

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 28, 1975

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

Prayer by the Rev. Herbert Reid of Fairfield.

The members stood at attention during the playing of the National Anthem by the Messalonskee High School Band of Oakland.

The journal of the previous session was read and approved.

**Papers from the Senate
Non-concurrent Matter
Tabled and Assigned**

Bill "An Act to Repeal Requirement for an Atlantic Salmon Stamp under the Fish and Game Law" (H. P. 11) (L. D. 16) on which the House accepted Majority "Ought to pass" Report January 21, and which was passed to be engrossed on January 22.

Came from Senate with Minority "Ought not to pass" Report accepted in non-concurrence.

In the House: On motion of Mr. MacLeod of Bar Harbor, tabled pending further consideration and tomorrow assigned.

The SPEAKER: The Chair would ask the Sergeant-at-Arms and the Assistant Sergeant-at-Arms to escort the gentleman from Dover-Foxcroft, Mr. Smith, to the rostrum to act as Speaker pro tem.

Thereupon, Mr. Smith assumed the Chair as Speaker pro tem and Speaker Martin retired from the Hall.

Bills from the Senate requiring reference were disposed of in concurrence, with the following exception:

Tabled and Assigned

Bill "An Act to Require the Owners of Foster Homes and of Nursing Institutions to Account for Funds Belonging to Persons Entrusted to their Care" (S. P. 81) (L. D. 254)

Came from the Senate referred to the Committee on Legal Affairs.

In the House: On motion of Mr. Goodwin of South Berwick, tabled pending reference in concurrence and tomorrow assigned.

**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 Revise the Statutory Requirements For Registered Pharmacists" (H. P. 302) (Presented by Mr. Lovell of Sanford)

Bill "An Act to Clarify the Maine Consumer Credit Code as it Applies to Consumer Credit Sales Pursuant to which no Finance Charge is Made" (Emergency) (H. P. 303) (Presented by Mr. Martin of Eagle Lake — Cosponsored by Mr. Rideout of Mapleton)

Bill "An Act Relating to Application for Insurance License under the Maine Insurance Code" (H. P. 315) (Presented by Mrs. Clark of Freeport)

Bill "An Act to Transfer Authority for Truth-in-Lending Examinations and Enforcement from the Bureau of Banks and Banking to the Bureau of Consumer Protection" (Emergency) (H. P. 323) (presented by Mrs. Boudreau of Portland)

Bill "An Act to Establish a Fee for Issuance of the First Hairdresser's License and to Establish a Fee of \$15 for Certain Hairdresser Examinations" (H. P. 329) (Presented by the same gentlewoman)

(Ordered Printed)
Sent up for concurrence.

Election Laws

Bill "An Act Increasing Compensation to Members of the Campaign Reports Committee" (H. P. 328) (Presented by Mr. Carey of Waterville.)

(Ordered Printed)
Sent up for concurrence.

Fisheries and Wildlife

Bill "An Act to Permit Hunting with Muzzle-loading Rifle" (H. P. 311) (Presented by Mr. Usher of Westbrook — Cosponsored by Mr. Tozier of Unity)

(Ordered Printed)
Sent up for concurrence.

**Health and Institutional
Services**

Bill "An Act Relating to Benefits to Convicts upon Discharge" (H. P. 308) (Presented by Mr. Gray of Rockland)

Bill "An Act to Revise the Maine Medical Laboratory Act" (H. P. 334) (Presented by Mr. Silverman of Calais)

(Ordered Printed)
Sent up for concurrence.

Human Resources

Bill "An Act to Delete the Requirement that Taverns Serve Men Only" (H. P. 314) (Presented by Mr. Jensen of Portland)

(Ordered Printed)
Sent up for concurrence.

