

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Seventh  
Legislature*

OF THE

STATE OF MAINE

1975

KENNEBEC JOURNAL  
AUGUSTA, MAINE

**HOUSE**

Thursday, January 2, 1975

The House was called to order by the Speaker.

Prayer by the Rev. Canon Charles E. Karsten, Jr. of Gardiner.

The journal of yesterday was read and approved.

**Papers from the Senate**

From the Senate: The following Joint Order: (S.P. 30)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of

**MARSHWOOD HIGH SCHOOL  
STATE CO-CLASS C  
FOOTBALL CHAMPIONS  
FOR THE ACADEMIC YEAR 1974**

We the Members of the Senate and House of Representatives do hereby Order that our congratulations and acknowledgment be extended; and further

**ORDER** and direct, while duly assembled in session at the Capitol in Augusta, under the Constitution and Laws of the State of Maine, that this official expression of pride be sent forthwith on behalf of the Legislature and the people of the State of Maine.

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

From the Senate: The following Communication: (S. P. 32)

State of Maine  
Executive Department  
State Planning Office  
184 State Street,  
Augusta, Maine

October 31, 1974

To the Governor, Legislature and People of Maine:

The attached Survey of Municipal Planning and Regulatory Activity contains a summary of the current status (October 1974) of municipal planning and land use controls in Maine, a comparison with the situation in 1972 and 1973, and a series of charts showing the level of activity in each municipality in Maine, grouped according to the eight Official Planning and Development Districts.

The increasing number of Maine Municipalities with Planning Boards, Membership in Regional Planning Commissions, and a Comprehensive Planning Process, all demonstrate a growing concern for the future at the local level. Zoning ordinances covering all or part of a municipality have been adopted by 29 percent of Maine's cities and towns, unfortunately only a moderate increase since 1973. Shoreland zoning ordinances, which had been adopted by only 8 percent of Maine's municipalities in January 1974, have now been adopted by 58 percent, a total of 253 cities and towns, as of October 16, 1974. Only 9 percent of municipalities have Housing Codes and there has been a slight decline in reported Capital Improvement Programs.

As shown in Table 2, there is a direct correlation between the size of a municipality and the adoption of zoning other than shoreland zoning. Of municipalities over 10,000 population, 94 percent have zoning ordinances but this declines to 11 percent for municipalities with under 500 population.

Municipal subdivision controls, either ordinances adopted by the legislative body or regulations adopted by the municipal

reviewing authority, have been adopted by 43 percent of Maine's cities and towns. Building Codes and Mobile Home Ordinances have also increased since 1973. Conservation Commissions, first reported in 1973, have increased to a total of 191, 43 percent of Maine's municipalities.

The Map on the Current Status of Land Use Controls, October 1974, and the individual tables show the extent of activity at the local level and the size of the task still ahead.

Sincerely,  
(S.) PHILIP M. SAVAGE  
State Planning Director

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

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

From the Senate: The following Communication: (S.P. 36)

State of Maine  
Director of Legislative Research  
Augusta, Maine

December 31, 1974

To the Honorable Harry N. Starbranch, Secretary of the Senate of the 107th Legislature

In accordance with the Revised Statutes, Title 3, Section 164, Subsection 10, I hereby submit the report of the Director of Legislative Research.

During the regular session of the 106th Legislature the office of the Director processed 2,076 Acts and resolves and 1,245 amendments.

In order to facilitate the work of the Legislature, this office sent letters to each administrative department and each member of the present Legislature urging the use of the available facilities of the office in the preparation of bills to be introduced. Approximately 410 Acts and resolves were drafted before the Legislature convened and it is hoped that such cooperation may be continued and extended in the 107th Legislature.

The Members of the Legislature are reminded that the Senate and House rules provide that a statement of intent must accompany each bill and amendment, and the members who present bills, resolves and petitions must sign them.

The last revision of the public laws of Maine was enacted by the 101st Legislature in 1964. It is suggested that any criticisms of that revision and of the current method for updating, whether constructive or otherwise, be forwarded to the Director for aid in planning future revisions.

In order to continue and promote uniformity of procedure, to avoid confusion and to permit an orderly transition from revision to revision, all bills, before presentation to the Legislature, should be checked by the office of the Director. The cooperation of the members of the 107th Legislature in this respect is earnestly requested.

Respectfully,  
(S.) DAVID S. SILSBY,  
Director

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

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

**Orders of the Day**

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

Bill "An Act Concerning Open

Containers of Alcoholic Beverage in Motor Vehicles" (H. P. 23) (L. D. 31)

Tabled — January 1 by Mr. McMahon of Kennebunk.

Pending — Reference.

On motion of Mr. McMahon of Kennebunk, referred to the Committee on Judiciary and sent up for concurrence.

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

Joint Order Relative to the Senate and House Registers. (S. P. 17)

Tabled — January 1 by Mr. Birt of East Millinocket.

Pending — Passage

On motion of Mr. Birt of East Millinocket, retabled pending passage and specially assigned for Wednesday, January 8.

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

Order relating to House Rule 10.

Tabled — January 1 by Mr. Palmer of Nobleboro.

