

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 15, 1975

Senate called to order by the President.
Prayer by the Rev. Bruce Meyer of Augusta:

Almighty God, our Father, we thank you for another day of life, knowing that each day of life is a gift from you to be enjoyed and used and lived in your presence. And as we enter into the work of this day with whatever jobs and responsibilities are before us, we acknowledge our need for guidance, strength, wisdom and insight as we face decisions and wrestle with issues that affect not only ourselves but which touch and affect the lives of many people we have been called to serve.

We thank you, Lord, for these Senators and all the Legislators who labor beneath this dome as they care for the affairs of our state and lead us in directions that magnify the goodness of life through their commitment to good government. As you have given them keen and ready minds, O Lord, so bless them with compassionate and understanding hearts, that they might reflect your spirit in their words and actions as they work together for the sake of us all.

So we offer up this day to you, O Lord, with all its potential for living and giving and serving in your name we pray. Amen.

Reading of the Journal of yesterday.

The PRESIDENT: The Chair would interrupt the proceedings this morning to welcome to the rear of the chamber Maine's 1975 Potato Queen, Miss Patricia Ann Cyr from Madawaska, Maine.

Senator Cyr from Aroostook has just informed me that Miss Cyr is our ambassadress of good will, and if she would care to say a few words to the Senate, I know we would be delighted to hear them.

Thereupon, the Sergeant-at-Arms escorted Miss Cyr to the rostrum where she addressed the Senate as follows:

Miss CYR: Mr. President and Ladies and Gentlemen of the Senate: Never in my wildest dreams did I ever imagine that I would have the honor of standing here addressing you, the State Legislature. I assure you I will never forget it.

As you must know, I am thrilled and honored beyond words in having been selected your Maine Potato Queen, and I will do my very best to represent the potato industry and to promote potatoes from our state in a dignified manner.

In all honesty, I must confess that one of the most important things I have learned since my reign last July is that potatoes are really good for you nutritionally and are not fattening. So whenever you do eat a baked potato, unless you put butter and all the other accessories on it, it is really good for you and not fattening.

In conclusion, I would like to wish all the new members of the Legislature and our new Governor, Mr. Longley, the very best for the present and the future. God only knows that this country is in dire need of good leadership, and I believe that Maine will contribute much of the help needed.

Thank you for allowing me this day, and thank you all.

Thereupon, the Sergeant-at-Arms escorted Miss Cyr from the chamber, amid the applause of the Senate, the members rising.

Papers From The House
Non-concurrent Matter

Bill, "An Act Converting Mount Chase Plantation into the Town of Mount Chase." (H. P. 59) (L. D. 71)

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

In the House January 7, 1975, referred to the Committee on Local and County Government and Ordered Printed.

In the Senate January 9, 1975, referred to the Committee on Legal Affairs, in non-concurrence.

Comes from the House, that Body having Insisted.

On motion by Mr. Corson of Somerset, the Senate voted to Recede and Concur.

Joint Order

ORDERED, the Senate concurring, that the Legislative Finance Officer be authorized and directed to pay each Member of the Legislature prior to February 1st, 1975 a \$200 allowance for constituent services as authorized in Title 3, section 2 of the Maine Revised Statutes. (H. P. 159)

Comes from the House, Read and Passed.

Which was Read and Passed in concurrence.

Joint Resolution

Joint Resolution Memorializing the President, The Department of Agriculture and Maine Congressional Delegation to withdraw Food Stamp Regulation No. 1975-1.2

WE, your Memorialists, the Senate and House of Representatives of the State of Maine in the One Hundred and Seventh Legislative Session assembled, most respectfully present and petition the President, the United States Department of Agriculture and the Maine Congressional Delegation, as follows:

WHEREAS, the administration in Washington through the Department of Agriculture has proposed Regulation Amendment Notice FSD No. 1975-1.2 to take effect March 1, 1975; and

WHEREAS, this amendment will result in a significant change in the Federal Food Stamp Program by requiring all eligible recipients to pay a flat 30% of their net incomes in order to purchase food stamps; and

WHEREAS, such a change will force almost 95% of all food stamp recipients to pay more for the same amount of stamps; and

WHEREAS, those people most adversely affected will be families with net monthly incomes of less than \$100 and elderly households of one or two people, particularly recipients of the Supplemental Security Income (SSI) Program; and

WHEREAS, all single person households with net incomes above \$154 will be effectively eliminated from the Food Stamp Program; and

WHEREAS, some persons living below the poverty level will be denied food stamps; and

WHEREAS, this amendment will reduce the current Food Stamp Program by \$325,000,000; and

WHEREAS, unemployment, which rises fastest for those with the lowest incomes, is now 8% in Maine and is projected to rise to 9.5 — 10% in the coming months; and

