

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

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December 6, 1978

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APPENDIX

HOUSE

February 3, 1978

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

Prayer by the Reverend Douglas H. Den-smore of St. Albans Union Church.

Reverend DENSMORE: Our Heavenly Father of limitless love and matchless mercy, we have been taught and believe, according to the sacred scriptures in the laboratory of life, that Thou art a governor as well as a creator of this vast universe of which our planet is such a small part. During the desperate days in the history of this war-weary world when scores of communities in so many lands are confronted by confusion of mind and heart, by distressing uncertainties and tidal waves of despair and destruction that threaten to engulf more millions of men, women and children, help us to treasure the basic assurances that strengthen our faith. We thank Thee because the laws which govern world welfare and controls human destiny are still in tact. It is a comfort to know that moral and spiritual values are changeless, that Jesus Christ, the validity of whose claims have been subjected to the acid test by every generation, for 2,000 years have been found faultless and that he is still the Supreme Master of life for this and every age and that the Gospel of Christ is still the power of God until salvation to everyone who believes, that we may still sing "This is My Father's World." Oh, let me never forget, though the wrong seems off so strong, God is the Ruler yet.

Also, our Heavenly Father, with confidence we draw nigh, not just by the background of faith and fortitude of this great nation of which we are a part. We confidently renew our vows of loyalty to Thee. Give us grace to seek the unity of the spirit and the bond of peace. Speed the day when there shall be one flock and one shepherd to the glory of God, the Father of all, who is above all and through all and in all, may Thy blessing be upon this assembly of men and women as the endeavor to legislate laws that will honor God and bring about peace and prosperity to this great State of Maine. We ask these things in the name of him who said, "But my God shall supply all your needs according to his riches and glory by Christ, Jesus. In his name we pray and for his sake. Amen.

The journal of yesterday was read and approved.

Papers from the Senate

The following Communication: (S. P. 691)
STATE OF MAINE
OFFICE OF THE GOVERNOR
Augusta, Maine

February 1, 1978

Honorable Joseph Sewall,
President of the Senate
and

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

I have nominated today Kenneth H. Volk of Portland and Robert P. Bahre of So. Paris to serve on the Maine Guarantee Authority. Mr. Volk and Mr. Bahre will be replacing Charles Harriman and Edward Wilson, whose terms on the Authority expired last fall.

Pursuant to M.R.S.A. Title 10, Section 701, these nominations will require confirmation by the Joint Standing Committee on State Government and confirmation by the Senate.

Thank you for your cooperation.

Sincerely,

(Signed)

JAMES B. LONGLEY
Governor

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

In the House, the Communication was read

and referred to the Committee on State Government in concurrence.

Orders

An Expression of Legislative Sentiment (H. P. 2073) recognizing that:

In recognition of his many civic, educational and business achievements of his recent work as chairman of the Commission on Maine's future, HALSEY SMITH, of South Freeport has been awarded the distinguished service award by the Maine State Bar Association.

Presented by Ms. Clark of Freeport.

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

An Expression of Legislative Sentiment (H. P. 2075) recognizing that:

the Town of Hancock was incorporated on February 21, 1828, and a sesquicentennial committee has been formed to plan public celebrations of this historic event.

Presented by Mr. Silsby of Ellsworth.

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

An Expression of Legislative Sentiment (H. P. 2076) recognizing that:

CHARLES GOODALE is completing his term as Commander of the AmVets Department of Maine.

Presented by Mr. Higgins of Scarborough.

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

A Joint Resolution (H. P. 2077) in memory of EDWARD A. REVELLO, one of the outstanding figures in the Brewer High School educational system.

Presented by Mr. Cox of Brewer (Cosponsor: Mr. Norris of Brewer).

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

A Joint Resolution (H. P. 2074) in memory of the Honorable EDWARD J. McMANN of Bath.

Presented by Ms. Goodwin of Bath (Cosponsors: Mrs. Chonko of Topsham, Mr. Moody of Richmond, Mr. Stover of West Bath.)

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

On motion of Mr. Nadeau of Sanford, it was ORDERED, that DAVID BUSTIN of Augusta be excused the week of February 6th, 1978 for personal reasons.

Consent Calendar
First Day

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

(S. P. 645) (L. D. 2012) Bill, "An Act to Simplify Notice Procedures Required in Workmen's Compensation Cases" — Committee on Labor reporting "Ought to Pass".

(S. P. 641) (L. D. 2008) Bill, "An Act to Change the Name of the Industrial Accident Commission to Worker' Compensation Commission — Committee on Labor reporting "Ought to Pass".

(H. P. 2011) (L. D. 2086) RESOLVE, to Appeal the Decision of the State Claims Board Regarding Property Loss Suffered By Henry E. Ripley of Augusta Because of Theft at the Augusta Mental Health Institute — Committee on Legal Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (H-1009).

No objections being noted, the above items were ordered to appear on the Consent Calendar of February, under listing of the Second Day.

