MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred and Eighth Legislature

OF THE

STATE OF MAINE

Volume I

January 5, 1977 to May 25, 1977

KJ PRINTING AUGUSTA, MAINE

HOUSE

Wednesday, January 5, 1977 In convention of the members-elect of the One Hundred and Eighth Legislature.

This day being the day designated by the Constitution and Laws of the State of Maine, the members-elect of the House of Representatives assembled in the Hall of the House at two o'clock p.m. and were called to order by Edwin H. Pert, Clerk of the House of the One Hundred and Seventh Legislature.

Prayer was then offered by Father Clement D. Thibodeau of St. Mary's Church, Eagle Lake. The members-elect stood at attention during the playing of the National Anthem by the Gardiner Area High School Band.

The following Communication from the Secretary of State was read by the Clerk: STATE OF MAINE

OFFICE OF THE SECRETARY OF STATE To Edwin H. Pert, Clerk of the House of Representatives of the One Hundred and Seventh Legislature:

In compliance with 3 M.R.S.A., Section 1, I hereby certify that the following are the names and residences of the Representatives-elect to the One Hundred and Eighth Legislature, as appears by the report submitted to the Governor and Council under date of November 16, 1976:

District 1 — Arthur P. Lynch of Livermore

District 2 - Glen W. Torrey of Poland.

District 3 — James E. Tierney of Lisbon.

District 4 — Ross A. Green of Auburn; Stephen T. Hughes of Auburn; Joyce E. Lewis of Auburn; Barbara M. Trafton of Auburn.

District 5 - J. P. Normand LaPlante of Sabattus.

District 6 - Georgette B. Berube of Lewiston; Laurier G. Biron of Lewiston; Albert E. Cote of Lewiston; Emile Jacques of Lewiston; Louis Jalbert of Lewiston; Arthur C. Raymond of Lewiston.

District 7 — Richard E. McKean of

Limestone.

District 8 — James McBreairty of Perham. District 9 — Philip F. Peterson of Caribou. District 10 — Philip R. Bennett Jr. of Caribou.

District 11 - Frederick B. Lunt of Presque

District 12 - Harry F. Rideout of Mapleton. District 13 - Armand A. LeBlanc of Van

District 14 — John L. Martin of Eagle Lake. District 15 - Floyd Powell of Wallagrass Plantation.

District 16 - Edward A. McHenry of Madawaska.

District 17 — Luman P. Mahany of Easton. District 18 — Carl W. Smith of Mars Hill. District 19 — Frank Peltier of Houlton.

District 20 - Leonard R. Lougee of Island

District 21 — Edith S. Beaulieu of Portland; Anne M. Boudreau of Portland; David H. Brenerman of Portland; Laurence E. Connolly Jr. of Portland; James E. Flanagan of Portland; John W. Jensen of Portland; John J. Joyce of Portland; Mary Najarian of Portland; Merle Nelson of Portland; Gerald E. Talbot of Portland.

District 22 - Sherry F. Huber of Falmouth. District 23 — William Diamond of Windham. District 24 — Gail H. Tarr of Bridgton. District 25 — William J. Garsoe of

Cumberland.

District 26 — Richard A. Spencer of Standish. District 27 - Nancy Randall Clark of Freeport.

District 28 — Patrick T. Jackson Jr. of Yarmouth.

District 29 — Michael H. Gibbs of Gray. District 30 — Rodney S. Quinn of Gorham.

District 31 — J. Robert Carrier of Westbrook: Stanley E. Laffin of Westbrook.

District 32 — Sharon B. Benoit of South

Portland.

District 33 — Linwood M. Higgins of Scarborough.

District 34 — Nancy N. Masterton of Cape Elizabeth.

District 35 — Peter J. Curran of South Portland; Barbara A. Gill of South Portland; Robert S. Howe of South Portland.

District 36 - Richard G. Morton of Far-

mington.

District 37 — Sidney D. Maxwell of Jay.

District 38 — Edward L. Dexter of Kingfield.

District 39 — John H. Rollins of Dixfield.

District 40 - Walter L. Bunker of Goulds-

District 41 — James A. Silsby of Ellsworth. District 42 — Eugene L. Churchill of Orland. District 43 — Thomas R. Perkins of Blue

District 44 — Lawrence P. Greenlaw Jr. of Stonington.

District 45 — David R. Ault of Wayne.
District 46 — Laurence P. Bagley of

Winthrop District 47 — Charles G. Dow of West Gardiner.

District 48 - Thomas A. Kilcoyne of Gardiner

District 49 — Robert G. Stubbs of Hallowell. District 50 — Elizabeth H. Mitchell of Vassalboro.

District 51 — David W. Bustin of Augusta; Daniel B. Hickey of Augusta; Mary E. Kane of Augusta.

District 52 — Paul A. Boudreau of Waterville; Richard J. Carey of Waterville; Judy C. Kany of Waterville.

District 53 — Donald V. Carter of Winslow. District 54 — Guy I. Hunter of Benton. District 55 — Marjorie C. Hutchings of Lincolnville

District 56 — Bonnie Post of Owls Head. District 50 — Bonnie 1 65 of Cons Acad.

District 57 — Arthur M. Sprowl of Hope.

District 58 — Wayne C. Gray of Rockland.

District 59 — Gary Wayne Fowlie of

Rockland. District 60 — Charlotte Z. Byers of Newcas-

District 61 - Linwood E. Palmer Jr. of Nobleboro.

District 62 - William B. Blodgett of Waldoboro.

District 63 — Karen L. Brown of Bethel. District 64 — James F. Wilfong of Stow. District 65 — Jacob J. Immonen of West Paris.

District 66 — R. Donald Twitchell of Norway. District 67 — Kenneth C. Brown of Mexico. District 68 — Albert Theriault of Rumford. District 69 — James L. Peakes of Dexter.

District 70 - Sandra K. Prescott of Hampden. District 71 — David S. Marshall of

Millinocket. District 72 - Walter A. Birt of East Millinocket.

District 73 — Harold R. Cox of Brewer. District 74 — John M. Norris II of Brewer. District 75 — Lloyd Littlefield of Hermon.

District 76 - Robert A. MacEachern of Lin-

District 77 — Richard S. Davies of Orono. District 78 — Dana C. Devoe of Orono. District 79 — Michael D. Pearson of Old Town.

District 80 — Stephen R. Gould of Old Town. District 80 — Stephen R. Gould of Old Town.
District 81 — Donald A. Strout of Corinth.
District 82 — James T. Dudley of Enfield.
District 83 — Angela Z. Aloupis of Bangor;
Frank M. Carter of Bangor; James S.
Henderson of Bangor; Edward C. Kelleher of
Bangor; Swift Tarbell III of Bangor.
District 84 — Stephen R. Gould of Old Town.

District 84 — Stephanie Locke of Sebec.

District 85 — John E. Masterman of Milo. District 86 — Donald M. Hall of Sangerville. District 87 — Timothy M. Moody of Richmond.

District 88 - Lorraine N. Chonko of Topsham.

District 89 - Courtney E. Stover of West Bath.

District 90 - Kathleen Watson Goodwin of Bath.

District 91 - Anne J. Bachrach of Brunswick; Antoinette C. Martin of Brunswick.
District 92 — Jasper S. Wyman of Pittsfield.
District 93 — Alton W. Whittemore of Skowhegan.

District 94 — Thomas M. Teague of Fairfield.
District 95 — James P. Elias of Madison. District 96 — Bernard H. Austin of Bingham. District 97 — Donald H. Burns of Anson. District 98 — Lloyd G. Drinkwater of Belfast. District 99 — Melvin A. Shute of Stockton Spr-

District 100 — Kenneth E. Tozier Jr. of Unity. District 101 — A. Harold Fenlason of Danforth.

District 102 — Robert J. Gillis Jr. of Calais. District 103 — Kenneth A. Mills of Eastport. District 104 — Norman W. Nelson of Roque Bluffs.

District 105 - Maynard G. Conners of Franklin.

District 106 — Barry L. Valentine of York. District 107 — Lena C. Durgin of Kittery. District 108 — Orland G. McPherson of Eliot. District 109 - Harland C. Goodwin Jr. of South Berwick.

District 110 — Edward H. Mackel of Wells. District 111 — James K. McMahon of Ken-

District 112 — Frank P. Wood of Sanford. District 113 — Roland A. Gauthier of Sanford; Richard J. Nadeau of Sanford.

District 114 - Elmont S. Tyndale of Kennebunkport.

District 115 - Lucien A. Dutremble of Biddeford; J. P. Marcel Lizotte of Biddeford; Peter P. Truman of Biddeford.

District 116 — George A. Carroll of Limerick. District 117 — John M. Kerry of Old Orchard

District 118 — Philip P. Berry of Buxton. District 119 — Barry J. Hobbins of Saco. IN TESTIMONY WHEREOF I have caused the Seal of the State to be herewith affixed at Augusta this fifth day of January, A. D., 1977 and of the Independence of the United States of America the Two Hundred and First.

