

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Eighth
Legislature***

OF THE

STATE OF MAINE

Volume II

May 26, 1977 to July 25, 1977

Index

**Senate Confirmation Session
September 16, 1977**

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KJ PRINTING
AUGUSTA, MAINE

SENATE

Friday, June 3, 1977

Senate called to Order by the President.
Prayer by the Honorable Matthew C. Levine of Winslow.

Mr. LEVINE: Oh Lord give us the strength, the courage, and the wisdom to do that which is best for all the people of the State of Maine. Amen.

Reading of the Journal of yesterday.

**Papers from the House
Non-concurrent Matter**

Bill, "An Act to Prohibit Smoking at Public Meetings." (H. P. 361) (L. D. 453)

In the House May 31, 1977 Passed to be Engrossed as amended by Committee Amendment "A" (H-417).

In the Senate June 1, 1977 Bill and Papers Indefinitely Postponed, in non-concurrence.

Comes from the House, that Body having Insisted and Asked for a Committee of Conference.

The PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Snowe.

Mrs. SNOWE: Mr. President, I move we join in a Committee of Conference.

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

Mr. PRAY: Mr. President and Members of the Senate: We discussed this item the other day to great length, and I think that this time of the year to start joining in the Committee of Conferences on Bills such as this nature would serve no useful purpose, so I would ask for a Division, and hopefully we will defeat the present Motion, and the Senate could adhere.

The PRESIDENT: The Chair recognizes the Senator from York, Senator Hichens.

Mr. HICHENS: Mr. President, I disagree with the Senator from Penobscot who claims that it is an insignificant issue. I think this is a very important issue, and with the debate we heard the other day, and people's questions which came to mind, I think it is very important that we have a Committee of Conference to see if they can iron out some of the problems and present them to us once more.

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

Mr. PRAY: Mr. President and Members of the Senate: Not to delay this any, but through the Committee process we heard several alternatives, and several suggested Amendments, which we discussed at great length, and the Committee itself could come to very little agreement upon the action to take or what possible Amendments could be offered to it, and the sponsor of the legislation was there, and also talked about possible Amendments. Basically in the hearing, we also had two bills relating to non-smoking in meetings, and this Bill is the one that came out. As we debated the other day, the issues were brought up. Some of the recommended changes were suggested, and still this Senate in its wisdom decided at that time not to accept the Report so that it could put in a Second Reading and amend it.

I think that we acted wisely at that time, and I would hope that we would continue to hold the position that we held the other day.

The PRESIDENT: The Chair recognizes the Senator from York, Senator Hichens.

Mr. HICHENS: Mr. President, when the vote is taken, I request a Roll Call.

The PRESIDENT: A Roll Call has been requested.

The Chair recognizes the Senator from Androscoggin, Senator Snowe.

Mrs. SNOWE: Mr. President and Members of the Senate: I certainly am not going to belabor this issue any further, except to say that the Committee did discuss this Bill thoroughly. We did discuss further alternatives. However, we came out with a 12 to 1

Report, because this is how we felt. We had developed a consensus on this Report, and that is why there were no other alternatives. Therefore, when the Bill came out here into the House and into the Senate, there were differences of opinion, and that is why a Committee of Conference, I think, would serve a good purpose. It would serve to provide a consensus on other alternatives.

The PRESIDENT: Is the Senate ready for the question.

A Roll Call has been requested. In order for the Chair to order a Roll Call, it must be the expressed desire of one-fifth of those Senators present and voting. Will all those Senators present in favor of a Roll Call, please rise in their places to be counted.

Obviously, more than one-fifth having arisen, a Roll Call is ordered.

The pending question before the Senate is the motion by the Senator from Androscoggin, Senator Snowe, that the Senate insist and join in a Committee of Conference.

A yes vote will be in favor of the Motion to Insist. A nay vote will be opposed.

The doorkeepers will secure the Chamber. The Secretary will call the Roll.

ROLL CALL

YEA — Carpenter, Chapman, Collins, D.; Collins, S.; Conley, Cummings, Curtis, Farley, Greeley, Hewes, Hichens, Lovell, Mangan, McNally, Minkowsky, Pierce, Redmond, Snowe, Speers, Usher.

NAY — Huber, Levine, Martin, Merrill, Morrell, O'Leary, Pray, Trozky.

ABSENT — Danton, Jackson, Katz, Wyman. 20 Senators having voted in the affirmative, and 8 Senators in the negative, with 4 Senators being absent, the Motion to insist and join in a Committee of Conference does prevail.

Non-concurrent Matter

Bill, "An Act to Improve Prosecution Services." (H. P. 1571) (L. D. 1785)

In the Senate May 23, 1977 Passed to be Engrossed in concurrence.

