

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Sixth
Legislature*

OF THE

STATE OF MAINE

Volume II

April 23, 1973 to June 5, 1973

KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Tuesday, April 24, 1973

Senate called to order by the President.

Prayer by the Rev. George E. Whittier of Togus.

Reading of the Journal of yesterday.

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

Bill, "An Act Relating to Penalty for Burglary." (H. P. 206) (L. D. 279)

In the House April 10, 1973, Passed to be Engrossed as Amended by Committee Amendment "B" (H-171).

In the Senate April 18, 1973, Passed to be Engrossed as Amended by Committee Amendment "A" (H-170), in non-concurrence.

Comes from the House, that Body having Insisted and Asked for a Committee of Conference.

On motion by Mr. Tanous of Penobscot, the Senate voted to Insist and Join in a Committee of Conference.

The President appointed as Conferees on the part of the Senate the following Senators:

TANOUS of Penobscot

SPEERS of Kennebec

BRENNAN

of Cumberland

Non-concurrent Matter

Bill, "An Act Amending the Law Relating to the Provision of Housing and Meals of State Employees." (H. P. 1021) (L. D. 1344)

In the Senate March 29, 1973, Passed to be Engrossed, in concurrence.

Comes from the House, Passed to be Engrossed as Amended by House Amendment "A" (H-183), in non-concurrence.

Thereupon, the Senate voted to Recede and Concur.

Non-concurrent Matter

Bill, "An Act Relating to Management of Endowment Funds of Educational, Religious and Charitable Organizations." (S. P. 285) (L. D. 832)

In the Senate April 17, 1973, Passed to be Engrossed as

Amended by Committee Amendment "A" (S-75).

Comes from the House, Passed to be Engrossed as Amended by Committee Amendment "A" and House Amendment "A" (H-269), in non-concurrence.

On motion by Mr. Joly of Kennebec, the Senate voted to Recede and Concur.

Non-concurrent Matter

Resolve, to Reimburse Berkshire Mutual Insurance Company for Damage to Property of Leonard Smith by Highway Construction. (H. P. 353) (L. D. 468)

In the House April 17, 1973, the Majority Ought Not to Pass report Read and Accepted.

In the Senate April 18, 1973, the Minority report Read and Accepted and the Bill Passed to be Engrossed, in non-concurrence.

Comes from the House, that Body having Insisted and Asked for a Committee of Conference.

Thereupon, the Senate voted to Insist and Join in a Committee of Conference.

House Paper

The Bill today received from the House requiring Reference to Committee was acted upon in concurrence.

Communications

STATE OF MAINE

Senate Chamber

President's Office

Augusta, Maine 04330

April 23, 1973

Mr. Harry N. Starbranch

Secretary of the Senate

Augusta, Maine

Dear Mr. Starbranch:

The Committee on Reference of Bills has met and decided to extend the date by which all bills must be reported out of committee.

All bills and resolves must be reported from all committees by 5:00 p.m. on May 25, 1973.

Respectfully yours,

Signed:

KENNETH P. MacLEOD

Chairman

Committee on Reference of Bills

(S. P. 598)

Which was Read and Ordered Placed on File.

Sent down for concurrence.

STATE OF MAINE
House of Representatives
Office of the Clerk
Augusta, Maine 04330

April 23, 1973

Honorable Harry N. Starbranch
Secretary of the Senate
106th Legislature
Dear Mr. Secretary:

The House voted today to Adhere to its action whereby on April 18, 1973, it voted to indefinitely postpone

Resolution, Proposing an Amendment to the Constitution Changing the Tenure of Office of Sheriff to Four-year Term. (S. P. 294) (L. D. 841)

Respectfully,

Signed:

E. LOUISE LINCOLN
Clerk

House of Representatives
Which was Read and Ordered
Placed on File.

