

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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APPENDIX

HOUSE

Wednesday, January 25, 1978

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

Prayer by the Reverend Perley Odell of the Highland Avenue United Methodist Church, Gardiner.

Reverend ODELL: As I tried to think about what might be done this morning, I realized that we have something in common. Each of us is highly visible. Not only are we known in our own communities, we are easily identified away from home, you by your registration plates on your vehicles, me by my collar. Each of us, I think, in order to put things into perspective sometimes, needs to remember that we volunteered for this highly visible status and that each one of us had the help of his fellow citizens in obtaining it.

Let us pray this morning with someone who centuries ago wrote a prayer that put both our lives and our work into perspective. Let us pray, Lord, Thou has been our dwelling place in all generations, before the mountains were brought forth or ever Thou had formed the earth and the world. From everlasting to everlasting, Thou art God. For a thousand years in Thy sight or but as yesterday when it is past or as a watch in the night Thou does sweep men away. They are like a dream, like grass which is renewed in the morning, in the morning it flourishes and is renewed; in the evening it fades and withers. So teach us to number our days that we may get a heart of wisdom. Let Thy work manifest to Thy servants and Thy glorious power to their children. Let the favor of the Lord, Our God, be upon us and establish Thou the work of our hands upon us, yea, the work of our hands establish Thou it.

Amen.

The journal of yesterday was read and approved.

Papers from the Senate

The following Joint Order, and Expression of Legislative Sentiment recognizing that: The Hampden Garden Club is restoring historic Harmony Hall, built over 150 years ago, to its original condition (S. P. 682)

Came from the Senate read and passed.

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

Bill, "An Act to Clarify the Administration of the Department of Manpower Affairs" (S. P. 683) (L. D. 2103)

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.

Reports of Committees

Leave to Withdraw

Committee on Natural Resources reporting "Leave to Withdraw" on Bill, "An Act Relating to Licensing of Sewage Treatment Plant Operators" (S. P. 623) (L. D. 1940)

Came from the Senate with the Report read and accepted.

In the House, the Report was read and accepted in concurrence.

Referred to the Committee on Business Legislation

Report of the Committee on State Government on Bill "An Act Relating to the Maine State Employees Accident and Sickness or Health Insurance Plan" (S. P. 637) (L. D. 1996) reporting that it be referred to the Committee on Business Legislation.

Came from the Senate with the Report read and accepted and the Bill referred to the Committee on Business Legislation.

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

Ought to Pass
with Committee Amendment
Amended in Senate

Committee on State Government reporting "Ought to Pass" as amended by Committee Amendment "A" (S-441) on Resolve, to Transfer a Land Parcel From the Bangor Mental Health Institute to the Region 4 Vocational District (S. P. 631) (L. D. 1990)

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (S-441) as amended by Senate Amendment "A" (S-442) thereto.

In the House, the Report was read and accepted in concurrence and the bill read once. Committee Amendment "A" was read. Senate Amendment "A" to Committee Amendment "A" was read and adopted in concurrence. Committee Amendment "A" as amended by Senate Amendment "A" thereto was adopted in concurrence and the Bill assigned for second reading tomorrow.

Non-Concurrent Matter

Bill "An Act Relating to Certificate of Need" (S. P. 652) (L. D. 2013) which was passed to be engrossed as amended by Senate Amendment "B" (S-433) and House Amendment "B" (H-973) in the House on January 23.

Came from the Senate with that Body having Adhered to its former action whereby the Bill was passed to be engrossed as amended by Senate Amendment "B" (S-433) in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from South Berwick, Mr. Goodwin.

Mr. GOODWIN: Mr. Speaker, I move that we recede and concur.

The SPEAKER: The gentleman from South Berwick, Mr. Goodwin, moves that the House recede and concur.

The Chair recognizes the gentlewoman from Portland, Mrs. Najarian.

Mrs. NAJARIAN: Mr. Speaker and Members of the House: While I would much prefer the motion to adhere, we don't have much choice today because the whole bill could be lost and the people of Maine will be better protected with this bill than they are under the current system that we are now using.