Comes from the House, Passed to be Engrossed as amended by House Amendment "A" (H-472), in non-concurrence.

On the Motion of Mr. Collins of Knox, The Senate voted to recede and concur.

Joint Orders

Expression of Legislative Sentiment recognizing that: James J. Lancaster is retiring after 30 years of service as an educator, including 25 years in the South Portland School System and 12 years as principal of Mahoney Junior High School. (H. P. 1634)

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

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

Mr. HEWES: With respect to H. P. 1634, the expression of appreciation for James "Jud" Lancaster, he is a gentleman of the first order, having come from the south, settled up here in Maine after the War, and he has been an inspiration to thousands of students in South Portland. It seems incredible that he is at retirement age, because of his vigor, enthusiasm, and interest in life.

I certainly want to call this to the attention of the Senate, and I would not be surprised if one of these days, he is gracing, as a Member of either this Body or the Body down the hall. He is a very civic minded citizen, and respected by the citizenry of South Portland.

Which was Passed in concurrence.

Expressions of Legislative Sentiment recognizing that: Judy Fowle has been recognized for her outstanding Academic Record by being chosen Valedictorian of Greenville High School. (H. P. 1635)

Cathy Jamieson has been recognized for her excellent Academic Record by being chosen

Salutatorian of Greenville High School. (H. P. 1636)

Come from the House, Read and Passed. Which were Read and Passed in concurrence.

Communications

House of Representatives

June 2, 1977

The Honorable May M. Ross

Secretary of the Senate

108th Legislature

Augusta, Maine

Dear Madam Secretary:

The House voted today to Adhere to its former action whereby it accepted the "Ought Not to Pass" Report of the Committee on Liquor Control on Bill "An Act to Increase the Number of State Liquor Inspectors" (S. P. 454) (L. D. 1569)

The House also voted to Adhere to its former action whereby it accepted the "Ought Not to Pass" Report of the Committee on Agriculture on Bill "An Act Relating to Exhibition Dates for Agricultural Fairs and Exhibitions" (H. P. 420) (L. D. 525)

Respectfully,

Signed:

EDWIN H. PERT

Clerk of the House

Which was Read and Ordered Placed on File.

House of Representatives

June 2, 1977

The Honorable May M. Ross

Secretary of the Senate

108th Legislature

Augusta, Maine

Dear Madam Secretary:

The House voted today to Adhere to its former action whereby it Indefinitely postponed Bill "An Act Relating to Refusal to Accept Work as Disqualification for Benefits under the Employment Security Law" (H. P. 360) (L. D. 452)

Respectfully,

Signed:

EDWIN H. PERT

Clerk of the House

Which was Read and Ordered Placed on File.

Senator Hichens of York was granted unanimous consent to address the Senate on the record.

Sen. Jerrold Speers — June 5

In 1941, I've learned, on the 5th day of June, When gardens all were flourishing — birds sang a happy tune —

When corn was growing rapidly, not yet quite forming ears

In a quiet little town in Mass. there appeared another SPEERS.

This new shoot grew quite rapidly, I'm told in childhood days

And exerted his great influence in many varied ways.

His Dad was known throughout the State as head of Fish & Game

And every sportsman in the State was acquainted with his name.

Young Jerry grew to manhood — altho he didn't grow tall

In physical appearance — he stood his ground with all

Who differed with philosophies that he chose to accept

And he was viewed by those he knew with honor and respect.

As Senate Secretary he served within this Senate Chamber

And liked the goings on so much he chose to be a member

Of this hallowed Body and he has served us well
As the Majority Leader — and now I've heard folks tell

That he is seeking, possibly, an office high in State

Where he might serve the State of Maine in his own way sedate.

But when I gave this info — it seemed to be confusing

To a member of N.C.S.L. — who stated "how amusing."

I'm sure we've all found Jerry a friendly man to be

Although with his philosophies we sometimes disagree

So join with me this morning — Wishing many happy years

And a very Happy Birthday to Majority Leader Speers.

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 Regulate the Use and Payment of Negotiable Instruments and to Require That Loans Made by Financial Institutions be Made Only by Money." (H. P. 1167) (L. D. 1397)

Bill, "An Act to Provide for Notifying the Debtor before his Debt is Turned over to a Collection Agency." (H. P. 933) (L. D. 1130)

Bill, "An Act Concerning the Accrual of Sick Leave by Injured or Incapacitated State Police Officers." (H. P. 553) (L. D. 670)

Leave to Withdraw

The Committee on Energy on, Bill, "An Act Concerning State Energy Conservation." (H. P. 1266) (L. D. 1493)

Reported 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 Increase the Total Aggregate Amount of Bonds which may be Outstanding to Fund the Industrial Building Mortgage Fund." (H. P. 1156) (L. D. 1394)

Reported 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 Increase the Bond Limit of the Maine Guarantee Authority." (H. P. 1049) (L. D. 1264)

Reported that the same be granted Leave to Withdraw.