Pending — Passage

On motion of Mr. Palmer of Nobleboro, retabled pending passage and specially assigned for Wednesday, January 8.

(Off Record Remarks)

On motion of Mr. Rolde of York, Recessed until 10:30 A.M.

**After Recess  
10:30 A.M.**

The House was called to order by the Speaker.

The following papers from the Senate appearing on Supplement No. 1 were taken up out of order by unanimous consent:

From the Senate: The following Joint Order: (S. P. 39)

**ORDERED**, the House concurring, that a Committee of three on the part of the Senate, with such as the House may join, be appointed to wait upon the Honorable James B. Longley and inform him that he has been duly elected Governor of the State of Maine for the political years 1975, 1976, 1977, and 1978.

Came from the Senate read and passed.

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

Whereupon, the Speaker appointed the following members on the part of the House:

GREENLAW of Stonington  
RAYMOND of Lewiston  
HUGHES of Auburn  
INGEGNERI of Bangor  
SUSI of Pittsfield  
STUBBS of Hallowell  
BYERS of Newcastle

From the Senate: The following Joint Order: (S. P. 40)

**ORDERED**, the House concurring, that a Joint Select Committee of three on the part of the Senate with such as the House may join, be appointed to consider the Governor's Message and report a reference of its several subjects to appropriate committees.

Came from the Senate read and passed.

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

Whereupon, the Speaker appointed the following members on the part of the House:

BERUBE of Lewiston  
BUSTIN of Augusta  
POST of Owls Head

TOZIER of Unity  
BIRT of East Millinocket  
CHURCHILL of Orland  
KELLEY of Machias

From the Senate: The following Joint Order: (S. P. 31)

ORDERED, the House concurring, that when the House and Senate adjourn, they adjourn to Tuesday, January 7, at 10 o'clock in the morning.

Came from the Senate read and passed.

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

From the Senate: The following Communication: (S. P. 38)

State of Maine  
Department of the Attorney General  
Augusta, Maine  
January 1, 1975

To the Honorable Senate and House of Representatives of the 107th Legislature:

Pursuant to Article V, Part Fourth, Section 2, of the Constitution of Maine, I am transmitting herewith two bonds of the Honorable RODNEY LATHAM SCRIBNER, Treasurer of State, each in the amount of \$250,000.00, one written by Seaboard Surety Company of Portland, Maine, bearing date of December 18, 1974, and the other written by Maine Bonding and Casualty Company of Portland, Maine, bearing date of December 18, 1974, each being payable to the State of Maine.

Respectfully,  
(S.) JOSEPH E. BRENNAN  
Attorney General

Come from the Senate read and with accompanying papers ordered placed on file with the State Auditor.

In the House, the Communication was read and with accompanying papers was placed on file with the State Auditor.

Report of the Joint Select Committee on Gubernatorial vote

#### State of Maine

The Joint Select Committee of the One Hundred and Seventh Legislature on returns of votes for Governor given in the several cities, towns and plantations of this State for the political years 1975, 1976, 1977 and 1978, has attended to its duty and asks leave to report that the whole number of votes returned for Governor was 363,945; and that James S. Erwin of Pittston had 84,176; William Brown Hughes of Portland had 1,314 votes; Stanley J. Leen, Jr. of Bangor had 2,883 votes; James B. Longley of Lewiston had 142,464 votes; George J. Mitchell of South Portland had 132,219 votes and Leith Hartman of South Berwick had 889 votes.

(S.) CECIL H. McNALLY  
Chairman on the part of the Senate  
(S.) ARMAND A. LeBLANC  
Chairman on the part of the House

Come from the Senate read and accepted.

In the House, the Report was read and accepted in concurrence.

At this point, pursuant to Chapter 35 of the Election Laws, Section 1399, the Speaker appointed the following members on the part of the House to the Campaign Reports Committee:

CAREY of Waterville  
SMITH of Dover-Foxcroft  
SUSI of Pittsfield

At this point, a message was received from the Senate, borne by Secretary Harry

Starbranch, proposing a Convention of both branches of the Legislature to be held at 6:30 p.m. at the Augusta Civic Center for the purpose of administering to the Honorables David E. Redmond, John F. Clemente, Charles Abbott, Carl Cianchette, Richard S. Webber, Charles Jacobs and Nathan Cohen the oaths required by the Constitution to qualify them to enter upon the discharge of their official duties as executive councilors and for the purpose of administering to the Honorable James B. Longley, Governor-elect, the oath required by the Constitution to qualify him to enter upon the discharge of his official duties.

Thereupon, the Speaker appointed Mr. Rolde of York to deliver a message to the Senate that the House would join in a joint convention.

Subsequently, Mr. Rolde reported that he had delivered the message with which he was charged.

Thereupon, the House recessed until 6:30 p.m.

#### After Recess 6:30 p.m.

The House was called to order by the Speaker at the Augusta Civic Center.

At this point, the House was at ease pending the arrival of the Senate.

(For proceedings of the Joint Convention, see Senate Record)

The House then retired to its Chamber at the State House.

Called to order by the Speaker.

Pursuant to Joint Order, Senate Paper 31,

Adjourned until Tuesday, January 7, at 10 o'clock in the morning.