

# 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

Tuesday, February 3, 1976

Senate called to order by the President.  
Prayer by Father Armand Neault, St. Andrews Church, Augusta:

Heavenly Father, we recognize you as the great lawmaker of the universe and we humbly acknowledge our dependence upon you for guidance. In your mercy and love for your people, grant us understanding of our fellow man. Give us always, we pray, the light of wisdom and a portion of your higher knowledge, that we may be able to discriminate between that which is evil and that which is good. Give us the courage to do that which is right and to champion that right, and to fight always against wrong, even if our stand meets with ridicule and contempt. Make us true champions of truth and justice, that the world may be brought closer to your truth and to your peace. Amen.

Reading of the Journal of yesterday.

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

Bill, "An Act Prohibiting the Use of Seine or Gill Nets on a Certain Portion of the Union River." (H. P. 1945) (L. D. 2131)

In the House January 29, 1976, referred to the Committee on Fisheries and Wildlife.

In the Senate January 30, 1976, referred to the Committee on Marine Resources, in non-concurrence.

Comes from the House, that Body having Insisted.

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

Mr. SPEERS: Mr. President and Members of the Senate: It is my understanding that the chairmen of the various committees in both of the branches of the legislature have been contacted and there is general agreement that this should go to the Committee on Marine Resources. I therefore move that the Senate insist.

The PRESIDENT: The Senator from Kennebec, Senator Speers, now moves that the Senate insist. Is this the pleasure of the Senate?

Thereupon, the Senate voted to Insist.  
Sent down for concurrence.

**Joint Resolution  
STATE OF MAINE**

In the Year of Our Lord One Thousand Nine Hundred and Seventy-six.

**IN MEMORIAM**

Having Learned of the Death of Paul Robeson of West Philadelphia Widely Known Actor, Singer and Athlete

The Senate and House of Representatives of the State of Maine do hereby extend their sincere heartfelt condolences and sympathy to the bereaved family and friends of the deceased; and further

While duly assembled in session at the State Capitol in Augusta under the Constitution and Laws of the State of Maine, do herein direct that this official expression of sorrow be forthwith sent to the family of the deceased on behalf of the Legislature and the people of the State of Maine. (H. P. 1976)

Comes from the House, Read and Adopted.

Which was Read and Adopted in concurrence.

**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 Doris Hayes Deputy Secretary of State and Honorary Member of the Maine Bar Association

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. 1962)

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-six.

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of Scarborough High School State Soccer 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. 1977)

Comes from the House, Read and Passed.

Which was Read and Passed in concurrence.

**House Papers**

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

Bill, "An Act to Regulate Vehicles Transporting Combustible, Flammable or Hazardous Materials." (H. P. 1967) (L. D. 2156)

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

On motion by Mr. Speers of Kennebec, tabled until later in today's session, pending reference to committee.

**Senate Papers  
Joint Resolution**

Mr. Speers of Kennebec presented the following Joint Resolution and moved its adoption:

**STATE OF MAINE**

In the Year of Our Lord One Thousand Nine Hundred and Seventy-six

Joint Resolution to Honor the Memory of George C. West, Former Deputy Attorney General of the State of Maine

WHEREAS, George C. West passed away suddenly on January 27, 1976; and

WHEREAS, he is fondly remembered as a man of understanding, patience and extraordinary legal ability, whose advice was relied on by Members of past Legislatures, as well as Members of this Legislature; and

WHEREAS, he will be remembered as a good friend and a faithful and trusted advisor, whose contributions to the advancement of the cause of law and justice in the State of Maine are memorialized in the many statutes which he so carefully prepared and the cases which he so skillfully presented; now, therefore, be it

RESOLVED: In concurrence, that when We, the Members of the Senate and House of Representatives of the 107th Legislature of the State of Maine adjourn this day, we do so in honor and out of respect to his memory; and be it further

RESOLVED: That a copy of this resolution, suitably engrossed and attested on our behalf by our presiding officers, be transmitted to the family of the deceased.

Which was Read and Adopted.

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

(S. P. 678)

**Senate Papers  
State Government**

Bill, "An Act to Revise the Personnel System." (S. P. 677)

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

Sent down for concurrence.

**Orders**

On motion by Mr. Katz of Kennebec, ORDERED, the House concurring, that notwithstanding the normal procedure of the Legislature any report concerning all bills and resolves presently in the Committees regarding the financing of education shall be reported initially to the House. (S. P. 679)

Which was Read and Passed.

Sent down for concurrence.

**Committee Reports  
House**

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

Resolve, to Appropriate Moneys for Initial Research on Environmentally Safe Insecticidal Control of Blackflies. (H. P. 1863) (L. D. 2034)

**Senate**

**Leave to Withdraw**

Mr. Collins for the Committee on Judiciary on, Resolve, Authorizing Sabon P. Milligan to Bring Civil Action Against the State of Maine. (S. P. 645) (L. D. 2046)

Reported that the same be granted Leave to Withdraw.

Mr. Clifford for the Committee on Judiciary on, Resolve, Authorizing Ladd Farms, Inc. to Bring Civil Action Against the State of Maine. (S. P. 646) (L. D. 2047)

Reported that the same be granted Leave to Withdraw.

Which reports were Read and Accepted.

Sent down for concurrence.

**Second Readers**

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

**House**

Bill, "An Act to Abolish the Credit and Collection Board." (H. P. 1850) (L. D. 2019)

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

**Senate — As Amended**

Bill, "An Act to Correct Certain Inequities in the Motor Vehicle Law." (S. P. 641) (L. D. 2030)

Which was Read a Second Time and Passed to be Engrossed, as Amended.  
Sent down for concurrence.

Bill, "An Act Relating to Animal Welfare." (S. P. 624) (L. D. 1978)

Which was Read a Second Time.  
(On motion by Mr. Pray of Penobscot, tabled and Tomorrow Assigned, pending Passage to be Engrossed.)

**Enactors**

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

An Act Authorizing Kennebec County Commissioners to Provide Fire Protection Services for Unity Township. (H. P. 1817) (L. D. 1975)

An Act to Provide Fire Protection Other Than Forest Fire Protection, for the Unorganized Coastal Islands. (H. P. 1836) (L. D. 2001)

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

On motion by Mr. Greeley of Waldo, the Senate voted to take from the Special Highway Appropriations Table the following:

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

The same Senator then moved the pending question.

This being an emergency measure and having received the affirmative votes of 29 members of the Senate was Passed to be Enacted having been signed by the President, was by the Secretary presented to the Governor for his approval.

**Orders of the Day**

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

Bill, "An Act to Regulate Vehicles Transporting Combustible, Flammable or Hazardous Materials." (H. P. 1967) (L. D. 2156)

Pending — Reference to Committee.

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

Sent down for concurrence.

**(Off Record Remarks)**

On motion by Mrs. Cummings of Penobscot,

Adjourned until 10 o'clock tomorrow morning.