

# 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**

Monday, April 21, 1975

Senate called to order by the President.  
Prayer by The Honorable Samuel W. Collins, Jr., of Rockland.  
Reading of the Journal of Friday, April 18, 1975.

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

Bill, "An Act to Create the Commission on Governmental Ethics and Election Practices." (S. P. 487) (L. D. 1778)  
In the Senate April 10, 1975, referred to the Committees on State Government and Election Laws, Jointly, and Ordered Printed.

Comes from the House, referred to the Committee on Election Laws and Ordered Printed, in non-concurrence.  
On motion by Mr. Speers of Kennebec, the Senate voted to Recede and Concur.

**Non-concurrent Matter**

Bill, "An Act to Establish an Alternative Method of Support Enforcement." (H. P. 1468) (L. D. 1793)

In the House April 8, 1975, referred to the Committee on Performance Audit and Ordered Printed.

In the Senate April 17, 1975, referred to the Committee on Health and Institutional Services and Ordered Printed, in non-concurrence.

Comes from the House, that Body having Insisted.  
On motion by Mr. Speers of Kennebec, the Senate voted to Adhere.

**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 Mrs. Electa A. Carpenter of Houlton Retired after 33 Years of Government Service, including Register of Deeds for the Last Decade

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. 1516)

Comes from the House, Read and Passed.

Which was Read and Passed, in concurrence.

**Joint Order**

WHEREAS, the Members of the One Hundred and Seventh Legislature assembled on April 16, 1975 for an evening of gracious hospitality, courtesy of the City of Augusta; and

WHEREAS, this joining in good fellowship of Augusta officials and the Legislature in the magnificent beauty of the Augusta Civic Center was a warm and memorable occasion; and

WHEREAS, an expression of our thanks is in order for this delightful evening extended by our hosts on behalf of the Capitol City; now, therefore, be it

ORDERED, the Senate concurring, that the sincere appreciation of the Members of

the 107th Legislature be extended to Mayor David N. Elvin and to the Honorable Members of the Augusta City Council for the gracious hospitality extended to them at the legislative reception given in behalf of the Legislature at the Augusta Civic Center on the evening of April 16th; and be it further

ORDERED, that a suitable copy of this Order be transmitted forthwith to the Honorable David N. Elvin, Mayor of Augusta, in token of the sentiments expressed herein. (H. P. 1517)

Comes from the House, Read and Passed.

Which was Read.

**House Papers**

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

Bill, "An Act to Phase out the Present Form of County Government, Transfer its Functions to other Government Units and to Direct the State's Advisory Commission on Intergovernmental Relations to Make Recommendations to the Special Session of the 107th Legislature." (H. P. 1445) (L. D. 1819)

Comes from the House referred to the Committee on State Government and Ordered Printed.

On motion by Mr. Jackson of Cumberland, referred to the Committee on Local and County Government in non-concurrence and Ordered Printed.

Sent down for concurrence.

The PRESIDENT: The Chair is very pleased to welcome this afternoon in the rear of the chamber Maine's Junior Miss, Debra Ruth Clark, who is currently a Senior at Gardiner Area High School. She is 18 years old and is the daughter of Joan and Ralph Clark of Gardiner. In high school Debbie has been active in the Student Council, the Advisory Committee, the French Club, the various glee clubs, and with the year book staff. She has also been a member of Girls State and a representative to Girls Nation.

Along with all these school activities, Debbie has been active in the Cancer Society, UNICEF, Anti-drug Program, Girl Scouts, Headstart, March of Dimes, Red Cross, and her church youth group. Debbie has interests in sewing, horseback riding, playing the guitar and piano, and has also stated that she is very much interested in politics.

Debbie is the guest today of the Senator from Kennebec, Senator Speers, and she will be leaving this Thursday morning for Mobile, Alabama as Maine's entry in the America's Junior Miss competition. I would like to have the Sergeant-at-Arms escort Debbie to the rostrum so that she may say a few words to the Senators assembled here this afternoon. We are very pleased to have her with us.

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

Miss CLARK: Thank you very much, Mr. President and Members of the Senate. I really don't have too much to say because this role of Junior Miss is quite new to me. But I would like to say that a lot of the questions that I am asked in my interviews are about politics and government, and the State of Maine is in the eyes of the nation, I may say, because we have an Independent Governor and because of much of the movement, especially the liquor law, which I have been up here recently listening in on.

I am very much interested in politics, and when I go down to Mobile I hope to represent Maine the best I can, as well as the government.

That is all I have to say. Thank you very much for having me and listening to what I have to say, which isn't too much. Thank you very much.

Thereupon, the Sergeant-at-Arms escorted Miss Clark from the rostrum to the rear of the chamber, amid the applause of the Senate, the members rising.

