

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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tle more of it on the local level, if they care to become involved in it.

The PRESIDENT: Is the Senate ready for the question? A Roll Call has been requested.

In order for the Chair to order a Roll Call, it must be the expressed desire of one-fifth of those Senators present and voting. Will all those Senators in favor of a Roll Call on this matter, please rise in their places to be counted.

Obviously, more than one-fifth having arisen a Roll Call is ordered.

The pending question before the Senate is the motion by the Senator from Waldo, Senator Greeley, that L. D. 1038, An Act to Provide for Local Registration of all Motor Vehicles be indefinitely postponed.

A yes vote will be in favor of indefinite postponement. A nay vote will be opposed.

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEA — Chapman, Collins, S.; Greeley, Hewes, Hichens, Huber, Jackson, Katz, Lovell, McNally, Morrell, O'Leary, Pierce, Redmond, Snowe, Trotzky, Wyman.

NAY — Carpenter, Collins, D.; Conley, Curtis, Danton, Farley, Levine, Mangan, Martin, Merrill, Pray, Speers, Usher.

ABSENT — Cummings, Minkowsky.

17 Senators having voted in the affirmative, and 13 Senators in the negative, with 2 Senators being absent, the motion to indefinitely postpone does prevail.

Sent down forthwith for concurrence.

The PRESIDENT: The Chair recognizes the Senator from Waldo, Senator Greeley.

Mr. GREELEY: Mr. President, I now move that L. D. 509, An Act to Require Drivers License Renewal Examination be taken from the Special Highway Appropriations Table.

The PRESIDENT: The Senator from Waldo, Senator Greeley, now moves that the Senate remove from the Special Highway Appropriations Table L. D. 509. Is it the pleasure of the Senate? It is a vote.

The Chair recognizes the same Senator.

Mr. GREELEY: Mr. President, I now move the pending question.

The PRESIDENT: The Senator from Waldo, Senator Greeley, now moves the pending question.

The Chair recognizes the Senator from Cumberland, Senator Conley.

Mr. CONLEY: Mr. President, I am sorry, but I do not have the title of the Bill.

The PRESIDENT: The title is L. D. 509, An Act to Require Driver License Renewal Examination.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Hewes.

Mr. HEWES: Mr. President, I would request a Division.

The PRESIDENT: A Division has been requested.

Will all those Senators in favor of the passage of this bill, please rise in their places to be counted.

Will all those Senators opposed, please rise in their places to be counted.

15 Senators having voted in the affirmative, and 9 Senators in the negative, this Bill is Passed to be Enacted.

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

The PRESIDENT: The Chair recognizes the Senator from Waldo, Senator Greeley.

Mr. GREELEY: Mr. President, I move that L. D. 460, An Act Relating to the Payment of Registration Fees for Motor Trucks and Truck Tractors be taken from the Special Highway Appropriations Table.

The PRESIDENT: The Senator from Waldo,

Senator Greeley, now moves that the Senate remove from the Special Highway Appropriations Table L. D. 460.

Is it the pleasure of the Senate? It is a vote.

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

Under further suspension of the rules, the Senate voted to consider the following:

Enactors

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

"An Act to Lighten the Burden of Property Taxes on the Elderly Widowed or Disabled." (S. P. 440) (L. D. 1531)

On motion of Mr. Huber of Cumberland,

Tabled until Later in Today's Session.

(See Action Later Today)

"An Act to Amend the Membership and the Legislative Mandate of the Capitol Planning Commission." (H. P. 1128) (L. D. 1345)

"An Act to Amend the Maine Human Rights Act." (H. P. 162) (L. D. 200)

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

Emergency

"An Act to Make Additional Corrections of Errors and Inconsistencies of the Laws of Maine." (S. P. 590) (L. D. 1896)

This being an emergency measure, and having received the affirmative vote of 24 Senators, and 1 Senator in the negative, and 24 being more than two-thirds of the membership present, was Passed to be Enacted, and having been signed by the President, was by the Secretary presented to the Governor for his approval.

