

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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Second Special Session

October 18, 1978

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Third Special Session

December 6, 1978

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APPENDIX

mended legislation in final draft form; and be it further

ORDERED, upon passage in concurrence, that a suitable copy of this order shall be forwarded to members of the committee. (H. P. 2280)

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

On Motion of Mr. Speers of Kennebec, Tabled, pending Passage.

Joint Order

WHEREAS, the state's vocational-technical institutes and the Maine School of Practical Nursing are providing a vitally important service by preparing Maine citizens for employment opportunities, as evidenced by a successful placement of approximately 90% of their graduates; and

WHEREAS, the voters of Maine have singled out the vocational-technical institutes by showing their strong support in voting favorably on the vocational-technical institute bond issue on December 5, 1977; and

WHEREAS, the Commission on Maine's Future concluded that the "vocational-technical institutes are deserving of substantial and increased financial support because of their importance to the economic growth of Maine;" and

WHEREAS, the fiscal and administrative responsibility for operating the vocational-technical institutes and the Maine School of Practical Nursing is assigned to the Commissioner of Educational and Cultural Services within whose department these schools are located; and

WHEREAS, this fragmentation of policy-making and administrative authority places the vocational-technical institutes and the Maine School of Practical Nursing in a unique position with respect to the balance of Maine's public post-secondary educational effort and further results in limitations on the flexibility which these schools have in engaging in both short range and long-range planning; now, therefore, be it

ORDERED, the Senate concurring, that a joint select committee is hereby created composed of 11 members appointed as follows: The President of the Senate and the Speaker of the House shall jointly appoint one member from the administration of the vocational-technical institutes, one member from the faculty of the vocational-technical institutes, 2 members from industry and 2 members from labor. Two members from the State Board of Education shall be appointed by the chairman of the board, 2 members of the Joint Standing Committee on Education shall be appointed by the Chairman of the Joint Standing Committee on Education and one member from the Joint Standing Committee on State Government shall be appointed by the Chairman of the Joint Standing Committee on State Government; and be it further

ORDERED, that this committee shall conduct a comprehensive review of legislation affecting these schools, including implications of collective bargaining and present conditions surrounding the operation and governance of the vocational-technical institutes and the Maine School of Practical Nursing, and shall prepare recommendations for modifying the structure and organization of these schools by December 1, 1978, and submit within the same time period those recommendations, together with complete and final drafts of any recommended legislation, to the Legislative Council; and be it further

ORDERED, that the membership of this committee shall be constituted not more than 30 days following the passage of this order and shall be reported to the Commissioner of Educational and Cultural Services; and be it further

ORDERED, that, within 30 days thereafter, the Commissioner of Educational and Cultural Services shall call a meeting of the appointed

members, at which meeting the members shall organize and elect their chairman and that the members of the committee shall receive \$25 per diem plus actual expenses in relation to each meeting attended; and be it further

ORDERED, that there shall be allocated from the Legislative Account a sum of \$3,500 for the per diem and expenses of the members of the committee; and be it further

ORDERED, that, upon passage of this order in concurrence, a copy of this order shall be sent to the Speaker of the House, to the President of the Senate and to the Commissioner of Educational and Cultural Services and that, upon appointment of the committee, a copy of this order shall be sent to each member of the committee. (H. P. 2281)

Comes from the House, Read and Passed.

Which was Read.

On Motion of Mr. Speers of Kennebec, Tabled, pending Passage.

Joint Resolution

A Joint Resolution In Memoriam:

WHEREAS, the Legislature has learned with deep regret of the death of Clayton "Pezo" Bardsley of Bridgton, a beloved sportsman and businessman, (H. P. 2279)

Comes from the House, Read and Adopted.

Which was Read and Adopted in concurrence.

Senate Paper

Mr. Jackson of Cumberland presents,

Bill, "An Act to Make Necessary Corrections in the Knox County and Lincoln County Budget, the Errors and Inconsistencies Act and the Administrative Procedure Act." (Emergency) (S. P. 760)

(Approved by a Majority of the Legislative Council pursuant to Joint Rule 25).

Reference to the Committee on Judiciary is suggested.

The PRESIDENT: The Chair recognizes the Senator from Knox, Senator Collins.