**Communications  
STATE OF MAINE  
Senate Chamber  
Augusta, Maine 04330**

April 18, 1975

Honorable Joseph Sewall  
President of the Senate  
State House  
Augusta, Maine 04330

Dear Joe,

A bill has been introduced looking towards formation of a utility district to be voted on by the residents of Baileyville.

Inasmuch as I wish to avoid the appearance of a conflict of interest due to my ownership of the utility involved, I shall abstain from voting on this matter at all stages of its legislative consideration.

Sincerely,

Signed:

RICHARD N. BERRY  
Senate District 8

Which was Read and Ordered Placed on File.

**Committee Reports  
House**

The following Ought Not to Pass reports shall be placed in the legislative files without further action pursuant to Rule 17-A of the Joint Rules:

Bill, "An Act to Change the Name of the Maine Boxing Commission to Maine Athletic Commission." (H. P. 310) (L. D. 373)

Resolution, Proposing an Amendment to the Constitution to Provide for Appointment of the Attorney General by the Governor. (H. P. 1097) (L. D. 1379)

Bill, "An Act Relating to Credit for Military Service under State Retirement Law." (H. P. 743) (L. D. 915)

Resolve, Providing a Minimum Service Retirement Allowance under the State Retirement Law for John B. Cottrell, Jr." (H. P. 775) (L. D. 946)

Bill, "An Act Concerning Burial in the Maine Veterans Memorial Cemetery." (H. P. 791) (L. D. 964)

Bill, "An Act to Provide Retirement Credit to Forester's Spouse under the Maine State Retirement System." (H. P. 921) (L. D. 1136)

**Leave to Withdraw**

The Committee on Judiciary on, Bill, "An Act to Increase the Size of Claim Allowable under the Jurisdiction of the Small Claims Court." (H. P. 770) (L. D. 941)

Reported that the same be granted Leave to Withdraw.

The Committee on State Government on, Bill, "An Act to Limit the State Agencies which May own Automobiles. (H. P. 976) (L. D. 1223)

Reported that the same be granted Leave to Withdraw.

The Committee on Taxation on, Bill, "An Act to Lower the Age Limitation for Claims under the Elderly Householders

Tax and Rent Refund Act." (H. P. 309) (L. D. 372)

Reported that the same be granted Leave to Withdraw.

The Committee on Taxation on, Bill, "An Act to Provide and Additional Exemption from the Maine Income Tax for any Maine Resident of 62 Years of Age or Older." (H. P. 454) (L. D. 560)

Reported that the same be granted Leave to Withdraw.

The Committee on Taxation on, Bill, "An Act to Reimburse Municipalities for Loss of Taxes Due to Veterans' Exemptions Authorized by the State." (H. P. 690) (L. D. 852)

Reported that the same be granted Leave to Withdraw.

The Committee on Taxation on, Bill, "An Act to Provide Additional Income Tax Exemptions for Elderly Persons." (H. P. 327) (L. D. 399)

Reported that the same be granted Leave to Withdraw.

The Committee on Natural Resources on, Bill, "An Act to Establish the Maine Flood Hazard Area Management Act." (H. P. 536) (L. D. 653)

Reported that the same be granted Leave to Withdraw.

The Committee on Veterans and Retirement on, Bill, "An Act Pertaining to the Granting of Extensions in State Service to State Employees of 70 Years of Age or Older by the Retirement Board of Trustees." (H. P. 963) (L. D. 1216)

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 Agriculture on, Bill, "An Act Relating to the Employment of Veterinarians by the Commissioner of Agriculture to Ensure Compliance with the Harness Racing Statutes." (H. P. 616) (L. D. 761)

Reported that the same Ought to Pass.

The Committee on Education on, Bill, "An Act Relating to Construction Requirements for Sanitary Facilities in School Buildings." (H. P. 942) (L. D. 1181)

Reported that the same Ought to Pass.

The Committee on Business Legislation on, Bill, "An Act Relating to Minimum Group Life Insurance Premiums." (H. P. 983) (L. D. 1246)

Reported that the same Ought to Pass.

The Committee on Education on, Bill, "An Act Relating to Contracts of Teachers with Municipalities." (H. P. 1033) (L. D. 1339)

Reported that the same Ought to Pass.

The Committee on Education on, Bill, "An Act Concerning the Qualification of Persons Allowed to Vote at District Budget Meetings of School Administrative Districts." (H. P. 1108) (L. D. 1385)

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

Reported that the same Ought to Pass as

Amended by Committee Amendment "A" (H-168).

The Committee on Local and County Government on, Bill, "An Act Converting Dallas Plantation into the Town of Dallas." (H. P. 578) (L. D. 713)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-167).

