

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

***One Hundred and Eighth  
Legislature***

OF THE

STATE OF MAINE

**1978**

**Second Regular Session**

January 4, 1978 — April 6, 1978

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**Senate Confirmation Session**

June 14, 1978

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**First Special Session**

September 6, 1978 — September 15, 1978

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**Second Special Session**

October 18, 1978

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**Third Special Session**

December 6, 1978

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APPENDIX

## HOUSE

Monday, January 9, 1978

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Reverend Eric W. Kelley, Jr., of the Congregational Church, Cumberland.

REV. KELLEY: Almighty God, Our Father in Heaven, we gather as a diverse group from all over the State of Maine. Each member brings his or her unique ideas, opinions and special gifts to confront issues that will in some cases have direct bearing on the quality of life lived by those who have entrusted this body to serve them in state government.

In our humanity, we are prone to be self-seekers and we are apt to work toward those ends that make us look good. Empower this body to put self interests aside, to listen to your eternal truth that has been revealed in the life of Christ and through voices of Apostles and Prophets throughout the ages. Direct and bless those of this body who speak where many listen and write what many read that they may do their part in making the heart of the people wise, its mind sound and its will righteous. Amen.

The members stood at attention during the playing of the National Anthem by the Maine Maritime Academy Band of Castine.

The journal of the previous session was read and approved.

## Papers from the Senate

Bill, "An Act Adjusting Appropriations and Allocations for the Expenditures of State Government and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1978, and June 30, 1979" (Emergency) (S. P. 656) (L. D. 2021)

Came from the Senate referred to the Committee on Appropriations and Financial Affairs and ordered printed.

In the House, referred to the Committee on Appropriations and Financial Affairs in concurrence.

Bill, "An Act to Extend School Breakfast Availability to Maine School Children" (S. P. 659) (L. D. 2036)

Came from the Senate referred to the Committee on Education and ordered printed.

In the House, referred to the Committee on Education in concurrence.

Bill, "An Act to Provide for Specific Liability for Persons or Corporations Contributing to a Public Nuisance" (S. P. 658) (L. D. 2035)

Came from the Senate referred to the Committee on Judiciary and ordered printed.

In the House, referred to the Committee on Judiciary in concurrence.

RESOLVE, Authorizing the Commissioner of Educational and Cultural Services to Exchange Certain Lands at Southern Maine Vocational-Technical Institute (S. P. 660) (L. D. 2037)

Came from the Senate referred to the Committee on State Government and ordered printed.

In the House, referred to the Committee on State Government in concurrence.

Bill, "An Act Relating to the Application of the State Valuation to State and Town Cost-Sharing Activities, Including Highway, Bridges and Winter Maintenance" (Emergency) (S. P. 657) (L. D. 2034)

Came from the Senate referred to the Committee on Transportation and ordered printed.

In the House, referred to the Committee on Transportation in concurrence.

## Study Report

## Pursuant to Legislative Council

The Committee on Legal Affairs to which

was referred the study relative to Assaults on Police Officers, 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 Crime of Assault on a Law Enforcement Officer (S. P. 661) (L. D. 2032) be referred to this Committee for Public Hearing and printed pursuant to Joint Rule 17.

Came from the Senate with the Report read and accepted and the Bill referred to the Committee on Legal Affairs.

In the House, the Report was read and accepted and the Bill referred to the Committee on Legal Affairs in concurrence.

## Petitions, Bills and Resolves

## Requiring Reference

The following Bills were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

## Business Legislation

Bill, "An Act to Provide Transition Provisions Covering the Recent Amendments to Article 9 of the Uniform Commercial Code" (Emergency) (H. P. 1956) (L. D. 2038) (Presented by Ms. Clark of Freeport) (Approved for introduction by a Majority of the Legislative Council pursuant to Joint Rule 25)

Sent up for concurrence.

## Labor

Bill "An Act to Establish Rates of Contribution in the Proportion to Use Under the Unemployment Compensation Laws" (H. P. 1957) (L. D. 2039) (Presented by Mrs. Lewis of Auburn) (Approved for introduction by the Legislative Council pursuant to Joint Rule 24)

Sent up for concurrence.

