

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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Senate Confirmation Session

June 14, 1978

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First Special Session

September 6, 1978 — September 15, 1978

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December 6, 1978

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APPENDIX

SENATE

January 20, 1978

Senate called to Order by the President.
Prayer by the Honorable Richard H. Pierce of Waterville.

Mr. PIERCE: Oh gracious Father, we humbly ask the strength to serve, the wisdom to guide, and courage to ask. Help us to have a good sense of humor, good judgement, and an understanding heart. Grant that we may be truly Thy representatives through our service to our fellowmen. All this we ask in thy holy name. Amen.

Reading of the Journal of yesterday.

(Off Record Remarks)

COMMUNICATIONS

Office of the Governor

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

This is to formally notify you I have today nominated Frank B. Tupper of South Windham to serve on the Maine State Retirement System Board of Trustees.

Mr. Tupper has served one year of a three year term and is now being nominated to serve a full three year term. In accordance with the law, Mr. Tupper was selected from a list of candidates submitted by the Maine Retired Teachers Association. His nomination will require confirmation by the Joint Standing Committee on Veterans and Retirement and the Senate.

Thank you for your cooperation in this regard.

Very truly yours,
JAMES B. LONGELY
(S. P. 677)

Which was Read and Referred to the Committee on Veterans and Retirement.
Sent down forthwith for concurrence.

COMMITTEE ON ELECTION LAWS

The Honorable Joseph Sewall
President of the Senate
State House
Augusta, Maine 04333
Dear President Sewall:

The Committee on Election Laws is pleased to report that it has completed all business placed before it by the 108th Session of the Maine Legislature.

Bills received in Committee	1
Unanimous Reports	0
Ought to Pass as Amended	1

Sincerely,
BENNETT D. KATZ
Chairman, Senate

Which was Read and Ordered Placed on File.

THE PRESIDENT: The Chair would like to congratulate the Senator from Kennebec, Senator Katz, and his hard-working Committee for having accomplished the mission with which they were assigned; and would like to point out quite seriously; that only four committees had either work sessions or hearings this morning and it is a little distressing with 2 committees and only four working with the entire forenoon to work. We hope that in next week or two, you would up the stroke on the committee work so that we can get out of here before the grass is being mowed outside the State House.

The Chair recognizes the Senator from Cumberland, Senator Conley.

Mr. CONLEY: I would like to commend the good Senator from Kennebec, Senator Katz, he is one of my favorite Senators of the other side of the aisle. But I would just pose a question to him as to what took him so long?

Senate Papers

Mr. Pierce of Kennebec (Cosponsors: Mr.

Pray of Penobscot, Mr. Redmond of Somerset and Mr. Jackson of Cumberland) present

Bill, "An Act Relating to the Classification of Drug Offenses." (S. P. 676)

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

Sent down forthwith for concurrence.

**Committee Reports
Senate**

Ought to Pass—As Amended

Mr. Collins for the Committee on Judiciary on,

Bill, "An Act to Amend the Maine Tort Claims Act." (S. P. 624) (L. D. 1941)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (S-439).

Mr. Curtis for the Committee on Judiciary on,

Bill, "An Act to Correct Certain Oversights in the Nonprofit Corporation Act." (Emergency) (S. P. 625) (L. D. 1942)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (S-440).

Which Reports were Read and Accepted and the Bills and Resolve Read Once. Committee Amendments "A" were Read and Adopted in concurrence, and the Bills, and Resolve, as amended, Tomorrow Assigned for Second Reading.

Mr. Collins for the Committee on State Government on,

RESOLVE, to Transfer a Land Parcel from the Bangor Mental Health Institute to the Region 4 Vocational District. (S. P. 631) (L. D. 1990)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (S-441).

Which Report was Read.

On Motion of Senator Speers of Kennebec, Tabled for One Legislative Day, pending acceptance of the Committee Report.

Second Readers

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

House—As Amended

Bill, "An Act Relating to Type of Notice under the Exceptional Children Statutes." (H. P. 868) (L. D. 1918)

Which was Read a Second Time and Passed To be Engrossed, in non-concurrence.

Sent down for concurrence.

(Off Record Remarks)

ORDERS OF THE DAY

The President laid before the Senate:

Bill, "An Act Converting Beaver Cove Plantation into the Town of Beaver Cove." (H. P. 1902) (L. D. 1963)

Tabled—January 19, 1978 by Senator Jackson of Cumberland

Pending—Passage to be Engrossed.

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

Mr. JACKSON: I am not rising to oppose the Bill. I had had an Amendment prepared to submit to the Senate for consideration, but after further study and being assured by the Bureau of Forestry and the Bureau of Taxation that there was no loss of revenue and the question of the possibility of a small community incurring a large debt in case of a fire. I decided that I would let this go on its merry way, and let the decision be made by the voting people of Beaver Cove Plantation.

Which was Passed to be Engrossed in concurrence.

(Recess)

Senate called to order by the President.

Out of order and under suspension of the

rules, the Senate voted to consider the following:

**Paper from the House
House Paper**

Bills requiring reference to Committee were acted upon in concurrence.

**Study Report — Joint Select
Committee on State Policy**

The Joint Select Committee on State Policy to which was referred the study relative to Preservation, Development, and Utilization of Historic and Cultural Resources, pursuant to H. P. 345 of the 108th Legislature have had the same under consideration, and ask leave to submit its findings and to report that the accompanying Bill, "An Act to Create a Department of Cultural Resources". (H. P. 2009) (L. D. 2092), be referred to the Committee on State Government and printed pursuant to Joint Rule 17.

Comes from the House, the Report Read and Accepted and the Bill referred to the Committee on State Government and Ordered Printed.

Which was Read and Accepted and the Bill referred to the Committee on State Government and Ordered Printed in concurrence.

Enactor

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

Emergency

(8-1) "An Act to Authorize Local School Committees to Elect the method of Funding Unemployment Compensation." (H. P. 1932) (L. D. 2000)

This being an emergency measure and having received the affirmative votes of 23 Members of the Senate, was Passed to be Enacted, and having been signed by the President, was by the Secretary presented to the Governor for his approval.

(Off Record Remarks)

On Motion of Mr. Huber of Cumberland, Adjourned until 11:30 in the morning, Monday, January 23, 1978.