Passed to Be Engrossed

Bill, "An Act to Provide for the Payment of Costs for Relocation Utility Facilities in an

Urban Renewal Area" (Emergency) (H. P. 2072) (L. D. 2131)

Bill, "An Act to Include 'Mobile Home' in the Definition of 'Homestead' for the Purposes of the Homestead Exemption from Certain Attachments" (H. P. 1951) (L. D. 2030)

Was reported by the Committee on Bills in the Second Reading, read the second time, passed to be engrossed and sent up for concurrence.

Amended Bill

Bill, "An Act to Provide for Alternative Election Procedures for School Budgets on a Local Basis" (H. P. 1909) (L. D. 1970) (C. "A" H-999).

Was reported by the Committee on Bills in the Second Reading, and read the second time.

On motion of Mr. Burns of Anson, the House reconsidered its action whereby the Committee Amendment "A" (H-999) was adopted.

The same gentleman offered House Amendment "A" to Committee Amendment "A" and moved its adoption.

House Amendment "A" (H-1012) was read by the clerk and adopted.

Committee Amendment "A" as amended by House Amendment "A" thereto was adopted.

The Bill was passed to be engrossed as amended and sent up for concurrence.

Passed to Be Enacted
Emergency Measure

An Act to Clarify the Definition of Residence for Purposes of the Inland Fisheries and Wildlife Laws (S. P. 620) (L. D. 1908)

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. 125 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 Increase the Amount which Qualifies a Financial Institution for Exemption from Insurance Deposits on Accounts (H. P. 1862) (L. D. 1920).

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 members elected to the House being necessary, a total was taken. 112 voted in favor of the same and 13 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act Relating to Assessment for Public Services Tax on Unorganized Townships (H. P. 1922) (L. D. 1938)

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 members elected to the House being necessary, a total was taken. 122 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 Allow the Town of Otisfield to Meet its Obligations to Cumberland County for Existing Bonded Indebtedness Through a Lump Sum Payment (H. P. 1930) (L. D. 2003) (H. "A" H-994)

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. 126 voted in favor of same and one 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 to Establish the Maine-Canadian Legislative Advisory Commission (H. P. 1879) (L. D. 1933) (C. "A" H-969)

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.

Enactor**Tabled and Assigned**

An Act to Exempt Special Mobile Equipment from the Motor Vehicle Title Statutes (H. P. 1901) (L. D. 1962) (H. "A" H-983 to C. "A" H-980)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, (On motion of Miss Brown of Bethel, tabled pending passage to be enacted and specially assigned for Tuesday, February 7.)

By unanimous consent, all preceding enactors were ordered sent forthwith to the Senate.

Orders of the Day

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

Bill, "An Act Relating to Preventive Discipline in the Schools" (H. P. 1866) (L. D. 1916)

Tabled — February 2, 1978 by Mr. Tierney of Lisbon Falls.

Pending — Adoption of Committee Amendment "A" (H-1001)

Mrs. Mitchell of Vassalboro offered House Amendment "A" to Committee Amendment "A" and moved its adoption;

House Amendment "A" to Committee Amendment "A" (H-1010) was read by the Clerk and adopted.

Committee Amendment "A" as amended by House Amendment "A" thereto was adopted and the Bill assigned for second reading next legislative day.

The following paper appearing on Supplement No. 2 was taken up out of order by unanimous consent:

**Petitions, Bills and Resolves
Requiring Reference**

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

State Government

Bill, "An Act to Transfer the Division of Motor Vehicles to the Department of Transportation" (H. P. 2079) (Presented by Mr. Curran of South Portland) (Pursuant to Chapter 11, Resolves, 1977)

(Ordered Printed)

Sent up for concurrence.

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

An Act to Enable the Purchase and Administering of Barbituates for the Euthanasia of Pets and Animals (S. P. 617) (L. D. 1905) (C. "A" S-445)

Tabled — February 2, 1978 by Mr. Lizotte of Biddeford.

Pending — Passage to be Enacted.

On motion of Mr. Laffin of Westbrook, under suspension of the rules, the House reconsidered its action whereby the Bill was passed to be engrossed.

The same gentleman offered House Amendment "A" and moves its adoption.

House Amendment "A" (H-1008) was read by the Clerk.

Mr. LAFFIN: Mr. Speaker, Ladies and Gentlemen of the House: All this is an emergency put onto it for the simple reason that the shelters need this at once and as you will remember, this legislature did a great injustice to the animal refuge shelters of this state and, in many cases, you could have bankrupted them. Luckily, through the sponsors, who did so much to that other part of the situation,

came through. This is not just as the shelters want it and we can live with it. They have been obeying the law, and consequently, they need this amendment very much.

Thereupon, House Amendment "A" was adopted in non-concurrence.

The Bill was passed to be engrossed as amended by Committee Amendment "A" and House Amendment "A" in non-concurrence and sent up for concurrence.

(Off Record Remarks)

On motion of Mrs. Tarr of Bridgton, Adjourned until Monday, February 6, at ten o'clock in the morning.