

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

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**Senate Confirmation Session
September 16, 1977**

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KJ PRINTING
AUGUSTA, MAINE

mission helped plan and sponsor to the lasting benefit of the people of Maine: now, therefore, be it

RESOLVED: That the Senate and House of Representatives of the One Hundred and Eighth Legislature of the State of Maine extend their appreciation to the members of the Maine State American Revolution Bicentennial Commission for their dedicated services in the planning, coordination and sponsoring of bicentennial projects which will continue to inspire the citizens of Maine and which will continue to inform us on the lasting values upon which our nation was founded; and be it further

RESOLVED: That an engrossed copy of this Resolution, duly authenticated by the Secretary of State, be immediately transmitted by the Secretary of State to the chairman and each member of the commission. (H. P. 1621)

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

The **PRESIDENT:** The Chair recognizes the Senator from Sagadahoc, Senator Chapman.

Mr. **CHAPMAN:** Mr. President and Members of the Senate, on your desk today you will find copies of the final report of the American Revolution Bicentennial Commission. The Report summarizes the activities of the Commission during the period of the Bicentennial. Copies of the Report have been sent to various members of the public, libraries, including college and school libraries, and to towns that participated in the celebration, as well as to the Governor and other officials who assisted the Commission in doing its work.

As a Member of the Commission, I can say with much satisfaction that I feel that the Bicentennial was a successful one in Maine. In addition to the many celebrations and local committees which the Commission assisted, I think we can take a considerable measure of pride in the dozens of worthwhile projects that were sponsored which highlighted the heritage of our State and our Nation. This, of course, could not have been achieved without the assistance of the Legislature, and even greater assistance from the communities, organizations and the people of Maine.

The Bicentennial was directed toward three goals: to recognize the heritage of our past; to celebrate the event; and to plan for a better future. As you examine the dozens of projects which the Commission and individual Maine communities and organizations sponsored, you will note that there are successful projects in all of these areas. Working with limited means the Commission at the State Level and the communities at the local level, formed a partnership which produced a Bicentennial celebration of which I feel we can all be proud.

To recognize what has been accomplished by the State and by some of the groups and individuals who participate, this Order has been prepared. I am pleased to support its passage.

Which Joint Resolution was adopted in concurrence.

Enactor

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

An Act Extending the Time for Apportionment of County Taxes From May to June in the Year 1977. (H. P. 1630) (L. D. 1829)

This being an emergency measure and having received the affirmative votes for 26 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.

Communication

Office of the Governor

June 2, 1977

Honorable Joseph Sewall
President of the Senate
and

Honorable John Martin
Speaker of the House
Dear Joe and John:

This is to formally notify you that Edward W. Rogers, 1616 Westbrook Street, Portland was nominated last night, June 1, to serve as Associate Administrative Court Judge.

We feel very fortunate to have a person of Mr. Roger's ability available to accept this important position.

In accordance with M.R.S.A. Title 5, Section 2401, this nomination is subject to review by the Joint Standing Committee on the Judiciary and to confirmation by the Legislature.

As always, your cooperation in the confirmation process is greatly appreciated.

Very truly yours,
(Signed) JIM LONGLEY
JAMES B. LONGLEY
Governor
(S. P. 526)

Which was Read and Referred to Committee on Judiciary.

Sent down forthwith for concurrence.

The President laid before the Senate: Bill, An Act to Reform the State Budgetary Process. (H. P. 1625) (L. D. 1825) which was tabled earlier in Today's Session by the Senator from Cumberland, Senator Conley, pending the Motion of the Senator from Kennebec, Senator Speers, that this Bill be given its First Reading without reference to Committee.

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

Mr. **SPEERS:** Mr. President, I request leave of the Senate to withdraw my Motion.

The **PRESIDENT:** The Senator from Kennebec, Senator Speers, now requests leave of the Senate to withdraw his Motion. Is it the pleasure of the Senate to grant this leave? It is a vote.

Which Bill was referred to committee on State Government and ordered printed in concurrence.

