order of the 102nd Maine Legislature which read in part:

“... the Bureau of Public Administration, is directed to make a review of the administration of the property tax in this State, including administration at both state and local levels, and the relationship between the State Bureau of Taxation and local assessing officers; and to report to the Legislature the results of such review, together with recommendations for improvement in the administration of such taxes and for amendments and additions to existing statutes intended to facilitate such improvement in administration. . .”

The report as transmitted provides the requested review and recommendations for improved administration including appropriate statutory changes. In addition, implementing legislation will be filed with the Director of Legislative Research to enable the 104th Legislature to consider enactment of these recommendations.

The opportunity to be of service to the State of Maine through the

preparation of this report is appreciated. We stand ready to provide such additional information or assistance as may be helpful.

Respectfully submitted,

(Signed)

**DANA R. BAGGETT**

Bureau Director

Came from the Senate read and with accompanying Report ordered placed on file.

In the House, the Communication was read and with accompanying Report ordered placed on file in concurrence.

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

**Senate Reports of Committees Ought to Pass**

Report of the Committee on State Government reporting “Ought to pass” on Resolve Authorizing Attorney General to Convey Interest of the State in Certain Lands in Cumberland County (S. P. 25) (L. D. 53)

Report of the Committee on Transportation reporting same on Bill “An Act relating to Application for Registration of Motor Vehicle by Minor under 15 Years of Age” (S. P. 49 (L. D. 152)

Came from the Senate with the Reports read and accepted and the Bill and Resolve passed to be engrossed.

In the House, Reports were read and accepted in concurrence, the Bill read twice, Resolve read once, and tomorrow assigned.

**Messages and Documents**

STATE OF MAINE

OFFICE OF THE GOVERNOR

AUGUSTA

February 4, 1969

The Honorable Bertha W. Johnson Clerk of the House of Representatives

104th Legislature

State House

Augusta, Maine

Dear Mrs. Johnson:

Today, in accordance with my Constitutional duty, I am submitting a message on Human Resources.

It contains proposals which supplement those in my Budget

Message delivered to the 104th Legislature on January 9.

Respectfully,  
(Signed)

KENNETH M. CURTIS  
Governor

The Communication was read and with accompanying message ordered placed on file.

#### **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:

#### **Appropriations and Financial Affairs**

Bill "An Act relating to Contents of Part 2 of the State Budget Document" (H. P. 422) (Presented by Mr. D'Alfonso of Portland)

Resolve in Favor of Town of Haynesville for Development of a Recreational Area (H. P. 423) (Presented by Mr. Williams of Hodgdon)

(Ordered Printed)  
Sent up for concurrence.

#### **Business Legislation**

Bill "An Act Revising Laws Relating to Boilers and Unfired Steam Pressure Vessels" (H. P. 424) (Presented by Mr. Casey of Baileyville)

(Ordered Printed)  
Sent up for concurrence.

#### **Education**

Bill "An Act to Permit Reapportionment of School Directors in a School Administrative District by Request" (H. P. 425) (Presented by Mr. Allen of Caribou)

Bill "An Act relating to Conveyance of Secondary Pupils" (H. P. 426) (Presented by same gentleman)

Bill "An Act Permitting Bilingual Education" (H. P. 427) (Presented by Mr. Levesque of Madawaska)

Bill "An Act to Create a School Administrative District in the Town of Jay (H. P. 428) (Presented by Mr. Scott of Wilton)

(Ordered Printed)  
Sent up for concurrence.

#### **Health and Institutional Services**

Bill "An Act Permitting the Commitment of Girls from Stevens Training Center to Half-Way House" (H. P. 429) (Presented by Mrs. Coffey of Topsham)

Bill "An Act relating to Discharge of Patients at Pineland Hospital and Training Center" (H. P. 430) (Presented by Mr. Hichens of Eliot)

Bill "An Act relating to Compensation of Patients and Inmates at State Institutions" (H. P. 431) (Presented by Mr. Soulas of Bangor)

(Ordered Printed)  
Sent up for concurrence.

#### **Inland Fisheries and Game**

Bill "An Act relating to Hunting on Sunday" (H. P. 432) (Presented by Mrs. Brown of York)

(Ordered Printed)  
Sent up for concurrence.

#### **Judiciary**

Bill "An Act relating to Minor Children Committed to Private Custody" (H. P. 433) (Presented by Mrs. Giroux of Waterville)

Bill "An Act to Provide that Charging More Than the Maximum Legal Rate of Interest is a Felony" (H. P. 434) (Presented by Mr. JAlbert of Lewiston)

Bill "An Act relating to Maine State Prison Minimum Security Unit" (H. P. 435) (Presented by Mr. MacPhail of Owls Head)

Bill "An Act relating to Composition of Northern Cumberland Judicial District Court Division" (H. P. 436) (Presented by Mr. Page of Fryeburg)

(Ordered Printed)  
Sent up for concurrence.

