

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

*One Hundred and Seventh  
Legislature*

OF THE

STATE OF MAINE

1975

KENNEBEC JOURNAL  
AUGUSTA, MAINE

## Senate

February 21, 1975

Senate called to order by the President.

Prayer by Rev. Joe Flippino of Augusta:

Our Heavenly Father, we thank you for another opportunity that we have to come into your presence. We pray, Heavenly Father, that you will be with the Senate today as they make their decisions. We pray, Lord, that these decisions will be in accordance with Thy will. We pray, Lord, that your richest blessings will be upon each Senator represented here and we pray that your guidance will be upon each one of them. Heavenly Father, we just pray now that we bring glory to Thee. We ask these things in Jesus' name. Amen.

Reading of the Journal of yesterday.

## Joint Order

Out of order and under suspension of the rules:

On motion by Mrs. Cummings of Penobscot,

ORDERED, the House concurring that when the Senate and House adjourn, they adjourn to Tuesday, February 25, at 10 o'clock in the morning.

Which was Read and Passed.

Under further suspension of the rules, sent down forthwith for concurrence.

## Papers From The House

## Joint Order

## STATE OF MAINE

In The Year Of Our Lord One Thousand Nine Hundred and Seventy-five.

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of

The Honorable William S. Cohen  
Named Among the Jaycees  
Top Ten Outstanding Young Men  
For 1975

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. (H. P. 586)

Comes from the House, Read and Passed.

Which was Read and Passed in concurrence.

## Joint Resolution

## STATE OF MAINE

In The Year Of Our Lord One Thousand Nine Hundred and Seventy-Five.

Joint Resolution Memorializing The Congress of The United States To Extend The United States Fisheries Management Jurisdiction 200 Miles Seaward From Its Boundaries

WE, your Memorialists, the House of Representatives and Senate of the State of Maine in the One Hundred and Seventh Legislature, now assembled, most respectfully present and petition your Honorable Body as follows:

WHEREAS, Maine fishermen are currently losing the livelihood of generations through failure of the Federal Government to control excessive foreign fishing off the coast; and

WHEREAS, Federal negotiations at the "law of the sea" conference even if successful will take 6 to 10 years to ratify and

implement leaving little or no protection during the interim; and

WHEREAS, this inaction has prompted the Maine Legislature to declare Maine's fisheries management jurisdiction 200 miles seaward from its boundaries or to the edge of the continental shelf; and

WHEREAS, the Congress of the United States must act now to extend United States fisheries management jurisdiction beyond 12 miles to the 200-mile limit before fishing stocks are exhausted; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully recommend and urge the Congress of the United States to use every possible means at its command to pass legislation which will extend the fisheries management jurisdiction of the United States without interfering with Canada 200 miles seaward or to the edge of the continental shelf and thus reduce the chances of further depletion of fishing stocks by overfishing; and be it further

RESOLVED: That a duly authenticated copy of this Memorial be immediately submitted by the Secretary of State to The Honorable Gerald R. Ford, President of the United States, to the President of the Senate and Speaker of the House of Representatives of the Congress of the United States and to each Member of the Senate and House of Representatives in the Congress of the United States from this State. (H. P. 597)

Comes from the House, Read and Adopted.

Which was Read and Adopted in concurrence.

## House Papers

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

Bill, "An Act to Include the Right to Use Submerged Lands as Part of Environmental Licensing." (H. P. 567) (L. D. 703)

Comes from the House referred to the Committee on Public Lands and Ordered Printed.

On motion by Mr. Soers of Kennebec, tabled and Tomorrow Assigned, pending Reference to Committee.

## Senate Papers

Mrs. Cummings of Penobscot (Cosponsors: Mr. Clifford of Androscoggin, Mr. Trotzky of Penobscot and Mr. Merrill of Cumberland) presents Bill, "An Act to Authorize the University of Maine to Proceed with the Development of a School of Medicine as Part of the Teaching Program of the University System." (S. P. 224)

The Committee on Reference of Bills suggests that this Bill be 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: I am unfamiliar with the content of the bill but the title of it certainly attracts my attention, and I note the absence of the Senate Chairman of the Committee on Education. This is no place to debate the merits of a bill with a title like this, particularly with the prestigious sponsors that the bill has. Perhaps because of that impact which is given to it by these four redoubtable Senators, I think that the reference of the bill is something that should receive considerable attention.

We are dealing here with, I think primarily, not can the state afford a medical school; that question is going to be asked soon enough, but the first question is: should we have a medical school, philosophically? I think that the proposal

perhaps to either have a joint hearing or have the matter treated first by the Education Committee deserves considerable consideration. I do not make that as a recommendation at this stage of the game. As I said, I wish Senator Katz were here to add his comments.