Signed:

MARKHAM L. GARTLEY Secretary of State

The Communication was read and ordered placed on file.

Mr. Tierney of Lisbon Falls presented the following Order and moved its passage:

WHEREAS, the Clerk of the House has received petitions from Gordon F. Cunningham of New Gloucester, Jed Davis of Fayette, William J. Hennessey of West Bath and Barbara E. Strout of Windham disputing and challenging the election results in Legislative Districts No. 29, No. 45, No. 89 and No. 23, and

WHEREAS, the Maine Constitution, Part 3rd, Section 3, provides that the House shall determine the qualifications and elections of its members; and

WHEREAS, on November 16, 1976, the Governor and Council certified that David R. Ault, Michael H. Gibbs, William Diamond and Courtney E. Stover were the apparent winners in said elections and certificates of apparent election were issued to the said Ault, Gibbs,

Diamond and Stover; and WHEREAS, Rule 6 of the Rules of the House provide for the appointment of a Committee on Elections to consider disputed elections; now,

therefore, be it

ORDERED, that David R. Ault, Michael H. Gibbs, William Diamond and Courtney E. Stover be administered the oath of office and be permitted to assume their seats pending a final determination by the House of the aforementioned disputed elections.

The Order was read and passed.

For the purpose of ascertaining the presence of a quorum, a certified roll of the Representatives-elect was called by the Clerk of the One Hundred and Seventh Legislature.

The elected membership of the House being 151, 149 members elect having answered to their names, a quorum was found to be present. ABSENT: Mr. Littlefield of Bangor and Mr. Stover of West Bath.

On motion of Mr. Lynch of Livermore Falls, Mr. Tierney of Lisbon Falls, Ms. Goodwin of Bath, Mr. Brenerman of Portland, Mr. Hickey of Augusta, Mr. Birt of East Millinocket, Mrs. Durgin of Kittery and Mr. Boudreau of Waterville were appointed a committee to wait upon the Governor and inform him that a quorum of the members of the House of Representativeselect have assembled in the Hall of the House of Representatives and request his attendance to administer to them the oaths required by the Constitution to qualify them to enter upon the

discharge of their official duties.
Subsequently, Mr. Tierney reported that the committee had discharged the duty assigned it, and the Governor was pleased to say that he would forthwith attend upon the Representatives elect for the purpose of administering to them the oaths required by the

Constitution.

Thereupon, His Excellency, Governor James B. Longley, entered the Hall of the House amid applause, the members-elect rising.

GOVERNOR LONGLEY: Members of the House of Representatives of the 108th Legislature: Characterizing the relationship between the Governor and the Legislature during the past two years, political analysts have had a tendency to say that there was less than harmony between the Governor and the House of Representatives and between the Governor and the Senate, and to the extent the analysts are correct or accurate, I assume this responsibility. And in assuming that responsibility, I commit to doing everything possible on my part to make the relationship between this body and the Governor's office a true partnership, a true partnership effort in the two years ahead.

When I reflect on the awesome duties and responsibilities confronting a person assuming a position of public trust and service, I am reminded of the words from the Iliad: "If I am not for myself, who will be for me? If I am only for myself, what am I? If not now, when?

In your presence here today to take your oath of office as a member of the House of Representatives of the 108th Legislature answers the questions posed by this message from the Iliad. In your stepping forward to serve demonstrates that you are not only for yourself. You have also answered the question as to when you will serve others, and you have stated unequivocally that the answer is now.

On that note, would you please raise your right hand and repeat after me the oath of office.

Whereupon, the Governor administered to the members-elect and they subscribed the oaths required by the Constitution to qualify them to discharge their official duties.

At this point, the Governor retired from the Hall of the House amid applause, the members

On motion of Mr. Greenlaw of Stonington, Mr. Jalbert of Lewiston, Ms. Clark of Freeport, Mr. Flanagan of Portland, Mr.

Kilcoyne of Gardiner, Mr. Garsoe of Cumberland, Mr. Bagley of Winthrop, and Mr. Devoe of Orono were appointed a committee to receive, sort and count votes for the Speaker.

The CLERK: The Clerk recognizes the gentleman from Nobleboro, Mr. Palmer.

Mr. PALMER: Mr. Clerk and Members of the House: While I had earlier hoped that the former Speaker would be rising today from this very seat which I occupy to nominate me for the office which I am about to nominate him, I find that we find our positions in reverse. I had hoped that had that happened he would have risen from this chair and would have said something like this in his speech.

It is a great honor that I rise this afternoon to nominate the Speaker, a man of unquestionable integrity and unparalleled ability, a man of unequal knowledge of the State of Maine and of the House of Representatives of the State of Maine, a man who neither tolerates nor enjoys partisan politics, a man who always places the good of the public above his own personal welfare.

Since, Mr. Clerk, I find that I am here and he is about to be there, I thought that these words were too good to wait two years to hear, so I thought I would use them in nominating our

next Speaker.
Seriously, Mr. Clerk and members of the House, it is my pleasure to nominate John Martin to be the next Speaker of the Maine House. John has worked with me, with our party, with all involved, these last two years, and I am sure that he will continue, as he has before, working with us in the spirit of fellowship and good will that we may have partisanship at a minimum and accomplish the things that we need to accomplish for the good of our citizenry.

John Martin did a fine and commendable job as Speaker, and it is my pleasure at this time to move that the Committee cast one vote for John Martin to be the Speaker of the House of the

108th Legislature.

The Committee cast one vote for the House for John L. Martin, and he was thereupon elected Speaker of the House.

At this point, Mr. Palmer of Nobleboro escorted the Speaker to the rostrum amid ap-

plause, the members rising.

SPEAKER MARTIN: First, let me begin by thanking the gentleman from Nobleboro, Mr. Palmer, for his kind words. I can assure him that if I had been in seat 22 the remarks would have been very much the same.

Let me begin by saying that I am both pleased and honored to stand before you again and pledge to all of you and to the people we serve our cooperation in conducting the business of

this House.

Two years ago, we convened the 107th Legislature in difficult times. Times are still difficult, but that has been more the rule than the exception in recent years. For in the legislative process that old axiom remains very appropriate: "All things change and yet remain the same." For those of you not already convinced of the validity of this statement, I believe its truth will become more apparent to you as the session progresses and we are forced again to search for new solutions to old and recurring problems. These problems, in my opinion, recur not because of our inability in dealing with them for the first time, but rather because our population and economic base are basically unchanged while the pressures upon our institutions increase constantly and often for reasons which are beyond our ability to control.

The 107th Legislature was marked on occasion by sharp and open conflict with the other body and the governor, and even at times among ourselves. To those who deplore such conflict, I submit that democracy is not preserved by consensus but rather by compromise. Let us never be afraid to compromise,

but let us never confuse consensus with good

government.

Let us not forget that the reason we are here, you and I, the members of the other body, and the governor, is to do the peoples' business. And in so doing, let us remember that perfection is unattainable and rancor is unforgivable! Let us separate the rhetoric of politics from the substance of what we are to do.

The entire premise of democratic government is based upon one fact above all others the ability of free and reasonable men and women to find a common ground upon which to

settle their differences.

In his "Notes on Virginia," Thomas Jefferson wrote the basic thesis on freedom of religion in this country. Although Jefferson was discussing religious freedom, the following passage could well be adopted as a guide to our coming

deliberations in our body

Reason and free inquiry are the only effective agents against error. Set them free and they will support the true religion by bringing every false one to their tribunal and to the test of their investigation. Reason and free inquiry are the natural enemies of error, and of error

Jefferson's thinking always leaned in the direction of expanding the individual's freedom of thought and his action. He had ultimate faith that free inquiry would indeed conquer error, that man was basically moral, and that educated people would come to agreement on fundamental principles.

We need not sacrifice our basic principles, for we are all one in our desire to pursue those policies that will best serve our people. We need only to be flexible and reasonable in the means to that end. I personally pledge my best efforts in this regard. I believe that we can make significant progress in the 108th Legislature.

To this end I will urge your support of measures to reform our budget process to insure that we live within our means and that available funds are utilized for the highest priority programs.

In a democracy there is always a conflict between what people want and what they are willing to pay for. It is our job to resolve that

conflict to the best of our ability.

So, let us begin in a spirit of friendship and cooperation and when we are finished let us be able to say that we did our best both individually and collectively.

On motion of Mr. Pearson of Old Town, Mrs. Chonko of Topsham, Mrs. Boudreau of Portland, Mr. Carroll of Limerick, Mr. Wyman of Pittsfield, Mr. Perkins of Blue Hill, Mr. Gould of Old Town, and Mr. Moody of Richmond were appointed a committee to receive, sort and count votes for Clerk of the House.

The SPEAKER: The Chair recognizes the

gentleman from Nobleboro, Mr. Palmer. Mr. PALMER: Mr. Speaker, Ladies and Gentlemen of the House: It is my pleasure to

place in nomination for Clerk of the House the name of Edwin Pert.

