

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

Tuesday, January 24, 1978

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

Prayer by Father Valmont Gilbert of St. Augustine's Catholic Church, Augusta.

Father GILBERT: Eternal Father, we acknowledge Your presence here this morning. Look down upon these representatives of Your people who have come together once again to deliberate upon important issues which will affect the people of the State of Maine.

In an age of crisis such as ours, let those who represent the people be re-inspired by the spirit of our founding fathers and by the principles laid down in the Declaration of Independence and the Constitution that have come down to us from a Judeo-Christian tradition. May they be open to your inspiration so that everything they do may bring peace and justice to all.

With a firm reliance upon Your wisdom to sustain and direct them in the path of duty which they have been elected to pursue, they ask Your guidance and assistance knowing that You are always ready to help those who have recourse to You. This they ask through Christ Our Lord. Amen.

The journal of yesterday was read and approved.

Papers from the Senate

Bill "An Act to Facilitate the Operation of the Spruce Budworm Suppression Act" (Emergency) (S. P. 678) (L. D. 2095)

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

In the House, referred to the Committee on Natural Resources in concurrence.

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:

Education

Bill "An Act Relating to Tuition Computation Charged by Private Schools under the Education of Exceptional Children Law" (H. P. 2028) (L. D. 2096) (Presented by Mr. Howe of South Portland) (Cosponsors: Mr. Jackson of Yarmouth, Mrs. Huber of Falmouth, Mr. Curran of South Portland) Approved for introduction by a Majority of the Legislative Council pursuant to Joint Rule 25)

(Ordered Printed)

Sent up for concurrence.

Orders

An Expression of Legislative Sentiment (H. P. 2027) recognizing that:

ROGER GOSSELIN of Sanford is retiring after 42 years as owner of Roger's Supa Dolla in Sanford

Presented by Mr. Wood of Sanford (Cosponsors: Mr. Nadeau of Sanford, Mr. Paul of Sanford, Senator Lovell of York)

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

A Joint Resolution (H. P. 2029) in memory of the Honorable KEITH ANDERSON a distinguished Citizen of Orono

Presented by Mr. Davies of Orono.

The Resolution was read.

The SPEAKER: The Chair recognizes the gentleman from Orono, Mr. Davies.

Mr. DAVIES: Mr. Speaker and Members of the House: It is with a very sad and heavy heart that I stand today to address my remarks to one of my very good friends and close associates in Orono, a person who may have served with some of the more veteran members of this House in the Legislature in 1963 through 1965.

Keith Anderson was truly a distinguished citizen of Orono, and I do not use the term lightly.

He was a person who, during every day of his adult life, served his fellow citizens in some fashion or another. It is more than just a long list of credits that you find in a person's obituary, it is the personal experiences that you have with a person in observing him in action and seeing the things that he does for his fellow citizens that truly make a person distinguished, and certainly Keith Anderson filled this definition. He is a person who was always looking out for the people who lived in Orono, whether it was in his service as a State Legislator here in this body in the early sixties or whether it was as Postmaster of Orono, a position that he has held since 1965, whether it was as a member of the Town Council, which he held until the day of his death, whether it was as member of the school committee, whether it was in voluntary organizations of all types, Keith Anderson was a busy man, a person who had not time to worry about his own personal situations, a person who gave his all to his fellow citizens.

It is with great sadness that we have to say goodbye to him, because we can ill-afford to lose people of his caliber, but he is gone and there is nothing that we can do except to remember him fondly, remember him for all the good that he did and to wish his wife and his family the best in passing through this hard time and may they, when they come out of it, see the value that he gave to his community and to his state, to his nation, and that they might feel a degree of comfort from knowing that he was a good man and a distinguished citizen of Orono.

The SPEAKER: The Chair recognizes the gentleman from East Millinocket, Mr. Birt.

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: This was a little surprise to me when I came in and found out what had happened to Representative Anderson. I am probable one of the few people who served in the Legislature with Keith, served on the Appropriations Committee. I have occasionally seen him since then. I think he made some real contributions during his period of time in the Legislature serving as assistant floor leader, and I am sure it is a great loss. He was a young person who had a great deal of capability and had made some real contributions. I think we should all be sorry for his passing.

Thereupon, the Resolution was adopted and sent up for concurrence.

House Reports of Committees**Leave to Withdraw**

Mrs. Post from the Committee on Marine Resources on Bill "An Act to Remove Restrictions on the Use of Purse Seines for Fishing in Washington County" (H. P. 1877) (L. D. 1931) reporting "Leave to Withdraw".

Report was read and accepted and sent up for concurrence.

Consent Calendar**First Day**

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

(S. P. 625) (L. D. 1942) Bill "An Act to Correct Certain Oversights in the Nonprofit Corporation Act" (Emergency) Committee on Judiciary reporting "Ought to Pass" as amended by Committee Amendment "A" (S-440)

(S. P. 624) (L. D. 1941) Bill "An Act to Amend the Maine Tort Claims Act" Committee on Judiciary reporting "Ought to Pass" as amended by Committee Amendment "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" Committee on State Government reporting "Ought to Pass" as amended by Committee Amendment "A" (H-976)

No objections being noted, the above items

were ordered to appear on the Consent Calendar of January 25, 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. 1926) (L. D. 1987) Resolvé, Authorizing the Sale by the Department of Mental Health and Corrections of a Certain Parcel of Land Adjacent to the State Prison in Thomaston to Allan L. Robbins and Verla W. Robbins (C. "A" H-967)

(H. P. 1960) (L. D. 2043) Resolvé, Authorizing the Director of the Bureau of Public Lands to Lease the Right to Lay and Maintain a Certain Right-of-way for forty years (Emergency) (C. "A" H-968)

(H. P. 1879) (L. D. 1933) Bill "An Act to Establish the Maine-Canadian Legislative Advisory Commission" (C. "A" H-969)

(H. P. 1945) (L. D. 2024) Bill "An Act to Empower Administrative Hearing Officers to Sign Fair Hearing Decisions"

Tabled and Assigned

(H. P. 1857) (L. D. 1924) Bill "An Act Concerning Brake Requirements on Agricultural Vehicles" (C. "A" H-971)

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

Thereupon, the Report was read and accepted and the Bill read once. Committee Amendment "A" (H-971) was read by the Clerk.

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

(H. P. 1918) (L. D. 1979) Bill "An Act to Clarify the Statute Relating to Attorneys so that Nonattorneys may Appear in Small Claims Court on Behalf of Corporations" (C. "A" H-972)

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

**Passed to Be Enacted
Emergency Measure**

An Act to Increase the Limits of Authorized Indebtedness of the Brunswick Sewer District (S. P. 618) (L. D. 1906) (H. "A" H-963)

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. 118 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.

Orders of the Day

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

An Act to Provide Transition Provisions Covering the Recent Amendment to Article 9 of the Uniform Commercial Code (Emergency) (H. P. 1956) (L. D. 2038) (S. "A" S-430)

Tabled — January 23 by Mr. Tierney of Lisbon Falls

Pending — Passage to be Enacted.

The SPEAKER: The pending question is on passage to be enacted. This being an emergency measure, it requires a two-thirds vote of all the members elected to the House. All those in favor of this Bill being passed to be enacted will vote yes; those opposed will vote no.

A vote of the House was taken.

120 having voted in the affirmative and none in the negative, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The two preceding enactors were ordered

sent forthwith to the Senate.

(Off Record Remarks)

On motion of Mr. Smith of Mars Hill,
Adjourned until 9:30 tomorrow morning.