

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

SENATE

Monday, March 28, 1977

Senate called to order by the President.

Prayer by the Honorable Minnette H. Cummings of Hampden.

Mrs. CUMMINGS: Dear God, our help in ages past, be with us here this week. Help us to be still and know and listen when You speak. Amen.

Reading of the Journal of yesterday.

Joint Orders

Expressions of Legislative Sentiment recognizing that: The Panthers of Rumford High School and Coach John Shaw have won the Maine Class A Schoolboy Basketball Championship for the Academic Year, 1977 (H. P. 1021)

Miss Leslie Bancroft of Paris, who is a Senior at Oxford Hills High School, has won the 5 kilometer event and came in second in the 7½ kilometer race at the Junior Women's National Cross Country Skiing Championships held in Fairbanks, Alaska. (H. P. 1022)

Come from the House, Read and Passed.

Which were Read and Passed, in concurrence.

House Papers

Bills received from the House requiring reference to Committee were acted upon in concurrence.

Senate Papers

Mr. Conley of Cumberland presented, Bill, "An Act to Appropriate Moneys to the Maine State Housing Authority to Stimulate Housing Construction and Maintenance on Regional and Local Levels" (S. P. 352)

Which was referred to the Committee on Appropriations and Financial Affairs and Ordered Printed.

Sent down for concurrence.

Mr. Merrill of Cumberland presented, Bill, "An Act Relating to Secured Transactions under the Uniform Commercial Code." (S. P. 353)

Mr. Farley of York presented, Bill, "An Act to Require that Commercial Home Builders who Accept Earnest Money Deposits be Required to Maintain an Escrow Arrangement to Protect These Funds." (S. P. 354)

Which were referred to the Committee on Business Legislation and Ordered Printed.

Sent down for concurrence.

Mr. Merrill of Cumberland presented, Bill, "An Act to Permit Voter Registration and Enrollment at the Polls on Election Day." (S. P. 355)

Which was referred to the Committee on Election Laws and Ordered Printed.

Sent down for concurrence.

Mr. Usher of Cumberland presented, Bill, "An Act to Require Annual Renewal of Watercraft Certificates of Number and to Distribute Two-fifths of the Fee for Application or Renewal of a Certificate of Number to Municipalities." (S. P. 356)

Which was referred to the Committee on Fisheries and Wildlife and Ordered Printed.

Sent down for concurrence.

Mr. Merrill of Cumberland (Cosponsor: Mr. Usher of Cumberland) present, Bill, "An Act to Repeal the Definition of Insane Person Contained in Title 1 of the Maine Revised Statutes." (S. P. 357)

Mrs. Snowe of Androscoggin (Cosponsors: Mr. Merrill of Cumberland, Mr. Pierce of Kennebec) present, Bill, "An Act to Clarify the Definition of Professional Nursing and Practical Nursing." (S. P. 358)

Which were referred to the Committee on Health and Institutional Services and Ordered Printed.

Sent down for concurrence.

Mr. Hewes of Cumberland presented, Bill,

"An Act Granting the Industrial Accident Commission the Power to Correct Clerical Errors in Certain of its Documents." (S. P. 347)

Mr. Mangan of Androscoggin presented, Bill, "An Act Concerning the Criminal Offense of Aggravated Assault." (S. P. 360)

Mr. Curtis of Penobscot presented, RESOLVE, Authorizing Ronald G. Valente, Deceased and Formerly of Bradford, County of Essex, State of Massachusetts, by his Legal Representatives, to Bring Civil Action Against the State of Maine. (S. P. 359)

Which were referred to the Committee on Judiciary and Ordered Printed.

Sent down for concurrence.

Mr. Merrill of Cumberland presented, Bill, "An Act Relating to the Compensation for District Attorneys." (S. P. 361)

Mr. Usher of Cumberland presented, Bill, "An Act Relating to Training Municipal Fire Departments, Incorporated Volunteer Fire Departments and Fire Brigades." (S. P. 362)

Which were referred to the Committee on Local and County Government and Ordered Printed.

Sent down for concurrence.

Mr. Katz of Kennebec presented, Bill, "An Act to Appropriate Funds to Enable the Bureau of Parks and Recreation to Develop the Kennebec River Greenbelt." (S. P. 348)

Which was referred to the Committee on Natural Resources and Ordered Printed.

Sent down for concurrence.

Mr. Usher of Cumberland presented, Bill, "An Act to Repeal Certain Laws Relating to Conservation." (S. P. 363)

Committee on Natural Resources suggested. The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Conley.