When I think of Ed Pert, I think of a roly-poly gentleman sitting in an overstuffed chair behind an impressive desk with a dish of jellybeans on the top and a box of chocolates in the second drawer of that desk. In fact, it has become so common for me to think of him in that manner, now refer to him kindly as a big, fat bureaucrat.

Seriously, Ed Pert has served well, I believe, as our Clerk for the past two years, and he has shown us a willingness to work with all of us regardless of our party affiliations. So it is a pleasure for me at this time to place his name in nomination and suggest that the committee cast one vote for Edwin Pert as Clerk of the

The committee cast one vote for the House

for Edwin H. Pert, and he was thereupon elected Clerk of the House.

On motion by Mr. Nadeau of Sanford, Mr. Hobbins of Saco, Mrs. Martin of Brunswick, Mr. Burns of Anson, Mrs. Nelson of Portland, Mr. Stubbs of Hallowell, Mr. Fenlason of Danforth, and Mr. Drinkwater of Belfast were appointed a committee to receive sort and count votes for Assistant Clerk of the House.

The SPEAKER: The Chair recognizes the gentleman from Cumberland, Mr. Garsoe.

Mr. GARSOE: Mr. Speaker, Ladies and Gentlemen of the House: Mindful of the fine service that has been afforded this body in our last session, I am very pleased to place in nomination for Assistant Clerk the name of Deborah L. Bedard, and, Mr. Speaker, I would further move that the committee cast one ballot for that position.

The Committee cast one vote for the House for Miss Deborah L. Bedard, and she was thereupon elected Assistant Clerk of the House.

At the request of Mr. Berry of Buxton, Mr. Blodgett of Waldoboro escorted the Clerk-elect and the Assistant Clerk-elect to the Office of the Governor for the purpose of taking and subscribing to the necessary oaths of office to qualify them to enter upon the discharge of their duties as Clerk of the House and Assistant Clerk of the House.

Thereupon, Edwin H. Pert, Clerk, and Miss Deborah L. Bedard, Assistant Clerk, appeared and entered upon the discharge of their official

Mr. Tierney of Lisbon Falls presented the following Order and moved its passage:

ORDERED, that the House Rules of the 107th Legislature, as amended, be the House Rules for the 108th Legislature with the exception of House Rule 29 which shall be deleted and House Rules 1, 7, 21, 22 and 30 which shall read as

1. It shall be the duty of the Speaker to take the chair at the hour to which the House shall have adjourned, call the members to order, and after the appearance of a quorum, cause the journal of the preceding day to be read;

To announce the business before the House in

the order in which it is to be acted upon;

To receive and submit to vote all motions and propositions regularly moved or that necessarily arise in the course of proceedings, and announce the result;

To restrain the members when engaged in debate within the rules of order, and to enforce on all occasions, the observance of order and decorum among the members;

To decide all questions of order, subject to an

appeal to the House;

To receive all messages and other communications and announce them to the House;

To authenticate by his signature bills that have passed to be enacted and resolves finally passed:

To appoint the member who shall take the chair when the House has determined to go into committee of the whole:

To name a member to perform his duties dur-

ing his absence;

To appoint the members who are to serve on committees; to appoint a Clerk and an Assistant Clerk of the House to fill any vacancy that may occur in said offices while the Legislature is not in session, to serve until the House in session shall elect a Clerk or Assistant Clerk; and to appoint a sergeant-at-arms, an assistant sergeant at-arms, a document clerk, doorkeepers, a courier, and 4 pages, unless the House of Representatives otherwise directs. Such appointments may be rescinded at any time by the Speaker;

To appoint honorary pages.

7. A member who is absent by leave of the presiding officer and who has notified the presiding officer of his intent to pair his vote may join in voting for or against a measure with another member present at the time of the vote who stands on the opposite side of the question. The vote of the absent member and the member with whom he is paired shall not become part of the total number of votes causing passage or rejection of the measure.

21. No person not a member or officer of the House, except members of the Senate, its secretary and assistants, the Governor and Council, heads of state departments and bureaus, Justices of the Supreme Judicial Court, Chaplains of the Senate and reporters of the proceedings and debates of the House, shall be admitted within the Representatives' hall, unless invited by some member of the House. While the House is in session, only members and officers of the House and officers of the Senate on official business shall be admitted inside the rail, except members of the press, who shall occupy places at the press table, and except guests bearing eards issued by of the

22. After reading of the journal, the following

shall be the order of business:

Ist. Senate papers, and first reading of accompanying bills and resolves.

2d. Messages and documents from the ex-

ecutive and heads of departments.

3d. Reception of petitions, bills and resolves requiring reference to any committee.

4th Orders.

5th. Reports of committees and first reading of accompanying bills and resolves.

6th. Bills and resolves reported by Committee on Bills in the Second Reading, and on their pas-sage to be engrossed. Consent calendar — first

day.
7th. Bills on their passage to be enacted. Con-

8th. Orders of the day. Bills and resolves reported by Committee on Bills in the Second Reading, and on their passage to be engrossed.

9th. Bills on their passage to be enacted.

10th. Orders of the day.

The Speaker shall announce each item of business in its turn, and no paper shall be taken up out of its regular order, except by the unanimous consent of the House. No business shall be transacted in the House after the hour of 9:00 p.m. The orders of the day shall take precedence of all other business at the expiration of the morning hour.

30. In filling blanks and assigning times for the consideration of business, the largest sum and longest time shall be put first.

The Order was read and passed.

The following Communication:
COMMISSION ON GOVERNMENTAL
ETHICS AND ELECTION
PRACTICES C/O ELECTION DIVISION OFFICE OF THE SECRETARY OF STATE AUGUSTA

January 4, 1977.

Honorable Edwin H. Pert, Clerk Maine House of Representatives State House

Augusta, Maine 04333

Dear Mr. Pert:

In accordance with 21 MRSA Section 1423-3-A, the Commission on Governmental Ethics and Election Practices herewith submits the enclosed copies of findings of fact and opinion relating to the November 2, 1976 elections for House District 29, House District 23, House District 45, and House District 89.

Sincerely,

Signed:

MADELEINE R. FREEMAN Chairman Enclosures cc: Honorable John L. Martin Honorable James E. Tierney Honorable Linwood E. Palmer Jr.

The Communication was read and ordered placed on file with accompanying finding of facts and opinions referred to the House Committee on Election.

The following Petition:
STATE OF MAINE
Petition to the 108th Legislature of the State of
Maine on the seating of William Diamond of Windham.

to: Honorable Edwin H. Pert, Clerk, State of Maine House of Representatives
Respectfully Represents, Barbara Strout
of Windham, County of Cumberland, and State

of Maine. Your petitioner alleges that she was the Republican candidate for the State Representative to the 108th Legislature from District 23.

That she was opposed in said general election

by G. William Diamond.

On November 16, 1976 the Governor and Council certified the said William Diamond as the apparent winner in said election and a certificate of election was issued to the said Diamond by the Secretary of State.

Petitioner alleges that, while the said Dia-

mond ran as a candidate under the name "William Diamond", his legal name is "G. William Diamond."

Wherefore, your Petitioner prays that the 108th Legislature will vacate the seat previously awarded to the said William Diamond and award said seat to your Petitioner, Barbara Strout, and give such further relief as the situation may require.
Dated: January 5, 1977

Signed:

BARBARA STROUT Was read and ordered placed on file and the petition referred to the House Elections Com-

The following Petition:
STATE OF MAINE
Petition to the 108th Legislature of the State of
Maine on the seating of Courtney Stover of West To: Honorable Edwin H. Pert, Clerk, State of

Maine House of Representatives

Respectfully Represents, William J. Hennessey of West Bath, County of Cumberland, and State of Maine.

Your petitioner alleges that he was the Democratic candidate for the State Representative to the 108th Legislature from District 89 in the November 2, 1976 general election.

That he was opposed in said general election by Courtney E. Stover.

On November 16, 1976, the Governor and Council certified the said Courtney E. Stover as the apparent winner in said election and a certificate of election was issued to the said Stover by the Secretary of State.

Petitioner alleges that, as the result of a recount conducted under the auspices of the Secretary of State and as the result of a review of said election by the Commission on Governmental Ethics and Election Practices, such irregularities were discovered and whereas the Commission has recommended that a new election be held in District 89.

Wherefore, your Petitioner prays that the 108th Legislature will vacate the seat previous-

ly awarded to the said Courtney E. Stover and take such steps as are necessary to conduct a new election and give such further relief as the situation may require.

Dated: January 5, 1977.

Signed:

WILLIAM J. HENNESSEY Was read and ordered placed on file and the petition referred to the House Elections Com-

The following Petition:
STATE OF MAINE

Petition to the 108th Legislature of the State of Maine on the seating of David Ault of Wayne to: Honorable Edwin H. Pert, Clerk, State of Maine House of Representatives

Respectfully Represents, Jed Davis of Fayette County of Kennebec and State of Maine.

Your petitioner alleges that he was the Democratic candidate for the State Representative to the 108th Legislature from District 45 in the November 2, 1976 general election.