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

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

#### Senate

The following Ought Not to Pass reports shall be placed in the Legislative files without further action pursuant to Rule 17-A of the Joint Rules:

Bill, "An Act to Require Certain Lighting on Snow Plowing Vehicles." (S. P. 326) (L. D. 1103)

Resolve, Providing for Purchase of Copies of History of the University of Maine at Farmington." (S. P. 278) (L. D. 923)

Bill, "An Act to Prevent Unauthorized Hunting on Private Property." (S. P. 346) (L. D. 1147)

Bill, "An Act to Establish a Game Preserve at Newbury Neck in Surry." (S. P. 364) (L. D. 1167)

Bill, "An Act to Appropriate Additional Funds for Direct State Aid to Local Libraries at 10 cents Per Capita." (S. P. 383) (L. D. 1238)

#### Leave to Withdraw

Mr. Trotzky for the Committee on Natural Resources on, Bill, "An Act to Redefine Critical Areas Under the Act for a State Register of Critical Areas." (S. P. 275) (L. D. 922)

Reported that the same be granted Leave to Withdraw.

Mr. Huber for the Committee on Appropriations and Financial Affairs on, Bill, "An Act to Appropriate Funds for Adequate Topographic Mapping of the State." (S. P. 355) (L. D. 1155)

Reported that the same be granted Leave to Withdraw.

Which reports were Read and Accepted.

Sent down for concurrence.

#### Ought to Pass

Mr. Greeley for the Committee on Transportation on, Bill, "An Act Concerning the Registration of Certain Pickup Trucks." (S. P. 117) (L. D. 382)

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. McNally for the Committee on Labor on, Bill, "An Act to Amend the Employment Security Law as to Separation Reports." (S. P. 241) (L. D. 793)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-79).

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 Granting a Property Tax Exemption for Property Leased by Community Mental Health Centers." (H. P. 480) (L. D. 599)

Which was Read a Second Time.

(On motion by Mr. Graham of Cumberland, Tabled and Tomorrow Assigned, pending Passage to be Engrossed.)

Bill, "An Act to Specify the Future Use of Certain Lands in the City of Portland." (H. P. 768) (L. D. 939)

Which was Read a Second Time.

(On motion by Mr. Conley of Cumberland, tabled and Tomorrow Assigned, pending Passage to be Engrossed.)

Bill, "An Act Relating to Specially Designed Registration Plates for the Maine National Guard." (H. P. 733) (L. D. 909)

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

#### House — As Amended

Resolve, Authorizing Priscilla Blodgett of Augusta or her Legal Representatives to Bring an Action against the State of Maine. (H. P. 553) (L. D. 681)

Bill, An Act to Allocate Moneys for the Administrative Expenses of the State Lottery Commission for the Fiscal Years Ending June 30, 1976 and June 30, 1977. (H. P. 710) (L. D. 889)

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

#### Enactors

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

An Act Relating to the State Soil and Water Conservation Commission. (S. P. 135) (L. D. 474)

An Act to Change Limits under Small Claims Actions. (S. P. 207) (L. D. 697)

An Act Relating to Pulmonary and Cardiac Diseases under the Workmen's Compensation Act. (H. P. 230) (L. D. 286)

(On motion by Mr. Collins of Knox, tabled and Tomorrow Assigned, pending Enactment.)

An Act Making Supplemental Appropriations for the Maine Human Services Council (H. P. 626) (L. D. 772)

(On motion by Mr. Huber of Cumberland, placed on the Special Appropriations Table.)

An Act Relating to Borrowing by Hospital Administrative District No. 1 in Penobscot County. (H. P. 887) (L. D. 1062)

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

#### Orders of the Day

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

Bill, "An Act Relating to Hearing for Provisional Motor Vehicle Licensee on Suspension." (H. P. 333) (L. D. 405)

Tabled — April 15, 1975 by Senator Speers of Kennebec.

Pending — Adoption of Senate Amendment "A" (S-58) to House Amendment "B" (H-107).

(In the House — Passed to be Engrossed as amended by House Amendment "B".)

On motion by Mr. Speers of Kennebec, retabled and Specially Assigned for April 23, 1975, pending Adoption of Senate Amendment "A" to House Amendment "B".

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

Bill, "An Act to Provide Excise Tax Refund for Construction and Operation of Breweries within the State." (H. P. 369) (L. D. 463)

Tabled — April 16, 1975 by Senator Carbonneau of Androscoggin.

Pending — Motion of Senator Merrill of Cumberland to Reconsider Action whereby the Bill was Indefinitely Postponed.

(In the House — Passed to be Engrossed.)

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

Mr. MERRILL: Mr. President, as the mover that this be reconsidered, it would be my hope that we would not reconsider this bill, and I would ask for a division on the reconsideration motion.

The PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Clifford.

Thereupon, on motion by Mr. Clifford of Androscoggin, tabled until later in today's session, pending the motion by Mr. Merrill of Cumberland to Reconsider.