Constitutional Amendment

RESOLUTION, Proposing an Amendment to the Constitution to Require the State to Reimburse Municipalities from State Tax Sources for 50% of Losses Caused by Property Tax Exemptions and Credits Enacted after April 1, 1978. (S. P. 366) (L. D. 1227)

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

Mr. KATZ: Mr. President, I am going to vote against the adoption of this Constitutional Amendment, and ask members of the Senate also to consider a negative vote on this. Here again, we are building an additional rigidity into the Constitution which may haunt us with the funding of some future Legislatures ideas of what their priorities should be. Anytime you put something in the Constitution you should stop and think about the long range implications, and I request a Roll Call.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Morrell.

Mr. MORRELL: Mr. President and Members of the Senate: I rise in opposition to the suggestion of my colleague from Kennebec, I think this is a good bill, I would have been even more enthusiastic if the 50 percent had been a 100 percent.

I think it is the kind of discipline that the Legislature needs. All too often, it is very easy for us here to grant exemptions to the Property Tax on the municipal level, and not have to stand the consequences of such action, and I would hope today, that we would go along with this, and that it would serve effectively to slow us down in the future from proposals made to grant additional such exemptions from the local Property Tax.

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

Mr. COLLINS: Mr. President, I also would hope that you would pass this Constitutional Amendment.

It has had a great deal of work go into it. It is

in its present form as a result of a Committee of Conference Report. It does, I think, put some restraint on the continuous exemption process that the Legislature seems to be faced with, and I think that it is a reasonable modest approach. It provides only for reimbursement of 50 percent, not a 100 percent, and it takes into consideration a starting date of next April 1st. I think it will help the Legislature to restrain its continual exemption process. I hope that you will vote for Enactment.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Merrill.

Mr. MERRILL: Mr. President and Members of the Senate: I would like to join with the two previous speakers in urging the Senate to Enact this Constitutional Amendment.

As it has gone through the Legislative process, it has picked up a lot of support, it has never received a vote in this body of less than two-thirds at any point. I think that it is probably one of the most important steps toward fiscal responsibility that remains to be taken by this Legislature, and it certainly does build in a rigidity, but one that I think should be built in, and that is that, as we erode the tax bases of the local communities, that we at least be forced to show some fiscal restraint here from the fact that there will be state obligations that go with that generosity. I would remind the Senate that in the Portland papers and other papers around the state, this has been hailed as a long needed step toward fiscal responsibility. I hope that the Senate would be consistent with its previous actions, and would support this Constitutional Amendment today to give the people of Maine a chance to vote on it this November.

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

Mr. KATZ: Mr. President, my opposition is unchanged in the interest of time, I withdraw my request for a Roll Call.

This being a Constitutional Amendment, and having received the affirmative vote of 23 Senators, and 6 Senators in the negative, and 23 being more than two-thirds of the membership present, was Passed to be Enacted, and having been signed by the President, was by the Secretary presented to the Secretary of State.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Conley.

Mr. CONLEY: Mr. President, having voted on the prevailing side, I now move that the Senate vote against reconsideration.

The PRESIDENT: The Senator from Cumberland, Senator Conley, now moves that the Senate reconsider its action whereby this Constitutional Amendment was finally passed.

A viva voce vote being had, the motion to reconsider does not prevail.

Enactors

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

"An Act Appropriating Funds to Maine Vocational Development Commission." (H. P. 516) (L. D. 634)

"An Act to Authorize the State Librarian to Purchase Town Histories and other Maine Histories for Distribution to Public Libraries and Schools." (S. P. 182) (L. D. 496)

"An Act to Provide for Legislative Review and Automatic Termination of State Agency Rules." (H. P. 173) (L. D. 211)

"An Act Creating the Maine Development Foundation." (H. P. 1012) (L. D. 1243)

"An Act Concerning Displaced Homemakers." (H. P. 700) (L. D. 842)

"An Act Appropriating Funds to Provide Services to Older Blind Persons to Assist Them in Remaining in their Own Homes and in Caring for Themselves." (S. P. 338) (L. D. 1123)

"An Act to Raise the Christmas Tree Tran-