That he was opposed in said general election by David R. Ault. On November 16, 1976 the Governor and Council certified that said David R. Ault was the apparent winner in said election and a certificate of election was issued to the said Ault by the Secretary of State. Petitioner alleges that, as the result of a recount conducted under the auspices of the Secretary of State and as the result of a review of disputed ballots by the Commission on Governmental Ethics and Election Practices, certain irregularities were discovered with respect to absentee ballots and procedures.

Wherefore, your Petitioner prays that the

108th Legislature will vacate the seat previously awarded to the said David R. Ault and give such further relief as the situation may require.

Dated: January 5, 1977

Signed:

JED DAVIS

Was read and ordered placed on file and the petition referred to the House Elections Committee.

The following Petition: STATE OF MAINE

Petition to the 108th Legislature of the State of Maine on the seating of Michael H. Gibbs of Gray

To: Honorable Edwin H. Pert, Clerk, State of Maine House of Representatives

Respectfully Represents, Gordon F. Cunningham of New Gloucester, County of Cumberland, and State of Maine.

Your petitioner alleges that he was the Republican candidate for the State Representations.

encompassing—the—towns—of—Gray—New-Gloucester, Sebago, and Raymond in the November 2, 1976 general election.

That he was opposed in said general election

by Michael H. Gibbs.
On November 16, 1976, the Governor and Council certified the said Michael H. Gibbs as the apparent winner in said election and a cer-

the apparent whiler in said election and a certificate of election was issued to the said Gibbs by the Secretary of State.

Petitioner alleges that, as the result of a recount conducted under the auspices of the Secretary of State and as the result of a review of disputed ballots by the Commission on Governmental Ethics and Election Practices, he is the lawfully elected Representative from Legislative District 29.

Wherefore, your Petitioner prays that the 108th Legislature will vacate the seat previously awarded to the said Michael H. Gibbs and award said seat to your Petitioner, Gordon F. Cunningham, and give such further relief as the situation may require.

Dated: January 5, 1977

Signed:

GORDON F. CUNNINGHAM
Was read and ordered placed on file and the
petition referred to the House Elections Committee.

At this point, the Speaker appointed the members to the House Committee on Elections:

GOODWIN of South Berwick

LeBLANC of Van Buren BOUDREAU of Portland CAREY of Waterville GARSOE of Cumberland PERKINS of Blue Hill DURGIN of Kittery

At this point, Speaker Martin appointed Edwin H. Pert, Clerk of the House, to inform the Senate that the House was duly organized for business.

Subsequently, Mr. Pert reported that he had discharged the duty with which he was charged.

On Motion of Mr. Tierney of Lisbon Falls, the order of business as provided by the rules was dispensed with for the remainder of the day and the House proceeded under orders of the day, and the introduction and consideration of orders and consideration of pre-filed bills and con-sideration of papers from the Senate were in order during the remainder of the day's session.

The Speaker announced the appointment of the following subordinate officers of the House: Valerie Wilfong of Stow, Sergeant-at-Arms Darrell Ouellette of St. Francis, Assistant

Sergeant-at-Arms
Margaret Pratt of Dover-Foxcroft, Page Jeffrey White of Readfield, Page James Genest of Waterville, House Courier Sylvio Cote of Augusta, Doorkeeper Lawrence Downs of Augusta, Doorkeeper

The following Communication:
STATE OF MAINE
OFFICE OF THE SECRETARY OF STATE Augusta, Maine

January 5, 1977 To the Speaker of the House of Representatives:

In compliance with the Constitution and laws of the State of Maine, I have the honor to herewith transmit the returns of the votes cast for Representatives to the Legislature in the several cities, towns and plantations in the State of Maine at the General Election held on November 2, A. D., 1976.

Respectfully,

Signed:

DISTRICT 1

MARKHAM L. GARTLEY Secretary of State

The Communication was read and ordered placed on file with accompanying papers.

Paul D. Basham, Livermore Falls Charles C. Coolidge, Leeds	1,034 708
Arthur P. Lynch, Livermore Falls	1,258
DISTRICT 2	4 044
Mary E. Bennett, Poland Glen W. Torrey, Poland	1,641 1,810
DISTRICT 3	
Richard G. Barnett, Lisbon James E. Tierney, Lisbon	931 2,268
DISTRICT 4	

banies E. Herney, Disbon	2,200
DISTRICT 4	
George A. Downing, Minot	4,001
Ross A. Green, Auburn	6,238
Donald M. Hinckley, Auburn	2,858
Stephen T. Hughes, Auburn	4,999
Roger R. LaBrie Jr., Auburn	2,832
Joyce E. Lewis, Auburn	4,682
John M. Michael, Auburn	4,564
Barbara M. Trafton, Auburn	6,750
DISTRICT 5	
Fred W. Bartlett, Lisbon	510
7 70 77	2440

J. P. Normand LaPlante, Sabattus Margaret H. Richmond, Greene	2,119 1,010
DISTRICT 6	
Georgette B. Berube, Lewiston	13,438
Laurier G. Biron, Lewiston	8.572

Keith N. Byler, Lewiston	4,014
George F. Call, Lewiston	7,450
Albert E. Cote, Lewiston	9,198
Emile Jacques, Lewiston	8,404
Louis Jalbert, Lewiston	10,706
Ray H. Polley, Lewiston	2,683
Arthur C. Raymond, Lewiston	8,888
John Telow, Lewiston	5,824
DISTRICT 7	4

Richard E. McKean, Limestone	470
 DISTRICT 8 Lewis W. Madore, Connor Township James McBreairty, Perham	245 785

David O. Killmer, Limestone

DISTRICT 9	
Steven E. Crouse, Washburn Philip F. Peterson, Caribou	1,096
I map I . I cocioni, caribou	1,100

DISTRICT 10 Philip R. Bennett Jr., Caribou Ezra James Briggs, Caribou	1,362 893
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DISTRICT 11 Robert V. Akeley, Presque Isle Frederick B. Lunt, Presque Isle	1,008 1,156
DISTRICT 12	•

Harry F. Rideout, Mapleton	1,107
Russell W. Smith, Mapleton	991
DISTRICT 13 Armand A. LeBlanc, Van Buren	2,323

DISTRICT 14	
John L. Martin, Eagle Lake	2,194

DISTRICT 15 Floyd Powell, Wallagrass Plantation	2,209
DISTRICT 16 Edward A. McHenry, Madawaska	2.053

DISTRICT 17	•	
Edward F. X. Lyden, Fort Fairfield Luman P. Mahany, Easton		920 1,737
DISTRICT 18		

Carl W. Smith, Mars Hill	1,795
DISTRICT 19 Frank Peltier, Houlton	1,495
James M. Rush Jr., Houlton	897

534

10,680

John R. Kingman, Smyrna

Ruth L. Bither, Portland

James M. Rush Jr., Houlton	897
DISTRICT 20	• •
Leonard R. Lougee, Island Falls	1,365
Laurel E. McNelly, Dyer Brook	1,223
	- 1,4
DISTRICT 21	
Edith S. Beaulieu, Portland	12,836

Anne M. Boudreau, Portland	12,831
David H. Brenerman, Portland	12,952
Laurence E. Connolly Jr., Portland	12,554
Sara J. Cowan, Portland	9,725
James E. Flanagan, Portland	12,369
John W. Jensen, Portland	11,929
John J. Joyce, Portland	13,809
Michael D. Karatsanos, Portland	7,027
Mary Najarian, Portland	14,248
Merle Nelson, Portland	13,188
David E. Robinson, Portland	10,195
Gerald E. Talhot Portland	19 576

Gerald E. Talbot, Portland	12,576
DISTRICT 22 Robert J. Feeney, Falmouth Sherry F. Huber, Falmouth	1,759 2,039
DISTRICT 99	

DISTRICT 23	
William Diamond, Windham	2,138
Barbara E. Strout, Windham	2,062

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DISTRICT 24	
Evora R. Jordan, Casco	1,745