Orders

On motion by Mr. Anderson of Hancock

ORDERED, the House concurring, that the Joint Standing Committee on Fisheries and Wildlife report out a Bill segregating, apportioning and expending for the next 2 fiscal years — July 1, 1973 to June 30, 1974 and July 1, 1974 to June 30, 1975 — all funds received by the Department of Inland Fisheries and Game under the Revised Statutes, Title 12, section 3061. (S. P. 597)

Which was Read and Passed.
Sent down for concurrence.

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

Mr. BERRY: Mr. President, is the Senate in possession of Legislative Document 1710, An Act Relating to Disposal of Septic Tank or Cesspool Waste?

The PRESIDENT: The Chair would answer in the affirmative, the paper having been recalled from the Governor's office pursuant to Joint Order, Senate Paper 594.

Thereupon, on motion by Mr. Berry of Cumberland, and under suspension of the rules, the Senate voted to reconsider its prior action

whereby the Bill was Passed to be Enacted.

The PRESIDENT: The Chair recognizes the same Senator.

Mr. BERRY: Mr. President and Members of the Senate: The purpose of this is that there was an amendment put on, which was a proper amendment properly put on, but it did change the financial expense of the bill. Consequently, it does involve more money now than it did when the bill was passed and it should have been put on the Appropriations Table at the time prior to enactment.

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

Thereupon, on motion by Mr. Sewall of Penobscot, placed on the Special Appropriations Table.

Committee Reports House

The following Ought Not to Pass reports shall be placed in the legislative files without further action pursuant to Rule 17-A of the Joint Rules:

Resolve, Increasing Retirement Benefit for Mrs. Nathalie Kinnear of Bristol. (H. P. 849) (L. D. 1123)

Resolve, Providing a Pension for Raymond E. Thurston of Union. (H. P. 658) (L. D. 1060)

Bill, "An Act Including Teacher Aides under Retirement System." (H. P. 650) (L. D. 866)

Resolve, Relating to Retirement Benefit for Frederick E. Freise of Portland. (H. P. 1052) (L. D. 1370)

Bill, "An Act Relating to Withdrawal from Participation in the Cumberland County Recreation Center." (H. P. 699) (L. D. 1213)

Bill "An Act Relating to Restoration to State Service." (H. P. 894) (L. D. 1181)

Resolve, Providing Additional Service Credit under the State Retirement System for Kenneth Newcomb. (H. P. 872) (L. D. 1160)

Bill, "An Act Relating to the Parole of Dangerous Persons." (H. P. 868) (L. D. 1156)

Mr. Richardson of Cumberland was granted unanimous consent to address the Senate.

Mr. RICHARDSON: Mr. President and Members of the Senate: We have just received, without

taking any action under Rule 17-A, several resolves and actions involving the retirement system and I thought that, as Chairman of the Committee, I might explain to you the thinking of the Committee on Veterans and Retirement with respect to these special resolves.

I think that I can speak for all the members of the Committee when I say that, very frankly, we were appalled by the lack of a cohesive and meaningful way of determining the validity of these various extensions in the retirement system credits. We have had piecemeal legislation, it would appear, over a period of years, the result of which is that there is very little order, consistency, or logic in the method by which we treat retirees. It makes a difference if you are the widow of a person who drowned in salt water as opposed to one who drowned in fresh water, that sort of thing.

The Retirement Committee is hopeful that it is going to be permitted, or a similar committee will be permitted, to conduct a comprehensive review of our retirement system law in order to try to put some intelligent thread of continuity and consistency in our present system. This is the reason why all of these bills and resolves have been reported out Ought Not to Pass unanimously; we would hope that we are going to clear up the problem before a special session.

Leave to Withdraw

The Committee on Education on Bill, "An Act Providing Funds for a Garage at Central Maine Vocational-Technical Institute." (H. P. 1023) (L. D. 1345)

Reported that the same be granted Leave to Withdraw.

The Committee on Judiciary on Bill, "An Act Relating to Token Compensation for Work Performed by Residents of State Penal and Correctional Institutions." (H. P. 644) (L. D. 860)

Reported that the same be granted Leave to Withdraw.

