

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

***One Hundred and Ninth  
Legislature***

OF THE

**STATE OF MAINE**

**Volume I**

**FIRST REGULAR SESSION**

**January 3, 1979 to May 4, 1979**

**HOUSE**

Wednesday, January 17, 1979

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

Prayer by the Reverend Herbert Reid of the Church of World Brotherhood, Fairfield.

Reverend REID: Teach us, dear God, to do justice and to love mercy and to walk humbly with our God. Amen.

The journal of yesterday was read and approved.

**Papers from the Senate**

The following Joint Order, An Expression of Legislative Sentiment recognizing that:

Mark P. Arsenault of Mexico, a member of Troop 544, has achieved the honor and distinction of Eagle Scout in the Boy Scouts of America (S. P. 59)

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

The following Joint Order, An Expression of Legislative Sentiment recognizing that:

Tina Kelleher, of Paris, has served as secretary in the Oxford County Extension office for more than 50 years (S. P. 56)

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

Bill "An Act to Require that Fairs meet Qualifications Standards before they are Entitled to Receive Money from the Stipend Fund" (S. P. 58) (L. D. 91)

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

In the House, referred to the Committee on Agriculture in concurrence.

Bill "An Act to Increase Certain Fees for Pharmaceutical Providers" (S. P. 57) (L. D. 90)

Came from the Senate referred to the Committee on Business Legislation and ordered printed.

In the House, referred to the Committee on Business Legislation in concurrence.

Bill "An Act Empowering Retired Justices of the Supreme Judicial Court and District Court Judges to Sit in Superior Court and Administrative Court Judges to Sit in District Court (Emergency)" (S. P. 55) (L. D. 89)

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

In the House, referred to the Committee on Judiciary in concurrence.

**Non-Concurrent Matter**

Bill "An Act Relating to Eating, Lodging and Recreational Places Licensing Law" (H. P. 9) (L. D. 18) which was referred to the Committee on Business Legislation in the House on January 11, 1979.

Came from the Senate referred to the Committee on Legal Affairs in non-concurrence.

In the House: The House voted to recede and concur.

**Non-Concurrent Matter**

RESOLUTION, Proposing an Amendment to the Constitution of Maine Reducing to 18 Years the Age at which a Person may serve as a Member of the Maine Legislature (H. P. 79) (L. D. 87) which was referred to the Committee on State Government in the House on January 11, 1979.

Came from the Senate referred to the Committee on Election Laws in non-concurrence.

In the House: On motion of Mrs. Kany of Waterville, the House voted to adhere.

The following Communication: (S. P. 60)  
STATE OF MAINE

Senate Chamber  
President's Office  
Augusta, Maine

January 15, 1979

Chairmen, Marine Resources Committee  
109th Maine Legislature

Please be advised that Governor Joseph E. Brennan on January 12, 1979 nominated Spencer Apollonio of Boothbay Harbor to serve as Commissioner of the Department of Marine Resources.

Pursuant to Title 12, Section 3451, this nomination is subject to review by the Committee on Marine Resources.

Sincerely,

(Signed) JOSEPH SEWALL

President of the Senate

(Signed) JOHN MARTIN

Speaker of the House

Came from the Senate read and referred to the Committee on Marine Resources.

In the House, read and referred to the Committee on Marine Resources in concurrence.

The following Communication: (S. P. 61)

STATE OF MAINE

Senate Chamber

President's Office

Augusta, Maine

January 15, 1979

Chairmen, Health and Institutional Services Committee  
109th Maine Legislature

Please be advised that Governor Joseph E. Brennan on January 12, 1979 nominated George A. Zitnay of Freeport to serve as Commissioner of the Department of Mental Health and Corrections.

Pursuant to Title 34, Section 1, this nomination is subject to review by the Committee on Health and Institutional Services.

Sincerely,

(Signed) JOSEPH SEWALL

President of the Senate

(Signed) JOHN MARTIN

Speaker of the House

Came from the Senate read and referred to the Committee on Health and Institutional Services.

In the House, read and referred to the Committee on Health and Institutional Services in concurrence.

**Petitions, Bills and Resolves****Requiring Reference**

The following Bills were received and referred to the following Committees:

**Business Legislation**

Bill "An Act to Establish Registration of Polygraph Examiners" (H. P. 91) (Presented by Mr. Drinkwater of Belfast)

(Ordered Printed)

Sent up for concurrence.

**Health and Institutional Services**

Bill "An Act to Establish the Legal Rights of Hospital Patients Without Jeopardizing their Right to Care or Treatment" (H. P. 93) (Presented by Mrs. Prescott of Hampden) (Cosponsor: Mr. Martin of Eagle Lake)

(Ordered Printed)

Sent up for concurrence.

**Legal Affairs**

Bill "An Act to Increase the Permissible State Discount to State Agency Stores to 12% Under the Alcoholic Beverages Statutes" (H. P. 88) (Presented by Mr. Maxwell of Jay)

(Ordered Printed)

Sent up for concurrence.

**Taxation**

Bill "An Act to Decrease the Sales and Use Tax from 5% to 4%" (H. P. 90) (Presented by Mr. Maxwell of Jay)

(Ordered Printed)

Sent up for concurrence.

**Transportation**

Bill "An Act Concerning Fees for Special License Plates" (H. P. 89) (Presented by Mr. Paul of Sanford)

(Ordered Printed)

Sent up for concurrence.

**Orders**

On motion of Mr. MacEachern of Lincoln, the following Joint Order: (H. P. 92) (Cosponsor: Mr. Fenlason of Danforth)

ORDERED, the Senate concurring, that the Legislative Finance Officer be authorized and directed to pay each member of the Legislature prior to February 1, 1979 a \$200 allowance for constituent services as authorized in Title 3, Section 2 of the Maine Revised Statutes.

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

**Orders of the Day**

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

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Limit Tax Increases to a One-year Period to Require Further Legislation and Economic Impact Analysis for the Further Continuation of any Tax Increase and to Require a Two-thirds Vote of Each House to Extend the Tax (S. P. 3) (L. D. 3) In Senate, referred to the Committee on State Government.

Tabled—January 16, 1979 by Mrs. Mitchell of Vassalboro.

Pending—Reference in concurrence.

Thereupon, the Resolution was referred to the Committee on State Government in concurrence.

**(Off Record Remarks)**

On motion of Mr. Leonard of Woolwich, Adjourned until ten o'clock tomorrow morning.