Comes from the House the Report Read and Accepted.

The Committee on Taxation on, Bill, "An Act to Raise the Corporate Income Tax for Corporations Earning over \$100,000." (Emergency) (H. P. 1051) (L. D. 1275)

Reported 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 Fisheries and Wildlife on, Resolve, Authorizing and Directing the Commissioner of Marine Resources and the Commissioner of Inland Fisheries and Wildlife to Undertake, to Preserve and to Enhance the Anadromous Fish Runs of the State of Maine. (Emergency) (H. P. 1246) (L. D. 1487)

Reported that the same Ought to Pass.

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

The Committee on Judiciary on, Bill, "An Act to Delete the Requirement that Appeals to Superior Court from a Municipal Board of Appeals must be Trial De Novo (Trial Anew)." (H. P. 756) (L. D. 929)

Reported that the same Ought to Pass.
Comes from the House, the Bill Passed to be Engrossed.

Which Reports were Read and Accepted in Concurrence and the Bill and Resolve Read Once and Tomorrow Assigned for Second Reading.

The Committee on Labor on, Bill, "An Act to Provide for the Provisional Payment of Certain Disability Benefits Pending the Outcome of a Workman's Compensation Application." (H. P. 1373) (L. D. 1576)

Reported that the same Ought to Pass.
Comes from the House, the Bill Passed to be Engrossed as amended by House Amendment "A" (H-473).

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.

Ought to Pass — As Amended

The Committee on Appropriations and Financial Affairs on, Bill, "An Act Providing Funds for Young Woman's Christian Association Fair Harbor Shelter in Portland, Maine, an Emergency and Extended Shelter for Girls." (H. P. 421) (L. D. 526)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-463).

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

The Committee on Energy on, Bill, "An Act to Exempt Certain Woodburning Appliances from the Sales Tax." (H. P. 1240) (L. D. 1465)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-461).

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

The Committee on Energy on, Bill, "An Act to Create a Commission on Energy Efficiency Building Performance Standards." (H. P. 749) (L. D. 954)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-462).

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

The Committee on Local and County Government on, Bill, "An Act to Provide Uniformity in the Method of Payment of Fees in Criminal Cases." (H. P. 1364) (L. D. 1599)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-465).

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

The Committee on Natural Resources on, Bill, "An Act to Amend the Septic Tank and Cesspool Waste Act." (H. P. 365) (L. D. 456)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-455).

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

The Committee on State Government on, Bill, "An Act Relating to the State's Bonded Debt." (H. P. 502) (L. D. 621)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-459).

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

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.

Ought to Pass in New Draft

The Committee on Judiciary on, Bill, "An Act to Repeal Certain Laws Relating to Domestic Relations." (H. P. 1368) (L. D. 1595)

Reported that the same Ought to Pass in New Draft under same title. (H. P. 1627) (L. D. 1830)
Comes from the House, the Bill in New Draft, Passed to be Engrossed, as amended by House Amendment "A" (H-488).

Which Report was Read and Accepted in concurrence, and the Bill, in New Draft, 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 Appropriations and Financial Affairs on, Bill, "An Act to Recognize the Maine Competition as the Official Housing Design Contest for the State of Maine and to Appropriate Moneys in the General Fund to Fund this Contest." (H. P. 1238) (L. D. 1463)

Reported that the same Ought Not to Pass.

Signed:

Senators:

HUBER of Cumberland

MORRELL of Cumberland

Representatives:

HIGGINS of Scarborough

MORTON of Farmington

GOODWIN of Bath

GREENLAW of Stonington

CARTER of Winslow

PERKINS of Blue Hill

McBREAIRTY of Caribou

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

Signed:

Senator:

MERRILL of Cumberland

Representative:

NAJARIAN of Portland

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

Which reports were read.

On the Motion of Mr. Huber of Cumberland, Majority Ought Not to Pass Report accepted in concurrence.

Divided Report

The Majority of the Committee on Appropriations and Financial Affairs on, Bill, "An Act to Appropriate Funds to Enable the City of Eastport to Cope with Gale Damage." (Emergency) (H. P. 565) (L. D. 690)

Reported that the same Ought Not to Pass.