Mr. CONLEY: Mr. President, it is my understanding that S. P. 363 deals particularly with the Fish and Game laws, therefore, I would move that this item be referred to the Committee on Fisheries and Wildlife.

On Motion of Senator Conley of Cumberland, referred to the Committee on Fisheries and Wildlife and Ordered Printed.

Sent down for concurrence.

Mr. Danton of York presented, Bill, "An Act Concerning a Referendum under the Maine Sanitary District Enabling Act." (S. P. 364)

Which was referred to the Committee on Public Utilities and Ordered Printed.

Sent down for concurrence.

Mr. Katz of Kennebec presented, Bill, "An Act to Improve Recruiting and Retention of Technical and Professional Classified Service Employees." (S. P. 349)

Mr. Levine of Kennebec presented, RESOLUTION, Proposing an Amendment to the Constitution to Provide for the Selection and Duties of a Lieutenant Governor. (S. P. 365)

Mr. Merrill of Cumberland presented, RESOLUTION, Proposing an Amendment to the Constitution to Require the State to Reimburse Municipalities for at least 50% of Property Tax Exemption Losses. (S. P. 366)

Which were referred to the Committee on State Government and Ordered Printed.

Sent down for concurrence.

Mr. Farley of York presented, Bill, "An Act to Authorize the Construction of a Bridge Across the Saco River Between the Cities of Biddeford and Saco." (S. P. 368)

Mr. Chapman of Sagadahoc presented, Bill, "An Act to Designate the Arnold Trail Highway." (S. P. 367)

Which were referred to the Committee on Transportation and Ordered Printed.

Sent down for concurrence.

Orders

On motion of Mr. Speers of Kennebec, ORDERED, the House concurring, that, notwithstanding Joint Rule 23, all bills and resolves now in the Office of the Director of

Legislative Research shall be introduced in complete and final form in the appropriate House not later than 5 p.m. on Monday, April 11, 1977. (S. P. 351)

Which was Read and Passed.

Sent down for concurrence.

An Expression of Legislative Sentiment recognizing that: The Orono Red Riots of Orono High School have won their third straight Eastern Maine Indoor Track League Championships for both boys and girls. (S. P. 369) is presented by Senator Curtis of Penobscot,

Which was Read and Passed.

Sent down for concurrence.

Committee Reports
House

The following Ought Not to Pass reports shall be placed in the legislative files without further action pursuant to Rule 20 of the Joint Rules:

Bill, "An Act to Require the Purchase of School Buses Through the Bureau of Purchases." (H. P. 476) (L. D. 582)

Bill, "An Act to Change the Duties of Regional Vocational Center Advisory Boards, the Age of Eligibility for Out-of-School Students and the Methods of Approval of Regional Vocational Centers." (H. P. 426) (L. D. 534)

Bill, "An Act Concerning Termination of Public Utilities Services." (H. P. 499) (L. D. 617)

Leave to Withdraw

The Committee on Natural Resources on, Bill, "An Act to Clarify the Great Ponds Alteration Act." (H. P. 593) (L. D. 720)

Reports that the same be granted Leave to Withdraw.

Comes from the House, the Report Read and Accepted.

The Committee on State Government on, Bill, "An Act to Require a Legislator to Abstain from Voting in Either Branch of the Legislature when his Membership in a Profession, Trade or Organization Causes a Conflict of Interest." (H. P. 165) (L. D. 203)

Reports that the same be granted Leave to Withdraw.

Comes from the House, the Report Read and Accepted.

The Committee on Election Laws on, Bill, "An Act Relating to Removal of Nonvoters' Names from Voting Lists." (H. P. 87) (L. D. 113)

Reports that the same be granted Leave to Withdraw.

Comes from the House, the Report Read and Accepted.

Which Reports were Read and Accepted in concurrence.

Ought to Pass

The Committee on State Government on, Bill, "An Act Creating a Mental Health Advisory Council." (H. P. 301) (L. D. 357) (Emergency) Reported that the same Ought to Pass.

Comes from the House, the Bill Passed to be Engrossed, as amended by House Amendment "A" (H-88).

Which Report was Read and Accepted, in concurrence, and the Bill Read Once. House Amendment "A" was Read and Adopted, in concurrence, and the Bill as amended, Tomorrow Assigned for Second Reading.

