

# 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

Thursday, January 6, 1977

Senate called to order by the President.

Prayer by Father Christopher Piselli of St. Joseph's Church, Gardiner.

Reading of the Journal of yesterday.

Out of Order and Under Suspension of the Rules:

On motion by Mr. Huber of Cumberland, ORDERED, the House concurring, that when the House and Senate adjourn, they adjourn to Tuesday, January 11, at 4 o'clock in the afternoon. (S. P. 24)

Which was Read and Passed.

Sent down forthwith for concurrence.

Out of Order and Under Suspension of the Rules:

On motion by Mr. Speers of Kennebec, ORDERED, that a message be sent to the House of Representatives proposing a Convention of both branches in the Hall of the House at 11 o'clock for the purpose of extending to His Excellency, Governor James B. Longley, an invitation to attend the Convention and make such communication as pleases him.

Which was Read and Passed.

The President requested that Mr. Speers carry the message and the Senator retired to the House of Representatives and subsequently reported that he had delivered the message with which he was charged.

Papers From The House  
Joint Orders

ORDERED, the Senate concurring, that the Speaker of the House is authorized, at his discretion, to permit radio or sound television film or live television, or any two or three of these communication media, in the hall of the House of Representatives while the House is in session, or during joint conventions of the Legislature. (H.P. 19)

Comes from the House. Read and Passed.

Which was Read and Passed in Concurrence.

(See action later Today)

Bills, Resolves, and Resolutions today received from the House requiring reference to committees were acted upon in concurrence:

At this point a message was received from the House of Representatives, through Representative James Tierney, informing the Senate that the House voted to concur in calling of a Joint Convention in the Hall of the House at 11 in the morning for the purpose set forth in the message.

Communications

Office of the Governor

January 3, 1977

The Honorable Joseph Sewall  
President of the Senate  
The Honorable John Martin  
Speaker of the House  
Dear Joe & John:

I would like to advise you that we plan to submit early in the session of the 108th Legislature a special emergency appropriations act to allocate funds coming to State government under Title II of the Public Works Employment Act. I would be grateful if the Legislature could give immediate consideration to the bill so the projects can get underway.

There was a question as to whether a legislative appropriation was necessary. However, we feel we are proposing some important and worthwhile projects of which we felt the Legislature would like to be a part. Also, it was our feeling that the proposals we are recommending for funding represent issues the Legislature will be faced with in this session, and it was, therefore, desirable to make the 108th a part of this decision.

In drafting a bill to allocate these funds, we

made an effort to not only create temporary public works jobs, but to also address problem areas and areas of need. In that regard, we will be giving top priority to children's protective services, mental health and corrections, the Department of Personnel, and the Public Utilities Commission in the bill that we will be presenting.

I also have asked that consideration be given to John's excellent suggestion that some of the funds be utilized for a State House winterization project as an energy conservation program.

I wanted to keep you informed of what we were doing since we discussed this project at today's Cabinet Meeting which, as usual, was open to the news media.

I will appreciate any attention you can give this bill for immediate consideration.

Very truly yours,

(H. P. 20)

James B. Longley  
Governor

Comes from the House, Read and Ordered Placed on File.

Which was read and placed on file in concurrence.

Director of Legislative Research

January 4, 1977

To The Honorable May M. Ross  
Secretary of the Senate  
108th Legislature of the  
State of Maine

In accordance with 3 MRSA § 164, subsection 10, following is the report of the Director of Legislative Research.

To facilitate the work of the Legislature, this office sent during the fall of 1976 a letter to each member-elect and each administrative department which explained prefiling procedures and urged the use of this office to prepare legislation for introduction. In response, both legislators and departments brought in over 300 bills to be prepared before the convening of the Legislature. It is hoped that this cooperation in early preparation of legislation will be continued and expanded in the future.

At present, the need for some sort of limited revision of the statutes is a pressing problem. Up until 1964, the Maine Statutes were completely revised every 10 years in order to avoid the statute books being cluttered with repealed sections or sections which were substantially altered by later enactments. From 1964 to the present, however, it was felt that it would be easier and less expensive to republish individual volumes when they needed revision instead of revising all the volumes of the statutes at once. However, except for 2 replacement volumes published in 1973, all updating has been carried forward in pocket parts and supplementary pamphlets for over 12 years. At present, therefore, there are at least 4 volumes of the statutes which are in urgent need of republication, as the amount of supplementary matter for those volumes is approaching the same bulk as the original volumes themselves.

In view of this situation, I feel the Legislature should consider implementing the following recommendations:

1. That sufficient funds be authorized during the First Regular Session of the 108th Legislature to republish at least 4 outdated volumes of the statutes over the next biennium;

2. That additional funding be included in the Director's budget to integrate all future pocket parts and supplementary pamphlets into individual publications in order to end the annoying necessity of referencing 3 separate publications for updated statutory information;

3. In keeping with the Legislature's decision to cut costs by discontinuance of the Unannotated Statutes (green set) on or after January 3, 1979, to include additional funds in the Director's budget for advance publication and purchase of needed sets of Annotated Statutes

(red set) which will be available in the future by sale or loan through the State Law Library.

