

# MAINE STATE LEGISLATURE

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**Legislative Record**

**OF THE**

**One Hundred and Seventh Legislature**

**(First Special Session)**

**OF THE**

**STATE OF MAINE**

**1976**

**KENNEBEC JOURNAL**

**AUGUSTA, MAINE**

Came from the Senate read and adopted.  
In the House, the Resolution was read and adopted in concurrence.

#### Reports of Committees Ought to Pass in New Draft

Committee on Judiciary on Bill "An Act to Provide for an Associate Administrative Court Judge and to Revise the Administrative Court Law" (S. P. 734) (L. D. 2283) reporting "Ought to Pass" in New Draft under New Title Bill "An Act to Provide for the Position of Associate Administrative Court Judge and to Revise the Administrative Court Law" (S. P. 783) (L. D. 2338)

Came from the Senate, with the Report read and accepted and Under suspension of the rules, the New Draft read twice and passed to be engrossed.

In the House, the Report was read and accepted in concurrence and the New Draft read once. Under suspension of the rules, the New Draft was read the second time.

The SPEAKER: The Chair recognizes the gentlewoman from Madison, Mrs. Berry.

Mrs. BERRY: Mr. Speaker, is there any chance of somebody telling us just what this bill does?

The SPEAKER: The gentlewoman from Madison, Mrs. Berry, has posed a question through the Chair to anyone who may care to answer.

The Chair recognizes the gentleman from Standish, Mr. Spencer.

Mr. SPENCER: Mr. Speaker, Ladies and Gentlemen of the House: The purpose of this bill is to authorize the appointment of an associate administrative court judge because the present administrative court judge is unable to carry on all of the responsibilities which we have thrust on him and the effective date of this has been postponed so that there is no appropriation required in this year.

The bill also makes some changes in the law relating to fines in liquor cases, and it is expected that the income from fines may offset any additional cost to the administrative courts.

Thereupon, the Bill was passed to be engrossed in concurrence.

#### Non-Concurrent Matter

Bill "An Act Providing for Evaluations of Mentally Retarded Persons Residing in Community Residential Facilities" (H. P. 2069) (L. D. 2239) which was Passed to be Engrossed as Amended by Committee Amendment "A" (H-1118) in the House on March 30, 1976.

Came from the Senate, passed to be engrossed as amended by Committee Amendment "A" and Senate Amendment "A" (S-499) in non-concurrence.

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

#### Orders

Mr. Bennett of Caribou presented the following Joint Resolution and moved its adoption: (H. P. 2275)

#### In Memoriam

Having Learned Of The Death Of State Trooper Detective George Frederick Watson Of Caribou Who Served Fourteen Years With The Maine State Police

THE Senate and House of Representatives of the State of Maine do hereby extend their sincere heartfelt condolences and sympathy to the bereaved family and friends of the deceased; and further

WHILE duly assembled in session at the State Capitol in Augusta under the Constitution and Laws of the State of Maine, do herein direct that this official expression of sorrow be forthwith sent to the family of the deceased on behalf of the Legislature and the people of the State of Maine.

The Resolution was read and adopted and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

The Chair laid before the House the following matter:

Bill "An Act Regarding the Rights of Students at the University of Maine in the University Bargaining Process" (H. P. 1966) (L. D. 2155) which was tabled earlier in the day and later today assigned pending the motion, shall this Bill become law notwithstanding the objections of the Governor.

On motion of Mr. Tierney of Durham, retabled pending consideration and tomorrow assigned.

The Chair laid before the House the following matter:

Bill "An Act to Provide for a Line Budget Procedure for All School Systems" (H. P. 2208) (L. D. 2308) which was tabled earlier in the day and later today assigned pending adoption of Committee Amendment "B".

The SPEAKER: The Chair recognizes the gentleman from Farmington, Mr. Morton.

Mr. MORTON: Mr. Speaker, the amendment that I had for this was promised to me in thirty minutes forty minutes ago and it still isn't here, so I wish someone would table until later in today's session.

Thereupon, on motion of Mrs. Najarian of Portland, tabled pending adoption of Committee Amendment "A" and later today assigned.

