

# 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**

February 28, 1975

Senate called to order by the President.

Prayer by Chaplain Robert Harris of Togus:

Let us pray. Father, God, called the first lawmaker of the mountain, surrender guidance to your people of old, so now we come, we face our mountains, problems from our great state. We face our mountains not in panic and despair but with an abiding faith, and in a steadfast hope that we shall overcome and help your people of today. Bless this embodiment of secrets of truth, and in the tradition of Moses may we too lead your people, help your people, and be true to our calling laid upon us by our neighbor. Grant us the wisdom of clear minds, the peace of caring hearts, and may this illustrious body be your servants in the course of helping all of our citizens. May we never forget the worth of each person called your child, in the name of the name of the most high. 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, March 4, at 10 o'clock in the morning. (S. P. 259)

Which was Read and Passed.

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

**Papers from the House  
Non-concurrent Matter**

Bill, An Act to Permit Reimbursement of Attorney General's Cost of Investigation when a Permanent Injunction is Issued. (S. P. 206) (L. D. 696)

In the Senate February 19, 1975, referred to the Committee on Appropriations and Financial Affairs and Ordered Printed.

Comes from the House, referred to the Committee on Judiciary and Ordered Printed, in non-concurrence.

Thereupon, the Senate voted to Recede and Concur.

**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 Linda Whitney, Coach of Lake Region Lakers of Lake Region High School Class B Girls Basketball State Champions for Academic Year 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 Constitutional 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. 680)

Comes from the House, Read and Passed.

Which was Read and Passed in concurrence.

**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 Lake Region Lakers of Lake Region High School Class B Girls Basketball State Champions for Academic Year 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. 681)

Comes from the House, Read and Passed.

Which was Read and Passed in concurrence.

**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 Massabesic High School Mustangs State Wrestling Champions for the Academic Year 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. 682)

Comes from the House, Read and Passed.

Which was Read and Passed 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 Require Protective Headgear for Snowmobile Riders." (H. P. 634) (L. D. 785)

Comes from the House referred to the Committee on Legal Affairs and Ordered Printed.

On motion by Mr. Pray of Aroostook, tabled and Specially Assigned for March 4, 1975, pending Reference to Committee.

**Communications  
STATE OF MAINE**

One Hundred and Seventh Legislature  
House of Representatives  
Office of the Clerk  
Augusta, Maine 04330

February 27, 1975

The Honorable Joseph Sewall  
President of the Senate  
107th Maine Legislature  
State House  
Augusta, Maine 04330

Dear Mr. President:

This is to bring to your attention an error for which I accept responsibility in the preparation of the 1975 Senate and House Registers.

Representative Stephen T. Hughes is indicated as being an attorney. He is not and I regret this error.

Sincerely yours,  
EDWIN H. PERT  
Clerk of the House

Which was Read and Ordered Placed on File.

**Senate Papers  
Energy**

Mr. Gahagan of Aroostook presented, Bill, "An Act Reorganizing the State Energy Capability." (S. P. 258)

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

Sent down for concurrence.

**State Government**

Mr. Gahagan of Aroostook presented, Bill, "An Act Requiring that the Judicial Council Report to the Legislature." (S. P. 257)

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

Sent down for concurrence.

**Transportation**

Mr. Greeley of Waldo presents, Bill, "An Act Relating to the Application of the State Valuation to Certain State and Town Cost-Sharing Activities." (S. P. 256)

The Committee on Reference of Bills suggests that this Bill be referred to the Committee on Taxation and Ordered Printed.

On motion by Mr. Greeley of Waldo, referred to the Committee on Transportation and Ordered Printed.

The same Senator presented, Bill, "An Act to Make Allocations from the Highway Fund for the Fiscal Years Ending June 30, 1976 and June 30, 1977." (S. P. 254)

The same Senator presented, Bill, "An Act to Increase Fees for Overlimit Permits." (S. P. 255)

Which were referred to the Committee on Transportation and Ordered Printed.

Sent down for concurrence.

**Orders**

On motion by Mrs. Cummings of Penobscot,

ORDERED, that Senate Order, dated January 15, 1975 relating to the appointment of Sergeant Roger E. Drake as Senate Security Officer be rescinded; and be it further

ORDERED, that Corporal Richard Arnold of the Maine State Police be appointed Senate Security Officer for the 107th Maine Senate.

Which was Read and Passed.

**Committee Reports  
House  
Ought to Pass**

The Committee on Local and County Government on, Bill, "An Act to Provide for the Election of Each County Commissioner of York County by only the Electors of the District Represented." (H. P. 399) (L. D. 488)

Reported that the same Ought to Pass. Comes from the House, the Bill Passed to be Engrossed as Amended by House Amendment "A" (H-40)

Which report was Read and Accepted in concurrence and the Bill Read Once. House Amendment "A" was Read and Adopted in concurrence and the Bill, as

Amended. Tomorrow Assigned for Second Reading.

#### Senate

##### Leave to Withdraw

Mr. Carbonneau for the Committee on Liquor Control on, Bill, "An Act Relating to Transfer of Licenses under the Statutes Regulating Alcoholic Beverages." (S. P. 103) (L. D. 358)

Reported that the same be granted Leave to Withdraw.

Which report was Read and Accepted.  
Sent down for concurrence.

