

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

Tuesday, March 8, 1977

Senate called to order by the President.

Prayer by Rabbi David A. Fairman of Beth Israel Synagogue in Waterville.

Rabbi FAIRMAN: Almighty God, You have chosen us to watch over the life and welfare of Your creatures. We are now about to apply ourselves to the duties of our professions. Support us, Almighty God, in these great labors that they may benefit mankind, for without Your help not even the least thing will succeed. Inspire us with love for our art and for Your creatures. Do not allow thirst for profits, ambition for renown and admiration to interfere with our profession, for these are the enemies of truth and love for mankind and they can lead us astray in the great task of attending to the welfare of Your creatures. Preserve the strength of our bodies and our souls that they ever be ready to cheerfully help and support rich and poor, good and bad, enemy as well as friend. In the sufferer let us see only the human being; illumine our minds that we recognize what presents itself and that our mind may comprehend the absent or the hidden.

Let us not fail to see what is visible, but do not permit us to see what we ought not see. Should those who are wiser wish to improve and instruct us, let us gratefully follow their guidance for vast is the extent of our art. Let us be contented in everything except in the great science of our profession. Never allow the thought to arise in us that we have attained sufficient knowledge. Give us the strength, the leisure and the ambition ever to extend our knowledge. Almighty God, You have chosen us to watch over the life and welfare of Your creatures. As we now apply ourselves to our profession, support us in this great task so that it may be of benefit to mankind, for without Your help not even the least thing will succeed.

Reading of the Journal of yesterday.

(Off record remarks)

**Papers From The House
Joint Order**

An Expression of Legislative Sentiment,
Whereas,
Medomak Valley High School
has won the Class B — Western Maine
Basketball Championship
for the academic year 1977

(H. P. 579)

Comes from the House, Read and Passed.
Which was Read and Passed, in concurrence.

Joint Resolution

A Joint Resolution In Memoriam:
Whereas, the Legislature has learned with deep regret of the death of Dr. William V. Kirk who practiced medicine 57 years in Eagle Lake and Northern Maine, (H. P. 580)

Comes from the House, Read and Adopted.
Which was Read and Adopted, in concurrence.

House Papers

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

(Off record remarks)

Senate Papers

Mr. CURTIS of Penobscot presented,
Bill, "An Act to Increase Reimbursement for Legislative Expenses." (S. P. 234)

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

Sent down for concurrence.
(See action later today.)

Mr. CARPENTER of Aroostook presented,
Bill, "An Act Concerning Fees of the Board of Chiropractic Examiners." (S. P. 231)

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

Sent down for concurrence.

Mr. KATZ of Kennebec presented,
Bill, "An Act to Establish a Program for the Basic Attainment of Skills in Children." (S. P. 243)

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

Sent down for concurrence.

Mr. MERRILL of Cumberland presented,
Bill, "An Act Relating to the Jurisdiction of the Administrative Court." (S. P. 241)

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

Sent down for concurrence.

Mr. HUBER of Cumberland presented,
Bill, "An Act Requiring the Provision of Certain Information to Marriage Applicants by Municipal Officials." (S. P. 236)

Reference to Committee on Legal Affairs suggested.

On Motion of Mr. Huber of Cumberland, Referred to Committee on Health and Institutional Services and ordered printed.

Sent down for concurrence.

Mr. DANTON of York presented,
Bill, "An Act to Increase the Permissible State Discount for the Sale of Liquor to Special Agency Stores to 15%." (S. P. 239)

The same Senator presented,
Bill, "An Act Relating to Signs of License over Alcoholic Beverage Stores." (S. P. 240)

Which were referred to the Committee on Liquor Control and Ordered Printed.

Sent down for concurrence.

Mr. FARLEY of York presented,
Bill, "An Act to Increase Salaries of the York County Judge of Probate, Register of Probate and Register of Deeds." (S. P. 235)

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

Sent down for concurrence.

Mr. COLLINS of Aroostook presented,
Bill, "An Act to Improve the Management of the Department of Conservation." (S. P. 232)

Reference to Committee on Natural Resources suggested.