This bill will do four things that the presently used system lacks. Presently, the provider is not required to seek the certificate of need, and this bill will make that mandatory. The present penalties aren't significant and the penalties in this bill will be more effective and the scope of this bill is much broader. But there is one more requirement that was inadvertently left out of this bill, and I believe that it will have to be amended sometime prior to final enactment, and that is that the federal government required all certificate of need bills to require that predevelopment activities come under certificate of need, and that sentence was dropped in the redrafting of the bill. So, I presume that before final enactment we can back it up and put that amendment on. Is that correct, Mr. Speaker.

Mr. SPEAKER: The Chair would answer in the affirmative.

Mrs. NAJARIAN: I just want to say a few more things on this. I think it is a short calendar, and I wouldn't ordinarily keep you here if we were that busy.

I got a telephone call last night from a constituent. It seems that they have a daughter who is five years old now who has not been able to say a word. They have gone to a private physician since this child was born. Yesterday, at a publicly funded day care center, a nurse got a bee in her bonnet and gave this child a lead screening test and found out that it has severe lead poisoning. The physician, I might say, I will have to give him credit, made sure that the child received a lifesaving brain scan, even while the child's brain was deteriorating. I

think this example points up a lot of things that are wrong with our health care system.

We have had a lead screening program since my first term in the legislature and somehow this family was overlooked. They have had a program to inform doctors to be on the alert for lead poisoning because it is prevalent in this state, and that was overlooked. It points out that the doctors are too atuned to high technology and tend to overlook the simple methods and procedures that have long been known in diagnosing problems.

We have heard a lot of rhetoric about the burdens of government regulations on professional groups, and I would just point out to you that every other life-protecting group in our country is controlled — the policemen, the firemen, and the military, everyone except doctors. We don't allow every admiral to have his own B-51 bomber or every policeman his own cruiser and machine guns and nuclear weapons, we control those, and those wisely assess the need against the ability of the taxpayer to pay and we apportion those resources to do the most people the most good, but not so with doctors.

Someday the majority in this country and this state will wake up and realize that we don't have the best possible health system that we could have, and when that day comes, it will be reflected by the votes of the members of this chamber and the one down the hall. I hope that comes before too many more individuals are forced to file bankruptcy because of medical bills. And, by the way, the father of this child who has lead poisoning is self employed. He has two other children. He has no private insurance, he is not divorced, blind or disabled, so he has no assistance from the state or federal government.

I hope the people realize the deficiencies of our system before too many more people die prematurely because they can't afford office visits to treat an early warning and put off seeking treatment until they are covered by major medical or catastrophic illness. And I hope none of you think that I am exaggerating, because I know individuals in Portland that that is happening to right now. Meanwhile, we allow and defend the right of doctors to charge whatever they think necessary and maintain, in most cases, their usually opulent standard of living.

Thereupon, on motion of Mr. Goodwin of South Berwick, the House voted to recede and concur.

Messages and Documents

The following Communication: (S. P. 679)

STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE

January 23, 1978

To Honorable Joseph Sewall, President of the Senate

and

Honorable John Martin, Speaker of the House
Dear Joe and John:

I have today renominated Diantha A. Carrigan of South Bristol to serve as a Commissioner on the Maine Public Utilities Commission.

Diantha Carrigan was previously nominated and confirmed to fill out the four (4) months unexpired term of Peter Bradford. She was today renominated to serve a full seven-year term on the Commission.

As provided for under the law, this nomination requires confirmation by the Joint Standing Committee on Public Utilities and the Senate.

Thank you for your cooperation.

(Signed)

Sincerely

JAMES B. LONGLEY
Governor

Came from the Senate read and referred to the Committee on Public Utilities.

In the House, the Communication was read and referred to the Committee on Public

Utilites in concurrence.

The following Communication: (S. P. 680)
MAINE DEPARTMENT OF AGRICULTURE
Joseph N. Williams, Commissioner

To Members of the 108th Maine Legislature:
I am submitting herewith my annual report to the Legislature and invite your views and comments.

Your continuing interest in issues facing Maine agriculture is encouraging and appreciated by the State's farming community.

Sincerely
(Signed)

JOSEPH N. WILLIAMS
Commissioner

Came from the Senate read and with accompanying papers ordered placed on file.

In the House, the Communication was read and with accompanying papers ordered placed on file in concurrence.