The President laid before the Senate: Bill, An Act to Establish a Pipeline Privilege Tax. (H. P. 1252) (L. D. 1476) which was tabled earlier in Today's Session by the Senator from Cumberland, Senator Merrill, pending the Motion of the Senator from Kennebec, Senator Speer's Motion that the Senate Recommit.

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

Mr. **SPEERS:** Mr. President, it is my understanding there were several members of the Committee on Taxation who were intending or actually had signed the jacket, which would have made this a Divided Report, and that through inadvertence it became a Report Leave to Withdraw, and was referred to the House of Representatives.

I really do feel quite strongly that if this were to be adopted here today, or accepted here today, that it is a subversion of the Legislative process, and that the Bill, therefore, ought to be recommitted to the Committee on Taxation for their further consideration.

Which Bill was recommitted to the Committee on Taxation in non-concurrence.

Sent down for concurrence.

The President laid before the Senate: House Report — from the Committee on Legal Affairs — Bill, "An Act Relating to the Regulation of Beano." (H. P. 50) (L. D. 71) which was tabled earlier in Today's Session by the Senator from Kennebec, Senator Speers, pending the Motion by the Senator from Penobscot, Senator Pray, to indefinitely postpone.

The Bill indefinitely postponed in non-concurrence.

Sent down for concurrence.

The President laid before the Senate: Bill, "An Act to Amend the Law Regulating Mass Gatherings." (H. P. 1603) (L. D. 1806)

Which was tabled earlier in today's Session by the Senator from Kennebec, Senator Katz, pending the adoption of Senate Amendment "A".

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

Mrs. **SNOWE:** Mr. President and Members of the Senate, perhaps I can respond to the question that was raised by the Senator from Penobscot, Senator Cummings.

Currently under law the Department of Human Services can require an Applicant for a permit for mass gatherings, that they purchase a Bond of \$5,000.00. The Senate Amendment offered by Senator Katz just clarifies what the Bond will be used for.

Senate Amendment "A" (S-180) Adopted.
The **PRESIDENT:** The Chair Recognizes the Senator from Cumberland, Senator Merrill.

Mr. **MERRILL:** Mr. President and Members of the Senate, this Bill is a many amended Bill now, and I wonder if we could have a little further description of how this changes the current law in regards to mass gatherings in its presently amended form.

The **PRESIDENT:** The Senator from Cumberland, Senator Merrill, has posed a question through the Chair to any Senator who may care to answer.

The Chair recognizes the Senator from Androscoggin, Senator Snowe.

Mrs. **SNOWE:** Mr. President and Members of the Senate, currently the definition of mass gatherings is of 3,000 people or more for a gathering that is going to be held for 24 hours. This Bill just changes it to reduce the number of people attending to 2,000 people for 12 hours. In other words, if someone were to apply for a permit for a mass gathering that was going to be attended by 2,000 people for a 12 hour period, then they would have to apply for a permit. The Department felt that we should reduce it from 3,000 to 2,000 people, since 3,000 they felt that the level was too high.

Secondly, this just clarifies municipal ordinances and regulations. If they are in effect and they happen to be more stringent than State regulations, then municipal ordinances can supersede State regulations.

It also increases the fee for a permit from \$25.00 to \$100.00.

The Bill, as amended, Passed to be Engrossed in non-concurrence.

Sent down for concurrence.

Senate Appointments Committee of Conference

The **PRESIDENT:** The Chair will appoint on the part of the Senate several Committees of Conference:

"An Act to Require Towns without Secondary Schools to Provide Transportation to Secondary Schools" (L. D. 1273)

The Senator from Sagadahoc, Senator Chapman

The Senator from Cumberland, Senator Jackson

The Senator from Cumberland, Senator Usher

"An Act to Amend the Requirements for Public Notice of Public Proceedings under the Right to Know Law" (L. D. 1484)

The Senator from Penobscot, Senator Cummings.

The Senator from Androscoggin, Senator Snowe

The Senator from Aroostook, Senator Carpenter

"An Act to Provide for Exemption of Farm Supplies from the Sales Tax" (L. D. 653)

The Senator from Cumberland, Senator Jackson

The Senator from Kennebec, Senator Pierce

The Senator from Aroostook, Senator Martin