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

Bill, "An Act Relating to Compensation and Benefits under the State Classified Service." (H. P. 406) (L. D. 495)

Tabled — April 16, 1975 by Senator Curtis of Penobscot.

Pending — Passage to be Engrossed.

In the House — Passed to be Engrossed as amended by Committee Amendment "A" (H-153.)

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

Mr. CURTIS: Mr. President, this is a bill which requires some precise meaning in the definitions, and we are not sure right now whether or not our definitions from the State Government Committee are the same ones that would be interpreted by the state departments. I have had a little difficulty today, it being a holiday, getting any feedback from the departments that I was interested in, so I would ask if somebody would please table this for two more legislative days.

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

Thereupon, on motion by Mr. Speers of Kennebec, retabled and Specially Assigned for April 24, 1975, pending Passage to be Engrossed.

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

Senate Report — from the Committee on Local and County Government — Bill, "An Act to Increase the Borrowing Capacity of the Town of Bradley." (S. P. 354) (L. D. 1154) Leave to Withdraw.

Tabled — April 17, 1975 by Senator Curtis of Penobscot.

Pending — Acceptance of Report.

The PRESIDENT: The Chair recognizes

the Senator from Penobscot, Senator Curtis.

Mr. CURTIS: Mr. President and Members of the Senate: This is a bill which will probably be superseded by some legislation which is having its public hearing this coming Thursday. And because I had assured some of my constituents in the Town of Bradley that this vehicle probably would stay alive as a possible vehicle, in case it might be needed to be amended and the problems with it straightened out, until after the hearing on that other bill, I again would ask somewhat apologetically if somebody might please table that until about Friday.

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

Thereupon, on motion by Mr. Speers of Kennebec, retabled and Specially Assigned for April 25, 1975, pending Acceptance of the Committee Report.

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

Bill, "An Act to Require the Bureau of Purchases to Publish a Manual on State Purchasing." (S. P. 323) (L. D. 1100)

Tabled — April 17, 1975 by Senator Curtis of Penobscot.

Pending — Passage to be Engrossed.

(In the Senate — Committee Amendment "A" (S-60) Adopted.)

Thereupon, the Bill was Passed to be Engrossed, as Amended.

Sent down for concurrence.

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

Joint Resolution Memorializing the Congress of the United States to Prevent Selective Taxes from Being Imposed as a Means to Reduce Consumption of Petroleum Based Fuels. (H. P. 1503)

Tabled — April 18, 1975 by Senator Wyman of Washington.

Pending — Adoption.

(In the House — Read and Adopted)

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

Mr. KATZ: Mr. President, this was a rather lengthy resolution that came from the other body last week that has to do with a facet of a proposal for our energy policy nationally. I really don't understand the alternatives in our national energy package, and I certainly don't understand the implication of just one of it, so I do not feel that I am competent to vote just on the spur of the moment on this. On that basis, because it is really not a matter presently before us, I move that it be indefinitely postponed.

The PRESIDENT: The Senator from Kennebec, Senator Katz, now moves that this Joint Resolution, House Paper 1503, be indefinitely postponed.

The Chair recognizes the Senator from Kennebec, Senator Speers.

Thereupon, on motion by Mr. Speers of Kennebec, tabled and Specially Assigned for April 24, 1975, pending the motion by Mr. Katz of Kennebec that the Joint Resolution be Indefinitely Postponed.

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

Bill, "An Act Relating to the Prohibition Against Hitchhiking." (H. P. 1474) (L. D. 1564)

Tabled — April 18, 1975 by Senator Speers of Kennebec.

Pending — Passage to be Engrossed.

(In the House — Passed to be Engrossed.)

Mr. Greeley then presented Senate Amendment "B" and moved its Adoption. Senate Amendment "B", Filing No. S-80, was Read.

Thereupon, on further motion by the same Senator, tabled and Tomorrow Assigned, pending Adoption of Senate Amendment "B".

The President laid before the Senate the matter tabled earlier in today's session by Mr. Clifford of Androscoggin:

Bill, "An Act to Provide Excise Tax Refund for Construction and Operation of Breweries within the State." (H. P. 369) (L. D. 463)

Tabled — April 16, 1975 by Senator Carbonneau of Androscoggin.

Pending — Motion of Senator Merrill of Cumberland to Reconsider Action whereby the Bill was Indefinitely Postponed.

(In the House — Passed to be Engrossed.)

Mr. Johnston of Aroostook then moved that the Bill be tabled and Specially Assigned for April 24, 1975, pending the motion by Mr. Merrill of Cumberland to Reconsider Indefinite Postponement.

On motion by Mr. Merrill of Cumberland, a division was had, 18 having voted in the affirmative, and 12 having voted in the negative, the motion prevailed.

(Off Record Remarks)

On motion by Mrs. Cummings of Penobscot,

Adjourned until 9:15 o'clock tomorrow morning.