	Gail H. Tarr, Bridgton	2,917	DISTRICT 45 David R. Ault, Wayne	1,815	James F. Wilfong, Stow	2,295
	DISTRICT 25 William J. Garsoe, Cumberland Karl F. Heiser, Harpswell	2,586 1,879	Jed Davis, Fayette Charles S. Rollins, Manchester	1.778	DISTRICT 65 Jacob J. Immonen, West Paris Edward W. Whittier, Paris	1,769 1,417
	DISTRICT 26 John E. Allen, Standish Richard A. Spencer, Standish	889 3,273	DISTRICT 46 Laurence P. Bagley, Winthrop Carroll R. McGary, Winthrop	1,949 1,478	DISTRICT 66 Ray Willard Stetson, Norway R. Donald Twitchell, Norway	643 2,484
	DISTRICT 27 Nancy Randall Clark, Freeport Elizabeth M. Moody, Freeport	2,905 854	Charles G. Dow, West Gardiner Charles R. Peckham, West Gardiner	1,945 1,709	DISTRICT 67 Kenneth C. Brown, Mexico	1,527 1,169
	DISTRICT 28	1,391 2,266	DISTRICT 48 Thomas A. Kilcoyne, Gardiner Kenneth L. Marriner, Gardiner	2,076 928	DISTRICT 68 Kathleen F. Mersereau, Rumford Albert Theriault, Rumford	1,030 2,175
	DISTRICT 29 Gordon F. Cunningham, New Gloucester	1,914	DISTRICT 49 Robert G. Stubbs, Hallowell Robert G. Stubbs, Hallowell	1,792 697	DISTRICT 69 Jerome A. Emerson, Corinna James L. Peakes, Dexter	1,485 1,523
	DISTRICT 30 Rodney S. Quinn, Gorham	2,349 1,094	DISTRICT 50 Welden W. Hanson, Vassalboro Elizabeth H. Mitchell, Vassalboro DISTRICT 51	964 2.406		1,170 688
	DISTRICT 31 J. Robert Carrier, Westbrook	3,354	David W. Bustin, Augusta Daniel B. Hickey, Augusta Mary E. Kane, Augusta	4,421 4,560 3,860	Sandra K. Prescott, Hampden DISTRICT 71 David S. Marshall, Millinocket	1,248 1,852
	Raymond A. Cote, Westbrook Stanley E. Laffin, Westbrook Robert E. Lister, Westbrook	3,144 3,169 1,494	Matthew S. Korol, Augusta Margaret Brown Miskavage, Augusta Kenneth J. Pelletier, Augusta	1,832 3,827 3,398	Lauretta Rush, Millinocket DISTRICT 72	1,104
	DISTRICT 32 Sharon B. Benoit, South Portland Donald E. Dyer, South Portland	2,016 1,683	DISTRICT 52 Melvin W. Beck, Winslow Ernest T. Bernier, Waterville Paul A. Boudreau, Waterville	1,246 1,566 4,041	Walter A. Birt, East Millinocket Roland Deschene, East Millinocket DISTRICT 73	1,871 824
	DISTRICT 33 Sandra A. Bradford, Scarborough Linwood M. Higgins, Scarborough	1,515 2,032	Richard J. Carey, Waterville	5,089 3,069 1,244 5,627	Harold R. Cox, Brewer Arthur P. Doe, Brewer DISTRICT 74	1,813 1,387
	DISTRICT 34 Nancy N. Masterton, Cape Elizabeth	4,534	DISTRICT 53 Donald V. Carter, Winslow	2,022	John M. Norris II, Brewer Dale J. Ruttenberg, Veazie	1,877 1,160
	DISTRICT 35 John Dana Bubier, South Portland Peter J. Curran, South Portland James R. Dyer, South Portland	2,797 4,766 2,575	Edward M. Welch Jr., Winslow DISTRICT 54 Guy I. Hunter, Benton	898 2,517	DISTRICT 75 Lloyd Littlefield, Hermon DISTRICT 76	2,880
	Barbara A. Gill, South Portland Samuel A. Hinds, South Portland Robert S. Howe, South Portland	3,754 3,513 3,776	LeŘoy W. Lander Jr., Benton DISTRICT 55	739	Walter W. Cameron, Lincoln Robert A. MacEachern, Lincoln DISTRICT 77	1,338 1,494
	DISTRICT 36 Barry B. Longyear, Farmington Richard G. Morton, Farmington	. 985 2,244	Marjorie C. Hutchings, Lincolnville DISTRICT 56 Wayne Meserve, Owls Head	1,254	Richard S. Davies, Orono Stuart James Georgitis, Orono	1,252 852
	DISTRICT 37 Paul F. Galusha, Jay Sidney D. Maxwell, Jay	1,357 1,675	Bonnie Post, Owls Head DISTRICT 57 Arthur M. Sprowl, Hope	2,723 2,591	DISTRICT 78 Dana C. Devoe, Orono James B. Wagner, Orono	1,980 1,840
	DISTRICT 38 Edward L. Dexter, Kingfield Harlan E. Doak, Rangeley		Donald G. Stanley Jr., Rockport DISTRICT 58	1,471	DISTRICT 79 Michael D. Pearson, Old Town DISTRICT 80	2,769
			Wayne C. Gray, Rockland Elaine Swanholm Shortall, Thomaston DISTRICT 59	1,190	Mark Brody, Greenbush Stephen R. Gould, Old Town Wayne M. O. LaBree, Bradley	338 1,717 842
	DISTRICT 39 Arthur W. Beisaw, Wilton Lewis G. Maxwell, Wilton John H. Rollins, Dixfield DISTRICT 40	1,285 1,458	Gary Wayne Fowlie, Rockland Paul R. Huber, Rockland DISTRICT 60	1,152 1,097	DISTRICT 81 Donald A. Strout, Corinth	2,515
	Walter L. Bunker, Gouldsboro Helen H. Douglas, Bar Harbor	2,173 1,335	Charlotte Z. Byers, Newcastle Lucy A. Harrington, Newcastle DISTRICT 61	2,982 1,198	DISTRICT 82 James T. Dudley, Enfield DISTRICT 83	2,257
•	DISTRICT 41 James A. Silsby, Ellsworth Virginia H. Suyama, Ellsworth	2,316 1,114	Linwood E. Palmer Jr., Nobleboro Arthur Douglas Stover III, Alna	2,603 1,521	Angela Z. Aloupis, Bangor Susan Burgess, Bangor Frank M. Carter, Bangor	5,968 4,466 5,064 4,822
	Drampram 40	3,149	DISTRICT 62 William B. Blodgett, Waldoboro Carroll M. Hanna, Bristol	2,146 1,873	James S. Henderson, Bangor Philip A. Ingegneri, Bangor Edward C. Kelleher, Bangor Gerald R. Mitchell Jr., Bangor	4,506 5,208 4,767
	Ellen Histen, Mount Desert	1,290 2,698	DISTRICT 63 Karen L. Brown, Bethel Emily C. Saunders, Bethel	1,891 1,379	Roger E. Reed, Bangor Robert E. Talbot, Bangor Swift Tarbell III, Bangor	4,485 4,257 6,058
	Lawrence P. Greenlaw Jr., Stonington	2,018 1.730	DISTRICT 64 Donald W. Buzzell, Fryeburg	1,272	DISTRICT 84 Stephanie Locke, Sebec	1,733

Francis C. Prescott, Guilford	1,614
DISTRICT 85 Richard J. Mangan, Beaver Cover tation John E. Masterman, Milo Claude N. Trask, Milo	Plan- 1,051 1,481 569
DISTRICT 86 Donald M. Hall, Sangerville Brian A. Hanson, St. Albans Wallace G. Sinclair, Shirley DISTRICT 87	1,531 1,154 642
J. David Leonard, Woolwich Timothy M. Moody, Richmond	1,770 — 1,832
DISTRICT 88 Lorraine N. Chonko, Topsham Arthur J. Veno Jr., Bowdoinham	2,326 548
DISTRICT 89 William J. Hennessey, West Bath Courtney E. Stover, West Bath	1,060 1,193
DISTRICT 90 Kathleen Watson Goodwin, Bath Richard A. Quimby II, Bath	2,276 1,107
DISTRICT 91 Anne J. Bachrach, Brunswick Antoinette C. Martin, Brunswick	4,459 3,933
DISTRICT 92 Roosevelt T. Susi, Pittsfield Jasper S. Wyman, Pittsfield	995 1,878
DISTRICT 93 C. Everett Dam, Skowhegan Alton W. Whittemore, Skowhegan	1,177 1,827
DISTRICT 94 Frank P. Stephenson, Fairfield Thomas M. Teague, Fairfield	1,283 1,634
DISTRICT 95 Richard N. Bartlett, Madison James P. Elias, Madison	1,307 1,716
DISTRICT 96 Bernard H. Austin, Bingham Raymond N. Faucher, Solon	1,774 1,351
DISTRICT 97 Francis B. B. Brawn, Oakland Donald H. Burns, Anson	1,476 1,901
DISTRICT 98 Donald E. Cook, Belfast Lloyd G. Drinkwater, Belfast Harvey S. Knight, Belfast	983 1,337 659
DISTRICT 99 Charles A. Mitchell, Frankfort Melvin A. Shute, Stockton Springs	1,287 2,002
DISTRICT 100 Maxwell O. Fortier, Troy Kenneth E. Tozier Jr., Unity	1,367 1,780
DISTRICT 101 A. Harold Fenlason, Danforth Albion D. Goodwin, Pembroke	1,382 1,139
DISTRICT 102 Robert J. Gillis Jr., Calais	2,209
DISTRICT 103 Maxwell Barnes, Eastport Kenneth A. Mills, Eastport	1,182 1,740
DISTRICT 104 Dorothy B. Kelley, Machias Norman W. Nelson, Roque Bluffs	1,501 1,837
DISTRICT 105 Maynard G. Conners, Franklin John E. Purington, Milbridge	2,258 1,369