On Motion of Mr. Collins of Aroostook, Referred to the Committee on State Government and ordered printed.

Sent down for concurrence.

Mrs. CUMMINGS of Penobscot presented,
Bill, "An Act to Clarify the Regulation of Public Utilities Owning Interests in Electric Generating Plants and Related Facilities." (S. P. 242)

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

Sent down for concurrence.

Mr. CONLEY of Cumberland presented,
Bill, "An Act to Repeal the Personal Property Tax on Commercial Fishing Vessels and Equipment." (S. P. 233)

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

Sent down for concurrence.

Orders

An Expression of Legislative Sentiment recognizing:

The Katahdin High School Boys' Basketball Team, has become the State Class "C" Champion, (S. P. 247)

Presented by Senator Pray of Penobscot. Which was Read and Passed.

Sent down for concurrence.

**Committee Reports
House
Ought to Pass**

The Committee on Judiciary on,
Bill, "An Act to Modify the Immunity Granted by Statute to a Person Who Testifies Before the Public Utilities Commission on Matters Which May Tend to Incriminate that Person." (H. P. 227) (L. D. 291)

Reported that the same Ought to Pass.

Comes from the House, the Bill Passed to be Engrossed.

Which Report was Read and Accepted in concurrence, and the Bill Read Once and Tomorrow Assigned for Second Reading.

The Committee on Local and County Government on,

Bill, "An Act to Annex the Town of Otisfield to Oxford County." (H. P. 127) (L. D. 160)

Reported that the same Ought to Pass.

Comes from the House, the Bill Passed to be Engrossed as amended by House Amendment "A" (H-49).

Which report was Read and Accepted in concurrence, and the Bill Read Once. House Amendment "A" (H-49) was Read and Adopted in concurrence, and the Bill, as amended,

Tomorrow Assigned for Second Reading.

Ought to Pass — As Amended

The Committee on Business Legislation on,

Bill, "An Act to Clarify the Right of Trust Companies to Invest Funds Held as Trustee Under Certain Retirement Plans." (Emergency) (H. P. 71) (L. D. 99)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-38).

Comes from the House, the Bill Passed to be Engrossed as amended by Committee Amendment "A".

The Committee on Election Laws on,

Bill, "An Act to Require Voters to State their Name and Address when Voting." (H. P. 32) (L. D. 49)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-46).

Comes from the House, the Bill Passed to be Engrossed as amended by Committee Amendment "A". (H-46).

Which Reports were Read and Accepted in concurrence, and the Bills Read Once. Committee Amendments "A" were Read and Adopted in concurrence, and the Bills, as amended,

Tomorrow Assigned for Second Reading.

**Senate
Ought to Pass**

Mr. CARPENTER for the Committee on Legal Affairs on,

Bill, "An Act Relating to Incorporation of the Officers and Members of the Grand Royal Arch Chapter of Maine." (S. P. 138) (L. D. 379)

Reported that the same Ought to Pass.

Which Report was Read and Accepted and the Bill Read Once and Tomorrow Assigned for Second Reading.

Ought to Pass in New Draft

Mr. HUBER for the Committee on Appropriations and Financial Affairs on,

Bill, "An Act Making Additional Appropriations from the General Fund for the Current Fiscal Year Ending June 30, 1977, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government." (Emergency) (S. P. 56) (L. D. 112)

Reported that the same Ought to Pass in New Draft under New Title: Bill, An Act Making Additional Appropriations from the General Fund for the Current Fiscal Year Ending June 30, 1977. (Emergency) (S. P. 238) (L. D. 728)

Which Report was Read.

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

Mr. HUBER: I would just like to explain this Bill, which is a portion of the Governor's recommendations for the funding for the remainder of this fiscal year contained original-

ly in L. D. 112. This Bill is the portion of L. D. 112 concerning the Maine Guarantee Authority, and would provide one Million Dollars to that Authority to meet payments concerning the Kennebec River Pulp and Paper Company, the first payment which was paid out of the working capital of the Maine Guarantee Authority, and the second one is due March 15th of this year.

