

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

Tuesday January 21, 1975

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

Prayer by the Rev. D. J. and Irving Stevens of Bangor.

The members stood at attention during the playing of the National Anthem by Mark Fenderson of Augusta.

The journal of the previous session was read and approved.

Papers from the Senate

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

Petitions, Bills and Resolves Requiring Reference

The following Bills, Resolve and Resolution were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

Business Legislation

Bill "An Act to Clarify the Exemption of Hairdressers Holding Booth Licenses from Eligibility for Unemployment Compensation" (H. P. 202) (Presented by Mrs. Boudreau of Portland)

Bill "An Act Relating to Action or Claim of Insured Against Insurer under a Policy of Insurance" (H. P. 207) (Presented by Mr. Smith of Dover-Foxcroft)

(Ordered Printed)

Sent up for concurrence.

Tabled and Assigned

Bill "An Act to Repeal Milk Control Prices at the Retail Level" (H. P. 208) (Presented by Mr. LaPointe of Portland) (Cosponsors: Mr. Berry of Buxton, Mr. Hewes of Cape Elizabeth and Mr. Kelleher of Bangor)

The Committee on Reference of Bills suggested the Committee on Business Legislation.

The SPEAKER: The Chair recognizes the gentleman from Easton, Mr. Mahany.

Mr. MAHANY: Mr. Speaker, I now move that this bill be referred to the Committee on Agriculture, ordered printed and sent up for concurrence.

Thereupon, on motion of Mrs. Clark of Freeport, tabled pending the motion of Mr. Mahany of Easton that the Bill be referred to the Committee on Agriculture and tomorrow assigned.

Education

Bill "An Act to Incorporate the Town of Benedicta School District" (H. P. 200) (Presented by Mr. Walker of Island Falls)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act Relating to Subsidized Adoptions" (H. P. 203) (Presented by Mrs. Boudreau of Portland)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Resolve, to Reimburse Virginia A. Brann of Windsor for Motor Vehicle Damage Due to State Construction (H. P. 196) (Presented by Mr. Hewes of Cape Elizabeth)

Bill "An Act Relating to Vehicle Operators Wearing a Radio Headset" (H. P. 204) (Presented by Mr. Farnham of Hampden)

(Ordered Printed)

Sent up for concurrence.

Local and County Government

Bill "An Act to Increase Salary of Clerk of Courts of Washington County" (H. P. 199) (Presented by Mrs. Kelley of Machias)

Bill "An Act to Set Off Burying Island in Taunton Bay to the Town of Franklin" (H. P. 209) (Presented by Mr. Conners of Franklin)

(Ordered Printed)

Sent up for concurrence.

State Government

Resolution, Proposing an Amendment to the Constitution to Provide for Annual Sessions of the Legislature. (H. P. 197) (Presented by Mr. Birt of East Millinocket)

Bill "An Act to Authorize the Board of Cosmetology to Employ a Part-time Executive Secretary" (H. P. 201) (Presented by Mrs. Boudreau of Portland)

(Ordered Printed)

Sent up for concurrence.

Taxation

Bill "An Act Relating to Property Tax Exemption of Institutions and Organizations" (H. P. 198) (Presented by Mrs. Berry of Madison)

Bill "An Act Exempting Trucks Purchased by Nonresidents from Sales Tax" (H. P. 205) (Presented by Mr. Finemore of Bridgewater)

(Ordered Printed)

Sent up for concurrence.

Veterans and Retirement

Bill "An Act Relating to Retirement Benefits for Spouses of Deceased State Wardens" (H. P. 206) (Presented by Mr. Hobbins of Saco)

(Ordered Printed)

Sent up for concurrence.

Orders

Mrs. Kany of Waterville presented the following Order and moved its passage:

ORDERED, that the House Rules be amended by adding a new House Rule No. 55 to read:

55. The member of the Penobscot Indian Tribe and the member of the Passamaquoddy Indian Tribe elected to represent their tribes at the biennial session of the Legislature shall be granted seats on the floor of the House of Representatives; be granted, by consent of the Speaker, the privilege of speaking on pending legislation; and be granted such other rights and privileges as may from time to time be voted by the House of Representatives.

