

# 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**

Thursday, February 12, 1976

Senate called to order by the President.  
Prayer by Mr. Julius Sussman of Augusta:

"Good morning — and a good day  
May all things happy come your way  
And may the light of this new dawn  
Find all your cares and worries gone."

So much the simple words convey  
"Good morning. . . it's a lovely day"

Helen Lowrie Marshall

I have selected several aphorisms from the Talmud — portraying the wisdom of our Judaic sages more than 2,000 years ago.

The Talmud is the body of Jewish civil and canonical law — comprising the Mishna and the Genarcy — the commentary.

Without law — civilization perishes. The noblest of all charities is in enabling the poor to earn a livelihood.

The world is saved by the breath of school children. Even to rebuild the Temple the schools must not be closed.

The best preacher is the heart.

The best teacher is time

The best book is the world

The best friend is God.

The Golden Rule paraphrased

Do not do unto others what you would not have others do to you.

I still believe in our system of government. God grant all the leaders in that system the wisdom—the vision — the compassion to extend a helping hand to the poor — the ill — the handicapped — the refugees and alleviate all human misery.

Finally, Israel's blessing from above — the Lord bless thee and keep thee. The Lord bless thee and keep thee.

The Lord cause his countenance to shine upon thee and be gracious unto thee. The Lord lift up his face unto thee and grant thee peace. Amen

Reading of the Journal of yesterday.

**Papers from the House  
Joint Orders  
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 Daniel Bolduc of Waterville Member of the United States Olympic Hockey Team

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. 2030)

Comes from the House, Read and Passed.

Which was Read and Passed in concurrence.

**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 Maurice H. Benner Chief of Police on his Retirement After 28 Years of Dedicated Service with the Rockland Police Department

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. 2031)

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.

**Study Report — Election Laws**

The Committee on Election Laws to which was referred the study relative to the election laws as provided in Title 21 of the Maine Revised Statutes and related Titles, pursuant to H. P. 1646 of the 107th Legislature, have had the same under consideration and ask leave to submit its findings and to report that the accompanying Bill, "An Act to Clarify the Election Laws" (H. P. 2029) (L. D. 2200) be referred to this Committee for public hearing and printed pursuant to Joint Rule 3.

Comes from the House, the report Read and Accepted and the Bill referred to the Committee on Election Laws.

Which report was Read and Accepted and the Bill referred to the Committee on Election Laws, in concurrence.

**Study Report — State Government**

The Committee on State Government to which was referred the study relative to establishing rules of procedure for legislative investigating committees, pursuant to H. P. 1741 of the 107th Legislature, have had the same under consideration, and ask leave to submit its findings and to report that the accompanying Bill, "An Act to Amend the Rules for Legislative Investigating Committees" (H. P. 2033) (L. D. 2205) be referred to this Committee for public hearing and printed pursuant to Joint Rule 3.

Comes from the House, the report Read and Accepted and the Bill referred to the Committee on State Government.

Which report was Read.

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

Mr. CURTIS: Mr. President and Members of the Senate: Because of the legal implications of this particular piece of legislation, and the fact that the State Government Committee has already put as much ability into it as we are capable of and we think that some other people ought to take a look at it, I move that this bill be reassigned to the Committee on Judiciary for a public hearing and printed, pursuant to Joint Rule 3, in non-concurrence.

The PRESIDENT: The Senator from Penobscot, Senator Curtis, now moves that Item 1-6, L. D. 2205, be referred to the Committee on Judiciary, ordered printed,

and sent down for concurrence. Is this the pleasure of the Senate?

The motion prevailed.

Sent down for concurrence.

**Senate Papers**

**Labor**

Mr. Berry of Cumberland presented, Bill, "An Act to Amend the Employment Security Law." (S. P. 691)

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

Sent down for concurrence.

**Orders**

On motion by Mr. Sewall of Penobscot, WHEREAS, on February 13, 1976, Maine's last of a long line of Forest Commissioners and present Director of the Bureau of Forestry, Fred E. Holt of Augusta, retires from the service of the State; and

WHEREAS, history will record over 27 years of continuous service as a guardian of our stately pines and forest; a record which includes and is further distinguished by 3 years as Director and Commissioner; and

WHEREAS, during this period he has been of great assistance to the Members of the Legislature and all the Members in turn have appreciated his kind service and friendship; now, therefore, be it

ORDERED, the House concurring, that the One Hundred and Seventh Legislature extends to Director Holt its very sincere best wishes upon his retirement and commends him for his long and distinguished service to the State of Maine; and be it further

ORDERED, that a suitable copy of this Order be transmitted forthwith to Mr. Holt to convey this message of thanks and appreciation. (S. P. 690)

Which was Read and Passed.