WHEREAS, given Maine's depressed economic condition, 20% of the State's population is eligible for food stamps and it

is projected that 25% of Maine's population will be eligible by the end of 1975; and

WHEREAS, food prices are expected to rise by another 15-20% in 1975, thereby further devaluing food stamps; and

WHEREAS, the Federal Government and the Ford administration should be employing the Food Stamp Program as a cushion for financially depressed Americans; and

WHEREAS, the increasing desperate economic conditions of our country do not justify making low income and unemployed people sacrifice beyond their abilities; now, therefore, be it

RESOLVED: That we, your Memorialists, respectfully oppose the implementation of Regulation Amendment Notice FSP No. 1975-1.2 and firmly recommend and urge the U.S. Department of Agriculture to reconsider its proposed action and withdraw the amendment prior to its effective date of March 1, 1975; and be it further

RESOLVED: That suitable copies of this Resolution be transmitted immediately to the Honorable Gerald Ford, President of the United States, to Earl Butz, Secretary of the U. S. Department of Agriculture, to P. Royal Shipp, Food Stamp Division, Food and Nutrition Services, USDA, Washington, D.C. and to all Members of the Maine Congressional Delegation; and be it further

RESOLVED: That suitable copies of this Resolution, urging similar action, be transmitted to the other 49 state legislatures in the United States. (H. P. 151)

Comes from the House, Read and Adopted.

Which was Read and Adopted in concurrence.

House Papers

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

Bill, "An Act Increasing State, Maine Maritime Academy and Classified University of Maine Employees' Pay." (H. P. 142) (L. D. 164)

Comes from the House, referred to the Committee on Appropriations and Financial Affairs and Ordered Printed.

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

Mr. BERRY: Mr. President and Members of the Senate: With reference to this item, I find a peculiar situation seems to have arisen. L.D. 164 is the state employees pay act, put in by the Honorable Gentleman from Augusta, Mr. Bustin. And Mr. Bustin, in addition to having that responsibility, is the Chairman of the Democratic Party in the State of Maine. And of course, in this position he, I think, has a unique responsibility. I think attached to all his actions and his conduct in his affairs goes a responsibility to not only act, of course, for the welfare of the citizens of the State of Maine, but to represent that great good party for which I have a tremendous amount of respect.

Yesterday afternoon there was a unique distribution of a flyer which was placed under the windshield wipers of most of the legislators' cars, and I think in all my experience up here I haven't seen anything like this. However, it has a great deal to do, I think, with L.D. 164. And this flyer, which is signed by the staff organization of the

Maine Teachers Association, has to do with a third position that Representative Bustin occupies, namely, that he is on the management of the Maine Teachers Association. And as we know from reading the press, Representative Bustin, Chairman Bustin, has been conducting labor negotiations with his 32 employees, I believe it is.

Along with I think many other members of this body, I have had the great privilege of working in negotiations on the opposite side of the table from Chairman Bustin in his negotiations between the several communities in the state and the several teachers organizations in the communities involved. So I find it extremely interesting to read this broadside put out by Chairman Bustin's employees.

I think the thrust of all this is that we seem to have an entirely different situation here. Chairman Bustin finds it extremely imperative that all state employees receive not less than \$26 a week increase. I think, from what I have read, that the increase that is being requested by Chairman Bustin's employees would not break the seven-odd thousand members of the Maine Teachers Association if they were to pay them the major portion of what the employees are asking.

I probably shouldn't and won't read the terms that are used to describe Chairman Bustin's position in the eyes of his employees. I would hope that this was done in merely an attempt to maneuver and bargain him into a poor position. They sure have maneuvered him into some kind of a position, I must say. They refer to him here as being anti-labor. Now, I point out that, as the Chairman of the Democratic Party in the State of Maine, when this individual is being accused by his own employees as being anti-labor, we have a situation arisen which I must say I have never seen the parallel of in the State of Maine.

Now, is it that all of a sudden when Chairman Bustin finds himself about to foot the bill to pay the salary of his own employees, what he calls a living wage — that is what he always called it when I was interested in defending the school board's position; they were always after a living wage — so I suppose Chairman Bustin's employees are after a living wage — now, does he find that it is not fair to give them a living wage when he is paying the bill?

I would say that L.D. 164 is going to be paid by every taxpayer in the State of Maine. I would say that the hundreds and hundreds of teacher-school board pacts which Chairman Bustin has driven home across the state have been paid by the taxpayers of the State of Maine. So, I for one think that because of his unique position in these three particular hats he is wearing, as a member of the Legislature, as Chairman of the Democratic State Committee, and as a top executive in the Maine Teachers Association, that he ought not to conduct himself in his negotiations so that he gets an epithet like this.