Mr. COLLINS: Mr. President, since we dealt with the Errors Bill the Attorney General's Office has given an opinion that there are a couple of serious problems. Two of them in items outside the Errors Bill and one of them within the Errors Bill itself, and in order to correct those matters that are deemed serious, this Bill was admitted.

It is the thought of those who have been concerned with it which is largely those from the Committee on Local and County Government and the Judiciary Committee that we might move this Bill to Engrossment stage and then table it to see if there are any other last minute drastic items that might need to be attached to it. So at this time I would move that we proceed with the first reading without reference to Committee.

The PRESIDENT: The Senator from Knox, Senator Collins, now moves that the Senate dispense with the Reference to the Judiciary Committee and that we proceed with the first reading of this Bill, without reference to Committee. Is it the pleasure of the Senate? It is a vote.

The Bill Read Once, without reference to Committee under Suspension of the Rules, the bill Read a Second Time.

On Motion of Mr. Jackson of Cumberland, Tabled for One Legislative Day, pending Passage to be Engrossed.

Enactors

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

"An Act Relating to Post-graduate Education in the Field of Medicine, Dentistry, Optometry and Veterinary Medicine. (S. P. 723) (L. D. 2177)

On Motion of Mr. Pierce of Kennebec, Tabled for One Legislative Day, pending Enactment.

"An Act to Authorize Washington County to Raise Either \$1,200,000 for Construction of

\$900,000 for Renovation of a Detention Center. (H. P. 2270) (L. D. 2201)

On Motion of Mr. Wyman of Washington, Tabled for One Legislative Day, pending Enactment.

"An Act to Establish Standard Interest and Penalty Provisions for the Tax Laws." (H. P. 2070) (L. D. 2130)

"An Act to Revise Maine's Aeronautics Laws. (H. P. 2055) (L. D. 2119)

"An Act to Clarify and Define Certain Existing Provisions of the Maine Fair Credit Reporting Act." (H. P. 2234) (L. D. 2192)

"An Act to Clarify the Administration of the Department of Manpower Affairs." (S. P. 683) (L. D. 2103)

"An Act to Amend the Credit Life and Credit Health Insurance Laws." (H. P. 2233) (L. D. 2191)

"An Act to Revise the State Criminal Extradition and Criminal Codes." (S. P. 697) (L. D. 2144)

Which were Passed to be Enacted and signed by the President.

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

Mr. PIERCE: In regard to those Bills, having voted on the prevailing side, I now move reconsideration and ask that the Senate vote against me.

The PRESIDENT: The Senator from Kennebec, Senator Pierce now moves that the Senate reconsider its action whereby these Bills were Passed to be Enacted.

Will all those Senators in favor of reconsideration please say yes.

Will all those opposed please say no.

A Viva Voce Vote being had, the motion to Reconsider does not prevail.

Which were presented to the Governor for his approval.

"An Act to Provide for Refunding of Municipal Claims under the Maine Tree Growth Tax Law." (H. P. 1969) (L. D. 2049)

"An Act to Improve the Administration of the Industrial Accident Commission." (S. P. 655) (L. D. 2015)

"An Act Creating a Statehouse Commission." (S. P. 722) (L. D. 2172)

"An Act to Increase the Reimbursement for Small-size Boarding Homes and Adult Foster Homes." (H. P. 1895) (L. D. 1952)

"An Act to Provide for Alternative Election Procedures for School Budgets on a Local Basis." (H. P. 1909) (L. D. 1970)

"An Act Relating to Abandoned Property." (H. P. 2043) (L. D. 2109)

"An Act Appropriating funds to Establish Emergency Shelters for Family Members who are Victims of Family Violence." (H. P. 1979) (L. D. 2074)

On Motion of Mr. Huber of Cumberland placed on the Special Appropriations Table, pending Enactment.

RESOLVE, Authorizing the Sagadahoc County Commissioners to Pay an Overdraft for 1977. (S. P. 751) (L. D. 2200)

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

Emergency

"An Act Relating to the Transportation of Primary Wood Products." (H. P. 2162) (L. D. 2171)

Emergency

"An Act Relating to the Taxation of the Unorganized Territory. (H. P. 2139) (L. D. 2159)

Emergency

"An Act to Incorporate the Vinalhaven Water District. (H. P. 2164) (L. D. 2173)

These being emergency measures and having received the affirmative votes of 22 Members of Senate, these Bills were Passed to be Enacted and having been signed by the President, were by the Secretary presented to the Govern-