	L KECOKO 11000E, SAN	UAI
:	DISTRICT 106 Doyle T. Sowerby, York Barry L. Valentine, York	1,855 2,582
	DISTRICT 107 Lena C. Durgin, Kittery	1,834
	DISTRICT 108 Orland G. McPherson, Eliot	2,742
	DISTRICT 109 Harland C. Goodwin Jr., South Berwick Owen R. Stevens Jr., South Berwick	1,786 1,302
	DISTRICT 110 Edward H. Mackel, Wells	3,615
	DISTRICT 111 James K. McMahon, Kennebunk	3,703
	DISTRICT 112 Bernard K. Holdsworth, Acton Frank P. Wood, Sanford	1,356 1,924
	DISTRICT 113 Roland A. Gauthier, Sanford James K. Monroe, Sanford Richard J. Nadeau, Sanford	3,639 2,487 3,935
	DISTRICT 114 M. Abbott Pendergast, Kennebunkport Elmont S. Tyndale, Kennebunkport	1,584 3,157
	DISTRICT 115 Lucien A. Dutremble, Biddeford J. P. Marcel Lizotte, Biddeford Peter P. Truman, Biddeford	6,808 6,005 5,964

J. P. Marcel Lizotte, Biddeford Peter P. Truman, Biddeford	6,005 5,964
DISTRICT 116 George A. Carroll, Limerick Edward F. Gordon, Cornish	2,277 1,628
DISTRICT 117 John M. Kerry, Old Orchard Beach John Litwinetz, Old Orchard Beach Leslie E. Wyman Sr., Old Orchard	373

Philip P. Berry, Buxton	3,714
DISTRICT 119 Fred E. Clark Sr., Saco	930
Barry J. Hobbins, Saco	

DISTRICT 118

At this point, a message was received from the Senate, borne by the Senator from Kennebec, Senator Speers, that the Senate had been duly organized by the election of Honorable Joseph Sewall as President, May M. Ross as Secretary and Mary Porter as Assistant Secretary, and that the Senate was ready to transact such business as might come before it. transact such business as might come before it.

At this point, a message came from the Senate, borne by the Sergeant-at-Arms, proposing a Convention of both branches of the Legislature to be held at 4:30 p.m. in the Hall of the House for the purpose of electing a Secretary of State, a State Treasurer, an Attorney General and a State Auditor.

Thereupon, the House voted to concur in the proposal for a Joint Convention to be held at 4:30 p.m. and the Speaker appointed Mr. Kelleher of Bangor to convey this message to the Senate.

Subsequently, Mr. Kelleher of Bangor reported he had discharged the duty with which he was charged.

The following Joint Order: (S. P. 28) Joint Order Providing for Joint Rules for the 108th Legislature.

Came from the Senate read and passed. In the House, the Order was read.
The SPEAKER: The Chair recognizes the gentleman from Waterville, Mr. Carey.

Mr. CAREY: Mr. Speaker, I would offer an

amendment to the joint rules and hope that it is adopted.

House Amendment "A" was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Waterville, Mr. Carey.
Mr. CAREY: Mr. Speaker, Ladies and Gentlemen of the House: This addition to the Joint Rules is one which would help this Governor or any governor to try to get his program before this legislature or any other legislature. What it would allow him to do is present his the President though the Speaker or through the President. We, as House members, the other body at the other end, would be well aware that they are governor's bills, because the jacket would clearly state "Speaker of the Hause on behalf of the Covernor or the President was a proper or the President with the president was a proper or t House on behalf of the Governor, or the President of the Senate on behalf of the Governor.

There are many times it has come up, and I recall when Ken Curtis was governor of this State, John Martin was in the minority leadership and it was easy to find some sponsors for some of the governor's bills while others were what we would term "dogs" and some of us had to sponsor some of those bills whether we liked them or not.

This would give any governor the opportunity to present what he has campaigned on, as the only person running statewide for office, for his program. I would certainly hope that you would concur that this is something that we can do to help this governor or any other governor pre-sent his programs through the legislative process. We would not lose control of those bills; they would be voted upon like anything else, and if the governor did find someone who wanted to sponsor any of his bills, they would not be prohibited by this rule.

Thereupon, House Amendment "A" was

adopted.

The Order received passage as amended in non-concurrence and sent up for concurrence. (Later reconsidered)

The following communication: State of Maine Office of the Governor Augusta, Maine January 3, 1977

The Honorable Joseph Sewall

President of the Senate

The Honorable John Martin Speaker of the House

Dear Joe & John:

I would like to advise you that we plan to submit early in the session of the 108th Legislature a special emergency appropriations act to allocate funds coming to State government under Title II of the Publc Works Employment Act. I would be grateful if the Legislature could give impediate consideration to the state of th give immediate consideration to the bill so the pro-

jects can get underway.

There was a question as to whether a legislative appropriation was necessary. However, we feel we are proposing some important and worthwhile projects of which we felt the Legislature would like to be a part. Also, it was our feeling that the proposals we are recommending for funding represent issues the Legislature will be faced with in this ses-

sion, and it was, therefore, desirable to make the 108th a part of this decision. In drafting a bill to allocate these funds, we

made an effort to not only create temporary public works jobs, but to also address problem areas and areas of need. In that regard, we will be giving top priority to childrens' protective services, mental health and corrections, the Department of Personnel, and the Public Utilities Commission in the bill that we will be

presenting. I also have asked that consideration be given to John's excellent suggestion that some of the funds be utilized for a State House winterization project as an energy conservation program.

I wanted to keep you informed of what we were doing since we discussed this project at today's Cabinet Meeting which, as usual, was open to the news media.

I will appreciate any attention you can give this bill for immediate consideration.

Very truly yours (Signed) JIM JAMES B. LONGLEY

The Communication was read and ordered placed on file.

Mr. Jalbert of Lewiston presented the follow-

ing Joint Order: (H. P. 0019)
ORDERED, the Senate concurring, that the Speaker of the House is authorized, at his discretion, to permit radio or sound television film or live television, or any two or three of these communication media, in the hall of the House of Representatives while the House is in session, or during joint conventions of the Legislature.

The Order was read and passed and sent up

for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

On motion of Mr. Hobbins of Saco, it was ORDERED, that the Clerk of the House be directed to secure uniforms for the subordinate officers of the House.

On motion of Mr. Bustin of Augusta, it was ORDERED, that the Clerk of the House be authorized to invite the clergymen of Augusta, Hallowell and Gardiner to officiate as Chaplains of the House, or to invite clergymen from other areas of the State as requested by any member of the House, and be it further

ORDERED, that all clergymen acting as Chaplains of the House shall receive \$10.00 for each officiation, to be paid on payrolls to be approved by the Clerk of the House.

On motion of Mr. Tierney of Lisbon Falls, it was

ORDERED, that each adjournment of the House be until 10 o'clock of the following morning unless otherwise ordered.

On motion of Mr. Quinn of Gorham, it was ORDERED, that each member of the House be furnished with one daily newspaper published in the State.

On motion of Mr. Peakes of Dexter, it was ORDERED, that the Clerk of the House be authorized and directed to furnish each member of the House with a copy of the Advance Journal of the House, said copy to be on the desk of each member at the opening of each daily session.

On motion of Mr. Tierney of Lisbon Falls, it was

ORDERED, that both the Speaker of the House and the Minority Floor Leader be authorized to employ research assistants to provide research assistance to the members of the House; and be it further

ORDERED, that the Clerk of the House include in his payroll of House officers all research assistants so employed, provided the aggregate salary of all research assistants employed by the Speaker of the House does not exceed \$250 per week and the aggregate salary of all research assistants appointed by the Minority Floor Leader does not exceed \$250 per week.

On motion of Mr. Quinn of Gorham, it was ORDERED, that 5 Clerk-stenographers be employed to provide stenographic and clerical assistance to the Members of the House. Such Clerk-stenographers shall be selected, 3 by the

Speaker of the House of Representatives and 2 by the Minority Leader; and be it further ORDERED, that the Clerk of the House in-

clude in his payroll of House officers, the Clerkstenographers so employed at a salary approved by the Speaker, House Majority Leader and House MInority Leader.

The Speaker announced the appointment of the following members to serve on the House Committee on Leave of Absence:

NADEAU of Sanford,

MITCHELL of Vassalboro

COX of Brewer Mr. LOCKE of Sebec Mrs.

SHUTE of Stockton Springs Mr. HUTCHINGS of Lincolnville Mrs.

PELTIER of Houlton

The Speaker announced the appointment of the following members to serve on the House Committee on Ways and Means: Mr. JALBERT of Lewiston,

Chairman CAREY of Waterville Mr. Mr. **BLODGETT** of Waldoboro DIAMOND of Windham MCBREAIRTY of Perham Mr. Mr. Mrs. DURGIN of Kittery MARSHALL of Millinocket Mr.

The SPEAKER announced the appointment of the following members to serve on the House Committee on Bills in the Second Reading:

BURNS of Anson, Mr.

