

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Seventh  
Legislature*

OF THE

STATE OF MAINE

1975

KENNEBEC JOURNAL  
AUGUSTA, MAINE

ordered. The pending question is on the motion of the gentleman from Saco, Mr. Hobbins, that the House accept the Majority "Ought not to pass" Report on Bill "An Act Concerning Employment in the Department of Mental Health and Corrections." House Paper 476, L. D. 596. All in favor of that motion will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Bagley, Bennett, Berry, P. P.; Burns, Call, Chonko, Clark, Connolly, Cooney, Cote, Cox, Curran, P.; Davies, Doak, Dow, Farley, Farnham, Fenlason, Goodwin, H.; Greenlaw, Hall, Henderson, Higgins, Hinds, Hobbins, Hughes, Ingegneri, Jackson, Jalbert, Jensen, Kany, Kennedy, Laverty, LeBlanc, Mahany, Martin, R.; McKernan, Mills, Mitchell, Mulkern, Nadeau, Najarian, Peakes, Peiosi, Perkins, S.; Peterson, T.; Post, Powell, Quinn, Raymond, Rolde, Saunders, Smith, Snow, Snowe, Spencer, Sprowl, Talbot, Teague, Tierney, Torrey, Tozier, Truman, Twitchell, Tyndale, Usher, Wagner, Wilfong, The Speaker.

NAY — Albert, Ault, Bachrach, Berry, G. W.; Berube, Birt, Boudreau, Bowie, Bustin, Carey, Carpenter, Carroll, Carter, Churchill, Connors, Curran, R.; Curtis, Dam, DeVane, Drigotas, Dudley, Durgin, Dyer, Faucher, Finemore, Flanagan, Fraser, Garsoe, Gauthier, Goodwin, K.; Gould, Gray, Hennessey, Hewes, Hunter, Hutchings, Immonen, Joyce, Kauffman, Kelleher, Kelley, Laffin, LaPointe, Leonard, Lewin, Lewis, Littlefield, Lizotte, Lovell, Lunt, Lynch, MacEachern, MacLeod, Martin, A.; Maxwell, McBreairty, McMahan, Morin, Morton, Norris, Palmer, Perkins, T.; Peterson, P.; Pierce, Rideout, Rollins, Shute, Silverman, Strout, Stubbs, Susi, Tarr, Theriault, Walker, Webber, Winship.

NAY — Blodgett, Byers, Jacques, Mackel, Miskavage.

Yes, 69; No, 76; Absent, 5.

The SPEAKER: Sixty-nine having voted in the affirmative and seventy-six in the negative, with five being absent, the motion does not prevail.

Thereupon, the Minority "Ought to pass" Report was accepted, the Bill read once and assigned for second reading tomorrow.

#### (Off Record Remarks)

#### Consent Calendar

##### First Day

In accordance with House Rule 49-A, the following items appear on the Consent Calendar for the First Day:

Bill "An Act Amending the Charter of the Paris Utility District" (Emergency) Committee on Public Utilities reporting "Ought to Pass" (H. P. 587) (L. D. 726)

No objections being noted, the above items were ordered to appear on the Consent Calendar of April 10, under listing of Second Day.

#### Consent Calendar

##### Second Day

In accordance with House Rule 49-A, the following items appear on the Consent Calendar for the Second Day:

Bill "An Act to Abolish Certain Filing Requirements for Out-of-State Nurserymen and Dealers Doing Business with this State" (S. P. 262) (L. D. 859)

Bill "An Act Relating to Voter Registration of Persons Born United States Citizens in a Foreign Country" (H. P. 13) (L. D. 21)

No objections having been noted at the end of the Second Legislative Day, the

Senate Paper was passed to be engrossed in concurrence, and the House Paper was passed to be engrossed and sent to the Senate for concurrence.

#### Passed to Be Engrossed

Bill "An Act to Extend Date for Closing of Open Burning Dumps" (Emergency) (H. P. 1464) (L. D. 1502)

Bill "An Act to Exempt Scouting Supplies and Equipment from State Sales Tax" (H. P. 521) (L. D. 638)

Bill "An Act to Provide Excise Tax Refund for Construction and Operation of Breweries within the State" (H. P. 369) (L. D. 463)

Were reported by the Committee on Bills in the Second Reading, read the second time, passed to be engrossed and sent up for concurrence.

