

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

HOUSE

Wednesday, January 26, 1977

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

Prayer by the Reverend Stephen Holmes, United Church of Christ of Winthrop.

The journal of yesterday was read and approved.

Papers from the Senate

From the Senate:

Bill "An Act to Impose a Mandatory Minimum Sentence for Drug Sales" (S. P. 64) (L. D. 135)

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

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

Bill "An Act to Authorize Bond Issue in the Amount of \$11,500,000 for the Highway and Bridge Improvement Program" (S. P. 65) (L. D. 136)

Bill "An Act to Make Allocations from the Highway Fund for the Fiscal Years Ending June 30, 1978 and June 30, 1979" (Emergency) (S. P. 66) (L. D. 137)

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

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

Non-Concurrent Matter

RESOLVE, Appropriating Funds to the Biddeford High School Band to Play at the Inauguration of the President of the United States at Washington, D.C. (Emergency) (S. P. 55) (L. D. 111) which was passed to be enacted in the House on January 20. (Having been passed to be engrossed under suspension of the rules and without reference to a Committee in concurrence on January 19)

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Biddeford, Mr. Lizotte.

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

The SPEAKER: The gentleman from Biddeford, Mr. Lizotte, moves that the House recede and concur.

The gentleman may proceed.

Mr. LIZOTTE: Mr. Speaker, Ladies and Gentlemen of the House: I feel that some sort of explanation should be made.

First of all, let me say that regardless of what you see on the calendar, the Biddeford High School Band is going to receive \$1,500, the only difference being that the money will come from the Governor's "Promote Maine" fund instead of the General Fund, which is what the bill called for.

On behalf of the Biddeford delegation and the Biddeford band, I want to thank all of you for your support the past few days on the bill.

Thereupon, the House voted to recede and concur.

The following Communication: (S. P. 67)

State of Maine
Department of State
Augusta, Maine

January 21, 1977

To the Honorable Senate of the 108th Legislature of the State of Maine:

I have in my possession a quantity of initiative petitions, filed in this office on January 19, 1977 pursuant to Article IV, Part Third, Sec-

tion 18 of the Maine Constitution, proposing "An Act to Repeal the State Property Tax".

This office is currently processing these petitions and as soon as the required number of signatures have been verified the processed petitions will be forwarded to the Legislature for their action.

Very truly yours,
(Signed) MARKHAM L. GARTLEY
Secretary of State

Came from the Senate read and ordered placed on file.

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

The following Communication: (H. P. 140)
State of Maine
Department of Conservation
Augusta, Maine

January 24, 1977

President of the Senate
Speaker of the House
State House
Augusta, Me. 04333
Gentlemen,

I am pleased to submit herewith the first Biennial Report of the Bureau of Public Lands. The Report is submitted in accordance with the provisions of Title 12 M.R.S.A. §553.C. I would like to take this opportunity to extend my thanks to the members of the Legislature with whom we have worked, the several State agencies upon whom we have called for advice and assistance during the past two years and, especially, to the able and dedicated staff of this Bureau.

Respectfully submitted,
(Signed) LEE M. SCHEPPS, Director
Bureau of Public Lands

The Communication was read and ordered placed on file with accompanying Report and sent up for concurrence.

(Item 3) The following Communication. (H. P. 141):

State of Maine
Department of Indian Affairs
Augusta, Maine

January 25, 1977

Mr. Edwin H. Pert
Clerk of the House
House of Representatives
Augusta, Maine 04333

Dear Mr. Pert:
This letter is to advise you that the Indian Representatives to the 108th Maine State Legislature are:

The Indian Representative for the Penobscot Tribe of Indians is Ernest Goslin of Indian Island, Old Town, Maine 04468. Mr. Goslin was duly elected as a result of tribal elections held in September of 1976.

The Indian Representative for the Passamaquoddy Tribe of Indians is George Stevens, Jr. of Indian Township, Princeton, Maine 04668. Mr. Stevens was duly elected as a result of tribal elections held in September of 1976.

Sincerely yours,
(Signed) GEORGE M. MITCHELL
Commissioner
Dept. of Indian Affairs

The Communication was read and ordered placed on file.

The following Communication:
Maine Department of Agriculture

January 24, 1977

The Hon. John L. Martin
Speaker of the House
Maine State Legislature
Augusta, Maine 04333

Dear Mr. Speaker:
I am submitting herewith copies of my annual report to the Legislature as provided by Chapter 584 of the Public Laws of 1975.

Sincerely,
(Signed) JOSEPH N. WILLIAMS
Commissioner

The Communication was read and with accompanying papers ordered placed on file.

Petitions, Bills and Resolves Requiring Reference

The following Bills were received and referred to the following Committees:

Agriculture
Bill "An Act to Equalize Dog License Fees" (H. P. 119) (Presented by Mr. Norris of Brewer)
(Ordered Printed)
Sent up for concurrence.

Business Legislation
Bill "An Act to Revise the Maine Barber Laws" (H. P. 120) (Presented by Mr. Morton of Farmington)

Bill "An Act Relating to Publication of an Annual Roster of Real Estate Brokers and Salesmen" (H. P. 121) (Presented by Mrs. Boudreau of Portland)

Bill "An Act Concerning the Practical Training of Electricians" (H. P. 122) (Presented by Mrs. Kany of Waterville)
(Ordered Printed)
Sent up for concurrence.

