

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

***One Hundred and Eighth
Legislature***

OF THE

STATE OF MAINE

Volume II

May 26, 1977 to July 25, 1977

Index

**Senate Confirmation Session
September 16, 1977**

Index

KJ PRINTING
AUGUSTA, MAINE

and AN ACT Appropriating Funds for Current Services of the Maine Human Services Council for the Fiscal Years Ending June 30, 1978 and June 30, 1979. (H. P. 564) (L. D. 689) be removed from the Special Appropriations Table.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that L. D. 663 and L. D. 689 be removed from the Special Appropriations Table. Is this the pleasure of the Senate? It is a vote.

The Chair recognizes the same Senator.

Mr. HUBER: Mr. President, I now move that L. D. 663 and L. D. 689 be indefinitely postponed, their provisions being provided in the Part I Budget.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that L. D. 663 and L. D. 689 be indefinitely postponed. Is this the pleasure of the Senate? It is a vote.

Sent down forthwith for concurrence.

On motion by Mr. Speers of Kennebec, ORDERED, the House concurring, that the Law and Legislative Reference Librarian be directed to forward copies of the Legislative Record to members of the Senate and House, and to the Secretary and Assistant Secretary of the Senate, and the Clerk and Assistant Clerk of the House, at their home addresses. (S. P. 591) Which was Read and Passed.

Sent down forthwith for concurrence.

On motion by Mr. Conley of Cumberland, ORDERED, the House concurring, that the State Budget Officer be and hereby is directed to furnish to the Legislative Finance Officer copies of all departmental budget requests and all information and data relating thereto submitted to him by all State departments, commissions and agencies as soon as same come into his possession. (S. P. 592)

Which was Read and Passed.

Sent down forthwith for concurrence.

On motion by Mr. Danton of York, ORDERED, the House concurring, that there be prepared after adjournment of the present session, by the Legislative Information Officer, a Register of all the Bills and Resolves considered by both branches of the Legislature, showing the history and final disposition of each Bill and Resolve and that there be printed 600 copies of the same. The Legislative Information Officer shall mail a copy of the Register to each member and Officer of the Legislature and the State Law and Legislative Reference Library shall receive such number of copies as may be required. (S. P. 593)

Which was Read and Passed.

Sent down forthwith for concurrence.

Committee Report House

Ought to Pass — As Amended

The Committee on Labor on, Bill, An Act Creating Job Security for Deputy Sheriffs. (H. P. 1277) (L. D. 1508)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-713).

Comes from the House. Bill and Papers Indefinitely Postponed.

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

Mr. CONLEY: Mr. President, I move that this Bill and all accompanying papers be indefinitely postponed.

The PRESIDENT: The Senator from Cumberland, Senator Conley, moves that this Bill and all accompanying papers be indefinitely postponed. Is this the pleasure of the Senate?

The Chair recognizes the Senator from York, Senator Farley.

Mr. FARLEY: Mr. President and Members of the Senate, I wish someone from the Committee on Local and County Government could explain exactly what this Bill does.

The PRESIDENT: The Senator from York, Senator Farley, has posed a question through the Chair.

The Chair recognizes the Senator from Hancock, Senator McNally.

Mr. McNALLY: Mr. President, this Bill says that Deputy Sheriffs shall have a job unless they are retired or for just cause, and these are the ones that are hired as permanent Deputy Sheriffs.

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

Mr. O'LEARY: Mr. President, I believe that the provisions that are in this one Bill are in one that came out of the Committee on Local and County Government and has been enacted into law.

I think we should go along with the Motion to Indefinitely postpone.

The PRESIDENT: Is it now the pleasure of the Senate that this Bill be indefinitely postponed? It is a vote.

Senate Ought to Pass in New Draft

Mr. COLLINS for the Committee on Judiciary on,

Bill, An Act to Make Additional Corrections of Errors and Inconsistencies in the Laws of Maine. (Emergency) (S. P. 564) (L. D. 1890)

Reported that the same Ought to Pass in New Draft under same title. (S. P. 590) (L. D. 1896) Which Report was Read.

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

Mr. COLLINS: Mr. President, this is the Errors Bill with 150 Sections. There will be distributed to your desks a little later a Statement of Fact, thumb-nail guide to this Bill, explaining the reasons for each of the Sections.