The following Communication: (S. P. 681)

STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE
January 23, 1978

Honorable Joseph Sewall, President of the Senate

and
Honorable John Martin, Speaker of the House
Dear Joe and John:

This is to officially inform you I have today nominated John A. Platz, Esq. of Auburn and Albert H. Winchell, Jr., Esq. of Bangor to serve on the Maine Maritime Academy, Board of Trustees.

Mr. Platz is being renominated to a full-term, and Albert Winchell will be replacing Roger L. Willey whose term expired last fall.

Pursuant to Maine Private and Special Laws 1967 Chapter 177, as amended, these nominations require confirmation by the Joint Standing Committee on Education and confirmation by the Senate.

Thank you for your assistance.

Sincerely
(Signed)

JAMES B. LONGLEY
Governor

Came from the Senate read and referred to the Committee on Education.

In the House, the Communication was read and referred to the Committee on Education in concurrence.

Petitions, Bills and Resolves Requiring Reference

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

Tabled and Assigned

Bill "An Act to Continue the Potato Tax at the Rate of \$.025 per Hundredweight" (Emergency) (H. P. 2033) (L. D. 2097) (Presented by Mr. Mahany of Easton) (Cosponsor: Mr. Strout of Corinth) (Approved for introduction by a Majority of the Legislative Council pursuant to Joint Rule 25.)

Committee on Reference of Bills suggested the Committee on Agriculture.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Kelleher.

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: Joint Rule 25 is for filing after cloture. If you remember the other day, there was an order in here that I had sponsored to allow a bill in which didn't get in because that was the wish of the House and I fully accept that and appreciate their thoughts; however, I think in the arguments that were before this House the other day, there was a principle established by certain members of this body in arguing against that order being allowed in and by some members of this body who I think persuade others in their vote saying there is a bill in committee to handle what was

trying to be let in, that the philosophy, and I believe the philosophy of leadership is to allow that bill to be handled through the document that is in committee.

I have no problem with Mr. Mahany wanting to put this bill in, but I do have a problem with principles that this House operates under. The document that Mr. Mahany wants to let in under the Joint Rules, there is a bill down in Agriculture right now which he sponsored, 1954, that can do exactly what he wants to do with this potato tax bill. Ladies and Gentlemen, I think it would be remiss on our part if we weren't consistent as a voting body and allowed this bill in and allow what he wants to do, or what people want to do with this particular tax bill.

Mr. Speaker, I move the indefinite postponement of the introduction of this bill.

The SPEAKER: The gentleman from Bangor, Mr. Kelleher, moves that this Bill be indefinitely postponed.

The Chair recognizes the gentleman from Easton, Mr. Mahany.

Mr. MAHANY: Mr. Speaker, Ladies and Gentlemen of the House: There is need for this bill. We do not know what will happen with L.D. 1954, and this bill is necessary in case L. D. 1954 should not be passed or come out of the committee. Therefore, there would be a period from July 1 to the end of August where the process would be operating and we would have nothing on the statutes to continue collecting the potato tax.

I urge you not to indefinitely postpone this bill.

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

Mr. PALMER: Mr. Speaker, I move this be tabled for one day.

Whereupon, Mr. Wyman of Pittsfield requested a division.

Mr. SPEAKER: The pending question is on the motion of the gentleman from Nobleboro, Mr. Palmer, that this matter be tabled pending the motion of Mr. Kelleher of Bangor to indefinitely postpone and tomorrow assigned. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.
82 having voted in the affirmative and 33 having voted in the negative, the motion did prevail.

Taxation

Resolve, Directing the Bureau of Taxation to Provide Income Tax Rebates (Emergency) (H. P. 2034) (L. D. 2098) (Presented by Mr. Palmer of Nobleboro) (Mr. Cunningham of New Gloucester) (Cosponsor: Mr. Carey of Waterville) (Governor's Bill)

Bill "An Act to Reduce the Current Maine Individual Income Tax Rates" (H. P. 2035) (L. D. 2099) (Presented by Mr. Carey of Waterville) (Cosponsor: Mr. Palmer of Nobleboro, Mr. Twitchell of Norway) (Governor's Bill)
Sent up for concurrence

Study Report

Pursuant to Legislative Council

Mr. Davies from the Committee on Energy to which was referred the study relative to the State of Maine Energy Policy Statement have had the same under consideration, and ask leave to submit its findings and to report that the accompanying Bill "An Act to Provide for the Sale of Electricity to Public Utilities" (H. P. 2036) (L. D. 2100) 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 Energy, ordered printed and sent up for concurrence.