There are also two matters which should be noted concerning errors and omissions. First, in order to reduce the present ever-expanding errors bill, this office has devised a computerized title and section program which enables most conflicts in pending legislation to be caught before the conflict becomes enacted into law. The success of this program depends heavily upon each standing committee, as well as the Committee on Bills in the Second Reading in each House, requiring the clearance of all conflicts listed on the title and section program before legislation containing those conflicts receive further legislative action.

Second, in order to enable the Judiciary Committee to consider the Errors Bill early in the session, when there is more free time to consider such matters, the Legislative Council has authorized the Director to submit 2 Errors Bills. The first Errors Bill is to be submitted at the beginning of the session and will concern statutory problems discovered since the last Legislature. The second Errors Bill is to be the last bill of the session and will concern current problems and other housekeeping matters. This process will not only assist the Judiciary Committee, but will prevent the compounding of errors caused by drafting to laws which are themselves being changed.

As a final note, in order to continue to promote uniformity of procedure, to avoid confusion and to permit an orderly transition from revision to revision, it is important that all bills be checked by the Office of the Director before presentation to the Legislature. Also, it is suggested that all criticisms of the 1964 revision and of the current methods of updating be forwarded to the Director to aid in planning future republications or revisions.

Favorable consideration by the members of the 108th Legislature in respect to these recommendations is earnestly requested.

Respectfully,

(S. P. 33)

David S. Silsby  
DirectorWhich was Read and Ordered Placed on File.  
Sent down for concurrence.Communications

Department of the Attorney General

January 4, 1977

May Ross  
Secretary of the Senate  
State House  
Augusta, Maine 04333  
Dear Ms. Ross:

Enclosed please find two bonds for Leighton Cooney as required by Article V, Part 4, Section 2 of the Maine Constitution, in anticipation of his election as Treasurer of the State of Maine. These bonds have been examined by us and are in the requisite amount of \$500,000.

Very truly yours,

(S. P. 34)

Joseph E. Brennan  
Attorney General

Which was Read and placed on file.

Accompanying papers placed on file with State Auditor.

Sent down for concurrence.

Mr. SPEERS: Mr. President.

Mr. PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Speers.

Mr. SPEERS: Mr. President, with regard to Item 1-1, I move the Senate reconsider its action whereby it adopted the joint order in concurrence.

Mr. PRESIDENT: The Senator from Kennebec, Mr. Speers, now moves the Senate reconsider its action whereby it adopted Joint Order 1-1. Is it the pleasure of the Senate? Vote.

Mr. SPEERS: Mr. President, with regard to this particular item, I think it appropriate that

the Senate should be included as well with regard to authorizing and permitting radio and sound television film or live television to be permitted in the Chamber, and I would hope that someone would table this order for one Legislative day so that an amendment appropriate to that might be prepared.

Mr. MORRILL: Mr. President.

Mr. PRESIDENT: Chair recognizes the Senator from Cumberland, Senator Morrill.

On motion by Mr. Morrill of Cumberland, tabled for one Legislative Day pending passage.

#### Senate Papers

Mr. PIERCE of Kennebec, (Cosponsor: Mr. CONLEY of Cumberland) present

Bill, An Act Relating to the State Board of Social Workers Registration Law. (S.P. 29)

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

Sent down for concurrence.

Mr. COLLINS of Knox presented,

Bill, An Act to Correct Errors and Inconsistencies in Laws of Maine. (S.P. 23) (L.D. 30)

Mr. COLLINS of Knox presented,

Bill, An Act Relating to Appointment, Duties, Salary and Expenses of Court Reporters. (S. P. 25)

Mr. COLLINS of Knox presented,

Bill, An Act Relating to the Distribution of Statutes and Session Laws. (S. P. 26)

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

Sent down for concurrence.

Mr. COLLINS of Knox presented,

Bill, An Act to Provide for Local Hearings by the Public Employees Labor Relations Board. (S. P. 27)

Which was referred to the Committee on Labor and Ordered Printed.

Sent down for concurrence.

Mr. CURTIS of Penobscot presented,

Bill, An Act Exempting Homeowner Occupied Dwellings Built Before January 1, 1974 from Certain Safety Glazing Requirements. (S. P. 30)

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

Sent down for concurrence.

#### Orders

On motion by Mr. JACKSON of Cumberland, ORDERED, that 3,500 copies of the Governor's Message be printed.

Which was Read and Passed.

On motion by Mr. TROTZKY, of Penobscot, STATE OF MAINE ONE HUNDRED AND EIGHTH LEGISLATURE

WHEREAS,

John Bapst High School

has won the

Little Ten Football Championship and is the

State Class C Football Champion for the academic year, 1976

we, the members of the Senate and House of Representatives, do hereby join in this order to extend our acknowledgement and congratulations, and be it

ORDERED, while duly assembled in session at the State Capitol in Augusta under the Constitution and Laws of the State of Maine, that this official expression of sentiment be sent forthwith on behalf of the Legislature and the people of the State of Maine.