The Committee on Legal Affairs on Bill, "An Act Relating to Membership of Municipal

Conservation Commissions." (H. P. 629) (L. D. 843)

Reported that the same be granted Leave to Withdraw.

Come from the House, the reports Read and Accepted.

Which reports were Read and Accepted in concurrence.

Ought to Pass

The Committee on Appropriations and Financial Affairs on Bill, "An Act Relating to Committees on Status of Women, Children and Youth, and the Aged." (H. P. 392) (L. D. 521)

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.

Ought to Pass — As Amended

The Committee on Health and Institutional Services on Bill, "An Act Providing for Voluntary Continuance of Residence at Juvenile Institutions and the Military and Naval Children's Home for Program Completion Beyond the Age of 18 Years." (H. P. 347) (L. D. 462)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-243).

The Committee on Transportation on Bill, "An Act to Increase Fees for Motor Vehicle Inspection." (H. P. 625) (L. D. 823)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-244).

The Committee on Public Utilities on Bill, "An Act to Amend the Charter of the Freeport Sewer District" (H. P. 783) (L. D. 1020)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-246).

The Committee on County Government on Bill, "An Act Relating to Vacation and Sick Leave Pay for County Employees." (H. P. 890) (L. D. 1177)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-234).

The Committee on Health and Institutional Services on Bill, "An

Act to Exempt House Parents at Boys Training Center from Law Dealing with Housing and Food Supplies Furnished by State Departments." (H. P. 1025) (L. D. 1347)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-262).

The Committee on Public Utilities on Bill, "An Act Increasing Indebtedness of Eagle Lake Water and Sewer District." (H. P. 1116) (L. D. 1452)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-247).

Come from the House, the Bills Passed to be Engrossed as Amended by Committee Amendments "A".

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

Ought to Pass in New Draft

The Committee on Human Resources on Bill, "An Act Repealing Notice of Department of Health and Welfare to Municipalities of Applicants and Recipients of Public Assistance." (H. P. 54) (L. D. 64)

Reported that the same Ought to Pass in New Draft under New Title: "An Act Changing the Form of Notice of the Department of Health and Welfare to Municipalities of Recipients of Public Assistance." (H. P. 1447) (L. D. 1867)

Comes from the House, the Bill, in New Draft, Passed to be Engrossed as Amended by House Amendment "A" (H-263).

Which report was Read and Accepted in concurrence and the Bill Read Once. House Amendment "A" was Read and Adopted in concurrence and the Bill, as Amended, Tomorrow Assigned for Second Reading.

Divided Report

The Majority of the Committee on Education on Bill, "An Act Relating to School District Reorganization." (H. P. 1076) (L. D. 1398)

Reported that the same Ought to Pass

Signed:

Senators:

KATZ of Kennebec

OLFENE

of Androscoggin

Representatives:

LEWIS of Auburn

LaCHARITE of Brunswick

LeBLANC of Van Buren

MURRAY of Bangor

FERRIS of Waterville

GAHAGAN of Caribou

TYNDALE

of Kennebunkport

The Minority of the same Committee on the same subject matter reported that the same Ought Not to Pass.

Signed:

Senator:

MINKOWSKY

of Androscoggin

Representatives:

BITHER of Houlton

LYNCH

of Livermore Falls

LAWRY of Fairfield

Comes from the House, Bill and accompanying papers Indefinitely Postponed.

Which reports were Read.

Thereupon, on motion by Mr. Minkowsky of Androscoggin, tabled and Tomorrow Assigned, pending Acceptance of Either Report.

Divided Report

The Majority of the Committee on Legal Affairs on Bill, "An Act Authorizing City of Portland to Levy Local Assessments for Snow Removal on Sidewalks." (H. P. 738) (L. D. 941)

Reported that the same Ought Not to Pass.

Signed:

Senators:

JOLY of Kennebec

ROBERTS of York

ALDRICH of Oxford

Representatives:

BRAWN of Oakland

FECTEAU of Biddeford

EMERY of Rockland

SHUTE

of Stockton Springs

SHAW of Chelsea

CAREY of Waterville

DUDLEY of Enfield

COTE of Lewiston
FAUCHER of Solon

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

Signed:

Representative:

CONNOLLY of Portland

Comes from the House, the Minority report Read and Accepted and the Bill Passed to be Engrossed.

