

# MAINE STATE LEGISLATURE

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**Legislative Record**

OF THE

**One Hundred and Seventh Legislature**

(First Special Session)

OF THE

STATE OF MAINE

**1976**

KENNEBEC JOURNAL  
AUGUSTA, MAINE

## SENATE

Monday, January 19, 1976

In compliance with a Proclamation of His Excellency, Governor James B. Longley, the Senators convened in the Senate Chamber at four o'clock in the afternoon and were called to order by the President.

Prayer by the Honorable Minnette H. Cummings of Newport:

Look to this day for it is life, the very life of life. In its brief course lie all the varieties and realities of your existence, the bliss of growth, the glory of action, and the splendor of beauty, for yesterday is but a dream and tomorrow is only a vision, but today well lived makes every yesterday a dream of happiness and every tomorrow a vision of hope. Look well, therefore, to this day. Amen.

The Secretary read the Proclamation.

STATE OF MAINE  
PROCLAMATION

By the Governor

WHEREAS, I have determined that there exists in the State of Maine an extraordinary occasion requiring the Legislature of this State to meet in a Special Session to consider these legislative proposals:

ACTS concerning school finance and clarification of other education laws, revisions of agency appropriations during the biennium, improving the efficiency and reducing costs of operation of Maine Government, repealing certain activities and agencies, reorganizing several agencies including the Department of Personnel, the Central Licensing Bureau, the Bureau of Corrections, amending the lobby disclosure law, energy conservation, enforcement of mandatory environmental regulations, the economy of the State of Maine, correcting errors and inconsistencies in the Banking Code, Criminal Code and other Public Laws; and a Resolve to amend the Constitution extending the time allowed the Governor for review of enacted legislation;

WHEREAS, leaders of the Senate and House of Representatives have agreed that a Special Session of the 107th Legislature is necessary;

NOW, THEREFORE, I, James B. Longley, Governor of the State of Maine, by virtue of the constitutional power vested in me as Governor, convene the Legislature of this State, hereby requesting the Senators and Representatives to assemble in their respective chambers at the Capitol at Augusta on Monday, the nineteenth of January, 1976 at four o'clock in the afternoon, in order to receive communications and to consider and enact such measures as in their judgment will best promote the welfare of the State.

Given at the office of the Governor at Augusta, and sealed with the Great Seal of the State of Maine, this Nineteenth Day of December, One Thousand Nine Hundred and Seventy-Five and of the Independence of the United States of America, the Two Hundredth.

(Signed)

JAMES B. LONGLEY  
Governor

(Seal)

By the Governor

A true copy.

Attest:

(Signed)

MARKHAM L. GARTLEY  
Secretary of State

Which was Read and Ordered Placed on File.

## ROLL CALL

The roll being called, the following Senators responded to their names: Berry, E.; Berry, R.; Carbonneau, Cianchette, Clifford, Collins, Conley, Corson, Cummings, Curtis, Cyr, Danton, Gahagan, Graffam, Graham, Greeley, Hichens, Huber, Jackson, Johnston, Katz, Marcotte, McNally, Merrill, O'Leary, Pray, Reeves, Roberts, Speers, Thomas, Trotzky, Wyman, Sewall.

33 Senators having answered to the roll call, the President declared that a quorum was present.

## Orders

Out of Order and Under Suspension of the Rules:

On motion by Mr. Speers of Kennebec, ORDERED, that a message be conveyed to the House of Representatives informing that Body that a quorum of Senators is present for the consideration of such business as may come before the Senate.

Which was Read and Passed.

The President appointed the Senator from Kennebec, Senator Speers, to convey the message.

Subsequently, Mr. Speers reported that he had delivered the message with which he was charged.

Subsequently, a message was received from the House, through Representative Rolde of York, informing the Senate that a quorum was present for the consideration of such business as might come before the House.

Out of Order and Under Suspension of the Rules:

On motion by Mrs. Cummings of Penobscot,

ORDERED, that a message be sent to His Excellency, the Governor, informing him that in obedience to his Proclamation, a quorum of Senators is assembled in the Senate Chamber for the consideration of such business as may come before the Senate.

Which was Read and Passed.

The President appointed the Senator from Penobscot, Senator Cummings, to convey the message.

Subsequently, Mrs. Cummings reported that she had delivered the message with which she was charged.

Out of Order and Under Suspension of the Rules:

On motion by Mr. Hichens of York, ORDERED, that a message be sent to the House of Representatives proposing a Joint Convention to be held at 5:30 o'clock in the afternoon in the Hall of the House of Representatives for the purpose of extending an invitation to the Governor to attend the Convention and present such communication as he may be pleased to make.

Which was Read and Passed.

The President appointed the Secretary to convey the message.

Subsequently, the Secretary reported that he had delivered the message with which he was charged.

Subsequently, a message was received from the House, borne by Edwin H. Pert, Clerk of that body, informing the Senate that the House concurred in the proposal that a Joint Convention be held.

## SENATE PAPERS

## Veterans and Retirement

Mr. Conley of Cumberland presented, Bill, "An Act Relating to a Cost-of-Living Adjustment for State Retirees." (S. P. 618) (L. D. 1950)

The Committee on Reference of Bills

suggested that this bill be referred to the Committee on Appropriations and Financial Affairs.

On motion by Mr. Speers of Kennebec, referred to the Committee on Veterans and Retirement and Ordered Printed.