Study Report

Pursuant to Legislative Council

Mr. Davies from the Committee on Energy to which was referred the study relative to the

State of Maine Energy Policy Statement have had the same under consideration, and ask leave to submit its findings and to report that the accompanying Bill "An Act to Provide Municipalities with the Authority to Establish Standards for the Installation of Wood Stoves" (H. P. 2037) (L. D. 2101) 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 Energy, ordered printed and sent up for concurrence.

Study Report

Pursuant to Legislative Council

Mr. Davies from the Committee on Energy to which was referred the study relative to the State of Maine Energy Policy Statement have had the same under consideration, and ask leave to submit its findings and to report that the accompanying Bill "An Act to Establish a Solar Water Heater Demonstration Program for Maine" (H. P. 2038) (L. D. 2102) 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 Energy, ordered printed and sent up for concurrence.

Study Report

Pursuant to Legislative Council

Mr. Curran from the Committee on State Government to which was referred the study relative to the training of State and County Corrections Officers have had the same under consideration, and ask leave to submit its findings and to report that the accompanying Bill "An Act to Establish Training Requirements for Corrections Officers" (H. P. 2039) (L. D. 2104) 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 State Government, ordered printed and sent up for concurrence.

Orders

An Expression of Legislative Sentiment (H. P. 2030) recognizing that:

The James River Corp. has purchased the Otis Division Paper Mill at Jay, Maine, from International Paper Co., and the acquisition assures the continued operation of a mill that has provided employment and prosperity for west central Maine for three-quarters of a century.

Presented by Mr. Lynch of Livermore Falls.
The Order was read and passed and sent up for concurrence.

An Expression of Legislative Sentiment (H. P. 2031) recognizing that: SERGEANT JOHN WHITMORE of the Portland Police Department, on the 21st of January, 1978, performed a heroic lifesaving deed while in the line of duty.

Presented by Mrs. Bealieu of Portland (Cosponsors: Mr. Brenerman of Portland, Mrs. Boudreau of Portland.)

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

A Joint Resolution (H. P. 2032) in memory of DR. PAUL A. MILLINGTON, a beloved family physician of Camden.

Presented by Mr. Sprowl of Hope.
The Resolution was read and adopted and sent up for concurrence.

An Expression of Legislative Sentiment (H. P. 2040) recognizing that: Mrs. GERTRUDE EARLEY of Sabattus has retired from the news media after 47 years of leadership and dedicated service to the community as a reporter for the "Lewiston Daily Sun"

Presented by Mr. LaPlante of Sabattus.
The Order was read and passed and sent up for concurrence.

An Expression of Legislative Sentiment (H. P. 2041) recognizing that: WELLINGTON HIG-

GINs of Winthrop has the distinction of reaching the 104th anniversary of his birth and proudly claims 81 of these years as an active member of the Winthrop Grange.

Presented by Mr. Bagley of Winthrop. (Co-sponsor: Senator Speers of Kennebec)

The Order was read.

The SPEAKER: The Chair recognizes the gentleman from Winthrop, Mr. Bagley.

Mr. BAGLEY: Mr. Speaker, Ladies and Gentlemen of the House: I was going to put this order in earlier so that it would be on the calendar but, unfortunately, Mr. Higgins fell and broke his hip and at his age, I did not know what the result might be. I called the hospital this morning and I find that he is in reasonably good condition. They are having him up occasionally and they plan to have a birthday cake for him today.

Thereupon, the Order received passage and was sent up for concurrence.

By unanimous consent, sent forthwith to the Senate.

By unanimous consent, the Petitions, Bills and Resolves requiring concurrence was ordered sent forthwith for printing.

House Reports of Committees

Divided Report

Majority Report of the Committee on Business Legislation reporting "Ought to Pass" on Bill "An Act to Increase the Amount which Qualifies a Financial Institution for Exemption from Insurance of Deposits on Accounts" (Emergency) (H. P. 1862) (L. D. 1920)

Report was signed by the following members:

Mr. Farley of York — of the Senate.