The Order was read.

On motion of Mrs. Kany of Waterville, pursuant to House Rule No. 54, tabled one legislative day pending passage.

Mr. Talbot of Portland was granted unanimous consent to address the House.

Mr. TALBOT: Mr. Speaker, Ladies and Gentlemen of the House: As Chairman of the Committee on Human Resources, I am very concerned and very disturbed with what I have been reading and hearing in the news media, and the actions which have been taking place here in Augusta over the past several days concerning the hiring and firing of women, the entire area of positive and affirmative action concerned with minorities, and especially the frame in which the Governor wants equal representation in state government for all by the year 2000.

Mr. Speaker, I don't want to get into personalities and I don't want to criticize

the Governor for his actions for which he has a right and for which I am sure he has a reason to back up that right. But, Mr. Speaker, it would seem from my point of view that someone is talking from both sides of their mouth. From one side we hear that the Governor wants good, qualified women to serve in state government. From the other side, we hear he is firing, or let escape from his grasp, two highly qualified women, Mrs. Roberta Weil and Mrs. Shirley Elias Ezzy, and now the entire Committee on the Status of Women.

Mr. Speaker, I am concerned about employment everywhere in Maine from Fort Kent to Kittery, men as well as women, but I, like many of you, stood and fought on this floor for passage of the Equal Rights Amendment and hopefully to bring women into the mainstream of American life. I have always been an advocate of minority rights and bringing them into the mainstream of American life also.

But, Mr. Speaker, the year 2000 is totally unrealistic, not in keeping with the progressiveness with which we as natives and as a state should be and must be going, and above all, it can only set us further back in our cycle of progress.

The Governor asked us to wait another 25 years — 25 years on top of the 10 years which we are behind already. My children and yours will have grown up and be out into the working world with children of their own, but still a situation in life which we find ourselves in today — outside the mainstream.

The people of this State look to us to lead, and lead we must, and now, with the expertise with which both women and minorities possess here in our State, expertise in which to help and assist Governor Longley in any way he sees possible, and who are willing to give of that expertise in order to get the job done but who haven't been asked yet.

I am concerned and I am disturbed, along with myself, about the people. Women and minorities of this State deserve an affirmative action plan and a positive approach to this delicate but very vital situation.

Consent Calendar**First Day**

(H. P. 29) (L. D. 37) Resolve to Reimburse Mrs. Betty Mills of Portland for Damage to Property caused by Escapees from the Boys Training Center. Committee on Legal Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (H-4)

(H. P. 65) (L. D. 77) Resolve to Reimburse William Rich of Buckfield for loss of Bee Hives by Bear. Committee on Legal Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (H-5).

Consent Calendar**Second Day**

(H. P. 12) (L. D. 17) Bill "An Act Relating to the Taking of Alewives in the Town of Whiting, Washington County."

No objection having been noted, was passed to be engrossed 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 Issuance of Motor Vehicle Registrations by Municipal Tax Officers" (H. P. 152)

Tabled — January 16 by Mr. Rolde of York.

Pending — Motion by Mr. Dudley of Enfield to refer to the Committee on Transportation.

The SPEAKER: The Chair recognizes the gentleman from York, Mr. Rolde.

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: This bill, item 1, and also a very similar bill, item 2, An Act Relating to Issuance of Motor Vehicle Registrations by Municipal Tax Officers, was originally referred by the Reference of Bills Committee to the State Government Committee.

We realize that these type bills went to the Transportation Committee in years past; however, the Reference of Bills Committee did feel that these bills could be considered in a state government matter, since they would really change the entire method by which automobile registrations are issued in the State.

I have spoken to the House Chairman of Transportation, and he says it doesn't matter to him which committee the bill goes to. So I would ask you to defeat the pending motion to send this bill to Transportation and then send it to State Government.

The SPEAKER: The Chair recognizes the gentleman from Enfield, Mr. Dudley.