Divided Report

The Majority of the Committee on Veterans and Retirement on, RESOLVE, Providing a Pension for Elizabeth S. Violette of Augusta. (Emergency) (H. P. 466) (L. D. 571)

Signed:

Senators:

COLLINS of Knox
LOVELL of York
O'LEARY of Oxford

Representatives:

CLARK of Freeport
NELSON of Roque Bluffs

THERIAULT of Rumford
BUNKER of Gouldsboro
AUSTIN of Bingham
LOUGEE of Island Falls

The Minority of the same Committee on the same subject matter reported that the same Ought to Pass.

Signed:

Representatives:

MacEACHERN of Lincoln
HICKEY of Augusta
LAFFIN of Westbrook

Comes from the House, the Majority Report Read and Accepted.

Which Reports were read.

The Majority Report Accepted in concurrence.

Second Readers

The Committee on Bills in the Second Reading reported the following:

House

Bill, "An Act Relating to Physicians' Assistants." (Emergency) (H. P. 268) (L. D. 345)

Bill, "An Act to Repeal Certain Statutory Provisions Relating to the Regulation of Food, Cosmetics and Work Places." (H. P. 372) (L. D. 461)

Bill, "An Act to Provide Supervision of Persons Released From the Maine State Prison and the Maine Correctional Center Under Furlough, Work or Rehabilitative Release." (H. P. 357) (L. D. 522)

Bill, "An Act to Clarify and Confirm the Municipal Boundary between the City of South Portland and the Town of Scarborough." (H. P. 524) (L. D. 642)

Bill, "An Act Concerning Membership on Municipal Charter Commissions." (Emergency) (H. P. 926) (L. D. 967)

Bill, "An Act to Clarify the Borrowing Capacity of the Fort Fairfield Utilities District and to Provide for the Imposition of Liens to Secure Payment of Sewer Rates of the District." (Emergency) (H. P. 928) (L. D. 968)

RESOLVE, Authorizing the Commissioner of Conservation to Convey Land to Somerset County Formerly Known as the Women's Correctional Center at Skowhegan. (Emergency) (H. P. 927) (L. D. 1017)

Which were Read a Second Time and Passed to be Engrossed, in concurrence.

House — As Amended

Bill, "An Act to Improve the Performance of the State Lottery." (H. P. 212) (L. D. 222)

Bill, "An Act to Clarify the Authority of Members of Volunteer and Governmental Organizations to Render Emergency Assistance." (H. P. 278) (L. D. 343)

Bill, "An Act Establishing County Commissioner Districts in Cumberland County." (H. P. 40) (L. D. 57)

Bill, "An Act Converting Caratunk Plantation into the Town of Caratunk." (H. P. 362) (L. D. 454)

Bill, "An Act to Repeal Fishing Regulations on the Pemaquid River." (H. P. 336) (L. D. 427)

Which were Read a Second Time and Passed to be Engrossed, as Amended, in concurrence.

Senate

Bill, "An Act to Facilitate the Sale of Community Industrial Buildings." (S. P. 134) (L. D. 376)

Which was Read a Second Time and Passed to be Engrossed.

Sent down for concurrence.

Orders of the Day

The President laid before the Senate, Bill, "An Act to Prohibit Producers, Refiners and Distributors of Motor Fuels from Engaging in the Retail Sales of Gasoline." (H. P. 680) (L. D. 972)

Tabled — March 24, 1977 by Senator Danton of York

Pending — Motion of Senator Pierce of Kennebec that the Senate Adhere

On Motion of Mr. Speers of Kennebec, retabled for two Legislative days.

The President laid before the Senate: Bill, "An Act to Restrict Oil Firms to one Phase of the Oil Industry." (H. P. 808) (L. D. 1052)

Tabled — March 24, 1977 by Senator Pierce of Kennebec

Pending — Reference

On Motion of Mr. Speers of Kennebec, retabled for two Legislative days.

The President laid before the Senate: Bill, "An Act Providing for the Revocation and Nonrenewal of Liquor Licenses for Nonpayment of State Taxes." (H. P. 383) (L. D. 474)

Tabled — March 24, 1977 by Senator Lovell of York

Pending — Passage to be Engrossed.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Conley.

Mr. CONLEY: Mr. President, I am presently awaiting some information from the Bureau of Taxation and I would appreciate it if someone would table this for one Legislative day.

On Motion of Mr. Speers of Kennebec, retabled for one Legislative day.

(Off Record Remarks)

On motion of Mr. Huber of Cumberland,
Adjourned to 10:00 tomorrow morning.