Which reports were Read.

The PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Joly.

Mr. JOLY: Mr. President and Members of the Senate: This bill has to do with clearing the snow from large malls in the Portland shopping areas, and originally in committee we thought this could be easily handled at the local level, so the majority did report it out Ought Not to Pass. Since then we have had word from the Attorney General's office that this is not covered by home rule. Therefore, I would move that the Senate accept the Minority Report in concurrence.

The PRESIDENT: The Senator from Kennebec, Senator Joly, moves that the Senate accept the Minority Ought to Pass Report of the Committee in concurrence. Is this the pleasure of the Senate?

Thereupon, the Minority Ought to Pass Report of the Committee was Accepted in concurrence, the Bill Read Once and Tomorrow Assigned for Second Reading.

Divided Report

The Majority of the Committee on State Government on,

Resolution, Proposing an Amendment to the Constitution Providing for Early Inauguration of the Governor. (H. P. 1001) (L. D. 1326)

Reported that the same Ought Not to Pass.

Signed:

Senator:

SPEERS of Kennebec

Representatives:

SILVERMAN of Calais
FARNHAM of Hampden
CROMMETT

of Millinocket
CURTIS of Orono

STILLINGS of Berwick
COONEY of Sabattus
GOODWIN of Bath

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

Signed:

Senators:

WYMAN of Washington
CLIFFORD

of Androscoggin

Representative:

NAJARIAN of Portland

Comes from the House, the Minority report Read and Accepted and the Bill Passed to be Engrossed as Amended by House Amendment "A" (H-271).

Which reports were Read.

The PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Speers.

Mr. SPEERS: Mr. President and Members of the Senate: Even though I signed the Majority Ought Not to Pass Report on this particular bill, I do feel that it is an idea that should perhaps have some thorough discussion and should perhaps be around for a little while. I am not entirely convinced under the present form that the bill is now in that it would be the ideal situation, but at some future time we may wish to change the present form of the bill. Therefore, I would move that the Senate accept the Minority Ought to Pass Report.

The PRESIDENT: The Senator from Kennebec, Senator Speers, moves that the Senate accept the Minority Ought to Pass Report of the Committee. Is this the pleasure of the Senate?

Thereupon, the Minority Ought to Pass Report of the Committee was Accepted in concurrence and the Resolution Read Once. House Amendment "A" was Read and Adopted in concurrence and the Resolution, as Amended, Tomorrow Assigned for Second Reading.

Divided Report

The Majority of the Committee on Public Utilities on Bill, "An Act Relating to Utility Promotion and Advertising Expenses." (H. P. 754) (L. D. 973)

Reported that the same Ought to Pass in New Draft Under Same Title (H. P. 1450) (L. D. 1870)

Signed:

Senators:

CUMMINGS of Penobscot
ANDERSON of Hancock
CYR of Aroostook

Representatives:

MULKERN of Portland
SOULAS of Bangor
GENEST of Waterville
MURRAY of Bangor

The Minority of the same Committee on the same subject matter reported that the same Ought Not to Pass.

Signed:

Representatives:

LITTLEFIELD

of Hermon
MADDOX of Vinalhaven
CONLEY

of South Portland
CHICK of Sanford
TRASK of Milo
KELLEHER of Bangor

Comes from the House, the Majority report Read and Accepted and the Bill, in New Draft, Passed to be Engrossed.

Which reports were Read.

Thereupon, on motion by Mrs. Cummings of Penobscot, the Majority Ought to Pass in New Draft Report of the Committee was Accepted in concurrence, the Bill in New Draft Read Once and Tomorrow Assigned for Second Reading.

Senate

Leave to Withdraw

Mr. Speers for the Committee on State Government on Resolution, Proposing an Amendment to the Constitution Providing for Election of the Members of Executive Council. (S. P. 508) (L. D. 1620)

Reported that the same be granted Leave to Withdraw.