Judiciary

Bill "An Act to Clarify the Meaning of Reasonable Compensation Paid to Court-appointed Counsel" (H. P. 312) (Presented by Mr. Snow of Falmouth) (Cosponsored by Mrs. Durgin of Kittery)

Resolve, Authorizing Sherman Collins, Francis Fitzmaurice, the Estate of Durward G. Turner, Durward G. Turner, Jr., David G. Turner and Ellen S. Turner to Bring Civil Action Against the State of Maine (Emergency) (H. P. 318) (Presented by Mr. Morton of Farmington)

Bill "An Act to Provide Continuing Jurisdiction over Juvenile Offenses" (Emergency) (H. P. 321) (Presented by Mr. Hinds of South Portland)

Bill "An Act to Clarify the Statutes Relating to Criminal Offenses under the Initiative and Referendum Process" (H. P. 322) (Presented by Mr. Perkins of South Portland)

Bill "An Act to Lower the Age of Juveniles Subject to the Juvenile Act" (H. P. 325) (Presented by Mr. Hinds of South Portland)

Bill "An Act Creating Uniform Standards for Disqualification of Applicants with Prior Criminal Convictions for a License or Permit to Practice a Trade or Occupation Regulated by the State" (H. P. 330) (Presented by Mrs. Boudreau of Portland)

Bill "An Act to Provide Immunity to Certain Persons with Advanced First Aid Training when they Render Emergency Care" (H. P. 331) (Presented by Mr. Lewin of Augusta)

Bill "An Act Relating to Hearing for Provisional Motor Vehicle Licensee on Suspension" (H. P. 333) (Presented by Mrs. Berube of Lewiston)

(Ordered Printed)

Sent up for concurrence.

Labor

Bill "An Act to Increase the Maximum Weekly Benefit under the Employment Security Law" (H. P. 305) (Presented by Mr. MacEachern of Lincoln) (Cosponsors: Mrs. Najarian of Portland and Mr. Martin of St. Agatha)

Bill "An Act Relating to Penalties and Employee Remedies for Unpaid Wages" (H. P. 306) (Presented by Mrs. Kany of Waterville) (Cosponsors: Mr. Hall of Sangerville and Mr. Tierney of Durham)

(Ordered Printed)
Sent up for concurrence.

Legal Affairs

Bill "An Act to Allow Certain Nonprofit, Volunteer and Educational Organizations to Operate Games of Chance without a License from the Maine State Police" (H. P. 316) (Presented by Mr. DeVane of Ellsworth) (Cosponsor: Mr. Spencer of Standish)

Bill "An Act Relating to Fines and Penalties under Fire Protection Laws" (H. P. 326) (Presented by Mr. Immonen of West Paris)

(Ordered Printed)
Sent up for concurrence.

Liquor Control

Bill "An Act to Repeal Provisions Against Obstructions in Windows of Malt Liquor Licensed Restaurants" (H. P. 313) (Presented by Mrs. Durgin of Kittery)

(Ordered Printed)
Sent up for concurrence.

Local and County Government

Bill "An Act to Increase the Salary of the Register of Probate for Washington County" (H. P. 319) (Presented by Mrs. Kelley of Machias)

(Ordered Printed)
Sent up for concurrence.

Natural Resources

Bill "An Act to Allow Municipal Approval of Routine Wetlands Permits" (H. P. 317) (Presented by Mr. Morton of Farmington)

(Ordered Printed)
Sent up for concurrence.

Public Utilities

Bill "An Act Defining School Bus Transportation" (H. P. 332) (Presented by Mr. Hennessey of West Bath)

(Ordered Printed)
Sent up for concurrence.

State Government

RESOLUTION, Proposing an Amendment to the Constitution to Provide that Equal Protection of the Laws shall not be Denied or Abridged on Account of Sex (H. P. 307) (Presented by Mr. Quinn of Gorham) (By Request)

Bill "An Act to Change the Name of the Maine Boxing Commission to the Maine Athletic Commission" (H. P. 310) (Presented by Mr. Kelleher of Bangor)

Bill "An Act to Require an Advisory Referendum on the Ratification by the Maine Legislature of the Equal Rights Amendment to the United States Constitution" (H. P. 324) (Presented by Mr. Quinn of Gorham) (By Request)

(Ordered Printed)
Sent up for concurrence.

Taxation

Bill "An Act to Increase the Property Tax Exemption for Veterans" (H. P. 304)

(Presented by Mr. Churchill of Orland)

Bill "An Act to Lower the Age Limitation for Claims under the Elderly Householders Tax and Rent Refund Act" (H. P. 309) (Presented by Mrs. Lewis of Auburn)

Bill "An Act to Provide Additional Income Tax Exemptions for Elderly Persons" (H. P. 327) (Presented by Mr. Martin of Eagle Lake)

(Ordered Printed)

Sent up for concurrence.

