

# MAINE STATE LEGISLATURE

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**Legislative Record**

**OF THE**

**One Hundred and Seventh Legislature**

**(First Special Session)**

**OF THE**

**STATE OF MAINE**

**1976**

**KENNEBEC JOURNAL**

**AUGUSTA, MAINE**

**HOUSE**

Tuesday, January 27, 1976

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

Prayer by the Reverend Henry L. Bird of South Freeport.

The journal of yesterday was read and approved.

**Papers from the Senate**

From the Senate: The following Joint Resolution: (S.P. 662)

In Memoriam  
Having Learned Of The  
Death of  
Senator Lowell D. Henley  
of Norway

The Senate and House of Representatives of the State of Maine do hereby extend their sincere heartfelt condolences and sympathy to the bereaved family and friends of the deceased; and further

While duly assembled in session at the State Capitol in Augusta under the Constitution and Laws of the State of Maine, do herein direct that this official expression of sorrow be forthwith sent to the family of the deceased on behalf of the Legislature and the people of the State of Maine.

Came from the Senate read and adopted. In the House, the Joint Resolution was read and adopted in concurrence.

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

**Reports of Committees****Leave to Withdraw**

Committee on Liquor Control reporting "Leave to Withdraw" on Bill "An Act to Extend the Application Period for Licensing of Indoor Tennis Clubs, Indoor Ice Skating Clubs and Golf Course Clubs for the Sale of Alcoholic Beverages" (S. P. 629) (L. D. 1991)

Came from the Senate with the Report read and accepted.

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

**Non-Concurrent Matter  
Tabled and Assigned**

Bill "An Act to Permit Executive Sessions in Certain Labor Negotiations" (H. P. 1891) (L. D. 2071) which was referred to the Committee on Labor in the House on January 23, 1976.

Came from the Senate referred to the Committee on Legal Affairs in non-concurrence.

In the House: On motion of Mr. Rolde of York, tabled pending further consideration and tomorrow assigned.

**Petitions, Bills and Resolves  
Requiring Reference**

The following Bills 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 Extending the Legislative Lifetime and Reporting Deadlines of the Commission on Maine's Future, and Allowing for Expenditures of Previously Appropriated Funds Throughout the Revised Lifetime of the Commission" (Emergency) (H. P. 1916) (Presented by Mr. Morton of Farmington)

Bill "An Act to Provide Medical Care for

Aged, Blind and Disabled Individuals" (H. P. 1925) (Presented by Mrs. Goodwin of Bath) (Cosponsor: Mr. Goodwin of South Berwick)

Bill "An Act Authorizing Funds for the Purchase of Certain Lands Adjoining the Capitol Complex" (H. P. 1926) (Presented by Mrs. Miskavage of Augusta)

(Ordered Printed)

Sent up for concurrence.

**Education**

Bill "An Act Relating to Conferring Degrees by Thomas College" (H. P. 1927) (Presented by Mrs. Clark of Freeport)

Bill "An Act Increasing Borrowing Capacity of Community School District Consisting of the Towns of Crystal, Dyer Brook, Island Falls, Merrill, Oakfield and Smyrna" (H. P. 1928) (Presented by Mr. Walker of Island Falls) (Approved for Introduction by a Majority of the Committee on Reference of Bills Pursuant to Joint Order S. P. 635)

Bill "An Act to Grant the Power to Confer Graduate Degrees of Doctor of Osteopathy to St. Francis College of Biddeford" (H. P. 1929) (Presented by Mr. Rolde of York) (Cosponsor: Mr. Tyndale of Kennebunkport)

(Ordered Printed)

Sent up for concurrence.

**Energy**

Bill "An Act to Notify Home Owners, Apartment Building Owners and Tenants of Termination of Oil and Bottled Gas Delivery Service" (H. P. 1917) (Presented by Mr. Peterson of South Windham)

(Ordered Printed)

Sent up for concurrence.

**Fisheries and Wildlife**

Bill "An Act Concerning Ice Fishing on Sebago Lake" (Emergency) (H. P. 1918) (Presented by Mr. Spencer of Standish)

(Ordered Printed)

Sent up for concurrence.

**Health and Institutional Services**

Bill "An Act to Amend the Medical Practices Act" (Emergency) (H. P. 1919) (Presented by Mr. Wilfong of Stow)

(Cosponsor: Mr. Stubbs of Hallowell)

(Ordered Printed)

Sent up for concurrence.

**Legal Affairs**

Bill "An Act to Amend the Definition of 'School Bus' to Include School Buses Rented from School Administrative Units by Nonprofit Organizations in Order to Transport Children" (Emergency) (H. P. 1930) (Presented by Mr. Peterson of Caribou)

Bill "An Act Relating to the Holding of Property by the Home for Aged Women in Bangor" (Emergency) (H. P. 1931) (Presented by Mr. McKernan of Bangor)

(Ordered Printed)

Sent up for concurrence.

**Local and County Government**

Bill "An Act Relating to Town Ways" (H. P. 1920) (Presented by Mr. Kauffman of Kittery) (Cosponsor: Mr. Morton of Farmington)

(Ordered printed)

Sent up for concurrence.

**State Government**

Bill "An Act Concerning Allowances Granted to Indian Representatives During Special Sessions" (H. P. 1921) (Presented by Mr. Cooney of Sabattus)

(Ordered Printed)

Sent up for concurrence.

**Taxation**

Bill "An Act to Provide for Registration and Identification of Recreational Watercraft in the Saco River Corridor and to Provide Operating Revenues for the Saco River Corridor Commission" (Emergency) (H. P. 1922) (Presented by Mr. Wilfong of Stow) (Cosponsors: Messrs. Hobbins of Saco, LaPointe of Portland)

(Ordered Printed)

Sent up for concurrence.