Education
Bill "An Act to Clarify the Education Laws" (H. P. 123) (Presented by Mr. Fenlason of Danforth)
(Ordered Printed)
Sent up for concurrence.

Appropriations and Financial Affairs
Bill "An Act to Amend the Laws Relating to Payments for Care of Children" (H. P. 124) (Presented by Mr. Kelleher of Bangor) (Cosponsor: Mr. Kerry of Old Orchard Beach) Committee on Health and Institutional Services was suggested.

On motion of Mr. Kelleher of Bangor, was referred to the Committee on Appropriations and Financial Affairs, ordered printed and sent up for concurrence.

Labor
Bill "An Act Concerning Weekly Benefits Paid to Persons who are Partially Unemployed" (H. P. 125) (Presented by Mr. Higgins of Scarborough)

Bill "An Act Prohibiting the Hiring of Illegal Aliens" (H. P. 126) (Presented by Mr. Martin of Eagle Lake) (Cosponsors: Mr. Mills of Eastport, Mr. Fenlason of Danforth, Mr. Hall of Sangerville)

(Ordered Printed)
Sent up for concurrence.

Local and County Government
Bill "An Act to Annex the Town of Otisfield to Oxford County" (H. P. 127) (Presented by Mrs. Tarr of Bridgton) (Cosponsors: Mr. Immonen of West Paris, Mr. Twitchell of Norway)

Bill "An Act Repealing the Lucerne-in-Maine Village Corporation" (H. P. 128) (Presented by Mr. Churchill of Orland)
(Ordered Printed)
Sent up for concurrence.

Performance Audit
Bill "An Act to Provide Funds to the Department of Inland Fisheries and Wildlife" (H. P. 129) (Presented by Mr. Dow of West Gardiner)
(Ordered Printed)
Sent up for concurrence.

Public Utilities
Bill "An Act Authorizing the Public Utilities Commission to Issue Temporary Contract

Carrier Permits" (H. P. 130) (Presented by Mr. Kelleher of Bangor)

Bill "An Act Clarifying the One-year Period Between Public Utilities Rate Cases" (H. P. 131) (Presented by Mr. Kelleher of Bangor)

Bill "An Act Relating to Corporate Expenses in Public Utilities Commission Hearings" (H. P. 132) (Presented by Mr. Kelleher of Bangor) (Cosponsor: Mr. Green of Auburn)

Bill "An Act Authorizing the Public Utilities Commission to Use a Modified Procedure in Considering Certain Contract Carrier Permits" (H. P. 133) (Presented by Mr. Kelleher of Bangor)

(Ordered Printed)

Sent up for concurrence.

Tabled and Assigned

Bill "An Act Concerning the Membership of the Standardization Committee" (H. P. 134) (Presented by Mr. Jensen of Portland) (Cosponsor: Mr. Garsoe of Cumberland)

Committee on State Government was suggested.

On motion of Mr. Curran of South Portland, tabled pending reference and tomorrow assigned.

Taxation

Bill "An Act Imposing an Excise Tax on Watercraft, Motors and Trailers in Lieu of the Personal Property Tax" (H. P. 135) (Presented by Mr. Carey of Waterville) (Cosponsor: Mr. Goodwin of South Berwick)

(Ordered Printed)

Sent up for concurrence.

Transportation

Bill "An Act Relating to Application Fees for Official Inspection Stations" (H. P. 136) (Presented by Mr. Jensen of Portland)

(Ordered Printed)

Sent up for concurrence.

Orders

Mr. Henderson of Bangor presented the following Joint Order and moved its passage: (H. P. 138)

ORDERED, the Senate concurring, that the Joint Standing Committee on Local and County Government be directed to bring out a Resolve or Resolves for Laying of the County Taxes for the Years Nineteen Hundred and Seventy-seven and Nineteen Hundred and Seventy-eight.

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

An Expression of Legislative Sentiment (H. P. 139) recognizing that:

Wellington Higgins of Winthrop Celebrated the 103rd Anniversary of his birth on January 25, 1977

Presented by Mr. Bagley of Winthrop.

Was read and passed and sent up for concurrence.

A Joint Resolution (H. P. 118) in Memory Of Patricia K. Dunne Treasurer of Cumberland County Presented by Mr. Curran of South Portland.

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

House Reports of Committees Ought to Pass in New Draft New Draft Printed

Mr. Truman from the Committee on Local and County Government on RESOLVE, Providing for Purchase of Copies of History of Newfield (H. P. 14) (L. D. 23) reporting "Ought to Pass" in New Draft under New Title Bill "An Act Appropriating Funds for the Purchase of Copies of the History of Newfield" (H. P. 137) (L. D. 138)

Report was read and accepted, the New Draft

read once and assigned for second reading tomorrow.

Consent Calendar Second Day

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

(H. P. 9) (L. D. 19) Bill "An Act Relating to Removal of County Buildings"

On the request of Mr. Burns of Anson, was removed from the Consent Calendar.

Thereupon, the Bill was read once and assigned for second reading tomorrow.

(H. P. 22) (L. D. 31) Bill "An Act to Amend the Potato Lien Law" (Emergency) (C. "A" H-1)

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

Passed to Be Engrossed Amended Bill

Bill "An Act to Revise the Board of Bar Examiners Law" (S. P. 5) (L. D. 10) (C. "A" S-1)

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

(Off Record Remarks)

On motion of Mr. Twitchell of Norway,
Adjourned until three o'clock tomorrow afternoon.