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 Acquisition and Construction of a Site and Facility for Certain Casco Bay Island Ferry Services and to Repair Other Such Ferry Facilities." (H. P. 1862) (L. D. 2033)

Bill, "An Act to Establish a State Veterans Home." (H. P. 1874) (L. D. 2049)

**Ought to Pass — As Amended**

The Committee on Liquor Control on, Bill, "An Act Concerning the Purchase of Liquor." (H. P. 1884) (L. D. 2062)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-874).

Comes from the House, the Bill Passed to be Engrossed as Amended by Committee Amendment "A".

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

**Divided Report**

The Majority of the Committee on Transportation on, Bill, "An Act to Include Grain in Weight Tolerances for Certain Vehicles Operated on State Highways." (H. P. 1887) (L. D. 2065)

Reported that the same Ought to Pass.

Signed:

Senators:

GREELEY of Waldo  
McNALLY of Hancock  
CYR of Aroostook

Representatives:

WEBBER of Belfast  
FRASER of Mexico  
ALBERT of Limestone  
WINSHIP of Milo  
STROUT of Corinth  
BERRY of Madison  
KAUFFMAN of Kittery  
JACQUES of Lewiston

The Minority of the same Committee on the same subject matter reported that the same Ought Not to Pass.

Signed:

Representatives:

JENSEN of Portland  
LUNT of Presque Isle

Comes from the House, the Majority report Read and Accepted and the Bill Passed to be Engrossed.

Which reports were Read.

Thereupon, the Majority Ought to Pass Report of the Committee was Accepted in concurrence, the Bill Read Once and Tomorrow Assigned for Second Reading.

#### Paper from the House

Out of order and under suspension of the rules, the Senate voted to take up the following:

#### 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 Harold Goss of Brewer for his Heroic Lifesaving Actions During the Bangor Flood of February 2, 1976

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. 2032)

Comes from the House, Read and Passed.

Which was Read.

The PRESIDENT: Is it now the pleasure of the Senate that this Joint Order be passed in concurrence?

The Chair recognizes the Senator from Penobscot, Senator Curtis.

Mr. CURTIS: Mr. President, it seems to me at this particular time it would be appropriate to bring the Senate's attention to several items which appeared last week in the Bangor Daily News. The first one is a letter to the editor, entitled "True Bravery".

"To The Editor:

"The parents and family of Cynthia Ann (Fowle) Calkins want to express publicly our gratitude to Harold (Hal) Goss of Brewer, the young man who saved Cindy's life on Monday. Such bravery as he showed when he jumped into icy waters and swam to our car where Cindy was trapped is far beyond the ordinary person's capability to even comprehend. We will love him forever for being the type of person he is, for risking his own life to save a stranger — our daughter."

The second item is an editorial of the same day from the Bangor Daily News, entitled "True Bravery".

"Harold Goss is the Brewer man to whom Cynthia Calkins owes her life.

"By now, practically all have heard about Goss's selfless act of heroism — jumping into the floodwater of the Kenduskeag Stream in downtown Bangor to free a total stranger trapped in her submerged car.

"It is a source of neverending joy to know that we are incapable of expressing the loving gratitude felt for this man by the Calkins woman and those close to her.

"Coming closest to it, however, are the words written in today's letters to the editor column.

In an age, I think, when we hear so much of the disinterestedness of observers of people in trouble, it is most comforting to know that the characteristics of bravery, courage, and concern for the danger of our fellow men are traits that still exist in this country and are epitomized by Harold Goss of Brewer. I move passage of the order.

The PRESIDENT: The Senator from Penobscot, Senator Curtis, now moves that this Joint Order be passed in concurrence.

Is this the pleasure of the Senate?

The motion prevailed.