Mr. Kilcoyne of Gardiner, Mr. Whittemore of Skowhegan, Mrs. Bourdreau of Portland, Ms. Clark of Freeport, Mr. Sprowl of Hope, Mr. Howe of South Portland, Mr. Rideout of Mapleton — of the House.

Minority Report of the same Committee reporting "Ought Not to Pass" on the same Bill.

Report was signed by the following members:

Mr. Pierce of Kennebec, Mr. Chapman of Sagadahoc — of the Senate.

Mr. Peaks of Dexter, Miss Aloupis of Bangor, Mr. Jackson of Yarmouth — of the House.

Reports were read

The SPEAKER: The Chair recognizes the gentlewoman from Freeport, Ms. Clark.

Ms. CLARK: Mr. Speaker, men and women of the House: I move that the House accept the Majority "Ought to Pass" Report.

We have before us a divided report from the Committee on Business Legislation on L. D. 1920, "An Act to Increase the Amount which Qualifies a Financial Institution for Exemption from Insurance of Deposits on Accounts." Perhaps you remember about a year ago when I stood and debated an issue similar to this but far from identical. That was a bill which was introduced by Representative Laffin and at that time I shared with you the characteristics of the Mechanic Falls Savings and Loan Association. Here we have a bill which would raise the exemption for that small institution in Mechanic Falls, Maine.

Once upon a time, ladies and gentlemen of the House, they were three small, independent financial institutions in Maine and now there is a single survivor, that little financial institution in Mechanic Falls, the others having been, if you will, gobbled up by the larger financial institutions in the state and the majority of the Committee on Business Legislation stand as solic defenders of this last remaining survivor.

This small loan and building association has the highest deposit ratio of any Maine at 20.1 per cent. The state average, by the way, is 6.3 percent. Both of these ratios are as of June 30, 1977. In order for this association to financially afford insurance of deposit accounts with the

Federal Savings and Loan Insurance Corporation, they would need to have about \$500,000 in assets. At that size, the spread between the income on assets and the dividend costs on deposits would cover the expenses of operations and requirements of the insurer.

The average age of the current board of directors — by the way, they receive \$4 per meeting, a sharp contrast to other boards of directors in this state — is now under 50 years of age, while three or four years ago, it would have been, as an estimate, over 70 years of age. As the older ones have retired and relinquished their positions to the younger ones, the board of directors is seeking to inject new life into this staid, old financial institution.

This association has been located in a lumber yard, a filling station, a grocery store, three insurance agencies, a second floor apartment, a railway express agency and attorneys offices during the time of the testimony of the Bureau of Banks and Banking which support this bill. They are now trying to obtain better exposure to the public with an office in the Odd Fellows Building on Elm Street, which is the main artery into town from the Lewiston-Auburn area and by the way, will provide a permanent home for the Daughters of Rebecca without cost.

Bylaw changes are subject to review by the Bureau of Banks and Banking, and that bureau would be very concerned with the object to any undue liberal policies therein. This association's blanket bond coverage is \$25,000 and this covers fidelity, robbery, burglary, forgery and messengers.

Perhaps you wonder where the money is kept. The money is kept in a Depositor's Trust Company in a savings account and a checking account which are insured.

I feel confident, as do the majority of the members of the Committee on Business Legislation, that the people in this area and the people directly connected with this small, yet friendly, financial institution are public-spirited citizens who are trying to continue a service to the Mechanic Falls area and should be allowed the opportunity to expand up to \$500,000 in assets.

With that, the case rests, and I hope this House would accept the Majority "Ought to Pass" Report.

The SPEAKER: The Chair recognizes the gentleman from Dexter, Mr. Peakes.

Mr. PEAKES: Mr. Speaker, Ladies and Gentlemen of the House: I would like to pose a question which I did not hear answered during the committee meeting as to what the bonding limitation was of this institution. My vote on the measure indicates concern for doubling the amount of the exemption. Last time, we had a request for \$400,000 and we limited them to \$250,000, and we are back again this year to double that amount. I am concerned that they are getting large enough to be competing with other banks and yet they are having an exemption of not getting the federal insurance, that maybe we are keeping other banks in here from keeping this company from expanding. Also, I do not think it should be our purpose to customize the laws to promote one small institution.

The SPEAKER: The Chair recognizes the gentleman from Westbrook, Mr. Laffin.