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

## Appropriations and Financial Affairs

Mr. Huber of Cumberland presented, Bill, "An Act to Appropriate Funds for Expenditures of the First Special Session of the 107th Legislature." (S. P. 617) (L. D. 1949)

Mr. Trotzky of Penobscot presented, Bill, "An Act Appropriating Funds for Additional Construction Costs of International Arrivals Building at Bangor International Airport." (S. P. 626) (L. D. 1988)

Mr. Gahagan of Aroostook presented, Bill, "An Act Appropriating Funds for Improvements at Northern Maine Regional Airport at Presque Isle." (S. P. 627) (L. D. 1989)

Mr. Conley of Cumberland presented, Bill, "An Act to Continue Providing Aid to Charitable Institutions." (S. P. 628) (L. D. 1990)

Which were referred to the Committee on Appropriations and Financial Affairs and Ordered Printed.

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

## Education

Mr. Huber of Cumberland presented (Cosponsor: Mr. Corson of Somerset), Bill, "An Act to Provide that the Legislature Establish Total Cost of Education and to Provide Equal Support for all Public School Students." (S. P. 636) (L. D. 2009)

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

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

## Judiciary

Mr. Clifford of Androscoggin presented, Bill, "An Act Concerning the Filing of Cases in State Courts." (S. P. 619) (L. D. 1951)

Mr. Curtis of Penobscot presented, Bill, "An Act Relating to Supervised Practice by Third-Year Law Students Pursuant to Court Rules." (S. P. 620) (L. D. 1952)

Mr. Hichens of York presented, Bill, "An Act Relating to Animal Welfare." (S. P. 624) (L. D. 1978)

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

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

## Liquor Control

Mr. Clifford of Androscoggin presented, Bill, "An Act to Extend the Application Period for Licensing of Indoor Tennis Clubs, Indoor Ice Skating Clubs and Golf Course Clubs for the Sale of Alcoholic Beverages." (S. P. 629) (L. D. 1991)

Which was referred to the Committee on Liquor Control and Ordered Printed.

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

## Local and County Government

Mr. McNally of Hancock presented, Bill, "An Act Converting Plantation 21 into the Town of Osborn." (S. P. 621) (L. D. 1953)

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

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

**Public Utilities**

Mr. Huber of Cumberland presented, Bill, "An Act Increasing the Indebtedness of the North Yarmouth Water District." (S. P. 625) (L. D. 1979)

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

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

**State Government**

Mr. Speers of Kennebec presented, Bill, "An Act to Establish Legislative Control Over the Allocation of Space in the State House and to Provide for Legislative Direction Over the Bureau of Public Improvement's Supervision Over the State House." (S. P. 623) (L. D. 1955)

Mr. Reeves of Kennebec presented, Bill, "An Act Revising Lobbyist Disclosure Procedures." (S. P. 622) (L. D. 1954)

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

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

**ORDERS**

On motion by Mr. Corson of Somerset, ORDERED, the House concurring, that the Clerk of the House and the Secretary of the Senate be authorized to furnish 100 13 cent stamps for each member of the House and Senate for the purpose of distributing various reports of the Departments of State and other public documents such as they may desire to mail to the citizens of the State. (S. P. 630)

Which was Read and Passed.

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

On motion by Mr. Gahagan of Aroostook, ORDERED, that House concurring, that the Director of Legislative Research is directed to have printed in pamphlet form and distributed to the members of the Legislature and the public, the Acts and Resolves passed at the First Special Session of the 107th Legislature. (S. P. 631)

Which was Read and Passed.

Under suspension of the rules sent down forthwith for concurrence.

On motion by Mr. Graffam of Cumberland,

ORDERED, the House concurring, that there is appropriated from the Legislative Appropriation a sum sufficient to pay each of the Indian representatives mileage for Nine (9) round trips and compensation for meals, lodging and attendance commensurate with other members of the Legislature for attendance at the First Special Session of the 107th Legislature. (S. P. 632)

Which was Read and Passed.

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

On motion by Mr. Johnston of Aroostook,

ORDERED, the House concurring, that the Secretary of the Senate and Clerk of the House be directed to furnish each morning to each member of the Senate and the House, a copy of a newspaper published in the State of Maine, chosen by the member during the present Special Session of the Legislature. (S. P. 633)

Which was Read and Passed.

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

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.

On motion by Mr. Thomas of Kennebec, ORDERED, the House concurring, that three hundred twenty-five (325) copies of the Legislative Record for this Special Session, be printed and bound, one copy for each of the members of the Senate, House of Representatives, the Secretary of the Senate and Clerk of the House, and the remainder to be deposited with the State Law Librarian for exchange and library use; and be it further

ORDERED, that suitable index be prepared for such Legislative Record, under the direction of the Director of Legislative Research. (S. P. 634)

Which was Read and Passed.

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

On motion by Mr. Trotzky of Penobscot, ORDERED, the House concurring, that unless approved by all of the members of the Committee on Reference of Bills, no bill or resolve shall be considered at this Special Session except those within the scope of the Proclamation by the Governor convening this Special Session or those previously approved by a majority of the members of the aforesaid Reference of Bills Committee and such bills or resolves as may be returned by or recalled from the Governor. This Joint Order shall not apply to such bills or resolves as are intended only to facilitate the business of the Legislature, nor to such bills and resolves, reported by any Joint Standing Committee in the regular course of business. (S. P. 635)

Which was Read and Passed.

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

(Senate at Ease)

Called to order by the President.

The Senators then retired to the Hall of the House of Representatives where a Joint Convention was formed.

(For proceedings of Joint Convention, see House Report.)

**After Joint Convention**

Called to order by the President.

On motion by Mrs. Cummings of Penobscot,

Adjourned until 10 o'clock tomorrow morning.