Which report was Read and Accepted.

Sent down for concurrence.

Ought to Pass

Mr. Speers for the Committee on State Government on Bill, "An Act Amending the Municipal Industrial and Recreational Obligations Act." (S. P. 236) (L. D. 687)

Reported that the same Ought to Pass.

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

Mr. Greeley for the Committee on Health and Institutional Services on Bill, "An Act to Provide Hospital Administrators under the Department of Mental Health and Corrections." (S. P. 3) (L. D. 30)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-89).

Which report was Read and Accepted and the Bill Read Once. Committee Amendment "A" was Read and Adopted and the Bill, as Amended, Tomorrow Assigned for Second Reading.

Second Readers

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

House

Bill, "An Act Amending Fee Schedule for Registered Nurses." (H. P. 710) (L. D. 916)

Bill, "An Act to Repeal the Law Providing for Town Workhouses and Houses of Correction." (H. P. 1121) (L. D. 1459)

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

House — As Amended

Bill "An Act Relating to Permanent Motor Vehicle Operators License Numbers." (H. P. 914) (L. D. 1214)

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

Bill, "An Act Relating to the Redemption Value of Trading Stamps." (H. P. 810) (L. D. 1056)

Which was Read a Second Time.

On motion by Mr. Cox of Penobscot, tabled and Specially Assigned for April 26, 1973, pending Passage to be Engrossed.

Senate

Bill, "An Act Changing Name of Administrative Hearing Office to Administrative Court." (S. P. 217) (L. D. 633)

Bill, "An Act to Permit Residents of Adjoining Counties to Serve as Assistant County Attorney in Oxford County." (S. P. 203) (L. D. 548)

Bill, "An Act Relating to Sudden Infant Death." (S. P. 514) (L. D. 1621)

Bill, "An Act Authorizing Use of the Name "Maine Association for Children with Learning Disabilities." (S. P. 319) (L. D. 986)

Bill, "An Act to Clarify Municipal Home Rule Procedures." (S. P. 491) (L. D. 1556)

Bill, "An Act Relating to Membership on the Maine School Building Authority." (S. P. 593) (L. D. 1874)

Bill, "An Act Relating to the Appointment of Clerks of the Judicial Courts." (S. P. 456) (L. D. 1428)

Which were Read a Second Time and Passed to be Engrossed.
Sent down for concurrence.

Senate — As Amended

Bill, "An Act Providing for Judicial Review from Decisions of the Banking Commissioner." (S. P. 226) (L. D. 661)

Bill, "An Act Relating to the Builder's and Supplier's Lien Law." (S. P. 94) (L. D. 240)

Bill, "An Act Establishing by Statute the Division of Eye Care for Services to the Blind and the Visually Handicapped." (S. P. 104) (L. D. 249)

Which were Read a Second Time and Passed to be Engrossed, as Amended.

Sent down for concurrence.

Enactors

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

An Act Relating to Membership in Maine Law Enforcement Planning and Assistance Agency. (S. P. 325) (L. D. 1029)

An Act Relating to a State Trails System. (S. P. 581) (L. D. 1788)

An Act Amending the Uniform Flag Law. (H. P. 500) (L. D. 653)

An Act to Provide for Nomination of the Commissioner of Educational and Cultural Services after Consultation with the State Board of Education (H. P. 654) (L. D. 868)

(On motion by Mr. Richardson of Cumberland, temporarily set aside.)

An Act Relating to Advertising Costs in Processing Wetland Applications. (H. P. 811) (L. D. 1074)

An Act Exempting Blind Property Owners from Real Property Tax. (H. P. 1047) (L. D. 1366)

(On motion by Mr. Richardson of Cumberland, temporarily set aside.)

