

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Seventh  
Legislature*

OF THE

STATE OF MAINE

**Volume II**

May 21, 1975 to July 2, 1975

**Index**

KENNEBEC JOURNAL  
AUGUSTA, MAINE

On motion by Mr. Huber of Cumberland, the Senate voted to take from the Special Appropriations Table the following:

Resolution, Proposing an Amendment to the Constitution to Provide for Annual Sessions of the Legislature and to Change the Date of Convening of the Legislature. (H. P. 1516) (L. D. 1827)

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

Mr. SPEERS: Mr. President and Members of the Senate: I believe the pending motion regarding this particular matter is the final passage of the resolution. I would like to point out that should this resolution fail of final passage at this point, that it would go back down to the other body, and I believe there are amendments that are being prepared that would eliminate some of the objections that some members of this body have regarding this particular matter:

The objection that I have is well known and well stated in the debate on this matter, and I do hope that the resolve will fail of final passage at this point.

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

Mr. BERRY: Mr. President and Members of the Senate: I too share the views of the good Senator from Kennebec, and I intend to vote against the passage of this resolve.

The PRESIDENT: Is the Senate ready for the question?

Thereupon, this being a Constitutional Amendment, and having received the affirmative votes of three members of the Senate, with 20 Senators having voted in the negative, the Resolution Failed of Final Passage.

Sent down for concurrence.

On motion by Mr. Speers of Kennebec, the Senate voted to take from the table the following unassigned matter:

Bill, "An Act Relating to Membership of the Board of Trustees of the Maine State Retirement System." (S. P. 282) (L. D. 996)

Tabled — June 2, 1975 by Senator Speers of Kennebec.

Pending Passage to be Engrossed.

(In the Senate — Committee Amendment "A" (S-228) Adopted.)

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

Mr. SPEERS: Mr. President, I understand from the Chairman of the Committee on Veterans and Retirement that this matter is also involved in a bill that is on the Appropriations Table which is presumed to be funded later on today. I therefore move the indefinite postponement of this bill.

The PRESIDENT: The Senator from Kennebec, Senator Speers, now moves that L. D. 996 be indefinitely postponed. Is this the pleasure of the Senate?

The motion prevailed.

On motion by Mrs. Cummings of Penobscot,

Recessed until the sound of the bell.

#### After Recess

Called to order by the President.

#### Papers from the House

Out of order and under suspension of the rules, the Senate voted to take up the following:

#### House Papers

Bill, "An Act Relating to Purchases of

Spirituous, Vinous and Malt Beverages by Licensees for Resale." (H. P. 1779) (L. D. 1946)

Comes from the House, Passed to be Engrossed without Reference to Committee.

The PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Carbonneau.

Mr. CARBONNEAU: Mr. President, could someone explain L. D. 1946, please?

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

The Chair recognizes the Senator from Kennebec, Senator Speers.

Mr. SPEERS: Mr. President, the purpose of this particular act is to plug a loophole which is now existing, or the purpose is two-fold actually: one is to move ahead the date which is denying the purchase of the liquor at the Kittery Store on a wholesale basis, so that we do not lose the revenue from this sale over the summer months. The second purpose is to remove the additional ten percent discount over and above the 25 percent which we were told only last night was actually the law at the present time.

The purpose of the emergency nature of this bill is that we do have information that there are great quantities being purchased at the present time in order to have the liquor purchased before the bill that was enacted a few days ago does go into effect, and we do feel that this is circumventing the intent of the legislature.

The PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Curtis.

Mr. CURTIS: Mr. President, I would like to pose a question to anybody who might be able to answer it. Since we have a situation in which the dealers sell the liquor for a profit, and since, as I understand it, there are sufficient controls so that they could not purchase liquor in New Hampshire or any other state at a lower rate, why is it we permit the dealers who resell their liquor at a profit to have any discount at all any place?

The PRESIDENT: The Senator from Penobscot, Senator Curtis, has posed a rhetorical question through the Chair to any Senator who may care to answer.

The Chair recognizes the Senator from Androscoggin, Senator Carbonneau.

Mr. CARBONNEAU: Mr. President and Members of the Senate: Apparently Senator Curtis is not a businessman. As a retailer, you have to buy your food at wholesale, your beer, your wine, your booze, at wholesale normally so you can make a profit. In this case, the retailers, so to speak, or the licensees are getting a discount that has been in existence ever since the state got into the booze business, and I think that should stay. God Almighty, you are taking 15 percent off them already, so please leave them the 10 percent so they can live.

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

Mr. SPEERS: Mr. President, I might point out that this particular matter being introduced at this late date and on an emergency basis obviously is the result of information that was made available or developed in the last day or two, and because of that, there has been very close consultation between the leadership of both branches and the chief executive, and it is my understanding the chief executive has indicated that he would sign this bill today or as soon as it does reach his desk.

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

Mr. BERRY: Mr. President and Members of the Senate: In addition to the chief executive and the members of the leadership, there are a few of us who aren't in either of those two groups. I would strongly suggest we let this thing go along as rapidly as possible. I share Senator Carbonneau's concern, and I would be delighted and very happy to see a printed bill before we pass this to be enacted. This is just moving it along, and I would suggest we save our concern and debate until we have the engrossed copy in front of us.

The PRESIDENT: Is it now the pleasure of the Senate that under suspension of the rules this bill be given its first reading at this time?

Thereupon, under suspension of the rules, the Bill was given its First and Second Readings and Passed to be Engrossed in concurrence.

Under further suspension of the rules, sent forthwith to the Engrossing Department.

Resolve, Authorizing the Commissioner of Mental Health and Corrections to Lease Land in Augusta to the Maine Department of the American Legion. (H. P. 1780) (L. D. 1947)

Comes from the House, Passed to be Engrossed without Reference to Committee.

The PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Curtis.

Mr. CURTIS: Mr. President, this resolve, which we have before us by title only, is one which — I requested, and our gracious assistant secretary permitted me to look at the original document — would authorize a 99-year lease by the Department of Mental Health and Corrections of a one-acre parcel of land across the river next to the Augusta Mental Health Institute. I called up a member of the department immediately, and the department has had this before them for about one year. The resolve comes in during the last day of the session, and this is a matter which ought to belong to the jurisdiction, I would suggest, of the State Government Committee and have a public hearing.

We earlier in the session rejected several amendments which were proposed to us regarding similar transfers and sale of state lands, and so forth, because they were not in a bill listed which could have a public hearing in an appropriate fashion. And although the desired goal is good, I think, to encourage the Department of the American Legion to have a state headquarters, I don't think this is the right procedure to do it. Therefore, I move indefinite postponement of this resolve.

The PRESIDENT: Is it the pleasure of the Senate that this resolve be indefinitely postponed?

The motion prevailed.

Sent down for concurrence.

On motion by Mrs. Cummings of Penobscot,

Recessed until the sound of the bell.

#### After Recess

Called to order by the President.

Out of order and under suspension of the rules, the Senate voted to take up the following:

#### Communications STATE OF MAINE