Signed:

Senators:

HUBER of Cumberland

MORRELL of Cumberland

Representatives:

NAJARIAN of Portland

HIGGINS of Scarborough

PERKINS of Blue Hill

MORTON of Farmington

The Minority of the same Committee on the same subject matter Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-453).

Signed:

Senator:

MERRILL of Cumberland

Representatives:

GOODWIN of Bath

GREENLAW of Stonington

CARTER of Winslow

McBREAIRTY of Caribou

Comes from the House, the Bill Passed to be

Engrossed as amended by Committee Amendment "A".

Which reports were read.

On the Motion of Mr. Merrill of Cumberland, "Ought to Pass" as amended Report accepted in concurrence.

The Bill Read Once. Committee Amendment "A" Read.

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

Mr. CONLEY: Mr. President, I saw this very similar thing happen a few years back with a library and a city hall, and everything else up the pike some place, and I hope that the same thing is not going to happen today.

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

Mr. SPEERS: Mr. President, I also saw the same sort of thing happen with a beach down toward the southern end of the State, and I also hope the same sort of thing will not happen again.

Committee Amendment "A" Adopted, and the Bill, as amended, Tomorrow Assigned for Second Reading.

Divided Report

The Majority of the Committee on Education on, Bill, "An Act to Authorize Bond Issue in the Amount of \$1,058,000, for Construction of an Educational Wing at Central Maine Vocational-Technical Institute." (H. P. 1305) (L. D. 1542)

Reported that the same Ought to Pass in New Draft under new title: Bill, "An Act to Authorize Bond Issue in the Amount of \$2,348,000 for Construction of an Educational Wing at Central Maine Vocational-Technical Institute, a Mechanicals Building at Eastern Maine Vocational-Technical Institute and a Building Construction Facility at Southern Maine Vocational-Technical Institute." (H. P. 1618) (L. D. 1819)

Signed:

Senators:

KATZ of Kennebec
USHER of Cumberland

Representatives:

WYMAN of Pittsfield
BAGLEY of Winthrop
MITCHELL of Vassalboro
LYNCH of Livermore Falls
BEAULIEU of Portland
CONNOLLY of Portland
BIRT of East Millinocket

The Minority of the same Committee on the subject matter Reported that the same Ought Not to Pass.

Signed:

Senator:

PIERCE of Kennebec

Representatives:

FENLASON of Danforth
LEWIS of Auburn
PLOURDE of Fort Kent

Comes from the House, the Bill in New Draft, Passed to be Engrossed as amended by House Amendments "A" (H-487) and "B" (H-494).

Which reports were read.

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

Mr. PIERCE: Mr. President and Members of the Senate: I would just draw your attention to once again this is another bricks and mortar bond issue. We started out with a million dollar bill, and managed in our wisdom to get it up to \$2.4 million in Committee.

The last one I brought to your attention was for a dormitory. I was on the wrong end of a 12 to 1 Report. This time it is 9 to 4, so maybe things are beginning to get a little lighter. I still question the wisdom of passing on these millions and millions of dollars in bond issues without recommendation to the people of Maine that they accept them.

I assume it is the will of the Senate to accept the Majority Report. In the absence of the

Committee Chairman, I would now move the acceptance of the Majority Ought to Pass Report.

Majority Ought to Pass in New Draft Report Accepted in concurrence.

The Bill read once. House Amendment "A" read and adopted. House Amendment "B" read and adopted, and the Bill, as amended, Tomorrow Assigned for Second Reading.

Divided Report

The Majority of the Committee on Election Laws on, Bill, "An Act to Change the Deadline for Change in Party Enrollment in Order to Qualify for Voting in a Primary Election." (H. P. 1028) (L. D. 1246)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-452).

Signed:

Senator:

DANTON of York

Representatives:

BOUDREAU of Waterville
BUSTIN of Augusta
MITCHELL of Vassalboro
TRUMAN of Biddeford
McMAHON of Kennebunk
RAYMOND of Lewiston
TALBOT of Portland
BOUDREAU of Portland

The Minority of the same Committee on the same subject matter Reported that the same Ought Not to Pass.

Signed:

Senators:

KATZ of Kennebec
TROTZKY of Penobscot

Representatives:

BIRT of East Millinocket
BURGIN of Kittery

Comes from the House, the Bill Passed to be Engrossed as amended by House Amendment "A" (H-489).

Which Reports were Read.

On Motion of Mr. Speers of Kennebec, Tabled for One Legislative Day, Pending acceptance of either Report.

Divided Report

The Majority of the Committee on Local and County Government on, Bill, "An Act to Establish County Boards, to Allow Them to Set and Approve County Budgets and to Allocate Services." (H. P. 215) (L. D. 225)

Reported that the same Ought Not to Pass.

