

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

Monday, March 6, 1978

Senate called to order by the President.

Prayer by the Honorable Charles P. Pray of Millinocket.

Mr. PRAY: Lord as we begin this week of deliberations, grant us the patience and the wisdom to do right for the people of this State. Amen.

Reading of the Journal of yesterday.

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

Bill, "An Act to Amend the Child Welfare Laws." (Emergency) (H. P. 1990) (L. D. 2065)
In the Senate, February 28, 1978, Passed to be Engrossed as amended by Committee Amendment "A" (H-1085) in concurrence.

Comes from the House, Passed to be Engrossed as amended by Committee Amendment "A" as amended by House Amendment "A" (H-1114) thereto, in non-concurrence.

On Motion of Mrs. Snowe of Androscoggin, the Senate voted to Recede and Concur.

Joint Orders

Expressions of Legislative Sentiment recognizing that:

Gene Letourneau, Wildlife Writer and Columnist for the Guy Gannett Newspapers, has been named "Outdoorsman of the Year" by the New England Outdoor Writers Association, (H. P. 2169)

Samuel Wright III, of Clinton, has been chosen "Outstanding Young Farmer of Maine" and will represent Maine at the 1978 National Young Farmers Conference in Topeka, Kansas, (H. P. 2172)

The Hirundo Wildlife Refuge, a 356-acre tract of land in Old Town, has been donated by Oliver S. Larouche for the sole benefit of the University of Maine to be used for academic, scientific and educational activities consistent with the preservation and maintenance of the wildlife and land, (H. P. 2174)

The Cheverus High School Boys' Indoor Track Team of Portland has won the State Class B Indoor Track Championship for academic year 1978, (H. P. 2171)

The Portland High School Boys' Indoor Track Team has won the State Class A Track Championship for the third consecutive year, (H. P. 2170)

Come from the House, Read and Passed.

Which were Read and Passed in concurrence.

Orders

An Expression of Legislative Sentiment recognizing that: Kenton E. Quint of North Anson is retiring from the Presidency of the Somerset Telephone Company after 49 years as a telephone pioneer, (S. P. 725) is presented by Senator Redmond of Somerset.

Which was Read and Passed.

Sent down for concurrence.

Committee Reports**House****Ought to Pass — As Amended**

The Committee on Labor on, Bill, "An Act Concerning Filing of Claims for Occupational Deafness under the Workmen's Compensation Statutes." (H. P. 1872) (L. D. 1913)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-1108).

Comes from the House, the Bill Passed to be Engrossed as amended by Committee Amendment "A" as amended by House Amendment "A" (H-1117) thereto.

Which Report was Read and Accepted in concurrence.

The Bill Read Once. Committee Amendment "A" Read. House Amendment "A" to Committee Amendment "A" Read and Adopted. Committee Amendment "A", as amended,

Adopted. This Bill, as amended, Tomorrow Assigned for Second reading.

Ought to Pass in New Draft

The Committee on Judiciary on, Bill, "An Act to Amend the Maine Juvenile Code." (Emergency) (H. P. 1917) (L. D. 1978)

Reported that the same Ought to Pass in New Draft under same title (H. P. 2142) (L. D. 2163)
Comes from the House, the Bill, in New Draft, Passed to be Engrossed as amended by House Amendment "F" (H-1118).

Which Report was Read and Accepted in concurrence, and the Bill, in New Draft, Read Once. House Amendment "F" was Read and Adopted, in concurrence, and the Bill, as amended, Tomorrow Assigned for Second Reading.

Ought to Pass in New Draft

The Committee on Marine Resources on, Bill, "An Act to Revise the laws Concerning Marine Resources." (H. P. 1321) (L. D. 1640)

Reported that the same Ought to Pass in New Draft under same title. (H. P. 2146) (L. D. 2166)

Comes from the House, the Bill, in New Draft, Passed to be Engrossed as amended by House Amendment "A" (H-1112) as amended by House Amendment "A" (H-1113) thereto.