Mr. President, I would move that L.D. 164 be referred to the Committee on Appropriations and Financial Affairs.

The PRESIDENT: Is it now the pleasure of the Senate that L. D. 164 be referred to the Committee on Appropriations and Financial Affairs and Ordered Printed in concurrence.

The motion prevailed.

Bill, "An Act Relating to Bonding of Gasoline Distributors and Use Fuel Dealers." (H. P. 122) (L. D. 142)

Comes from the House referred to the Committee on Business Legislation and Ordered Printed.

On motion by Mr. Speers of Kennebec, referred to the Committee on Taxation and Ordered Printed in non-concurrence.

Sent down for concurrence.

Senate Papers

Business Legislation

Mr. Clifford of Androscoggin presented, Bill, "An Act to Eliminate the 5-Year Residency Requirement for Persons Seeking a License to Operate an Employment Agency." (S. P. 62)

Mr. O'Leary of Oxford presented, Bill, "An Act to Prohibit Coordination Benefits under any Group Health Insurance Policy." (S. P. 65)

The same Senator presented, Bill, "An Act to Prohibit Insurance Companies from Requiring Applicants for Group Health Insurance to List Other Insurance Policies on their Application." (S. P. 66)

Which were referred to the Committee on Business Legislation and Ordered Printed.

Sent down for concurrence.

Judiciary

Mr. Hichens of York presented, Bill, "An Act to Repeal the Statutory Provision for Expunging Certain Records of Arrest." (S. P. 63)

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

Sent down for concurrence.

Legal Affairs

Mr. Jackson of Cumberland presented, Bill, "An Act Relating to the Number, Election, Quorum and Term of Office of the Trustees of Hebron Academy." (S. P. 69)

Which was referred to the Committee on Legal Affairs and Ordered Printed.

Sent down for concurrence.

Local and County Government

Mr. Conley of Cumberland presented, Bill, "An Act to Increase the Salary of the Superior Court Messenger of Cumberland County." (S. P. 64)

Mr. O'Leary of Oxford (By Request) presented, Bill, "An Act to Annex the Town of Jay to Androscoggin County." (S. P. 67)

Which were referred to the Committee on Local and County Government and Ordered Printed.

Sent down for concurrence.

Orders

On motion by Mr. Speers of Kennebec, ORDERED, that Sergeant Roger E. Drake of the Maine State Police be appointed Senate Security Officer for the 107th Maine Senate.

Which was Read and Passed.

Orders of the Day

The President laid before the Senate the first tabled and specially assigned matter:

Bill, "An Act Appropriating Funds to Reimburse Municipalities for Business Inventory Taxes." (H. P. 82) (L. D. 100)

Tabled — January 9, 1975 by Senator Speers of Kennebec.

Pending — Reference.

On motion by Mr. Speers of Kennebec, referred to the Committee on Appropriations and Financial Affairs and Ordered Printed in concurrence.

The President laid before the Senate the

second tabled and specially assigned matter:

Bill, "An Act Amending the Elderly Householders Tax and Rent Refund Act to Expand Eligibility to Recipients of Supplemental Security Income." (H. P. 104) (L. D. 101)

Tabled — January 9, 1975 by Senator Speers of Kennebec.

Pending — Reference.

On motion by Mr. Speers of Kennebec, referred to the Committee on Taxation and Ordered Printed in non-concurrence.

Sent down for concurrence.

The President laid before the Senate the third tabled and specially assigned matter:

JOINT ORDER — Relative to Senate and House Registers. (S. P. 17)

Tabled — January 14, 1975 by Senator Speers of Kennebec.

Pending — Consideration.

(In Senate—Passed)

(In House—Passed as amended by House Amendment "A" (H-2))

On motion by Mr. Speers of Kennebec, the Senate voted to Recede from its prior action.

House Amendment "A" was Read.

Mr. Speers of Kennebec then presented Senate Amendment "A" to House Amendment "A".

Senate Amendment "A", Filing No. S-1, to House Amendment "A" was read and Adopted, and House Amendment "A", as amended by Senate Amendment "A" Thereto, was Adopted in non-concurrence.

Sent down for concurrence.

(Off Record Remarks)

The PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Cummings.

Mrs. CUMMINGS: Mr. President, although my eagerness to convene today caused some discomfort, one Senator was kind enough to say he enjoyed the sunrise. I move that we stand adjourned until 10:00 o'clock tomorrow morning.

The PRESIDENT: The Senator from Penobscot, Senator Cummings now moves that the Senate stand adjourned until 10:00 o'clock tomorrow morning. Is this the pleasure of the Senate?

The motion prevailed.