These funds have to be in the bank by March 15th; otherwise, we will be defaulting on these guaranteed funds. I don't think there is any choice. The other choice suggested by the Maine Guarantee Authority is to generate these funds through proceeds of a bond issue. I am sure that considering these questions concerning bond issues these days, bond issues for defaulted bonds would not meet with great favor in the bond market. Thank you very much.

Which Report was Accepted and the Bill, in new draft, read once.

Under suspension of the Rules, the Bill was given its Second Reading and Passed to be Engrossed.

Sent down forthwith for concurrence.

Reconsidered Matter

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

Mr. SPEERS: Mr. President, with regard to Item 3-1, I move the Senate reconsider its action whereby this Bill was sent to the Committee on Appropriations and Financial Affairs.

The PRESIDENT: The Senator from Kennebec, Senator Speers, now moves that the Senate reconsider its action whereby Item 3-1, "An Act to Increase Reimbursement for Legislative Expenses" was referred to the Committee on Appropriations and Financial Affairs. Is this the pleasure of the Senate? It is a vote.

On further motion of Mr. Speers of Kennebec, Referred to the Committee on State Government and ordered printed.

Sent down for concurrence.

Second Readers

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

House

Bill, "An Act to Amend the Maine Milk Law. (S. P. 216) (L. D. 280)

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

House. — As Amended

Bill, An Act Relating to Sawdust and Shavings being Transported on Public Ways. (H. P. 26) (L. D. 35)

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

Bill, An Act Relating to the Telephone Company Directory. (H. P. 103) (L. D. 127)

Which was Read.

The PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Cummings.

Mrs. CUMMINGS: Mr. President, and Members of the Senate, I move that L. D. 127 be indefinitely postponed.

The PRESIDENT: The Senator from Penobscot, Senator Cummings, now moves that Item 7-2, L. D. 127, a Bill, "An Act Relating to the Telephone Company Directory," be indefinitely postponed. Is this the pleasure of the Senate?

The Chair recognizes the Senator from Oxford, Senator O'Leary.

Mr. O'LEARY: I would ask for a Division.

The PRESIDENT: A Division has been requested. Is the Senate ready for the question? The pending Motion before the Senate is the Motion by the Senator from Penobscot, Senator Cummings, that L. D. 127, "An Act Relating to the Telephone Company Directory" and all of its accompanying papers be postponed.

Will all those Senators in favor of the Motion be Indefinitely Postpone please rise in their places to be counted.

Will all those Senators opposed to the Motion to Indefinitely Postpone please rise in their places to be counted.

18 Senators having voted in the affirmative, and 10 in the negative, the Motion to Indefinitely Postpone does prevail.

Sent down for concurrence.

Bill, An Act to Amend the School Lunch and Milk Program. (H. P. 467) (L. D. 484)

Which was Read a second time.

On Motion of Mr. Katz of Kennebec,

Tabled for one legislative day pending passage to be engrossed.

Senate-As amended

Bill, "An Act Relating to Abatements by Municipal Tax Assessors. (S. P. 36) (L. D. 44)

Which was Read a Second time and Passed To Be Engrossed, as Amended.

Sent down for concurrence.

Orders of the Day

The President laid before the Senate:

Bill, "An Act to Increase the Property Tax Exemption for Parsonages to \$40,000." (H. P. 25) (L. D. 34)

Tabled — March 2, 1977 by Senator Speers of Kennebec

Pending — Enactment

On Motion of Mr. Huber of Cumberland, Placed on Special Appropriations Table:

Senator Cummings of Penobscot was granted unanimous consent to address the Senate on the record.

MRS. CUMMINGS:

There is a fellow Senator

We all know as a "good man".

He tends all his constituents

With all the work he can.

His faith and his philosophy

Are there for all to see.

And if he gives you his support

No force will make him flee.

He shares his talents freely

With poems wise and gay.

And now we rise to give a hand

to Walter, it is your birthday.

(Off record remarks)

On Motion of Mr. Huber of Cumberland, Adjourned until 10:00 tomorrow morning.