An Act Relating to Board of Trustees of Bath Water District. (H. P. 1431) (L. D. 1789)

An Act Relating to Extending Open Season on Bear and Hunting Bear with Dogs. (H. P. 1432) (L. D. 1790)

An Act Relating to Municipal Tax Base Sharing. (H. P. 1433) (L. D. 1791)

An Act Increasing Reimbursement to Secondary School Students from Coastal Island for Board. (H. P. 1434) (L. D. 1792)

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

An Act Prohibiting Hunting, Trapping and Fishing on Passamaquoddy Indian Land by Non-Indians. (H. P. 1435) (L. D. 1793)

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

The President laid before the Senate the first matter temporarily set aside at the request of Mr. Richardson of Cumberland:

An Act to Provide for Nomination of the Commissioner of Educational and Cultural Services after Consultation with the State Board of Education. (H. P. 654) (L. D. 868)

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

MR. RICHARDSON: Mr. President, I would inquire of the proponents of this legislation the reason for what my quick reading of the bill would indicate constitutes a departure from the present procedure involving gubernatorial nominations to significant

public offices within our various departments and agencies of state government. I am concerned with the precedent, and I would appreciate having some member of this body who is a proponent of this legislation explain to the Senate perhaps again why this legislation is necessary.

The PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Speers.

Mr. SPEERS: Mr. President and Members of the Senate: This is a radical departure from the way in which the Commissioner of Education has been appointed in the past. However, I would say that the way the Commissioner of Educational and Cultural Services has been appointed in the past is in itself a radical departure from the traditional manner in which appointments to major offices within the state are made.

I am not sure whether it was two years ago or four years ago — I believe it was two years ago — but at any rate, at some point in the past, during the reorganization the Commissioner of Educational and Cultural Services was appointed by the Governor from a list of three nominees provided by the Board of Education.

This bill originally came into this legislature requesting that that list of nominees submitted by the Board of Education to the Governor, from which he was to make the appointment of the Commissioner of Education, requesting that that list of nominees be reduced from three members to one member, so that, in effect, you would have the Board of Education appointing the Commissioner of Educational and Cultural Services.

The Committee on State Government amended the bill to eliminate the necessity of the Governor choosing his Commissioner of Educational and Cultural Services from a list of any nominees submitted by the Board of Education, and provided that the Governor could make his appointment after consultation with the Board of Education. But we are putting the responsibility, the duty, and the power back in the hands of the Governor to appoint whomever he

wishes as his Commissioner of Educational and Cultural Services. We are removing the power from the Board of Education to submit lists of nominees from whom the Governor must choose one name.

I suppose it is probably a basic difference in philosophy between the proponents and the opponents of this bill, but I honestly feel that the Governor should have the power to choose his appointees, particularly and most certainly in the cabinet status offices with whom he has to administer the laws of this state.

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

Mr. RICHARDSON: Mr. President, if I may, I would inquire through the Chair of the Senator from Kennebec, Senator Speers, whether he can give us the filing number of the amendment or the L. D. number, if it had one, which effected this change from the L. D. as originally introduced, which was certainly a far different species of cat than that just described by the good Senator from Kennebec, Senator Speers.

The PRESIDENT: The Secretary will find the amendment and filing number, and the Chair will have the Secretary read the engrossed copy of the bill.

The SECRETARY: Committee Amendment "A", H-214. "The Department shall consist of a Commissioner of Educational and Cultural Services appointed by the Governor after consultation with the State Board of Education as established and with the advice and consent of the Council to serve a term coterminous with the Governor subject to removal for cause."

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

The President laid before the Senate the second matter temporarily set aside at the request of Mr. Richardson of Cumberland:

An Act Exempting Blind Property Owners from Real

Property Tax. (H. P. 1047) (L. D. 1366)

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

Mr. RICHARDSON: Mr. President and Members of the Senate: I asked that this matter be set aside. The Senator from Penobscot, Senator Sewall, has assured me that there is no cost to the state, that the cost is rather to the municipalities.