##### Ought to Pass

Mr. Graffam of the Committee on Liquor Control on Bill, "An Act to Clarify Questions on Local Option Under Liquor Law." (S. P. 79) (L. D. 219)

Reported that the same Ought to Pass.

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

##### Ought to Pass — As Amended

Mr. Graffam for the Committee on Liquor Control on, Bill, "An Act to Eliminate the 10-day Advance Notice Requirement on License Applications to Sell Liquor at Certain Gatherings." (S. P. 102) (L. D. 357)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-15).

Which report was Read and Accepted and the Bill Read Once. Committee Amendment "A" was Read and Adopted, and the Bill, as Amended, Tomorrow Assigned for Second Reading.

#### Second Readers

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

##### House

Bill, "An Act to Increase the Length of Herring which may not be Sold." (H. P. 236) (L. D. 292)

Bill, "An Act Relating to Wholesale Deliveries of Malt Beverages and Table Wine on Election Day." (H. P. 258) (L. D. 305)

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." (H. P. 303) (L. D. 366)

(On motion by Mr. Clifford of Androscoggin, Tabled and Specially Assigned for March 5, 1974, pending Passage to be Engrossed.)

Bill, "An Act to Clarify the Powers of Coastal Wardens." (H. P. 407) (L. D. 496)

Bill, "An Act to Provide for Reimbursement of Election Expenses in Unorganized Towns." (H. P. 596) (L. D. 694)

Which were Read a Second Time and, except for the tabled matter, Passed to be Engrossed in concurrence.

##### Senate

Bill, "An Act Relating to Experimental Signs at Railroad Crossings." (S. P. 109) (L. D. 363)

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

Sent down for concurrence.

#### Enactors

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

An Act Concerning Continuation of a Power of Attorney upon Death or Disability. (S. P. 57) (L. D. 137)

An Act to Reduce the 5-Year Residency Requirement for Persons Seeking a License to Operate an Employment Agency. (S. P. 62) (L. D. 181)

Which were Passed to be Enacted and, having been signed by the President, were by the Secretary presented to the Governor for his approval.

#### Emergency

An Act to Revise the Assessor's Warrant from a Statutory Form to a Form Prescribed Annually by the State Director of Property Taxation. (S. P. 88) (L. D. 257)

This being an emergency measure and having received the affirmative votes of 26 members of the Senate, 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

Mr. Gahagan of Aroostook was granted unanimous consent to address the Senate.

Mr. GAHAGAN: Mr. President. Members of the Senate, I rise on a point of great concern to the Maine Farming Community.

On Monday next an option held by a New Jersey sugar company to purchase the sugar beet refinery in Easton will expire. I would like to take this opportunity to urge the Maine Guaranty Authority to take positive action which will make this facility immediately available to the Maine Sugar Beet Growers Association and its factory operator.

The Maine farming community and the people who I represent in Aroostook County support the proposal of the Maine Sugar Beet Growers Association and their plant operator. This proposal calls for cooperative ownership of the Easton refinery between the Austro-Italian operating group and local sugar beet farmers.

The Maine farming community and the people who I represent in Aroostook County do not support the proposal of the Nordic Sugar Corporation. Furthermore, Mr. President, I do not believe the people of the State of Maine wish to see the Maine Guaranty Authority allow this State to involve itself again with an operation which has already cost the taxpayers of the State of Maine over 13 million dollars with nothing to show for it except an idle plant in Easton.

Conveyance of the sugar refinery to Nordic Sugar or any other group which does not have the full endorsement of the Maine farming community would be a disastrous mistake.

Without the confidence and support of the Maine farming community, Maine will never have a sugar beet industry. I have no doubt that the Maine Guaranty Authority has made every effort to find an equitable solution to this very difficult problem. However, of primary importance in this issue is not a quick sale to the high bidder but rather, by legislative mandate, responsible action which will result in maximum long-term benefit to Aroostook County and the State of Maine. This refinery must not be sold and dismantled. Mr. President, this refinery is of more value to the State of Maine as an operating tax-revenue-producing facility. The only proposal which guarantees that the refinery will not be dismantled is the proposal of the Maine farmers.

In my opinion, Mr. President, there is only one decision which the Maine Guaranty Authority can make which will

clearly result in the following:

1. Payment of a reasonable price to the State of Maine for the plant facility, and
2. Successful operation of the refinery at its present location in Easton.

This decision of the Maine Guaranty Authority will make the sugar beet refinery immediately available to the Maine Sugar Beet Growers Association and its plant operator. Any other action which does not provide for operation of the plant at its present location with the full cooperation of Maine farmers would be a grave injustice to the State of Maine.

#### (Off Record Remarks)

The President laid before the Senate the following tabled and Specially Assigned matter:

Bill, "An Act to Increase Boarding Allowance for Students of Coastal Islands." (H. P. 232) (L. D. 288)

Tabled — February, 27, 1975 by Senator Pray of Penobscot.

Pending — Passage to be Engrossed.

Mr. Pray of Penobscot then presented Senate Amendment "A" and moved its Adoption.

Senate Amendment "A", Filing No. S-16, was Read.

Thereupon, on motion by Mr. Gahagan of Aroostook, tabled and Specially Assigned for March 4, 1975, pending Adoption of Senate Amendment "A".

The Adjournment Order having been returned from the House, Read and Passed in concurrence, on motion by Mrs. Cummings of Penobscot, adjourned until March 4, 1975, at 10 o'clock in the morning.