Signed:

Senators:

O'LEARY of Oxford
HICHENS of York

Representatives:

BERUBE of Lewiston
DRINKWATER of Belfast
STOVER of West Bath
LaPLANTE of Sabattus
McPHERSON of Eliot
HICKEY of Augusta
GRAY of Rockland
TRUMAN of Biddeford

The Minority of the same Committee on the same subject matter Reported that the same Ought to Pass in New Draft under same title. (H. P. 1620) (L. D. 1825)

Signed:

Senator:

JACKSON of Cumberland

Representatives:

MARTIN of Brunswick
HENDERSON of Bangor

Comes from the House, Bill and Papers Indefinitely Postponed.

Which Reports were Read.

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

Mr. O'LEARY: Mr. President, I move the

Majority Ought Not to Pass Report of the Committee.

On Motion of Mr. Speers of Kennebec, Tabled for One Legislative Day, Pending the Motion of Mr. O'Leary of Oxford that the Senate accept the Majority Ought Not to Pass Report.

Divided Report

The Majority of the Committee on Marine Resources on, Bill, "An Act to Restrict the Hauling of Lobster Pots at Night in Certain State Waters." (H. P. 1148) (L. D. 1363)

Reported that the same Ought Not to Pass.

Signed:

Senators:

CHAPMAN of Sagadahoc
LEVINE of Kennebec
HEWES of Cumberland

Representatives:

CONNERS of Franklin
NELSON of Roque Bluffs
BLODGETT of Waldoboro
BUNKER of Gouldsboro
FOWLIE of Rockland
POST of Owls Head

The Minority of the same Committee on the same subject matter Reported that the same Ought to Pass as amended by Committee Amendment "A". (H. 440)

Signed:

Representatives:

MILLS of Eastport
GREENLAW of Stonington
JACKSON of Yarmouth
TYNDALE of Kennebunkport

Comes from the House, Bill and Papers Indefinitely Postponed.

Which reports were read.

Majority Ought Not to Pass Report was accepted.

Divided Report

The Majority of the Committee on Performance Audit on, Bill, "An Act to Provide for Budgeting of State Expenditures of Federal Funds." (H. P. 1387) (L. D. 1676)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-433).

Signed:

Senators:

MORRELL of Cumberland
MINKOWSKY of Androscoggin
WYMAN of Washington

Representatives:

AUSTIN of Bingham
DOW of West Gardiner
SHUTE of Stockton Springs
AULT of Wayne
WILFONG of Stow
BENOIT of South Portland
BRENERMAN of Portland
BERUBE of Lewiston

The Minority of the same Committee on the same subject matter Reported that the same Ought Not to Pass.

Signed:

Representative:

LIZOTTE of Biddeford

Comes from the House, the Bill Passed to be Engrossed as amended by Committee Amendment and House Amendment "A" (H-466).

Which reports were read.

Majority Ought to Pass as amended Report was accepted in concurrence.

The Bill Read Once. Committee Amendment "A" Read and Adopted. House Amendment "A" Read and Adopted, and the Bill, as amended, Tomorrow Assigned for Second Reading.

Divided Report

The Majority of the Committee on Public Utilities on, Bill, "An Act Authorizing Control Over the Electrical Rates Charged Maine Con-

sumers by Out-of-State Electrical Utilities." (H. P. 835) (L. D. 1008)

Reported that the same Ought Not to Pass.

Signed:

Senators:

CUMMINGS of Penobscot
CARPENTER of Aroostook
COLLINS of Aroostook

Representatives:

PEARSON of Old Town
TARR of Bridgton
LUNT of Presque Isle
SMITH of Mars Hill
McHENRY of Madawaska
BERRY of Buxton
CUNNINGHAM of New Gloucester

The Minority of the same Committee on the same subject matter Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-401).

Signed:

Representatives:

KELLEHER of Bangor
NADEAU of Sanford
WOOD of Sanford

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

Which Reports were read.

Majority Ought Not to Pass Report accepted in non-concurrence.

Sent down for concurrence.

Divided Report

The Majority of the Committee on Taxation on Bill, "An Act Clarifying the Tax Status of Regional Planning Commissioners and Councils of Government." (H. P. 555) (L. D. 672)

Reported that the same Ought Not to Pass.

Signed:

Senator:

JACKSON of Cumberland

Representatives:

IMMONEN of West Paris
CHONKO of Topsham
TWITCHELL of Norway
POST of Owls Head
TEAGUE of Fairfield
CAREY of Waterville

The Minority of the same Committee on the same subject matter Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-380).