#### Second Readers

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

##### House

Bill, "An Act Concerning the County Commissioner Districts in Penobscot, Kennebec, Lincoln, Franklin and Knox Counties." (H. P. 2011) (L. D. 2186)

Bill, "An Act Relating to Monthly School Tax Payments by Municipal Treasurers to the Treasurer of State." (H. P. 2018) (L. D. 2187)

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

##### House — As Amended

Bill, "An Act to Clarify Provisions for County Jail and District Court Facilities in the County of Hancock." (H. P. 1819) (L. D. 1977)

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 Concerning Individual Qualified Retirement Plans." (H. P. 1877) (L. D. 2052)

"An Act Authorizing the Town of Harpswell to Procure a Replica of "The Maine Lobsterman." (H. P. 1908) (L. D. 2095)

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 Designating March 15th as Statehood Day." (H. P. 1913) (L. D. 2100)

This being an emergency measure and having received the affirmative votes of 29 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.

Mr. Hichens of York was granted unanimous consent to address the Senate:

Mr. HICHENS: Mr. President, in relation to this bill which we have just

enacted, I would like to share a few words with the Senate.

Mr. President and Members of the Senate: This bill today is sort of special significance to me, because as a teenager growing up in the State of Massachusetts, I once made the statement that I wouldn't trade one inch of Massachusetts for the whole State of Maine. Since that time I have eaten those words a great many times, but a few years ago as I traveled from the outermost part of our state back home, I was suddenly struck with an inspiration and pulled over to the side of the road and I penned the words I would like to share with you today.

Part of Me.

I've crossed the width and breadth of Maine

From lakes to ocean shore

And from its highest mountain peaks

Have scanned the landscapes o'er.

I've walked beneath its towering pines

Mids't blossoms in the field

And seen the mighty breakers roar

'Gainst cliffs that would not yield.

I've seen its snows in winter time,

The swollen streams in spring;

Smelled new cut hay in summer months,

Seen Autumn's birds on wing.

I've seen Maine's oak and maple leaves

Turn color in the fall,

Emblazoned glory wrought by God,

Free to the eyes of all.

I've seen the fish jump in the lakes

And watched the white-tailed deer

Leap through the forest's glade with grace,

Unmindful I was near.

I've seen the great potato fields

Stretched out beyond my view,

Looked at burnt over berry lands

Soon to break forth anew.

I've seen its people, strong and brave,

Ambitious, tried and true,

Fishermen, farmers, woodsmen

Other professions too.

And thinking of all other lands

Where I by chance could be.

I'm mighty glad I'm part of Maine

And Maine is part of me.

#### Orders of the Day

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

House Report — from the Committee on Local & County Government — Bill, "An Act Relating to Fiscal Year Transitions for Municipalities" (Emergency) (H. P. 1833) (L. D. 1998) Ought to Pass as Amended with Committee Amendment "A" (H-871)

Tabled — February 9, 1976 by Senator Speers of Kennebec

Pending — Acceptance of Report

(In the House — Passed to be Engrossed as Amended by Committee Amendment "A")

Thereupon, the Majority Ought to Pass Report of the Committee was Accepted in concurrence and the Bill Read Once. Committee Amendment "A" was Read.

On motion by Mr. Katz of Kennebec, Committee Amendment "A" was Indefinitely Postponed in non-concurrence, and the Bill Tomorrow Assigned for Second Reading.

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

Bill, "An Act Authorizing the Capitol Planning Commission to Assume Certain Functions now Performed by the Bureau of Public Improvements." (H. P. 1912) (L. D. 2099)

Tabled — February 11, 1976 by Senator Curtis of Penobscot

Pending — Passage to be Engrossed  
(In the House — Passed to be Engrossed)

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

Senate Amendment "A", Filing No. S-398, was Read and Adopted and the Bill, as Amended, Passed to be Engrossed in non-concurrence.

Sent down for concurrence.

(Off Record Remarks)

Mr. Speers of Kennebec was granted unanimous consent to address the Senate:

Mr. SPEERS: Mr. President and Members of the Senate: Putting aside any claims of partisanship this morning, I think it is very apt for all of us to recognize the anniversary of the birth of perhaps the greatest President this nation has ever had the very good fortune of having as its chief executive. To perhaps paraphrase a call to greatness that President Lincoln stated on the field at Gettysburg certainly is very appropriate for all of us here serving the people of the State of Maine to be reminded of the comments he made at that time, for it is indeed incumbent upon us to be here rededicated to the freedoms for which he led this nation and for which those of whom he was speaking at Gettysburg laid down their lives that indeed government of the people, by the people, and for the people shall not perish from this earth.

On motion by Mrs. Cummings of Penobscot,

Adjourned until 12 o'clock tomorrow noon.