I have the same reservations now that I have had all session about this piecemeal revision of our tax law, and particularly the property tax. I think that it doesn't do any good to go around and try to sew up the more obvious wounds that the property tax represents to the people of this state. This is one other example. I am not going to vote against it, but I would simply ask that the leadership of both parties in this legislature cooperate to the end that we can do the major surgical job that needs to be done on the property tax rather than these piecemeal patches and a stitch here and a stitch there.

It seems to be my day to talk a lot, but I certainly hope that we are going to come out of this session with something more than these little dribs and drabs of property tax relief for particularly deserving individuals and leave the whole despicable carcass essentially untouched.

The PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ: Mr. President and Members of the Senate: I opposed a bill last session for the transportation of blind people in Portland and the vote, as I recall, was about 31 to 1 against me, and I certainly am not going to do it this time. But I call to the Senate's attention the problems with this bill, and the problems with many of the tax provisions in our law.

This bill says that there shall be an exemption of the first \$3,500 of the property of a blind person, provided his property does not exceed \$10,000 in value. This sounds very reasonable; we are talking about a low-income person

who is blind and certainly warrants the help of the State of Maine, but I suspect that if we look into the title that this amends we will find that we are talking about local valuation. Now, I want you to know that I sit on the Committee on Education and have town after town come in to me with problems with local financing and I find, to my horror, that they are only assessing at 25 percent, 30 percent, or 35 percent of market value, so the house that we are talking about here, which is only a \$10,000 house, by the time it gets done with all the wheeling and dealing that our lovely little people accomplish around the state it is liable to be a \$30,000 home.

The impact on local communities on these exemptions, whether they are for veterans over 65, for blind people, or others, when they are tied into local valuation it creates, to my mind, an extraordinarily difficult situation which reduces the entire confidence in the entire tax structure.

The PRESIDENT: Is the Senate ready for the question?

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

Orders of the Day

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

Bill, "An Act Providing a Moratorium on Oil and Heavy Industry Development Along the Maine Coast." (S. P. 589) (L. D. 1807)

Tabled — April 18, 1973 by Senator Schulten of Sagadahoc.

Pending — Passage to be Engrossed.

On motion by Mr. Berry of Cumberland, tabled pending Passage to be Engrossed.

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

Bill, "An Act Requiring the Ramping of Curbs at Crosswalks for Physically Handicapped and Elderly Persons." (S. P. 585) (L. D. 1797).

Tabled — April 18, 1973 by Senator Joly of Kennebec.

Pending — Passage to be Engrossed.

Mr. Clifford of Androscoggin then presented Senate Amendment "A" and moved its Adoption.

Senate Amendment "A", Filing No. S-91, was Read and Adopted and the Bill, as Amended, Passed to be Engrossed.

Sent down for concurrence.

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

House Report — from the Committee on Business Legislation — Bill, "An Act Relating to Deceptive Price Comparison Advertising under Uniform Deceptive Trade Practices Act." (H. P. 1057) (L. D. 1381) Ought to Pass as Amended by Committee Amendment "A" (H-198)

Tabled — April 19, 1973 by Senator Cox of Penobscot.

Pending — Acceptance of Report.

Thereupon, the Ought to Pass Report of the Committee was Accepted in concurrence and the Bill Read Once.

Committee Amendment "A" was Read and Adopted in concurrence and the Bill, as Amended, Tomorrow Assigned for Second Reading.

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

Bill, "An Act Relating to Railroad Crossings." (H. P. 815) (L. D. 1082)

Tabled — April 20, 1973 by Senator Clifford of Androscoggin.

Pending — Passage to be Engrossed.

On motion by Mr. Clifford of Androscoggin, retabled and Tomorrow Assigned, pending Passage to be Engrossed.

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

Bill, "An Act Prohibiting Bringing Animals Into Food Stores." (H. P. 986) (L. D. 1306)

Tabled — April 20, 1973 by Senator Olfene of Androscoggin.

Pending — Enactment.

On motion by Mr. Olfene of Androscoggin, and under suspen-

sion of the rules, the Senate voted to reconsider its action whereby this Bill was Passed to be Engrossed.