Veterans and Retirement

Bill "An Act to Clarify the Intent Provision under the Maine Retirement Law" (H. P. 320) (Presented by Mrs. Kelley of Machias)

(Ordered Printed)

Sent up for concurrence.

At this point, Speaker Martin returned to the rostrum.

SPEAKER MARTIN: The Chair would thank the gentleman from Dover-Foxcroft, Mr. Smith, for presiding.

Thereupon, the Sergeant-at-Arms escorted Mr. Smith to his seat on the floor, amid the applause of the House, and Speaker Martin resumed the Chair.

House Reports of Committees

Ought Not to Pass

Mr. Shute from the Committee on Legal Affairs reported "Ought not to Pass" on Bill "An Act Prohibiting Smoking in Reference Rooms of Registries of Deeds" (H. P. 83) (L. D. 112)

In accordance with Joint Rule 17-A, was placed in the legislative files.

Consent Calendar

First Day

(H. P. 40) (L. D. 51) Bill "An Act Establishing Special License Plates for the Handicapped" — Committee on Transportation reported "Ought to pass"

(H. P. 75) (L. D. 87) Bill "An Act Relating to the Erection of a Sign on Maine Turnpike for Pleasant Mountain Recreational Area" — Committee on Transportation reported "Ought to pass"

Tabled and Assigned

(H. P. 19) (L. D. 27) Resolution, Proposing an Amendment to the Constitution to Provide Single Member Districts for the House of Representatives — Committee on State Government reporting "Ought to pass" as amended by Committee Amendment "A" (H-6)

On the request of Mr. Rolde of York, was removed from the Consent Calendar.

On motion by the same gentleman, tabled pending acceptance of the Committee Report and specially assigned for Thursday, January 30.

Consent Calendar

Second Day

(H. P. 81) (L. D. 103) Bill "An Act to Clarify the Authorized Indebtedness of the Ellsworth School District" (Emergency)

(H. P. 39) (L. D. 50) Bill "An Act Relating to Deer Doing Damage to Blueberry Lands"

(H. P. 120) (L. D. 145) Resolve, to Reimburse the Town of Dennysville for Welfare Expenditures

(H. P. 132) (L. D. 149) Bill "An Act Authorizing Facsimile Signature of State Tax Assessor"

No objection having been noted, were 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 to Clarify the Laws Relating to Dentistry" (S. P. 70) (L. D. 235) (In Senate, referred to Committee on Judiciary)

Tabled — January 23, by Mr. Goodwin of South Berwick.

Pending — Reference in concurrence.

On motion of Mr. Gauthier of Sanford, was referred to the Committee on Health and Institutional Services in non-concurrence and sent up for concurrence.

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

Bill "An Act Relating to the Composition and Duties of the Maine Real Estate Commission" (H. P. 277) (Committee on Reference of Bills suggested Committee on State Government)

Tabled — January 23, by Mrs. Boudreau of Portland.

Pending — Reference.

On motion of Mr. Rolde of York, retabled pending reference and tomorrow assigned.

Mrs. Najarian of Portland was granted unanimous consent to address the House.

Mrs. NAJARIAN: Mr. Speaker, Ladies and Gentlemen of the House: I would like to call your attention to the report on your desk today from the State Government Committee concerning its investigation of the Maine State Housing Authority.

This report is important to the State Housing Authority and to the people of Maine. It answers all the questions that were raised concerning the authority during the last session of the legislature. The allegations against the Maine State Housing Authority before the State Government Committee were of an extremely serious nature. An extensive review of those allegations by the State Government Committee have established that they had no basis in fact. The report states on page 3, "The committee's confidence in the State Housing Authority is based on its review of action taken by the Authority and the Legislature since January of 1973. While the authority has faced significant problems, it has demonstrated an ability to deal with its problems effectively to correct its errors and to reorient itself when necessary."

I hope that this report will allow the Authority to move ahead with its program to improve Maine's housing conditions. The Authority is an important tool for helping Maine people and our economy, and I believe we can improve the Authority's enabling laws to expand its ability to serve. This report should help clear the way for such legislative action. I would also like to report that the Authority now has a \$500,000 surplus.

On motion of Mr. Rolde of York, Adjourned until 9:30 A.M. tomorrow morning.