Chairman

Chairman

Mrs. KANY of Waterville Mr. TWITCHELL of Norway ELIAS of Madison Mr. BAGLEY of Winthrop TORREY of Poland Mr. Mr. BOUDREAU of Waterville

The Speaker announced the appointment of the following members to serve on the House Committee on Engrossed Bills:

Mr. JENSEN of Portland,

Chairman

Mr. TRUMAN of Biddeford HALL of Sangerville Mr. BEAULIEU of Portland Mrs. STUBBS of Hallowell Mr. LAFFIN of Westbrook HUBER of Falmouth Mr. Mrs

The Speaker announced the appointment of the following members to serve on the House Committee on Rules and Business of the House: The

Speaker, Ex-Officio; Mr. TIERNEY of Lisbon Falls PALMER of Nobleboro Мг. TYNDALE of Kennebunkport Mr.

The Speaker announced the appointment of Nancy Randall Clerk of Freeport and Richard G. Morton of Farmington as Monitors.

The following papers appearing on Supplement No. 1 were taken up out of order by unanimous consent:

Mr. Palmer of Nobleboro presented the following Joint Resolution and moved its adoption: (H. P. 21)

In Memoriam

WHEREAS, the Legislature has learned with deep regret of the death of Hon. Harvey R. Pease, of Wiscasset

WHEREAS, the Senate and House of Representatives are joined in understanding and prayer with all others who share this great

loss; and
WHEREAS, when the Legislature adjourns this date, it will do so in honor and in lasting tribute to the deceased; now, therefore, be it

RESOLVED: That we, the members of the 108th Legislature of the State of Maine, while

duly assembled at the State Capitol under the Constitution and laws of this State, pause in our deliberations to inscribe this expression of sadness and to extend our heartfelt condolences and sympathy to the bereaved family and friends of the deceased; and be it further

RESOLVED: That a suitable copy of this joint resolution be sent forthwith to the immediate family on behalf of the Legislature and the people of the State of Maine.

The Resolution was read and adopted and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

Mr. Tierney of Lisbon Falls presented the following Order and moved its passage:
ORDERED, that the Clerk of the House, with

the approval of the Speaker of the House, purchase such services, supplies and equipment as may be needed to carry on the business of the House.

The Order was read.

The SPEAKER: The Chair recognizes the gentleman from Nobleboro, Mr. Palmer.

Mr. PALMER: Mr. Speaker, Ladies and Gentlemen of the House: I do not rise at this time to oppose passage of this order, but I do want to point out a couple things which I think we as a House and as a Senate have to consider.

This order is perfectly in order. In legislatures prior to the 108th, we did not have, even though we had the statutory ability to have, a legislative administrator. As of November 1975, we did elect William Garside to be the administrator of the legislature, and if you will check the statutes, you will find that he is empowered to cooperate with the Secretary of the Senate and the Clerk of the House, have custody of all legislative property and material, arrange for necessary supplies and equipment through the State Bureau of Purchases and arrange for necessary services. There is quite a list of duties which he has Of arrange for necessary services. list of duties which he has. Of course now, for the first time, we have that director, and it is my feeling that in the interest of economy and efficiency in the operation of this legislature, rather than have individuals - and certainly nothing personal or partisan about this at allbut rather than have individuals go their separate ways in purchasing supplies and equipment, these should all be cleared through the administrative director of this legislature.

I am sure that this is a normal procedure to put this in, because up until this point in time,

we did not have that director.

A little later on there will be coming a joint order which calls for these people to coordinate their efforts through the administrative director. When that comes through, I will move that that be tabled so that this can come up for discussion at a later date. For the present time, I will not oppose passage of the order.

Thereupon, the Order received passage.

On motion of Ms. Goodwin of Bath, it was ORDERED, that Norma Morrisette of Augusta be the Reporter of the House of Representatives and that the Clerk of the House be authorized to procure the services of an Assistant Reporter, two transcribing clerks and a proofreader during the present session.

The following Joint Order: (S. P. 12) ORDERED, the House concurring, that three hundred twenty-five (325) copies of the Legislative Record for the session of 1977 be printed, 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.

Came from the Senate read and passed. In the House, the Order was read and passed in concurrence

The following Joint Order: (S. P. 13) ORDERED, the House concurring, that there be paid to the members of the Senate and House as advances on account of compensation established by statute, the amount of Three Hundred and Sixty Dollars (\$360) bi-weekly, according to lists certified to the State Controller by the President of the Senate and Speaker of the House, respectively.

Came from the Senate read and passed. In the House, the Order was read and passed in concurrence.

The following Joint Order: (S. P. 14) ORDERED, the House concurring, that the Legislative Finance Officer be authorized and directed to prepare weekly, from expense accounts to be submitted to him by the members of the Senate and House, expense rosters showing the entitlement of each member for meals allowance and lodging reimbursement and to obtain approval thereof by the President of the Senate and the Speaker of the House, respectively, and deliver the same to the State Controller for processing and payment, in the manner and form recommended by the Joint Interim Committee of the 101st Legislature created to study and report on a method of implementing the administration of the provision of law relating to the mileage and expenses for members of the Legislature; and be it further

ORDERED, that the Legislative Finance Officer be authorized and directed to provide the forms necessary for such purpose and provide suitable space in his office for the filing and safekeeping of all such expense accounts and other papers and records pertaining thereto.

Came from the Senate read and passed. In the House, the Order was read and passed in concurrence.

The following Joint Order: (S. P. 15)
ORDERED, the House concurring, that the
Clerk of the House and the Secretary of the Senate be authorized to furnish 100 13¢ postage 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.

Comes from the Senate read and passed. In the House, the Order was read and passed in concurrence.

The following Joint Order: (S. P. 16)
ORDERED, the House concurring, that the
Secretary of the Senate and the Clerk of the House, respectively, be authorized to furnish to the Superintendent of Public Printing, postage on all correspondence relative to advertising committee hearings during the present session, same to be charged to legislative expense.

Came from the Senate read and passed. In the House, the Order was read and passed in concurrence.

The following Joint Order: (S. P. 17)
ORDERED, the House concurring, that any
Town or City Clerk or Board of County Commissioners may, upon written request to the Document Clerk receive without charge, copies of all printed bills, so that there may be available to the public during the legislative session a complete and convenient file of all printed bills.

Came from the Senate read and passed. In the House, the Order was read and passed in concurrence.

The following Joint Order: (S. P. 18) ORDERED, the House concurring, that telephone service may be provided for each

member of the Senate and House, and each representative from the Indian Tribes at the Legislature for a reasonable number of calls, of reasonable duration, as determined by the President of the Senate as to members of the Senate and the Speaker of the House as to members of the House and the representatives from the Indian Tribes, to points within the limits of the State of Maine, the privilege granted to be a personal privilege, not to be exercised by other than the members or representatives, that each member of the Senate and House, and each representative from the Indian Tribes at the Legislature, may be provided with a credit card under the direction of the Secretary of the Senate and Clerk of the House, respectively, the cost of this service to be paid to the New England Telephone Company at regular tariff rates; and be it further
ORDERED, that the President of the Senate

or the Speaker of the House may, upon a finding of abuse of the privilege of telephone service by member of the Senate or a member of the House, respectively, temporarily suspend or terminate the privilege of said telephone service to that member.

Came from the Senate read and passed. In the House, the Order was read and passed in concurrence.

The following Joint Order: (S. P. 19) ORDERED, the House concurring, that the rooms in the State House and State Office Building used by the One Hundred and Seventh Legislature as hearing rooms be reserved as hearing rooms for the One Hundred and Eighth and succeeding Legislatures and be released for other purposes only upon approval by the President of the Senate and Speaker of the House.

Came from the Senate read and passed. In the House, the Order was read and passed in concurrence.

The following Joint Order: (S. P. 20) ORDERED, the House concurring, that all printing and binding authorized by the egislature shall be under the direction of the Secretary of the Senate and Clerk of the House.

Came from the Senate read and passed. In the House, the Order was read and passed in concurrence.

The following Joint Order: (S. P. 21) ORDERED, the House, concurring, that the Secretary of the Senate and the Clerk of the House, respectively, with the approval of the Legislative Administrative Director, purchase such services, supplies and equipment as may be needed to carry on the business of the Senate and the House, respectively.

Came from the Senate read and passed.

In the House, the Order was read. On motion of Mr. Palmer of Nobleboro

tabled pending passage in concurrence and specially assigned for Tuesday, January 11.

The following Joint Order: (S. P. 22) ORDERED, the House, concurring, that the Secretary of the Senate and Clerk of the House jointly prepare the Senate and House Register and that 20,000 copies be printed for the use of the Legislature.

Came from the Senate read and passed. In the House, the Order was read and passed in concurrence.

At this point, the Senate entered the Hall of the House and a Joint Convention was formed. In Convention

The President of the Senate, the Honorable

Joseph Sewall, in the Chair.
The Convention was called to order by the Chairman.

On motion of Mr. Tierney of Lisbon Falls, the following members were appointed a committee to receive, sort and count votes for the Secretary of State:

Senators:

GREELEY of Waldoboro CUMMINGS of Penobscot MERRILL of Cumberland on the part of the Senate.