Which was Read and Passed.

Sent down for concurrence.

(S. P. 31)

#### Joint Resolution

Mr. KATZ of Kennebec presented the following Joint Resolution and moved its adoption: STATE OF MAINE

IN THE YEAR OF OUR LORD  
ONE THOUSAND NINE  
HUNDRED AND SEVENTY-SEVEN

#### IN MEMORIAM

Whereas, the Legislature has learned with deep regret of the death of HON. ROBERT B. WILLIAMSON; and A CHIEF JUSTICE OF THE SUPREME JUDICIAL COURT

Whereas, the Senate and House of Representatives are joined in understanding and prayer with all others who share this great loss; and Whereas, when the Legislature adjourns this date, it will do so in honor and in lasting tribute to the deceased; now, therefore, be it

Resolved: That we, the members of the 108th Legislature of the State of Maine, while duly assembled at the State Capitol under the Constitution and laws of this State, pause in our deliberations to inscribe this expression of sadness and to extend our heartfelt condolences and sympathy to the bereaved family and friends of the deceased; and be it further

Resolved: That a suitable copy of this joint resolution be sent forthwith to the immediate family on behalf of the Legislature and the people of the State of Maine.

Which was read.

(S. P. 32)

Mr. KATZ: Mr. President.

Mr. PRESIDENT: The chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ: Mr. President, one of the rewards of public life is the opportunity to know and to observe from a close vantage point leaders who have great impact on our society.

Knowing Judge Williamson was a reward of great dimension. For more than a quarter of a century he has been a larger-than-life hero to me. A scholar, a community leader, a legislator, a jurist, he was all of these, but above all he was a warm human being, a devoted husband and a loving father.

We were blessed to have him walk amongst us.

Which was adopted.

Sent down for concurrence.

#### Committee Appointments

At this time, there being no objection, the President appointed the following Senate members of Committees, the first-named members thereof to service as Chairmen:

#### Agriculture

HICHENS of York  
JACKSON of Cumberland  
LEVINE of Kennebec

#### Appropriations and Financial Affairs

HUBER of Cumberland  
MORRELL of Cumberland  
MERRILL of Cumberland

#### Business Legislation

PIERCE of Kennebec  
CHAPMAN of Sagadahoc  
FARLEY of York

#### Education

KATZ of Kennebec  
PIERCE of Kennebec  
USHER of Cumberland

#### Election Laws

KATZ of Kennebec  
Trotzky of Penobscot  
DANTON of York

#### Energy

TROTZKY of Penobscot  
REDMOND of Somerset  
FARLEY of York

#### Fisheries and Wildlife

REDMOND of Somerset  
USHER of Cumberland  
PRAY of Penobscot

#### Health and Institutional Services

SNOWE of Androscoggin  
GREELEY of Waldo  
PRAY of Penobscot

#### Human Resources

LOVELL of York  
HICHENS of York  
MANGAN of Androscoggin

#### Judiciary

COLLINS of Knox  
CURTIS of Penobscot  
MANGAN of Androscoggin

#### Labor

McNALLY of Hancock  
CHAPMAN of Sagadahoc  
PRAY of Penobscot

#### Legal Affairs

CURTIS of Penobscot  
CUMMINGS of Penobscot  
CARPENTER of Aroostook

#### Liquor Control

LOVELL of York  
DANTON of York  
LEVINE of Kennebec

#### Local and County Government

JACKSON of Cumberland  
HICHENS of York  
O'LEARY of Oxford

#### Marine Resources

CHAPMAN of Sagadahoc  
LEVINE of Kennebec  
FARLEY of York

#### Natural Resources

TROTZKY of Penobscot  
REDMOND of Somerset  
FARLEY of York

#### Performance Audit

MORRELL of Cumberland  
WYMAN of Washington  
MINKOWSKY of Androscoggin

#### Public Utilities

CUMMINGS of Penobscot  
COLLINS of Aroostook  
CARPENTER of Aroostook

#### State Government

COLLINS of Aroostook  
SNOWE of Androscoggin  
MARTIN of Aroostook

#### Taxation

WYMAN of Washington  
JACKSON of Cumberland  
MARTIN of Aroostook

#### Transportation

GREELEY of Waldo  
McNALLY of Hancock  
MINKOWSKY of Androscoggin

#### Veterans and Retirement

COLLINS of Knox  
LOVELL of York  
O'LEARY of Oxford

(Off record remarks)

THE PRESIDENT: The Chair would ask the Senators to form in the rear of the Senate Chamber to proceed down to the Hall of the House of Representatives.

Thereupon, the Senate then retired to the Hall of the House of Representatives.

(For proceedings of Joint Convention, see House Report.)

#### In Senate

Senate called to Order by the President.

(Off record remarks.)

The adjournment Order having been returned from the House, Read and Passed in concurrence, the Senate adjourned until Tuesday, January 11, 1977 at four o'clock in the afternoon.