We have seen, after the initial action of the legislature several years ago where we asked the university to consider the many, many angles of medical school systems, we have seen them apparently project themselves into this while new program with considerable enthusiasm and perhaps effectiveness. The radio over the past day has carried news that an advisory committee has been formed by the university, and some of the members I know on it are extremely capable people. All this adds up, in my estimation, to quite serious consideration that perhaps the railroad has got the engine on it and she is going.

So I would, after this long boring speech, think that it might be highly desirable to have a little bit more open consideration given to this. I think the matter is not does the Appropriation Committee consider do we have the money now or in the future available for it; I think the question is: just where are we and, what should we be doing? I think involved here is a little matter of philosophy. So with that in mind, I would suggest that perhaps we defer consideration, unless somebody wants to change the reference now.

The PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Speers.

Thereupon, on motion by Mr. Speers of Kennebec, tabled and Specially Assigned for February 25, 1975, pending Reference to Committee.

## Fisheries and Wildlife

Mr. Pray of Penobscot presented, Bill, "An Act Relating to the Giving Away of Deer." (S. P. 221)

Which was referred to the Committee on Fisheries and Wildlife and Ordered Printed.

Sent down for concurrence.

## Local and County Government

Mr. Katz of Kennebec presented, Bill, "An Act Concerning Listing of Tax Exempt Real Property for Town Reports." (S. P. 223)

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

Sent down for concurrence.

## Marine Resources

Mr. Curtis of Penobscot presented, Bill, "An Act to Provide for Marine Resource Education by the Department of Marine Resources." (S. P. 222)

Which was referred to the Committee on Marine Resources and Ordered Printed.

Sent down for concurrence.

## House

## Leave to Withdraw

The Committee on Labor on, Bill, "An Act Eliminating the Waiting Period Under the Employment Security Law." (H. P. 137) (L. D. 170)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the report Read and Accepted.

The Committee on Legal Affairs on, Bill, An Act Requiring Auctioneers to Keep Records of Purchases and Sales. (H. P. 469) (L. D. 591)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the report Read and Accepted.

The Committee on Legal Affairs on, Bill,

**Committee  
Reports  
House**

**Leave to Withdraw**

The Committee on Labor on, Bill, "An Act Eliminating the Waiting Period Under the Employment Security Law." (H. P. 137) (L. D. 170)

Reported that the same be granted Leave to Withdraw.

The Committee on Legal Affairs on, Bill, "An Act Requiring Licensing of Antique and Used Furniture Dealers and Their Keeping of Records." (H. P. 470) (L. D. 592)

Reported that the same be granted Leave to Withdraw.

Come from the House, the reports Read and Accepted.

Which reports were Read and Accepted in concurrence.

**Ought to Pass**

The Committee on Legal Affairs on, Bill, "An Act Combining the Towns of Yarmouth and North Yarmouth as One Municipality for Shellfish Conservation Purposes." (H. P. 70) (L. D. 82)

Reported that the same Ought to Pass.

The Committee on State Government on, Bill, "An Act Relating to Licenses Issued by the Harness Racing Commission and to the Rule-making Authority of that Commission." (H. P. 363) (L. D. 457)

Reported that the same Ought to Pass.

The Committee on State Government on, Bill, "An Act Relating to Fines, Suspensions and Revocations Levied by the Harness Racing Commission." (H. P. 431) (L. D. 525)

Reported that the same Ought to Pass.

Come from the House, the Bills Passed to be Engrossed.

Which reports were Read and Accepted in concurrence, the Bills Read Once and Tomorrow Assigned for Second Reading.

**Ought to Pass — As Amended**

The Committee on Legal Affairs on, Resolve, to Reimburse Marcia S. Webster of Auburn for Loss by Fire Caused by State Ward. (H. P. 268) (L. D. 316)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-25).

The Committee on Legal Affairs on, Resolve, to Reimburse G. Gordon Gilman of Stow for Loss of Bee Hives by Bear. (H. P. 291) (L. D. 343)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-26).

The Committee on Business Legislation on, Bill, "An Act Relating to Suspension of Sale of Certain Bedding and Upholstered Furniture." (H. P. 143) (L. D. 165)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-24).

Come from the House, the Resolves and Bill Passed to be Engrossed as Amended by Committee Amendments "A".

Which reports were Read and Accepted in concurrence and the Resolves and Bill Read Once. Committee Amendments "A" were Read and Adopted in concurrence and the Resolves and Bill, as Amended, Tomorrow Assigned for Second Reading.