Signed:

Senators:

WYMAN of Washington
MARTIN of Aroostook

Representatives:

MAXWELL of Jay
CARTER of Bangor
COX of Brewer
MACKEL of Wells

Comes from the House, the Bill Passed to be Engrossed as amended by House Amendment "B" (H-482).

Which reports were read.

On Motion of Mr. Martin of Aroostook, Minority Ought to Pass, as amended, Report accepted in concurrence.

The Bill Read Once. Committee Amendment "A" Read and Adopted. House Amendment "B" Read.

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

Mr. SPEERS: Mr. President and Members of the Senate: I notice that Committee Amendment "A" and House Amendment "B" were not both on this Bill, and I think that they possibly are in conflict, and I wonder if a Member of the Committee might be able to explain.

The PRESIDENT: The Senator from Kennebec, Senator Speers, has posed a question through the Chair to any Member of the Committee who may care to answer.

On Motion of Mr. Martin of Aroostook,

Tabled One Legislative Day, Pending adoption of House Amendment "B".

Divided Report

The Majority of the Committee on Veterans and Retirement on, Bill, "An Act to Provide State Prison Guards with the Same Retirement Benefits as the State Police." (H. P. 1411) (L. D. 1615)

Reported that the same Ought Not to Pass.

Signed:

Senators:

COLLINS of Knox
O'LEARY of Oxford
LOWELL of York

Representatives:

THERIAULT of Rumford
BUNKER of Gouldsboro
AUSTIN of Bingham
CLARK of Freeport
NELSON of Roque Bluffs
HICKEY of Augusta
MacEACHERN of Lincoln
LOUGEE of Island Falls

The Minority of the same Committee on the same subject matter Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-458).

Signed:

Representative:

LAFFIN of Westbrook

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

Which Reports were Read.

Majority Ought Not to Pass Report accepted in concurrence.

Divided Report

The Majority of the Committee on Veterans and Retirement on, Resolve, to Increase the Retirement Benefits of Helen B. Pearson. (H. P. 1057) (L. D. 1287)

Reported that the same Ought Not to Pass.

Signed:

Senators:

LOVELL of York
O'LEARY of Oxford

Representatives:

THERIAULT of Rumford
MacEACHERN of Lincoln
NELSON of Roque Bluffs
AUSTIN of Bingham
BUNKER of Gouldsboro
CLARK of Freeport
HICKEY of Augusta
LOUGEE of Island Falls

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

Signed:

Senator:

COLLINS of Knox

Representative:

LAFFIN of Westbrook

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

Which Reports were read.

Majority Ought Not to Pass Report accepted in concurrence.

Senate

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

Mr. Pray for the Committee on Labor on, Bill, "An Act to Amend the Unemployment Compensation Act." (S. P. 294) (L. D. 920)

Leave to Withdraw

Mr. McNally for the Committee on Labor on Bill, "An Act Relating to Service Fees of Authorized Bargaining Agents." (S. P. 273) (L. D. 831)

Reported that the same be granted Leave to Withdraw.

Which Report was Read and Accepted.

Sent down for concurrence.

Ought to Pass — As Amended

Mr. Pray for the Committee on Labor on, Bill, "An Act to Permit Trial Work Periods under the Workmen's Compensation Statutes." (S. P. 394) (L. D. 1353)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (S-185).

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

Ought to Pass in New Draft

Mr. Collins for the Committee on State Government on, Bill, "An Act to Improve the Management of the Department of Conservation." (S. P. 232) (L. D. 775)

Reported that the same Ought to Pass in New Draft under same title. (S. P. 525) (L. D. 1840)

Mr. Hewes for the Committee on Legal Affairs on, Bill, "An Act Relating to the Regulation of Games of Chance." (S. P. 53) (L. D. 110)

Reported that the same Ought to Pass in New Draft under same title. (S. P. 527) (L. D. 1846)

Which Reports were Read and Accepted, and the Bills, in New Draft, Read Once and Tomorrow Assigned for Second Reading.

Second Readers

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

House

RESOLVE, Directing the Commissioner of Marine Resources to Lease Land and Buildings in West Boothbay Harbor to the Northeastern Research Foundation, Inc. (Emergency) (H. P. 1619) (L. D. 1820)

Which was Read a Second Time.

On Motion of Mr. Speers of Kennebec, Tabled One Legislative Day, pending Passage to be Engrossed.