**Veterans and Retirement**

Bill "An Act to Clarify the Definition of Supervisor as it Appears in the Maine Retirement Statutes" (H. P. 1923) (Presented by Mr. Goodwin of South Berwick)

(Ordered Printed)

Sent up for concurrence.

**Orders**

Mr. McBairty of Perham presented the following Joint Order and moved its passage: (H. P. 1924)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of Pete Daigle, Duncan Haines, Harvard Holmquist, Danny Gagnon, Ovilla Michaud, Murray Henderson and Their Supporting Team on the First Snowmobile Trip Covering the Entire Length of the State.

We the Members of the House of Representatives and Senate do hereby Order that our congratulations and acknowledgement 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.

The Joint Order was read and passed and sent up for concurrence.

On Motion of Mr. Albert of Limestone, it was

ORDERED, that Roland A. Gauthier of Sanford be excused for the duration of his illness.

On Motion of Mr. Albert of Limestone, it was

ORDERED, that Douglas Curtis of Rockland be excused January 27th to February 9th for personal reasons.

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

Mrs. Goodwin from the Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Funds for the Expansion of the Portland International Jetport" (H. P. 1828) (L. D. 1993) reporting "Ought Not to Pass"

Mr. Carter from the Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Funds for Capital Improvements at the Houlton International Airport" (H. P. 1831) (L. D. 1996) reporting "Ought Not to Pass"

Were placed in the Legislative Files without further action pursuant to Joint Rule 17-A.

**Tabled and Assigned**

Mr. Dam from the Committee on Local and County Government on Bill "An Act to

Clarify the Laws Relating to County Budgets" (H. P. 1818) (L. D. 1976) reporting "Ought Not to Pass"

Report was read.

The SPEAKER: The Chair recognizes the gentleman from South Berwick, Mr. Goodwin.

Mr. GOODWIN: Mr. Speaker, I move the rules be suspended for the purpose of tabling for one day.

The SPEAKER: The gentleman from South Berwick, Mr. Goodwin, moves that the rules be suspended for the purpose of tabling. Is there objection?

The Chair hears objection and the Chair will order a vote. All those in favor of the rules being suspended will vote yes; those opposed will vote no.

A vote of the House was taken.

109 having voted in the affirmative and 4 having voted in the negative, the rules were suspended.

Thereupon, the Bill was tabled for one legislative day pending being placed in the legislative files.

#### Consent Calendar

##### First Day

In accordance with House Rule 49-A, the following items appeared on the Consent Calendar for the First Day:

(H. P. 1817) (L. D. 1975) Bill "An Act Authorizing Kennebec County Commissioners to Provide Fire Protection Services for Unity Township" — Committee on Local and County Government reporting "Ought to Pass"

(H. P. 1836) (L. D. 2001) Bill "An Act to Provide Fire Protection, Other Than Forest Fire Protection, for the Unorganized Coastal Islands" — Committee on Local and County Government reporting "Ought to Pass"

No objection being noted, the above items were ordered to appear on the Consent Calendar of January 28, under listing of the Second Day.

#### Consent Calendar

##### Second Day

In accordance with House Rule 49-A, the following item appeared on the Consent Calendar for the Second Day:

(S. P. 625) (L. D. 1979) Bill "An Act Increasing the Indebtedness of the North Yarmouth Water District" (Emergency)

No objections having been noted at the end of the Second Legislative Day, the Senate Paper was passed to be engrossed in concurrence.

#### Passed to Be Enacted

##### Emergency Measure

An Act Relating to Unexpended Funds for Highway Construction on Indian Reservations at Pleasant Point and Peter Dana Point (H. P. 1812) (L. D. 1971) (C. "A" H-855)

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

The SPEAKER: The Chair recognizes the gentleman from Farmington, Mr. Morton.

Mr. MORTON: Mr. Speaker, could we have a short explanation of what this bill is for and why it is needed, please.

The SPEAKER: The gentleman from Farmington, Mr. Morton, has posed a question through the Chair to anyone who may care to answer.

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

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen of the House: This bill here is a

clarification of previous projects at Peter Dana and Pleasant Point down in Washington County on the Indian Reservations. The two reservations were in a dispute over how the remaining money should be used.

There is more housing going on, and this is to finish up a piece of road at Pleasant Point. It is a connecting road between the road that goes in a large arc around the point. The sewerage, the water and power is already installed on that road, and the remaining sum that was there was greater than was necessary, so it is being divided now so a part of this money will go up to the other reservation to finish a road up there. That was the purpose of it, but to have it so transportation could operate, we had to do it through the legislature in this form of a bill.

The SPEAKER: The pending question is passage to be enacted. This being an emergency measure, a two-thirds vote of the House is necessary. All those in favor of this bill being passed to be enacted as an emergency measure will vote yes; those opposed will vote no.

A vote of the House was taken.

127 having voted in the affirmative and none in the negative, the Bill was passed to be enacted as an emergency measure, signed by the Speaker and sent to the Senate.

#### Enactor

##### Tabled and Assigned

An Act to Clarify Certain Provisions relating to the Establishment of Hospital District No. 1 (H. P. 1835) (L. D. 2000)

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

On motion of Mr. MacEachern of Lincoln, tabled pending passage to be enacted and tomorrow assigned.

#### (Off Record Remarks)

On motion of Mr. Lizotte of Biddeford, Adjourned until ten o'clock tomorrow morning.