#### Passed to Be Enacted Emergency Measure

An Act to Amend the Charter of the Van Buren Light and Power District (H. P. 740) (L. D. 921)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary a total was taken. 119 voted in favor of same and one against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### Emergency Measure

An Act to Reorganize the State Personnel Board (H. P. 1238) (L. D. 1264)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary a total was taken. 114 voted in favor of same and one against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### Emergency Measure

An Act Relating to Expenditures of the Town Road Improvement Fund (H. P. 1247) (L. D. 1266)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary a total was taken. 117 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### Passed to Be Enacted

An Act Relating to Definition of Out-of-State Service under State Retirement System (H. P. 73) (L. D. 85)

An Act Relating to Subsidized Adoptions (H. P. 203) (L. D. 248)

An Act to Protect Recipients of Certain Benefits Against Discrimination in Rental Housing (H. P. 273) (L. D. 327)

An Act Creating Uniform Standards for Disqualification of Applicants with Prior Criminal Convictions for a License or Permit to Practice a Trade or Occupation Regulated by the State (H. P. 330) (L. D. 402)

An Act to Protect the Rights of Persons Seeking Benefits under Maine's Workmen's Compensation Law (H. P. 1222) (L. D. 1210)

Were reported by the Committee on

Engrossed Bills, as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

#### Orders of the Day

The Chair laid before the House the first tabled and today assigned matter:

Bill "An Act to Create the Office of Environmental Ombudsman to Advise Applicants of Project and Environmental Requirements under State Law" (H. P. 1463) (Committee on Reference of Bills suggested the Committee on State Government)

Tabled — April 8 by Mr. Cooney of Sabattus

Pending — Reference.

Thereupon, the Bill was referred to the Committee on State Government, ordered printed and sent up for concurrence.

The Chair laid before the House the second tabled and today assigned matter:

Bill "An Act to Fund Public School Education" (Emergency) (H. P. 1437) (L. D. 1452)

Tabled — April 8 by Mr. Rolde of York

Pending — Passage to be engrossed

The SPEAKER: The Chair recognizes the gentleman from York, Mr. Rolde.

Mr. ROLDE: Mr. Speaker and Members of the House: We had hoped at this point we would be ready to run this bill and that we would have a recess at this particular point and have a joint caucus. However, there are some materials that are being prepared by the Department of Education, some printouts that are quite important to the arguments that would be presented concerning this bill. We don't know if those are going to be ready today. We may have to table this bill for another day, but I would hope that somebody might table this until later in today's session, and we would have a better reading on whether this material was available for us.

Thereupon, on motion of Mr. Palmer of Nobleboro, retabled pending passage to be engrossed and later today assigned.

The Chair laid before the House the third tabled and today assigned matter:

Bill "An Act Relating to Liability of Natural Gas Distributors" (S. P. 419) (L. D. 1267) — In Senate, passed to be engrossed.

Tabled — April 8 by Mr. Rolde of York

Pending — Motion of Mr. Spencer of Standish to adopt House Amendment "A" (H-125)

Thereupon, House Amendment "A" (H-125) was adopted.

The SPEAKER: The Chair recognizes the gentleman from Cape Elizabeth, Mr. Hewes.

Mr. HEWES: Mr. Speaker, Ladies and Gentlemen of the House: I move the indefinite postponement of this bill and all its accompanying papers.

We debated this quite thoroughly the other day and some material has been circulated to you over my name. It seems to me that there is adequate law presently to enforce liability, impose liability on natural gas distributors. I don't think we ought to be taking deviation from the present law that is proposed here. For example, the last sentence provides absolute comparative negligence, which is something which we do not have anywhere else in the state, although other states do have that particular law. It just seems to me that this a change away from the present law that eventually will pass any expenses on to the ultimate consumer and it is not in the best interest of the people.