**Leave to Withdraw**

Mr. Carbonneau for the Committee on Local and County Government on, Bill, "An Act Converting Rangeley Plantation into the Town of Haley." (S. P. 86) (L. D. 257)

Reported that the same be granted Leave to Withdraw.

Which report was Read.

Mr. O'Leary of Oxford then moved that the Bill be tabled and Specially Assigned for March 4, 1975, pending Consideration.

Thereupon, on motion by Mr. Speers of Kennebec, tabled and Specially Assigned for February 25, 1975, pending Consideration.

**Ought to Pass**

Mr. Gahagan for the Committee on Appropriations and Financial Affairs on, Bill, "An Act Relating to Expenses of the Legislature." (S. P. 148) (L. D. 511)

Reported that the same Ought to Pass.

Which report was Read and Accepted, the Bill Read Once and Tomorrow Assigned for Second Reading.

**Second Readers**

The Committee on Bills in the Second Reading reported the following:

**House**

Resolve, to Reimburse Virginia A. Brann of Windsor for Motor Vehicle Damage Due to State Construction. (H. P. 196) (L. D. 240)

Bill, "An Act to Clarify Directional Signs Indicating Coastal Route at Exit 9 on the Maine Turnpike." (H. P. 231) (L. D. 287)

Resolve, to Reimburse Gordon Wiley of Littleton for Loss of Poultry by Fox. (H. P. 265) (L. D. 312)

Bill, "An Act to Suspend Certain Requirements of the Employment Security Law During Periods of Emergency." (H. P. 509) (L. D. 571)

Bill, "An Act to Revise Certain Requirements of the Employment Security Law During Periods of Emergency." (H. P. 510) (L. D. 572)

Bill, "An Act Relating to Contraband Cigarettes." (H. P. 564) (L. D. 631)

Which were Read a Second Time and Passed to be Engrossed, in concurrence.

**House - As Amended**

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

Bill, "An Act Relating to Grants-in-aid for Construction and Maintenance of Public Facilities for Boats." (H. P. 145) (L. D. 163)

Resolve, to Reimburse Evelyn Bass of Bucksport for Loss of Beehives by Bear. (H. P. 192) (L. D. 228)

Bill, "An Act Relating to Fees for the Inspection of School Buses." (H. P. 229) (L. D. 285)

Which were Read a Second Time and Passed to be Engrossed, as Amended, in concurrence.

**Senate**

RESOLUTION, Proposing an Amendment to the Constitution Prohibiting Anyone under Sentence for a Felony from Seeking or Holding a Constitutional Office. (S. P. 43) (L. D. 95)

Bill, "An Act to Authorize the State Liquor Commission to Grant Civic Associations Licenses to Sell Alcoholic Beverages for On-Premise Consumption." (S. P. 89) (L. D. 260)

Bill, "An Act Increasing the Number of Official Court Reporters." (S. P. 127) (L. D. 413)

Which were Read a Second Time and Passed to be Engrossed.

Sent down for concurrence.

**Senate - As Amended**

Bill, "An Act Relating to the Presentation of Budgets by School Administrative Districts." (S. P. 49) (L. D. 130)

Which was Read a Second Time and Passed to be Engrossed, as Amended.

Sent down for concurrence.

On motion by Mr. Huber of Cumberland, the Senate voted to take from the Special Appropriations Table, An Act Allowing the Department of Military, Civil Emergency Preparedness and Veterans Services to Pay a Lump Sum Final Settlement in Accordance with the Workmen's Compensation Act. (H. P. 127) (L. D. 141)

This being an emergency measure and having received the affirmative votes of 25 members of the Senate, with none voting in the negative, was Passed to be Enacted and, having been signed by the President, was by the Secretary presented to the Governor for his approval.

**Orders of the Day**

**Papers from the House**

Out of order and under suspension of the rules, the Senate voted to take up the following:

**Enactors**

The Committee on Engrossed Bills reports as truly and strictly engrossed the following:

**Emergency**

An Act Relating to the Borrowing Capacity of School Administrative District No. 19. (H. P. 69) (L. D. 81)

This being an emergency measure and having received the affirmative votes of 25 members of the Senate, with none voting in the negative, was Passed to be Enacted and, having been signed by the President, was by the Secretary presented to the Governor for his approval.

The Adjournment Order having been returned from the House, Read and Passed in concurrence, on motion by Mr. Speers of Kennebec, adjourned until Tuesday, February, 25, 1975, at 10 o'clock in the morning.