Mr. LAFFIN: Mr. Speaker, Ladies and Gentlemen of the House: I certainly have the greatest respect for Ms. Clark as the Chairwoman of this committee. I am not going to prolong this issue. It is something that I feel is far more important whether the people who put their money in are protected or whether they have a history going back X-number of years pertaining to other organizations etc. I do not think that that is the issue. I think the issue is, do we want to see anyone, who puts money into savings institutions, banks or anything else, lose their money. That is the only question. I am not saying that they are going to run off to

Hawaii but I know of one case. I am not going to prolong this and fight for a real, heard thrash each time this comes through but I, in good conscience, cannot support any bill where the people have a chance to lose their money and they do.

The SPEAKER: The Chair recognizes the gentlewoman from Waterville, Mrs. Kany.

Mrs. KANY: Mr. Speaker, Members of the House: I would like to pose a question through the Chair to the sponsor of this measure.

I am wondering if this particular bank is required by law to keep the funds in an insured bank as they are now doing?

The SPEAKER: The gentlewoman from Waterville, Mrs. Kany, has posed a question through the Chair to the sponsor of this legislation, who may answer if she so desires.

The Chair recognizes the gentlewoman from Freeport, Ms. Clark.

Ms. CLARK: Mr. Speaker, Members of the House: I would, in fact, attempt to respond to the question from the gentlewoman from Waterville, Mrs. Kany — I do not know the answer. I never asked that question. All I know is that good banking processes have made this most viable financial institution in the state and that the bylaws of the institution are such that any variance from good financial business practice, I am sure, would be deviate behavior in the light of the history of this financial institution.

Thereupon, the Majority "Ought to Pass" Report was accepted, the Bill read once and assigned for second reading tomorrow.

Consent Calendar

First Day

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

(S. P. 613) (L. D. 1901) Bill "An Act to Restore Notice to Policy holders of Right to a Hearing upon Nonrenewal of their Automobile Insurance Policy" — Committee on Business Legislation reporting "Ought to Pass"

No objections being noted, the above item was ordered to appear on the Consent Calendar of January 26 under listing of the Second Day.

Consent Calendar

Second Day

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

(S. P. 625) (L. D. 1942) Bill "An Act to Correct Certain Oversights in the Nonprofit Corporation Act" (EMERGENCY) (C. "A" S-440)

(S. P. 624) (L. D. 1941) Bill "An Act to Amend the Maine Tort Claims Act" (C. "A" S-439)

(H. P. 1949) (L. D. 2028) Bill "An Act to Provide Flexibility in the Organizational Structure of the Department of Environmental Protection" (C. "A" H-976)

No objections having been noted at the end of the Second Legislative Day, the Senate Papers were passed to be engrossed in concurrence, and the House Paper was passed to be engrossed and sent up for concurrence.

Passed to Be Enacted

Emergency Measure

An Act Converting Beaver Cove Plantation into the Town of Beaver Cove (H. P. 1902) (L. D. 1963) (C. "A" H-956)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected in the House being necessary, a total was taken. 128 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Amend the Appeal Procedures in the Employment Security Law (S. P. 628) (L.

D. 1960) (H. "A" H-960; C. "A" S-429)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 128 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act Relating to Type of Notice under the Exceptional Children Statutes (H. P. 1868) (L. D. 1918)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

Orders of the Day

The Chair laid before the House the first tabled and today assigned matter:

An Act Concerning the Discount Factor and Capitalization Rate in the Tree Growth Tax Statutes (Emergency) (H. P. 1882) (L. D. 1936)

Tabled — January 23, 1978 by Mrs. Post of Owl's Head.

Pending — Passage to be Enacted.

On motion of Mr. Carey of Waterville, retabled pending passage to be enacted and specially assigned for Friday, January 27.

The Chair laid before the House the second tabled and today assigned matter:

Bill "An Act Concerning Brake Requirements on Agricultural Vehicles" (H. P. 1857) (L. D. 1924)

Tabled — January 24, 1978 by Mr. Burns of Anson.

Pending — Adoption of Committee Amendment "A" (H-971).

On motion of Mr. Burns of Anson, retabled pending adoption of Committee Amendment "A" and tomorrow assigned.

(Off Record Remarks)

On motion of Mr. Tierney of Lisbon Falls, Adjourned until nine-thirty tomorrow morning.