

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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December 6, 1978

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APPENDIX

HOUSE

Tuesday, February 7, 1978

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

Prayer by the Reverend John C. Wriglesworth of the Albion Christian Church.

Reverend WRIGLESWORTH: Let us unite our hearts in prayer. O Lord, Our God, Thou who has cast our Lord in the land of freedom, enlighten with the truth of our gospel concerning Jesus Christ, Thy Son, Our Savior. We thank Thee that we can lift our hearts in prayer unto Thee and acknowledge Thee as the only true God and Jesus Christ whom Thou has sent.

We thank Thee for this great and wonderful country, the land of the free and the home of the brave, for the men and women who have treasured our spiritual heritage and passed it on to their children, for the pioneers of freedom and law, the builders of institutions of learning and mercy, for those who defend the cause of right and justice in peace and war, for those who live the life of integrity and service because it is the right thing to do. Our Heavenly Father, we pray this moment, when civilization is gasping for its breath, help us to realize that the ramparts that give us real security rest in the character of our people, the stability of the home, the nature of our liberty and the divine nation of the church. We pray, O God, for our great nation and wilt Thou forgive us of our personal sins, bring peace to our land and our entire world as soon as would please Thee. May that day soon come when Thy will is done on earth as it is in heaven.

Our Lord, God, we thank Thee for this great state of ours, the State of Maine. We pray for our Governor as he seeks to lead us. Grant him divine guidance and may he ever seek to know of Thy ways and Thy will.

We pray, O Lord, for this governmental body as it seeks to enact the business of the day, that wisdom from Thee may be given them; we pray for the Speaker of the House as he presides over this legislative body. Grant to all Representatives the will to rise above party bickerings and sectional selfishness that they may give themselves in patient service of the people, unite their efforts for the betterment of our state and country both morally and spiritually. So we pause, Our Heavenly Father, to invoke Thy blessing on this legislative session today and may Thy aid and seek Thy ways and will. Hear us, we pray. We ask these things in the name of Him who is Lord of Lords and King of Kings, Christ, Our Redeemer. Amen.

The journal of yesterday was read and approved.

Papers from the Senate

Bill, "An Act to Make Additional Corrections of Errors and Inconsistencies in the Laws of Maine" (Emergency) (S. P. 692) (L. D. 2132) Came from the Senate referred to the Committee on Judiciary and ordered printed.

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

Reports of Committees

Leave to Withdraw

Report of the Committee on Education reporting "Leave to Withdraw" on Bill, "An Act Authorizing Mid-State Business School, Inc., to Confer Associate in Applied Science Degrees" (S. P. 636) (L. D. 1995)

Report of the Committee on Judiciary reporting "Leave to Withdraw" on Bill, "An Act to Increase the Penalty for Possession of Heroin" (S. P. 615) (L. D. 1903)

Came from the Senate with the Reports read and accepted.

Reports were read and accepted in concurrence.

Orders

A Joint Resolution (H. P. 2085) in memory of Clara E. Stackpole, a teacher, writer and community leader of Lebanon.

Presented by Mr. Wood of Sanford.

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

On motion of Mr. Nadeau of Sanford, it was ORDERED, that Nancy Masterton of Cape Elizabeth be excused February 2nd and 3rd, 1978 for health reasons.

Consent Calendar

First Day

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

(H. P. 2007) (L. D. 2084) Bill, "An Act Relating to Inspection of Dams" — Committee on Public Utilities reporting "Ought to Pass" as amended by Committee Amendment "A" (H-1015)

No objection being noted, the above item was ordered to appear on the Consent Calendar of February 8, 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:

(H. P. 2012) (L. D. 2087) Bill, "An Act to Increase the Authorized Indebtness of the Kennebunk Sewer District and to Limit the Use of that Increase" (C. "A" H-1011)

(H. P. 1967) (L. D. 2048) Bill, "An Act to Amend the Charter of the Gray Water District" (Emergency)

(S. P. 673) (L. D. 2081) Bill, "An Act to Revise the Sanford Sewerage District Charter"

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

Amended Bill

Tabled and Assigned

Bill, "An Act to Amend the Crime of Assault on a Law Enforcement Officer" (S. P. 661) (L. D. 2032) (C. "A" S-444)

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

(On motion of Mr. Tierney of Lisbon Falls, tabled pending passage to be engrossed as amended in concurrence and tomorrow assigned.