Bill "An Act Relating to Notice of Authorization to Registers of Probate." (H. P. 182) (L. D. 244)

Bill, "An Act Exempting from the Sales Tax Sales to Nonprofit Corporations Providing Home Health Services." (H. P. 840) (L. D. 1027)

RESOLVE, to Appropriate \$20,000 to the Office of Camping Resources at the University of Maine, Portland-Gorham. (H. P. 1259) (L. D. 1488)

Bill, "An Act Concerning the Definition of a General Lines Consultant and a Life Consultant under the Maine Insurance Code." (H. P. 1617) (L. D. 1818)

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

House — As Amended

Bill, "An Act to Clarify and Reform the Laws Relating to County Law Enforcement." (H. P. 214) (L. D. 224)

Which was Read a Second Time.

On Motion of Mr. Speers of Kennebec, Tabled One Legislative pending passage to be engrossed.

Bill, "An Act to Increase the Salaries of the Judiciary." (H. P. 310) (L. D. 401)

Which was Read a Second Time.

On Motion of Mr. Speers of Kennebec, Tabled One Legislative Day, pending passage to be engrossed.

Bill, "An Act Concerning Solicitation Sales of Consumer Merchandise." (H. P. 256) (L. D. 325)

Bill, "An Act to Increase Limited Partnership Filing Fees." (H. P. 404) (L. D. 514)

Bill, "An Act to Establish Procedures to Evaluate the Efficiency of Energy Utilization in State-financed and Leased Facilities." (H. P. 549) (L. D. 666)

Bill, "An Act Limiting Three Lobster Traps

to One Warp." (Emergency) (H. P. 648) (L. D. 792)

Bill, "An Act Relating to Partnership between Husbands and Wives." (H. P. 683) (L. D. 865)

Bill, "An Act to Allow Limited Operation of an Unregistered Motor Vehicle." (H. P. 1101) (L. D. 1325)

Bill, "An Act to Expedite the Construction of Natural Gas Pipelines in the State." (Emergency) (H. P. 1247) (L. D. 1477)

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

Bill, "An Act Concerning the Registration of Voters by Justices of the Peace." (H. P. 1353) (L. D. 1622)

Which was Read a Second Time.

The PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Speers, in reference to L. D. 1622.

Mr. SPEERS: Mr. President, I would move that the Senate reconsider adoption of Committee Amendment "A" on this particular Bill.

The PRESIDENT: The Senator from Kennebec, Senator Speers, now moves that the Senate reconsider its action whereby it adopted Committee Amendment "A". Is it the pleasure of the Senate? It is a vote.

Mr. SPEERS: Mr. President, I now present Senate Amendment "A" to Committee Amendment "A" (S-187) and move its adoption.

The PRESIDENT: The Senator from Kennebec, Senator Speers, now offers Senate Amendment "A" to Committee Amendment "A" (S-187), and moves its adoption.

The secretary read Senate Amendment "A".

Senate Amendment "A" (S-187) read and adopted. Committee Amendment "A", as amended, adopted, and the Bill as amended, passed to be engrossed in nonconcurrence.

Sent down for concurrence.

Senate

Bill, "An Act to Establish a Property Tax Exemption for New and Expanding Businesses." (S. P. 416) (L. D. 1457)

Bill, "An Act to Establish a Tax Credit to Aid Businesses Providing New Jobs in Areas of High Unemployment." (S. P. 436) (L. D. 1513)

Which were Read a Second Time.

On Motion of Mr. Speers of Kennebec, Tabled One Legislative Day, pending passage to be engrossed.

Bill, "An Act Relating to Licensing of Theaters and Motion Picture Houses." (Emergency) (S. P. 524) (L. D. 1837)

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

Sent down for concurrence.

Senate — As Amended

Bill, "An Act to Assess a Surcharge on Fines and Penalties for the Operation of the Maine Criminal Justice Academy." (S. P. 179) (L. D. 493)

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

Sent down for concurrence.

Enactors

The Committee on Engrossed Bills reports as truly and strictly engrossed the following:

"An Act to Permit Municipalities to Renew Motor Truck Registrations." (H. P. 848) (L. D. 1039)

On Motion of Mr. Greeley of Waldo,

Placed on Special Highway Appropriations Table. Pending Enactment.

"An Act to Establish a Sign on the Maine Turnpike Showing the Exit for Coastal Maine." (H. P. 1221) (L. D. 1448)

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

Mr. CONLEY: Mr. President, I pose a question through the Chair to the Senate Chairman of the Transportation Committee with

reference to L. D. 1448, as to whether or not there is a fiscal note attached.

The PRESIDENT: The Senator from Cumberland, Senator Conley has posed a question through the Chair to the Senator from Waldo, Senator Greeley, who may answer if he so desires.

The Chair recognizes that Senator.

