

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

Wednesday, January 28, 1976

Senate called to order by the President.

Prayer by the Rev. Victor P. Musk of Augusta:

Let us pray. Gracious God, in whom we live and move and have our being, as we assemble here today we give thee thanks for the privilege of living in a land where in order to carry out the will of the people the freely elected legislators gather to enact just and wholesome laws. We ask Thy blessing upon each Senator. Remind them every moment of their responsibility to all the people of the State we love. Add the illumination of Thy counsel and wisdom to their gifts and grant that not one among them fail in their responsibility to Thee, for when our little systems have their day and cease to be. Thine is the kingdom and the power, and the glory forever and ever. Amen.

Reading of the Journal of yesterday.

**Papers from the House
Joint Order
State of Maine**

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

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of Pete Daigle, Duncan Haines, Harvard Holmquist, Danny Gagnon, Ovila Michaud, Murray Henderson And Their Supporting Team On The First Snowmobile Trip Covering The Entire Length Of The State.

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. 1924)

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, with the following exceptions:

Bill, "An Act to Amend the Definition of 'School Bus' to Include School Buses Rented from School Administrative Units by Nonprofit Organizations in Order to Transport Children." (H. P. 1930) (L. D. 2117)

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

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

Sent down for concurrence.

Bill, "An Act Relating to Town Ways." (H. P. 1920) (L. D. 2108)

Comes from the House, referred to the Committee on Local and County Government and Ordered Printed.

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

Sent down for concurrence.

Communications

January 26, 1976

The Honorable Harry N. Starbranch
Secretary of the Senate
107th Maine Legislature
State House
Augusta, Maine 04330
Dear Mr. Starbranch

I am submitting herewith the Report of the Commissioner of Agriculture to the 107th Legislature as provided by Chapter 584 of the 1975 Public Laws.

Respectively
JOSEPH N. WILLIAMS

Commissioner
Enclosure

Which was Read and with accompanying papers, Ordered Placed on File.

State of Maine
Office of the Governor
Augusta, Maine 04330

January 27, 1976

To Members of the 107th Maine Legislature:

Prior to the call of this Special Session, I pledged to cooperate with each of you and the Legislature as a whole. I feel I am doing my part in this regard. I feel it is now up to the Legislature to cooperate and fulfill its pledge to me as Governor and the people of Maine and take immediate action to plug the loopholes in the present educational finance law. I say this for the following reasons:

(1) As Governor, I agreed with Legislative Leadership to advance the starting date of the Special Session so that we could first plug the educational loopholes and avoid and minimize further deficits on the backs of the people of Maine, deficits which might directly or indirectly lead to an unnecessary tax increase.

(2) The Legislative Leadership agreed with me that we would give top priority to plugging these loopholes. This, in turn, was also intended to allow us to address the new education bill more deliberately and with greater care and thus avoid further costly mistakes.

(3) We further agreed that matters involving finance and/or revenue considerations, together with the new education bill and other priority legislation, could be resolved later in the session.

(4) I think it was obvious to all that we were going to be unable to immediately address the loopholes because of an unfortunate question of holding up of human service programs. I was told by the Legislative Leadership and other legislators that if these programs were implemented, we could then move forward and plug the loopholes, avoid further deficits in education, and move on with the other important legislative business. I did my part in this regard.

We are now at the point where I genuinely believe the Legislature should and will do its part and act immediately on resolving our present educational deficit problems and . . .

(a) Immediately 'repeal the present

leeway statute to prevent a buildup of an additional \$2.6 million deficit for the remainder of this fiscal year.

(b) Use the remaining \$1.34 in the construction bond issue to use against the known \$6 million deficit.

(c) Defer the remaining \$4.7 million into the second year of the biennium.

I was told by the Legislative Leadership at the time I agreed to the earlier starting date and was subsequently led to believe last week that plugging the loopholes would have top priority. Due to the fact that this is emergency legislation, it needs immediate legislative attention and two-thirds support of the Legislature. I hope the Legislature will do its part and support the previous pledge of the Leadership to immediately address this deficit question. Once this is done, we will then have full opportunity to address the question of the new educational bill and the other important matters of legislative business.

The immediate resolution of the deficit problem gives us additional days to examine revenues and to collectively study ways that we can save tax dollars and fulfill the mutual desire and commitment of the Governor and Legislative Leadership to keep the budget balanced for the remainder of this fiscal year and the second year of the biennium without a tax increase.

Once again, I feel I have done my part and I am confident each of you will try to do your part to avoid any further education deficits which could lead directly or indirectly to unnecessary additional taxation for the people of Maine.

Very truly yours,
JAMES B. LONGLEY

Which was Read and Ordered Placed on File.

**Senate Papers
Public Utilities**

Mrs. Cummings of Penobscot presented, Bill, "An Act to Clarify Certain Provisions of the Newport Water District Charter." (S. P. 667)

Which was referred to the Committee on Public Utilities and Ordered Printed.
Sent down for concurrence.

**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 Appropriating Funds for the Expansion of the Portland International Jetport." (H. P. 1828) (L. D. 1993)

Bill, "An Act Appropriating Funds for Capital Improvements at the Houlton International Airport." (H. P. 1831) (L. D. 1996)

**Senate
Ought to Pass**

Mr. Corson for the Committee on Legal Affairs on, Bill, "An Act Concerning the Charter of the Ocean Park Association." (S. P. 639) (L. D. 2014)

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. Huber for the Committee on Appropriations and Financial Affairs on, Bill, "An Act to Appropriate Funds for

Expenditures of the First Special Session of the 107th Legislature." (S. P. 617) (L. D. 1949)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-393).

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:

Senate - As Amended

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

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

Sent down for concurrence.

Enactors

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

Emergency

An Act Relating to Unexpected Funds for Highway Construction on Indian Reservations at Pleasant Point and Peter Dana Point. (H. P. 1812) (L. D. 1971)

(On motion by Mr. Greeley of Waldo, placed on the Special Highway Appropriations Table.)

On motion by Mrs. Cummings of Penobscot,

Adjourned until 9 o'clock tomorrow morning.