A couple of the new Members of the Senate and one veteran Member of the Senate has asked me why there were so many Sections in this Bill where we had one Errors Bill earlier in the Session. I have not been here long enough to compare it with the old time Bills, but I can just give you a quick report that a high percentage of the items in this Bill are name changes, effective dates, deletions of references to the Governor's Council which has now been abolished, small printing errors, and resolutions of conflicting laws.

Occasionally one Committee passes a law that laps over into the territory of another Committee, and a few words appear to conflict, and we are asked to resolve the question. If it is clear what the Legislature intended, we resolve it by repealing the offending Sections and putting in a correction. If it is not clear, we kick the Section out and request that it be handled as a floor Amendment or by separate Bill in another way.

There are also in this particular Bill corrections in the districting of the City of Bangor and the City of Lewiston. We were very cautious about this. We insisted that the Legislative delegations in each of those cities examine the proposed change and report back to us. In each case, the report back was that the correction was a proper one to be made, some street having been left out or a few people having been pocketed into the wrong district for some reason which had later been discovered by the City Clerk as he prepared voting lists.

If this is passed at First Reading, I would then be asking to suspend the rules for a Second Reading, and hope that the matter could then be tabled until later in Today's Session, because there are a few Amendments now being prepared, and I understand they will be ready for later in Today's Session, and if we are able to put it in that posture then we would be able perhaps to complete our work on this later today.

The Members of the Judiciary Committee stand ready to try to answer any questions that any Members may have about any Section of

this Bill. If we do not have the answer immediately, we will try to get it for you. The Senator from Penobscot, Senator Curtis is here. The Senator from Androscoggin, Senator Mangan, I believe will be here a little later, and we would be glad to help.

I make one suggestion. Several of the Members of the Senate are experts in particular Sections of our laws, and this is organized in that form, Title I through. If your Committee deals, for example, with Education matters, you would want to look at the Section 20 changes that are in the Bill to be sure that we had not done anything in Education that was not completely in accordance with what your Committee has been thinking, or if it is Liquor Control, you would look at the Sections that relate to that to see if there are any in that Title that are affected.

We believe we have combed out the substantive matters pretty thoroughly, but if there are any questions we do want to answer them. Thank you, Mr. President.

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

Mr. O'LEARY: Mr. President, I would like to direct a question to the Chairman of the Committee on Judiciary, the good Senator from Knox, Senator Collins, when he speaks of substantive matter, if the new redraft of L. D. 1890, which is 1896, contains in it the emergency repeal of the helmet law.

The PRESIDENT: The Senator from Oxford, Senator O'Leary, has posed a question through the Chair.

The Chair recognizes the Senator from Knox, Senator Collins.

Mr. COLLINS: Mr. President, in response to the question of the good Senator from Oxford, Senator O'Leary, the original Bill had a helmet law repealer date change in it, and the Committee voted not to include this in the printed Bill, and we understood that that matter would be submitted as a floor Amendment, probably from the floor of the House. The Committee had no objection to it as a Committee, but felt that it was sufficiently substantive that it ought to be brought to the attention of the entire Body by floor Amendment.

Which Report was accepted.

The Bill in New Draft Read once.

Under Suspension of the Rules, the Bill read a Second Time.

On Motion of Mr. Collins of Knox.

Tabled until later in Today's Session.

Pending passage to be engrossed.

(See Action Later Today.)

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

Mr. MERRILL: Mr. President, having been the moving party, I would now request that "An Act to Establish Limits for Elderly Homeholders' Tax and Rent Refunds" (H. P. 952) (L. D. 1146) be removed from the Table.

The PRESIDENT: The Senator from Cumberland, Senator Merrill, now moves that the Senate remove from the Tabled until later Table L. D. 1146. Is this the pleasure of the Senate? It is a vote.

Is it now the pleasure of the Senate that this Bill be indefinitely postponed? It is a vote.

Sent down forthwith for concurrence.

Second Readers

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

House

Bill, An Act to Establish the Maine Juvenile Code. (H. P. 1794) (L. D. 1894)

Which was Read a Second Time.

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

Mr. COLLINS: Mr. President, the proposed Maine Juvenile Code makes some important changes in our method of dealing with young people in trouble.