

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

SENATE

Wednesday, January 8, 1975

Senate called to order by the President.

Prayer by the Rev. Shane D. Estes of Winthrop:

Let us Pray. Almighty God, who art the supreme legislator in all matters, we pause at the beginning of this day and of this year to remember our dependence upon Thee, and to pray that your spirit might work in us and through us. We would pray, O God, that we might take this responsibility that you have entrusted to us seriously but, O God, prevent us from taking ourselves so seriously. Help us to do Thy will, for it is for the name of Thy people and through Thy Son that we pray. Amen.

Reading of the Journal of yesterday.

**Papers From The House
Joint Orders**

ORDERED, the Senate concurring, that the Commissioner of Environmental Protection, State Controller and Treasurer of State be respectfully directed to withhold payment of special travel expenses in the amount of \$4,368.89 incurred by Professor Orlando Delogu as a member of the Board of Environmental Protection for the academic year 1973-74 pending legislative inquiry; and be it further

ORDERED, that the Legislative Council be authorized and directed to investigate the facts surrounding this unusual expenditure for travel and to report the results of its findings with any necessary recommendations to the regular session of the 107th Legislature. (H. P. 78)

Comes from the House, Read and Passed.

Which was Read.

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

Mr. BERRY: Mr. President, I think this order has considerable significance to it, and I am certainly going to join for passage in concurrence.

I would like to comment that Professor Delogu has been a very devoted member of the Board of Environmental Protection. I was sorry to see that he was not reappointed because I think he has always had the interests of the consumer and the people of the State of Maine at heart. It would be my hope, and I hope that of the entire legislature, that the Legislative Council would act expeditiously upon this matter so that Professor Delogu would be under no continued financial expense which is certainly not of his doing.

The PRESIDENT: Is it now the pleasure of the Senate that this joint order receive passage?

Thereupon, the Joint Order received Passage in concurrence.

Joint Order

ORDERED, The Senate concurring, that a Joint Special Committee on Public Lands, consisting of ten members, three of whom shall be Members of the Senate appointed by the President of the Senate and seven of whom shall be Members of the House appointed by the Speaker of the House, is hereby appointed for the purpose of reviewing legislation introduced in the 107th Legislature in connection with public lands including public lots. The Committee is not only authorized to review all legislation introduced in connection with the public lots but is directed to study and

report on the present legal status of the public lots; the legal rights of the citizens of Maine in the public lots; and the alternative uses to which the public lots may be put in the public interest and to report to the Legislature its views and recommendations in regard to what action, if any, the Legislature should take in regard to the use of public lands including public lots and to draft and submit legislation to implement its recommendations.

The Committee shall act as expeditiously as possible and shall report to the 107th Legislature either in regular or special session in such manner as the Committee deems appropriate.

The Committee shall proceed in its work with the assistance of the Attorney General's Department, the Director of Legislative Research, the Legislative Finance Officer and any other state department, board, commission, authority or agency from which information may be required to carry out and expedite the Committee's duties. Furthermore, said Committee may employ such assistants, clerks, attorneys, agents and advisors as it shall deem necessary and set the conditions of their employment with the approval of the President of the Senate and the Speaker of the House. If it is necessary for the Committee to meet when the Legislature is not in session, the Committee Members shall be reimbursed for their actual expenses in service to the Committee, with the exception of mileage which shall be paid at the same rate received by state employees. The Committee is authorized to conduct public hearings at such times, places and in such manner as it deems appropriate to fulfill its duties; and be it further

ORDERED, that the Committee shall take cognizance of the research and recommendations of the Joint Special Committee on Public Lands of the 106th Legislature; and be it further

ORDERED, that there is allocated to the Committee from the Legislative Account the sum of \$10,000 to carry out the purposes of this order. (H. P. 77)

Comes from the House, Read and Passed as Amended by House Amendment "A" (H-1).

Which was Read. House Amendment "A" was Read and Adopted in concurrence and the Joint Order, as Amended, received Passage in concurrence.

House Papers

Bills, Resolves and Resolutions today received from the House requiring Reference to Committees were acted upon in concurrence except for the following:

Bill, "An Act to Increase the Fee for Nonresident Big Game Hunting Permits." (H. P. 71) (L. D. 83)

The Committee on Reference of Bills suggests that this Bill be referred to the Committee on Legal Affairs.

Comes from the House referred to the Committee on Fisheries and Wildlife and Ordered Printed.

On motion by Mr. Speers of Kennebec, referred to the Committee on Fisheries and Wildlife and Ordered Printed in concurrence.

Bill, "An Act to Provide Funds for an Additional Assistant District Attorney in Prosecutorial District 6." (H. P. 76) (L. D. 88)

Comes from the House referred to the

Committee on State Government and Ordered Printed.

On motion by Mr. Curtis of Penobscot, tabled and tomorrow assigned, pending Reference.

State of Maine
Office of Energy Resources
State Office Building
Augusta, Maine 04330

January 8, 1975

Harry S. Starbranch, Secretary
Maine Senate

Augusta, Maine 04330

Dear Mr. Secretary:

Chapter 770 of the Public Laws of 1974 established the "Office of Energy Resources." This Public Law instructed the Office to submit to the Members of the 107th Legislature an energy policy for the State of Maine, including a comprehensive plan for meeting the projected energy needs of the state.