Mr. GREELEY: Mr. President, this Bill was sponsored by the Senator from Penobscot, Senator Pray, and there was some question about putting it on the northern part of the Interstate, but they have agreed to put the sign on the southern part of the Interstate that has not been opened up, and as far as I know it is all agreeable to both parties.

"An Act Authorizing School Administrative Units to Charge a Driver Education Course Fee during the School Year." (H. P. 970) (L. D. 1167)

"An Act to Repeal Certain Laws Relating to Highway Taxes Assessed by Towns." (S. P. 449) (L. D. 1529)

"An Act to Repeal Certain Laws Relating to Alcoholic Beverages." (H. P. 1206) (L. D. 1434)

"An Act to Permit Local Plumbing Inspectors to Approve Repairs to Existing Septic Systems." (H. P. 1282) (L. D. 1518)

"An Act Relating to Use of Criminal Records in Occupational Licensing." (H. P. 1369) (L. D. 1594)

"An Act to Amend the Law Providing for Variances from Zoning Laws." (H. P. 1177) (L. D. 1405)

Which were Passed to be Enacted and having been signed by the President, were by the Secretary presented to the Governor for his approval.

"An Act to Revise the Water Quality Program." (S. P. 508) (L. D. 1793)

On Motion of Mr. Trotzky of Penobscot, Tabled for One Legislative Day Pending Enactment.

"An Act to Exempt Public Libraries from the Sales Tax." (H. P. 1052) (L. D. 1285)

"An Act Relating to Expenditures of Municipalities for General Assistance." (H. P. 237) (L. D. 300)

On Motion of Mr. Huber of Cumberland, Placed on a Special Appropriations Table, pending Enactment.

RESOLVE, Authorizing Alban E. Cyr, Sr., and Cyr Brothers Meatpacking, Inc., and Cyr Foods, Inc., of Caribou to Bring Civil Action Against an Agency of the State of Maine. (S. P. 511) (L. D. 1798)

On Motion of Mr. Huber of Cumberland, Placed on Special Appropriation Table, pending Final passage.

Emergency

"An Act to Amend the Charter for the Maine Institution for the Blind." (H. P. 1540) (L. D. 1770)

Emergency

"An Act to Amend the Benefit Financing Provisions of the Employment Security Law." (H. P. 763) (L. D. 931)

Emergency

"An Act Concerning Fly Fishing in the Kennebec River." (H. P. 550) (L. D. 667)

These being emergency measures and having received the affirmative votes of 23 members of the Senate, were Passed to be Enacted, and having been signed by the President, were by the Secretary presented to the Governor for his approval.

Orders of the Day

The President laid before the Senate: Bill, "An Act Revising Procedures for Certain Tied Elections." (H. P. 937) (L. D. 1134)

Tabled — June 2 by Senator Hewes of Cumberland

Pending — Passage to be Engrossed

Which Bill was passed to be engrossed in concurrence.

The President laid before the Senate: Bill, "An Act to Require that Certain Conditions be Met Prior to Certification of any Nuclear Power Plant by the Public Utilities Commission." (H. P. 1388) (L. D. 1660)

Tabled — June 2, 1977 by Senator Collins of Aroostook

Pending — Passage to be Engrossed. On Motion of Mr. Speers of Kennebec, Retabled one legislative day.

The President laid before the Senate: Bill, "An Act to Regulate Security Deposits on Residential Rental Units." (S. P. 519) (L. D. 1813)

Tabled — June 2, 1977 by Senator Hewes of Cumberland

Pending — Passage to be Engrossed. On Motion of Mr. Hewes of Cumberland, Retabled one legislative day.

The President laid before the Senate: Bill, "An Act Relating to the Declaration and Payment of Estimated Tax for Corporations under the Maine Income Tax Law." (H. P. 464) (L. D. 569)

Tabled — June 2, 1977 by Senator Jackson of Cumberland

Pending — Passage to be Engrossed. Which Bill was Passed to be Engrossed in concurrence.

The President laid before the Senate: Bill, "An Act Relating to Adult Education." (S. P. 102) (L. D. 231)

Tabled — June 2, 1977 by Senator Pierce of Kennebec

Pending — Passage to be Engrossed. On Motion of Mr. Pierce of Kennebec, Retabled one Legislative Day.

Out of order and under suspension of the rules, the Senate voted to consider the following:

Papers from the House Joint Order

An Expression of Legislative Sentiment recognizing that: Armand A. Pelletier of Millinocket has a distinguished record of service to the American Legion and Veterans programs of his community. (H. P. 1646)

Comes from the House, Read and Passed.

Which was read and passed in concurrence.

(Off Record Remarks)

On Motion of Mr. Huber of Cumberland, Adjourned until June 6, 1977 at 10:00 in the morning.