## Natural Resources

Bill "An Act to Regulate Hazardous Materials and Wastes and to Provide for a Uniform Response System to Hazardous Materials Emergencies" (H. P. 1958) (L. D. 2040) (Presented by Mr. Drinkwater of Belfast) (Approved for introduction by the Legislative Council pursuant to Joint Rule 24)

Bill "An Act to Clarify the Investigation Powers of the Department of Environmental Protection under the Oil Conveyance Program" (H. P. 1959) (L. D. 2041) (Presented by Ms. Clark of Freeport) (Approved for introduction by the Legislative Council pursuant to Joint Rule 24)

Sent up for concurrence.

## Study Report

## Pursuant to Legislative Council

The Committee on Business Legislation to which was referred the study relative to Insurance Companies and Financial Institutions 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 Credit Life and Credit Health Insurance Laws" (H. P. 1954) (L. D. 2033) be referred to this Committee for public hearing and printed pursuant to Joint Rule 17.

Report was read and accepted, the Bill referred to the Committee on Business Legislation, ordered printed and sent up for concurrence.

## Orders

An Expression of Legislative Sentiment (H. P. 1955) recognizing that:

JOHN T. JENKINS of Lewiston was one of seven U. S. Karate Team members chosen to represent the United States at the World Championships of Karate.

Presented by Mr. Green of Auburn (Cosponsors: Mr. Cote of Lewiston, Senator Mangan of Androscoggin, Senator Minkowsky of Androscoggin)

The Order was read and passed and sent up for concurrence.

## House Reports of Committees

## Leave to Withdraw

Mrs. Boudreau from the Committee on Business Legislation on Bill "An Act to Extend Coverage of the Returnable Beverage Statutes to Beverages Sold in a Bottle or Can Containing no more than Eighteen Ounces" (H. P. 1903) (L. D. 1964) reporting "Leave to Withdraw"

Report was read and accepted and sent up for concurrence.

## Consent Calendar

## First Day

In accordance with House Rule 49, the following item appeared on the Consent Calendar for the First Day:

(H. P. 1865) (L. D. 1915) Bill, "An Act to Authorize Magalloway Plantation to Raise Funds for Secondary School Board for the 1977-78 School Year in Excess of Statutory Maximums" (Emergency) reporting "Ought to Pass"

No objections being noted, the above item was ordered to appear on the Consent Calendar of January 13, under listing of the Second Day.

## (Off Record Remarks)

At this point, the Speaker recognized the presence of Mr. McMahon of Kennebunk in the Hall of the House.

By unanimous consent, all matters acted upon were ordered sent forthwith to the Senate.

On motion of Mr. Quinn of Gorham,  
Recessed until 11:00 A.M.

## After Recess

11:00 A. M.

The House was called to order by the Speaker.

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

RESOLVE, Authorizing the Director of the Bureau of Public Lands to Lease the Right to Lay and Maintain a Certain Right-of-way for 40 years (H. P. 1960) (Presented by Mr. Hickey of Augusta) (Approved for introduction by the Legislative Council pursuant to Joint Rule 25)

Was referred to the Committee on State Government, ordered printed and sent up for concurrence.

By unanimous consent, ordered sent forthwith.

An Expression of Legislative Sentiment (H. P. 1961) recognizing that:

LAWRENCE C. LYNCH is retiring as town manager of Hampden after 11½ years of dedicated service, the longest term as town manager in Hampden's history.

Presented by Mrs. Prescott of Hampden (Cosponsor: Senator Cummings of Penobscot)

The Order was read and passed and sent up for concurrence.

By unanimous consent, ordered sent forthwith.

The following papers from the Senate appearing on Supplement No. 2 were taken up out of order by unanimous consent:

Bill "An Act to Clarify Statutes Relating to the Confidentiality of the Records of Mental Health and Corrections" (S. P. 662) (L. D. 2042)

Came from the Senate referred to the Committee on Health and Institutional Services and ordered printed.

In the House, referred to the Committee on Health and Institutional Services in concurrence.

## Consent Calendar

## First Day

(S. P. 618) (L. D. 1906) Bill, "An Act to Increase the Limits of Authorized Indebtedness

of the Brunswick Sewer District". Committee on Public Utilities reporting "Ought to Pass."

No objections being noted, the above item was ordered to appear on the Consent Calendar of January 13 under listing of Second Day.

From the Senate: The following Joint Order: ORDERED, the House concurring, that when the House adjourns, it adjourn until Friday, January 13 at 1 o'clock in the afternoon and when the Senate adjourns, it adjourn until Friday, January 13 at 2 o'clock in the afternoon. (S. P. 663)

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

On motion of Mrs. Chonko of Topsham, Adjourned until Friday, January 13, at one o'clock in the afternoon.

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