Enclosed you will find the "State Energy Policy and Comprehensive Plan — an Interim Report".

Respectfully submitted,
Office of Energy Resources
Robert A. G. Monks
Director

Which was Read and with accompanying papers Ordered Placed on File.

State of Maine
Senate Chamber
Augusta, Maine 04330

January 7, 1975

The Honorable Joseph Sewall
President, Maine State Senate
State House
Augusta, Maine

Dear Mr. President:

This is to advise you of my resignation from the joint committee on Taxation, effective immediately.

I believe that this resignation will better enable me to fulfill my obligations as a member of the committees on Transportation and Public Utilities.

Sincerely,
EDWARD P. CYR
Senate District # 32

Which was Read and Ordered Placed on File.

The PRESIDENT: The Chair in acknowledging this letter would appoint to the Committee on Taxation, in place of the Senator from Aroostook, Senator Cyr, the Senator from Cumberland, Senator Merrill.

**Senate Papers
Agriculture**

Mr. Hichens of York presented, Bill, "An Act Relating to Animal Welfare." (S. P. 48)

Which was referred to the Committee on Agriculture and Ordered Printed.

Sent down for concurrence.

Education

Mr. Hichens of York presented, Bill, "An Act Relating to the Presentation of Budgets by School Administrative Districts." (S. P. 49)

which was referred to the committee on education and ordered printed.

sent down for concurrence.

fisheries and wildlife

Mr. McNally of hancock presented, bill, "an act designating head of tide on the union river under the atlantic sea run salmon commission." (S. P. 50)

which was referred to the committee on fisheries and wildlife and ordered printed. sent down for concurrence.

human resources

mrs. cummings of penobscot presented, bill, "an act to require that newly constructed or reconstructed public buildings be made accessible to the physically handicapped." (s. p. 51)

which was referred to the committee on human resources and ordered printed. sent down for concurrence.

judiciary

mr. hichens of york presented, bill, "an act relating to nullification of criminal records." (s. p. 52)

the same senator presented, bill, "an act relating to Bylines for Editorials in Maine Newspapers." (S. P. 53)

The same Senator presented, Bill, "An Act to Make the Showing of Pornographic Films a Nuisance and to Provide for the Abatement of that Nuisance." (S. P. 54)

Which was referred to the Committee on Judiciary and Ordered Printed.

Sent down for concurrence.

Public Utilities

Mrs. Cummings of Penobscot presented, Bill, "An Act Prohibiting the Use of Motor Boats Powered by Internal Combustion Engines on Nokomis Pond." (S. P. 55)

Which was referred to the Committee on Public Utilities and Ordered Printed.

Sent down for concurrence.

Taxation

Mrs. Cummings of Penobscot presented, Bill, "An Act Exempting Solar or Wind Power Facilities from Sales Tax." (S. P. 56)

Which was referred to the Committee on Taxation and Ordered Printed.

Sent down for concurrence.

Orders

On motion by Mr. Huber of Cumberland,

ORDERED, that all Bills and Resolves carrying or requiring an appropriation or involving a loss of revenue that are in order to be passed to be enacted, or finally passed, shall, at the request of a member of the Committee on Appropriations and Financial Affairs, be placed on a special calendar to be called up for consideration only by a member of that committee.

Which was Read and Passed.

On motion by Mr. Greeley of Waldo,

ORDERED, that all Bills and Resolves carrying or requiring an appropriation of highway revenue or involving a loss of highway revenue that are in order to be passed, to be enacted, or finally passed, shall, at the request of a member of the Committee on Transportation, be placed on a special calendar to be called up for consideration only by a member of that committee.

Which was Read and Passed.

On motion by Mr. Katz of Kennebec,

ORDERED, that the Secretary of the Senate be authorized to purchase ten thousand (10,000) copies of the folder entitled "This Is Your Legislature," and ten thousand (10,000) copies of the pamphlet entitled "How a Bill Becomes a Law in Maine," from the League of Women Voters of Maine for the use of members of the Legislature.

Which was Read and Passed.

Orders of the Day

Mr. Hichens of York was granted unanimous consent to address the Senate.

Mr. HICHENS: Mr. President and Members of the Senate:

There are many channels in our lives wherein our interest lies

And this morning I would bring to mind some thoughts regarding ties.

There are railroad ties and family ties—

"Bless be the tie that binds

Our hearts in mutual love each day"

refreshing to our minds.

But the tie that was of chief concern to those around by heck,

Was the one I didn't have yesterday tied around my neck.

I didn't realize - til then - how many folk did care

Of what the well-dressed Senator in each session here should wear

But thanks to my kind colleagues -

a blue tie found its way

To where I sit and sincere thanks

go out to him today.

And now I make a promise -

and heartily confess

That ne'er again You'll find me here -

a Senator tie - less.

Committee Appointment

At this point, there being no objection, the President appointed on the part of the Senate to the Committee on Public Lands Senators:

SPEERS of Kennebec

TROTZKY of Penobscot

CONLEY of Penobscot

(Off Record Remarks)

On motion by Mrs. Cummings of Penobscot,

Adjourned until 10:00 o'clock tomorrow morning.