Representatives: GOODWIN of South Berwick KANY of Waterville DIAMOND of Windham CHURCHILL of Orland DURGIN of Kittery SILSBY of Ellsworth TRAFTON of Auburn

on the part of the House. Having attended to the duties assigned, Senator Greeley for the Committee reported as follows:

178 Total number of votes cast Necessary for choice 90 Markham L. Gartley had 107 Peter M. Damborg had 70 Scattered vote

Which report was accepted and Markham L. Gartley having received a majority of all the votes cast, was declared elected Secretary of State of the political years 1977 and 1978.

On motion of Mr. Quinn of Gorham, the following members were appointed a committee to receive, sort and count votes for the Attorney General of the State of Maine: Senators

COLLINS of Knox CURTIS of Penobscot O'LEARY of Oxford

- on the part of the Senate

Representatives: **BURNS** of Anson **BOUDREAU** of South Portland McKEAN of Limestone NELSON of Roque Bluffs NORRIS of Brewer GILL of South Portland BROWN of Bethel

on the part of the House. Having attended to the duties assigned, Senator Collins for the Committee reported as follows:

Total number of votes cast 178 Necessary for choice Joseph E. Brennan had 90 105 John Doyle had 71 Scattered votes

Which report was accepted and Joseph E. Brenann having received a majority of all the votes cast, was declared elected Attorney General for the political years 1977 and 1978.

PRESIDENT SEWALL: Nominations are now in order for the office of Auditor of the State of Maine for the political years 1977 and

The Chair recognizes the Representative from Gorham, Mr. Quinn.
REPRESENTATIVE QUINN: I nominate Rodney L. Scribner for the office of Auditor of the State of Maine for the political years 1977 and 1978.

PRESIDENT SEWALL: The Representative from Gorham, Mr. Quinn nominates Rodney L. Scribner for the office of Auditor of the State of Maine for the political years 1977 and 1978.

The Chair recognizes the Representative from Cumberland, Mr. garsoe.
REPRESENTATIVE GARSOE: Mr. Presi-

dent, I move that nominations be closed and that the Senator from Penobscot, Mr. Trotzky be authorized to cast one ballot on the part of the Convention in favor of Rodney L. Scribner for State Auditor.

One vote was cast for Rodney L. Scribner for State Auditor for the political years 1977, 1978, 1979 and 1980, and he was thereupon elected.

On motion of Senator Speers of Kennebec, the

following members were appointed to receive, sort and count votes for the office of Treasurer: Senators:

WYMAN of Washington HICHENS of York DANTON of York

on the part of the Senate.

Representatives:

CLARK of Freeport
DUTREMBLE of Biddeford ELIAS of Madison FOWLIE of Rockland HIGGINS of Scarborough KANE of Augusta BOUDREAU of Waterville

— on the part of the House. Having attended to the duties assigned, Senator Wyman for the Committee reported as follows:

Total number of votes cast Necessary for choice Leighton Cooney had Norman K. Ferguson had 86 Scattered votes

Which report was accepted and Leighton Cooney having received a majority of all the votes cast, was declared elected State Treasurer for the political years 1977 and 1978.

On motion of Senator Speers of Kennebec, it

ORDERED, that the Secretary be directed to notify the Honorable Markham L. Gartley of his election as Secretary of State; Honorable Leighton Cooney of his election as State Treasurer; Honorable Joseph E. Brennan of his election as Attorney General; and the Honorable Rodney L. Scribner of his election as State Auditor.

Subsequently, the Secretary reported that she had notified the officers as directed.

On motion of Senator Huber of Cumberland, it

ORDERED, that the Secretary be directed to inform the Governor of the election of the Honorable Markham L. Gartley as Secretary of State; the Honorable Leighton Cooney as State Treasurer; the Honorable Joseph E. Brennan as Attorney General; and the Honorable Rodney L. Scribner as State Auditor.

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

The purpose for which the Joint Convention was formed having been accomplished, the Chair declared the same dissolved

The Senate then retired to its Chamber amid the applause of the House.

In the House

The House was called to order by the Speaker.

On motion of Mr. Carey of Waterville, the House reconsidered its action of earlier in the day whereby Senate Paper 28, Joint Order Providing for Joint Rules for the 108th Legislature, received passage as amended by House Amendment "A".

On further motion of the same gentleman, the House reconsidered its action whereby House Amendment "A" was adopted. Thereupon, Mr. Carey of Waterville withdrew

the Amendment.

The Order received passage in concurrence.

Petitions, Bills and Resolves

Requiring Reference
The following 14 Bills, 2 Resolves and 2 Resolutions were transmitted by the Clerk of the House of the 107th Legislature in accordance with the provisions of Joint Rule 6 and were referred to the following Committees:

Human Resources

Bill "An Act to Appropriate Funds to the Maine Chapter of the Epilepsy Foundation of America" (H.P. 5) (L.D. 8) (Presented by Mr. Talbot of Portland)

On motion of Mr. Tierney of Lisbon Falls, was referred to the Committee on Human Resources and sent up for concurrence.

Local and County Government
Resolve, Providing for Purchase of Copies of
History of Newfield. (H.P. 14) (L.D. 23)
(Presented by Mr. Carroll of Limerick)
On motion of Mr. Tierney of Lisbon Falls,
was referred to the Committee on Local and

County Government and sent up for concurrence.

Election Laws

Bill "An Act to Require Certification of Nomination Petitions" (H.P. 1) (L.D. 1)

(Presented by Mr. Jalbert of Lewiston)

Bill "An Act Changing the Date of Primary
Election to the First Wednesday after Labor
Day" (H.P. 4) (L.D. 7) (Presented by Mr.

Kelleher of Bangor)
Bill "An Act Prohibiting Candidates from being Present when an Absentee Ballot is being Marked" (H.P. 8) (L.D. 18) (Presented by Mr. Burns of Anson)

Sent up for concurrence.

Fisheries and Wildlife

Bill "An Act to Provide that the First 5 Days of Deer Season Shall be for Maine Residents Only" (H.P. 11) (L.D. 20) (Presented by Mr. Carroll of Limerick)

Sent up for concurrence.

Human Resources

Bill "An Act Relating to the Operation of Vending Facilities by Blind Persons" (H.P. 3) (L.D. 3) (Presented by Mr. Jalbert of Lewiston)

Sent up for concurrence.

Bill "An Act Concerning Days on which Alcoholic Beverages may be Sold. (H.P. 16) (L.D. 25) (Presented by Mr. Jensen of Portland.

Sent up for concurrence.

Local and County Government
Bill "An Act Authorizing Municipalities to All Act Authorizing Municipalities to Raise or Appropriate Money for a Consumer Action Program" (Emergency) (H. P. 7) (L. D. 17) (Presented by Mr. Kelleher of Bangor)
Bill "An Act Relating to Removal of County Buildings" (H. P. 9) (L. D. 19) (Presented by Mr. Burns of Anson)
Sept. up for concurrence.

Sent up for concurrence.

Public Utilities

Bill "An Act to Exempt Small Water Districts from Regulation by the Public Utilities Commission" (H.P. 12) (L.D. 21) (Presented by Mr. Carroll of Limerick) Sent up for concurrence.

State Government

Resolution, Proposing an Amendment to the Constitution to Mandate the Appropriation of Funds for State Employee and Teacher Retirement Costs (H.P. 2) (L.D. 2) (Presented by Mr. Jalbert of Lewiston)

RESOLVE, Authorizing the Commissioner of Conservation to Convey Land to Somerset County Formerly Known as the Women's Correctional Center at Skowhegan. (H.P. 19) (L.D. 27) (Presented by Mr. Burns of Anson)

(Cosponsor: Mr. Whitternore of Skowhegan)
Bill "An Act Concerning Membership on the
Public Utilities Commission" (H.P. 13) (L.D.
22) (Presented by Mr. Carroll of Limerick).
RESOLUTION, Proposing an Amendment to

the Constitution to Repeal the Section Concern-

the Constitution to Repeal the Section Concerning Continuity of State and Local Government in Case of Enemy Attack. (H.P. 15) (L.D. 24) (Presented by Mr. Jensen of Portland)
Bill "An Act Concerning Conflicts of Interest in Offices Subject to Legislative Confirmation" (Emergency) (H.P. 18) (L.D. 29) (Presented by Mrs. Kany of Waterville)
Sent up for concurrence

Sent up for concurrence.

Taxation

Bill "An Act to Provide that the Uniform Property Tax Rate shall be Established in Conformity with Statutory Limits on Educational Funding" (Emergency) (H.P. 6) (L.D. 16) (Presented by Mr. Jalbert of Lewiston Sent up for concurrence.

Transportation

Bill "An Act to Clarify the Laws Governing Vehicles Overtaking and Passing" (H.P. 17) (L.D. 26)

(Presented by Mr. Jensen of Portland) Sent up for concurrence.

On motion of Mr. Tierney of Lisbon Falls, Adjourned until ten o'clock tomorrow morn-