Passed to Be Enacted

Emergency Measure

An Act to Delay Implementation of the Court Intake Worker Function until July 1, 1978 (H. P. 1869) (L. D. 1926) (C. "A" H-991)

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, 101 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 Concerning Membership on the Food and Farmland Study Commission (H. P. 1962) (L. D. 2045) (C. "A" H-992)

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. 101 voted in favor of same and none against accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act Pertaining to Ordinary Death Bene-

fits Under the Maine State Retirement System (H. P. 1885) (L. D. 1939) (C. "A" H-984)

An Act Concerning Limitation of Actions and Assumptions of Risk under the Elevator and Tramway Statutes Pertaining to Ski Areas (H. P. 2060) (L. D. 2118)

Were 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.

Finally Passed

RESOLVE to Appeal the Decision of State Claims Board Regarding Property Damage Claims from Collapse of Building at Northern Maine Vocational-Technical Institute (H. P. 1876) (L. D. 1912) (C. "A" H-988)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. The Resolve was finally passed, 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 to Exempt Special Mobile Equipment from the Motor Vehicle Title Statutes (H. P. 1901) (L. D. 1962) (H. "A" H-983) (C. "A" H-980)

Tabled — February 3, 1978 by Miss Brown of Bethel.

Pending — Passage to be Enacted.

Thereupon, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

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

Bill, "An Act to Clarify the Law Concerning the Posting of Bonds by Electric Companies with the Department of Environmental Protection for Certain Licenses or Permits" (H. P. 1925) (L. D. 1986) — In House, Passed to be Engrossed as Amended by Committee Amendment "A" (H-986) on January 31. — In Senate, Passed to be Engrossed as Amended by Committee Amendment "A" (H-986) as Amended by Senate Amendment "A" (S-452) thereto.

Tabled — February 6, 1978 by Mr. Blodgett of Waldoboro.

Pending — Further Consideration.

The SPEAKER: The Chair recognizes the gentleman from Waldoboro, Mr. Blodgett.

Mr. BLODGETT: Mr. Speaker, I move that the House insist.

The SPEAKER: The Chair recognizes the gentlewoman from Falmouth, Mrs. Huber.

Mrs. HUBER: Mr. Speaker and Members of the House: I asked Mr. Blodgett to table this bill yesterday because it came to my attention that the amendment that has been put on in the Senate had been drafted incorrectly. I am having another amendment drafted, it is at the printers right now, and I would hope someone would table this bill for one legislative day.

Whereupon, on motion of Mr. Garsoe of Cumberland, tabled pending the motion of Mr. Blodgett of Waldoboro to insist and tomorrow assigned.

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

Bill, "An Act to Establish and Apply a Policy on the Classification of Major Policy-influencing Positions Below the Head of the State Department and Agencies. (H. P. 2051) (L. D. 2111) (H. "A" H-995) (H. "B" H-1002)

Tabled — February 6, 1978 by Mr. Greenlaw of Stonington.

Pending — Passage to be Engrossed.

The SPEAKER: The Chair recognizes the gentleman from South Portland, Mr. Curran.

Mr. CURRAN: Mr. Speaker, I have an amendment being prepared and Mr. Quinn is not with us today, so I would ask, at the sake of incurring the wrath of my good leader, that it be tabled one day.

Whereupon, on motion of Mr. Greenlaw of

Stonington, tabled pending passage to be engrossed as amended and tomorrow assigned.

(Off Record Remarks)

On motion of Mr. Green of Auburn,
Adjourned until nine-thirty tomorrow morning.