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

Senate Amendment "A", Filing No. S-90, was Read and Adopted and the Bill, as Amended, Passed to be Engrossed in non-concurrence.

Sent down for concurrence.

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

Bill, "An Act Reimbursing Teachers for Professional Credits." (H. P. 838) (L. D. 1112)

Tabled — April 23, 1973, by Senator Katz of Kennebec.

Pending — Enactment.

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

On motion by Mr. Berry of Cumberland,

Recessed pending the sound of the bell.

(After Recess)

Called to order by the President.

The PRESIDENT: The Chair is very pleased to welcome to the rostrum this morning a neighbor of mine who lives about two hundred yards from me, but I have never been able to shake his hand, Major Robert Biss, of Brewer, a recently returned POW. (Applause)

The group at the back of the room represent the four major veterans organizations in the state: Vito DeFilipp, State Commander of the American Legion; Carleton McLean, State Commander of the Veterans of Foreign Wars; James Plowman, State Commander of the Amvets; and Rudolf Van Ness, Commander of the World War I Veterans.

We also have with us this morning a group of returned Maine prisoners of war and their families: Jerry Burns, Dennis Burgess, John Malloy, Arnold Pendexter, who were Maine Vietnam Veterans wounded in the Vietnam

Conflict; Robert Courier and Larry Picard are returned Vietnam Veterans now attending school here in Maine. We are most pleased and proud to have you with us this morning.

I am particularly proud that, as a representative of all returning Veterans, it is also for those Maine young men who did not return from Vietnam, the over 300 who lost their lives in that country, and I am most pleased and proud this morning to present to the Senate a neighbor of mine, Major Robert Biss, a POW for approximately six years, who is now reunited with his family in Brewer. Major Biss.

MAJOR BISS: I have been asked to represent the Vietnam Veterans, the POW returnees, the MIAs, and KIAs by speaking before you today. I have accepted this assignment without knowing if I have the concurrence or the permission to speak for the Veterans, the other POW returnees, or families of the MIAs or KIAs. I can, however, speak for myself and would like to ask that any vet, returnee or family member who does not agree with what I say or who takes exception with me please contact the Legislature and Executive Council to express his or her opinions.

You have chosen to honor all the participants of the Vietnam conflict by proclaiming today Vietnam Veterans Day. The return of the POWs has received a great deal of attention lately. You have been reading and hearing much of the problems we had to cope with during our confinement, and the difficulties some of us have had to face upon return. I want to tell you that I feel America is so wonderful that my part was worth it, that is, helping maintain what we have and to keep the people who strive for world domination as far as possible from our door.

This war has cost the United States plenty, both in casualties and material wealth, to say nothing of the disunity and bitterness of the nation. Granted, I was, in the

eyes of the North Vietnamese, a criminal and treated as such; but from what I saw there, I think if more people were aware of the subtlety of the communist "World Domination" doctrine that it may have been easier for our President to end this war sooner.

I believe, and again this is my opinion, that the only thing that the Asian Communist can truly, deep down understand is strength, or if you wish, force. It starts with him wanting a banana that someone else has, he is very apt to grab it and run. It ends with him doing only what he is forced to do.

My objective today is not to tell you what I think of our adversaries but to help you honor and pay tribute to those who served. Many men and women served our country courageously when the call came, more being asked of some than others, but all willing to do what he was able to do. Some made the supreme sacrifice, many others were wounded of mind and body, a few were prisoners, but all who participated were deeply affected, as were our families. Each of us, you and I, has borne the burden of this war, but I want to give a special little thanks today to each man who fought in the jungles and swamps, the men who flew the missions, and to each man and woman who supported our President in his hard-to-come-by decisions, especially his recent decision on bombing and mining of the DRVN. Without you, I would yet be dreaming of freedom.

I am proud to have served you and will continue to do so to the best of my ability. (Applause)

The PRESIDENT: I would say there couldn't have been a better representative to represent the veterans of the Vietnam War on this day.

On motion by Mr. Sewall of Penobscot,

Adjourned until 9:30 tomorrow morning.