Which Report was Read and Accepted in concurrence, and the Bill, in New Draft Read Once.

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

Mr. O'LEARY: Mr. President, I have just noticed that we have a little comprehensive document here of sixty-four pages and I noticed in here a Municipal Conservation Program and I would like an explanation as of the Committee as to whether we are making it more difficult for those who are non-resident or less difficult to participate in the digging of clams.

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

Mr. CHAPMAN: Mr. President and Members of the Senate: This is a rather comprehensive document. It is the result of a great deal of work on the part of the Marine Resources Committee. Last year, this last summer, and again this year, it essentially, we could discuss it at great lengths, but essentially it is an honest attempt to revise, qualify the statutes as they have developed over the years put them into a more logical order to eliminate some of the concurrent aspects and inconsistencies and to make it more meaningful and it's the way it is set up. It also incorporates the Administrative Procedures Act requirements into the Marine Resources Law. As far as the municipal plan statute is concerned we addressed that, of course, earlier this Session. The present statute leaves things essentially the way they are at the present time unrevised from the, in the manner that we addressed different times earlier this Session and turned down. So what you see in here essentially just restates what we have already right now in the law.

House Amendment "A" Read. House Amendment "A" to House Amendment "A" Read.

On Motion of Mr. Farley of York, Tabled for One Legislative Day, pending Adoption of House Amendment "A" to House Amendment "A".

Divided Report

The Majority of the Committee on Business Legislation on, Bill, "An Act Relating to the State Board of Social Worker Registration." (H. P. 1936) (L. D. 2016)

Reported that the same Ought to pass as amended by Committee Amendment "A" (H-1107).

Signed:

Senators:

PIERCE of Kennebec
CHAPMAN of Sagadahoc
FARLEY of York

Representatives:

SPROWL of Hope
PEAKES of Dexter
KILCOYNE of Gardiner
ALOUPIIS of Bangor
BOUDREAU of Portland
CLARK of Freeport

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

Signed:

Representatives:

HOWE of So. Portland
RIDEOUT of Mapleton
WHITTEMORE of Skowhegan
JACKSON of Yarmouth

Comes from the House, the Bill Passed to be Engrossed as amended by Committee Amendment "A" and House Amendment "A" (H-1116).

Which Reports were Read.

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

Mr. PIERCE: Mr. President, I move the Majority Ought to Pass Report and there is an amendment which will be passed out momentarily to bring this into the line with the Administrative Procedures Act. so that I would ask that this item might be tabled until just later in this mornings Session.

On Motion of Mr. Minkowsky of Androscoggin, Tabled until later in Today's Session.

Senate**Ought to Pass — As Amended**

Mr. Chapman for the Committee on Business Legislation on, Bill, "An Act Relating to the Maine State Employees Accident and Sickness or Health Insurance Plan." (S. P. 637) (L. D. 1996)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (S-514).

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.

Second Readers

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

House

Bill, "An Act to Continue the Potato Tax at the Rate of \$.025 per Hundredweight." (Emergency) (H. P. 2033) (L. D. 2097)

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

House — As Amended

Bill, "An Act to Permit Law Enforcement Officers, Agencies and Associations to Make Limited Solicitations for Advertising in or Purchase of Certain Publications Published by Them." (H. P. 2153) (L. D. 2167)

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

Enactor

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

"An Act to Revise the Salaries of Certain County Officers." (H. P. 1942) (L. D. 2108)

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

Orders of the Day

The President laid before the Senate:

Bill, "An Act Concerning the Charter of the Guilford-Sangerville Water District." (Emergency) (H. P. 2161) (L. D. 2170)

Tabled — March 2, 1978 by Senator Speers of Kennebec

Pending — Passage to be Engrossed

On Motion of Mr. Speers of Kennebec, Retabled until Thursday next.