#### **Labor**

Bill "An Act Revising the State Board of Arbitration and Conciliation Law" (H. P. 437) (Presented by Mr. Casey of Baileyville)

(Ordered Printed)  
Sent up for concurrence.

#### **Legal Affairs**

Bill "An Act to Create Hospital Administrative District No. 3 in Aroostook and Penobscot Counties"

(H. P. 438) (Presented by Mr. Williams of Hodgdon)  
 (Ordered Printed)  
 Sent up for concurrence.

**Public Utilities**

Bill "An Act to Amend the Charter of Great Northern Paper Company" (H. P. 439) (Presented by Mr. Birt of East Millinocket)

Bill "An Act relating to Safety Devices for Railroad Utilities" (H. P. 440) (Presented by Mr. Williams of Hodgdon)

(Ordered Printed)

Sent up for concurrence.

**Retirements and Pensions**

Bill "An Act relating to State Contributions to the Several Funds of the Maine State Retirement System" (H. P. 441) (Presented by Mr. Jalbert of Lewiston)

(Ordered Printed)

Sent up for concurrence.

**Sea and Shore Fisheries**

Bill "An Act Exempting Wholesale Dealers in Certain Instances from Possession of Illegal Length Lobsters" (H. P. 442) (Presented by Mr. Hewes of Cape Elizabeth)

(Ordered Printed)

Sent up for concurrence.

**State Government**

Bill "An Act relating to Trapping by Penobscot Indians" (H. P. 443) (Presented by Mr. Birt of East Millinocket)

Bill "An Act relating to Executive Reorganization" (H. P. 444) (Presented by Mr. D'Alfonso of Portland)

Bill "An Act relating to Damage to Private Water Supplies Resulting from Alteration of Highways" (H. P. 445) (Presented by Mr. Foster of Mechanic Falls)

Bill "An Act relating to Hunting, Fishing and Trapping by Indians" (H. P. 446) (Presented by Mr. Mills of Eastport)

Resolve Proposing an Amendment to the Constitution to Abolish the Council and Make Changes in the Matter of Gubernatorial Appointments and Their Confirmation (H. P. 447) (Presented by Mr. Levesque of Madawaska)

(Ordered Printed)

Sent up for concurrence.

**Taxation**

**Tabled and Assigned**

Bill "An Act Imposing an Individual and Corporate Income Tax" (H. P. 448) (Presented by Mr. Levesque of Madawaska)

Committee on Reference of Bills suggested that the Bill be referred to the Committee on Taxation and printing.

(On motion of Mr. Jalbert of Lewiston, tabled pending reference and specially assigned for Thursday, February 6.)

Bill "An Act relating to Trial and Ratio Evidence in Appeals for Abatement of Property Taxes" (H. P. 449) (Presented by Mr. Susi of Pittsfield)

(Ordered Printed)

Sent up for concurrence.

**Towns and Counties**

Bill "An Act relating to the Maintenance of a Public Building in Rumford" (H. P. 450) (Presented by Mr. Fortier of Rumford)

(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. Norris of Brewer, it was

ORDERED, that Rev. Richard Ryder of Bangor be invited to officiate as Chaplain of the House on Thursday, February 13, 1969.

**House Reports of Committees Ought Not to Pass**

Mr. Shaw from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act relating to Obedience to Police Officers in Controlling Traffic" (H. P. 67) (L. D. 67)

Report was read and accepted and sent up for concurrence.

**Ought to Pass Printed Bills**

Mrs. Baker from the Committee on Legal Affairs reported "Ought

to pass" on Bill "An Act Changing Name of Methodist Church to United Methodist Church" (H. P. 146) (L. D. 172)

Mrs. Wheeler from same Committee reported same on Bill "An Act Converting the Plantation of Grand Lake Stream into the Town of Grand Lake Stream" (H. P. 39) (L. D. 40)

Mrs. Brown from the Committee on Natural Resources reported same on Bill "An Act relating to Powers of Park and Recreation Commission" (H. P. 195) (L. D. 242)

Mr. Kelleher from the Committee on Veterans and Military Affairs reported same on Bill "An Act relating to Residency Requirements for Aid to Dependents of Veterans" (H. P. 157) (L. D. 183)

Mr. Shaw from same Committee reported same on Bill "An Act to Clarify the Law for the Establishment of Veterans Memorial Cemetery" (H. P. 156) (L. D. 182)

Reports were read and accepted, the Bills read twice and tomorrow assigned.