Mr. DUDLEY: Mr. Speaker and Members of the House: I still feel that this is a matter that should go before the Transportation Committee. This bill has been before them before and there has been a lot of study done in regard to it. As a result, they find that most large places — this would be adaptable to most large towns but this involves all small towns doing the same thing and this is where the complication comes and it involves a lot of extra revenue, which I don't think the people are ready to pay at the present time to sponsor this type of piece of legislation. This was very well pointed out in our previous discussions of this type of a measure. For this reason, I do hope that you will consider letting the same committee have it. There are different people on the Transportation Committee than there were previously, and a lot of new faces. I am not even on that committee, I am on Legal Affairs. However, I still think the House in their judgment should send it to a committee that already has made some study of it, have already done a lot of work in that area, and are familiar with the problem. I do hope that this House will vote to insist and send it to the Committee on Transportation.

The SPEAKER: The pending question is on the motion of Mr. Dudley of Enfield that this bill be referred to the Committee on Transportation. The Chair will order a vote. All those in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

60 having voted in the affirmative and 72 having voted in the negative, the motion did not prevail.

Thereupon, on motion of Mr. Rolde of York, referred to the Committee on State Government, ordered printed and sent up for concurrence.

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

Bill "An Act Relating to Issuance of Motor Vehicles Registrations by Municipal Tax Officers" (H. P. 182)

Tabled — January 16 by Mrs. Najarian of Portland.

Pending — Reference

Thereupon, the Bill was referred to the Committee on State Government, ordered printed and sent up for concurrence.

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

HOUSE DIVIDED REPORT — Majority (7) "Ought to Pass" — Minority (6) "Ought Not to Pass" — Committee on Fisheries and Wildlife on Bill "An Act to Repeal Requirements for an Atlantic Salmon Stamp under the Fish and Game Law" (H. P. 11) (L. D. 16)

Tabled — January 16 by Mr. Mills of Eastport.

Pending — Acceptance of either Report.

The SPEAKER: The Chair recognizes the gentleman from Eastport, Mr. Mills.

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen of the House: As you can see here, this was a split report coming from the Fish and Game Committee and the purpose of this fish and game stamp, originally, was to try and obtain some statistics that the committee could work with in the future. After a two year trial, it was found that the thing wasn't working, the wardens couldn't enforce it, they couldn't get the time. It was very simple, the warden goes to a river, there is a person fishing there, unless he has a salmon, he doesn't require a stamp. You know very well that he is on a salmon stream and that he is fishing on that stream, and he intends to catch a salmon but there are also trout there. If he tells you that he is fishing for trout, there is nothing the warden can do about it.

Now, on what the cost of the stamp was, it dissolves down so that the total profit to the Fish and Game per stamp is about twenty cents. Therefore, we discussed this in committee and the majority came out with the idea that we should eliminate this stamp because it wasn't doing its purpose, it wasn't providing the statistics, it was placing a burden on the wardens which they couldn't possibly enforce.

I move passage of the majority report.

Thereupon, the Majority "Ought to Pass" Report was accepted, the bill read once and assigned for second reading tomorrow.

Mr. Susi of Pittsfield was granted unanimous consent to address the House.

Mr. SUSI: Mr. Speaker, Ladies and Gentlemen of the House: I would like to call your attention to the recent retirement of Ernest Johnson from the Office of State Tax Assessor. Ernest came to state service after he served as the Town Manager of Stonington and after serving as Executive Director of the Maine Municipal Association.

He became the State Tax Assessor in 1947, serving until January 3, 1975, serving one of the longest terms known in such a responsible office. He served under eight Maine governors and received every honor available for the excellence of his performance.

Typically, Ernest refused to participate in any testimonial to his retirement, instead wishing to dispense with any fanfare and to accomplish this act, as he always did everything, quietly and with a minimum of fuss.

As a long time member of the Taxation Committee, I want all of you to share with me the knowledge that lives of Maine people have been better because of Ernest Johnson.

Our tax laws have been generally noted for their equitable structure and equitable administration. More than any other

factor, Ernest Johnson has caused this to be so. We will sorely miss the positive influence of Ernest's quiet and reassuring counsel, but we express our sincere thanks in behalf of all of Maine citizens for all that he has so freely given and we wish him well. (Applause)

(Off record remarks)

On motion of Mr. Bagley of Winthrop, Adjourned until ten o'clock tomorrow morning.