The Chair laid before the House the following matter:

Bill "An Act to Clarify the Laws Relating to Marine Resources" (H. P. 2010) (L. D. 2192) which was tabled earlier in the day and later today assigned pending adoption of House Amendment "A".

Mr. Greenlaw of Stonington offered House Amendment "A" to House Amendment "A" and moved its adoption.

House Amendment "A" to House Amendment "A" (H-1179) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Stonington, Mr. Greenlaw.

Mr. GREENLAW: Mr. Speaker, Ladies and Gentlemen of the House: All this does is take out the word 'release' and replace in its place 'discard or abandon.' It is just merely a language change.

Thereupon, House Amendment "A" to House Amendment "A" was adopted.

House Amendment "A" as amended by House Amendment "A" thereto was adopted.

Mr. Greenlaw of Stonington offered House Amendment "B" and moved its adoption.

House Amendment "B" (H-1182) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Stonington, Mr. Greenlaw.

Mr. GREENLAW: Mr. Speaker, Men and Women of the House: Just as a courtesy or brief explanation, you recall that during the debate on the gubernatorial veto of the green crab bill, so to speak, I indicated that I would strike the word 'annually' from the funding provision which obligated \$25,000 annually and change it to the 'calendar year 1976' so that we would have funding from the shellfish fund for one year and the next legislature could evaluate that program, and this is the amendment that does that. I now move its adoption.

Thereupon, House Amendment "B" was adopted.

The Bill was passed to be engrossed as amended by House Amendment "A" as amended by House Amendment "A" thereto and House Amendment "B" in non-concurrence and sent up for concurrence.

The Chair laid before the House the following matter:

Bill "An Act Concerning Shellfish Licensing" (H. P. 2131) (L. D. 2277) which was tabled earlier in the day and later today assigned pending adoption of Committee Amendment "A".

Mr. Higgins of Scarborough offered House Amendment "A" to Committee Amendment "A" and moved its adoption.

House Amendment "A" to Committee Amendment "A" (H-1178) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Scarborough, Mr. Higgins.

Mr. HIGGINS: Mr. Speaker and Members of the House: Very simply, all this does, although it is a long rewrite, that is all it is, a rewrite of the same section in the Committee Amendment. The only thing I have changed is that once rules and regulations are adopted, they will be published in two newspapers, etc., etc., the same as the notice of public hearing. It is just as simple as that. Once the rules and regulations are adopted, they will then be published in the newspaper.

Thereupon, House Amendment "A" to Committee Amendment "A" was adopted.

The SPEAKER: The Chair recognizes the gentleman from Stonington, Mr. Greenlaw.

Mr. GREENLAW: Mr. Speaker, I apologize, there is one more amendment that is forthcoming and if we could table it until later in today's session, I think we can dispose of the matter today.

Thereupon, on motion of Mr. Rolde of York, tabled pending adoption of Committee Amendment "A" as amended by House Amendment "A" thereto and later today assigned.

The Chair laid before the House the following matter:

Joint Order Relative to Amendment to Joint Rule 11 (H. P. 2264) which was tabled earlier in the day and later today assigned pending passage.

On motion of Mr. Birt of East Millinocket, retabled pending passage and tomorrow assigned.

The Chair laid before the House the following matter:

An Act Concerning the Salary of Knox County Register of Probate, Deputy Treasurer, Clerk Hire and Legal Fees of the York County Treasurer (Emergency) (H. P. 2230) (L. D. 2318) (S. "A" S-473 and H. "A" H-1138) which was tabled earlier in the day and later today assigned pending passage to be enacted.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Henderson.

Mr. HENDERSON: Mr. Speaker and Members of the House: I just wanted to remind you that this is what I would call the York County Bill that we tabled earlier because we did not have the engrossed version, and I would indicate again that I feel this is attempting to solve a political dispute through legislative means and that it might be setting an interesting precedent for any other political disputes we have in other counties. It may be the case that people will be coming down asking for further special legislation.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mrs. Bachrach.

Mrs. BACHRACH: Mr. Speaker, I would just like to ask, how come a bill described as a salary of the Knox County Register of Probate could be the York County Bill?

The SPEAKER: The gentlewoman from Brunswick, Mrs. Bachrach, has posed a question through the Chair to anyone who may care to answer.

The Chair recognizes the gentleman from Skowhegan, Mr. Dam.