**Ought to Pass with  
Committee Amendment  
Tabled and Assigned**

Mr. Porter from the Committee on Election Laws on Bill "An Act Amending the Election Laws" (H. P. 29) (L. D. 30) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read.

(On motion of Mr. Henley of Norway, tabled pending acceptance of Committee Report and specially assigned for Thursday, February 6.)

Mr. McNally from the Committee on Highways on Bill "An Act relating to the Authority to Regulate Motor Vehicle Speeds" (H. P. 60) (L. D. 62) reported "Ought to pass" as amended by Committee Amendment "A" (H-9) submitted therewith.

Mr. Susi from the Committee on Taxation on Bill "An Act relating to Sales Tax on Sales of Boats to Nonresidents" (H. P. 126) (L. D. 142) reported "Ought to pass"

as amended by Committee Amendment "A" (H-10) submitted therewith.

Reports were read and accepted and the Bills read twice. Committee Amendment "A" to each was read by the Clerk and adopted, and tomorrow assigned for third reading of the Bills.

**Passed to Be Engrossed**

Bill "An Act Ratifying Lease Given by the State to Portland Pipe Line Corporation" (H. P. 41) (L. D. 42)

Bill "An Act to Amend the Charter of the Fryeburg Water Company by Granting Certain Additional Powers and Ratifying and Confirming Certain Acts of said Corporation" (H. P. 94) (L. D. 103)

Bill "An Act Providing for Legal Assistance by the State to Municipalities in Property Valuation Cases" (H. P. 101) (L. D. 109)

Bill "An Act relating to Penalties under the Use Fuel Tax Act" (H. P. 127) (L. D. 143)

Bill "An Act relating to the Exemption of School Bus Operations from Regulation by the Public Utilities Commission" (H. P. 172) (L. D. 211)

Bill "An Act Increasing Compensation of Trustees of Sanford Sewerage District" (H. P. 174) (L. D. 213)

Resolve to Reimburse the Town of Strong for Support of Evangeline C. Bean (H. P. 136) (L. D. 158)

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

**Amended Bill**

Bill "An Act relating to Settlement with Joint Tortfeasors" (S. P. 41) (L. D. 124)

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.

**Passed to Be Enacted  
Emergency Measure**

An Act Authorizing Application of 1966 Assessed Valuation for Reimbursement to Towns for Snow

Removal in Winter Season of 1968-1969 (S. P. 30) (L. D. 38)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 121 voted in favor of same and 2 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Emergency Measure**

An Act Providing for a Council-Manager Charter for the Town of Winslow (H. P. 5) (L. D. 5)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 124 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and by unanimous consent was ordered sent forthwith to the Senate.

**Emergency Measure**

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)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 115 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Emergency Measure**

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

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 122 voted in favor of same and none against,

and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Emergency Measure**

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)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 123 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Emergency Measure**

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)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 128 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Passed to Be Enacted**

An Act relating to Settlement Status of Persons Residing in Rest Homes and Nursing Homes (H. P. 36) (L. D. 37)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

**Enactor**

**Tabled and Assigned**

An Act relating to Tenure of Office of Assistant Director of Legislative Research and Method of Appointment of Assistant Finance Officer (H. P. 42) (L. D. 43)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

(On motion of Mr. Benson of Southwest Harbor, tabled pending passage to be enacted and specially assigned for tomorrow.)

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

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

An Act relating to Poll Taxes Paid to Prentiss Plantation (H. P. 78) (L. D. 78)

An Act relating to Enforcement of Real Estate Taxes in Unorganized Territory (H. P. 103) (L. D. 111)

An Act relating to Poll Tax Agents of the State Tax Assessor (H. P. 104) (L. D. 112)

An Act relating to Confiscated Cigarettes (H. P. 106) (L. D. 114)

An Act relating to Taxation of Railroad Located Right-of-Way (H. P. 107) (L. D. 115)

#### **Finally Passed**

Resolve Designating a Certain Highway in York County as Harold

L. Dow Highway (H. P. 33) (L. D. 34)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, Bills passed to be enacted, Resolve finally passed, all signed by the Speaker and sent to the Senate.

#### **Orders of the Day**

The Chair laid before the House the first tabled and today assigned matter:

Bill "An Act relating to Construction or Acquisition of School Buildings for Mentally Retarded Children" (S. P. 133) (L. D. 417) (In Senate, referred to Committee on Education)

Tabled—January 30, by Mr. Lund of Augusta.

Pending — Reference in concurrence.

Thereupon, the Bill was referred to the Committee on Education in concurrence.

On motion of Mr. Brennan of Portland,

Adjourned until ten o'clock tomorrow morning.