

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

SENATE

Tuesday, January 28, 1975

Senate called to order by the President.
 Prayer by The Honorable Alton Cianchette of Pittsfield:
 God, Accept Us,
 Not for what we say, but for what we do;
 Not for declarations of piety, but for acts of fidelity;
 Not for our good intentions, but for our consistent living;
 Not because we have attained, but rather that we are growing.
 Accept us, O Lord, in Thy grace and forgiveness. AMEN!

Reading of the Journal of Thursday, January 23, 1975

**Papers From The House
 STATE OF MAINE**

In The Year Of Our Lord One Thousand Nine Hundred And Seventy-five.

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of The Orono High School Red Riots State Class C Track and Field Champions For The Year 1974

We the Members of the House of Representatives and Senate do hereby Order that our congratulations and acknowledgement be extended; and further

Order and direct, while duly assembled in session at the Capitol in Augusta, under the Constitution and Laws of the State of Maine, that this official expression of pride be sent forthwith on behalf of the Legislature and the people of the State of Maine. (H. P. 294)

Comes from the House, Read and Passed.

Which was Read and Passed in concurrence.

**Joint Order
 STATE OF MAINE**

In The Year Of Our Lord One Thousand Nine Hundred And Seventy-five.

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of Madison Bulldogs Football Team Mountain Valley Conference Championship Class C Tri-Champions 1974

We the Members of the House of Representatives and Senate do hereby Order that our congratulations and acknowledgement be extended; and further

Order and direct, while duly assembled in session at the Capitol in Augusta, under the Constitution and Laws of the State of Maine, that this official expression of pride be sent forthwith on behalf of the Legislature and the people of the State of Maine. (H. P. 295)

Comes from the House, Read and Passed.

Which was Read and Passed in concurrence.

House Papers

Bills and Resolves today received from the House requiring Reference to Committees were acted upon in concurrence.

**Senate Papers
 Business Legislation**

Mr. Conley of Cumberland presented, Bill, "An Act Relating to Credit Unions." (S. P. 114)

Which was referred to the Committee on Business Legislation and Ordered Printed. Sent down for concurrence.

Mr. Collins of Knox presented (Cosponsor: Mr. Clifford of Androscoggin), Bill, "An Act Creating the Maine Criminal Code." (S. P. 113)

Which was referred to the Committee on Judiciary and Ordered Printed. Sent down for concurrence.

Legal Affairs

Mr. Corson of Somerset presented, Resolve, to Reimburse Robert and Deborah Perkins of Anson for Damage to their Grocery Business Caused by Bridge and Road Construction. (S. P. 115)

Which was referred to the Committee on Legal Affairs and Ordered Printed. Sent down for concurrence.

State Government

Mr. Curtis of Penobscot presented, Bill, "An Act to Provide for Renewal of Notary Public and Justice of the Peace Commissions." (S. P. 116)

The same Senator presented, Bill, "An Act Relating to State Employees Serving in Acting Capacities." (S. P. 119)

Which were referred to the Committee on State Government and Ordered Printed. Sent down for concurrence.

Transportation

Mr. Hichens of York presented, Bill, "An Act Concerning the Registration of Certain Pickup Trucks." (S. P. 117)

Which was referred to the Committee on Transportation and Ordered Printed. Sent down for concurrence.

Veterans and Retirement

Mr. Curtis of Penobscot presented, Bill, "An Act Relating to Educational Benefits for Dependents of Veterans and Prisoners of War and shoes Missing in Action." (S. P. 118)

Which was referred to the Committee on Veterans and Retirement and Ordered Printed. Sent down for concurrence.

Orders

On motion by Mr. Speers of Kennebec, WHEREAS, the Department of Health and Welfare has requested additional appropriations to continue certain programs during the remainder of Fiscal Year 1975; and

WHEREAS, the programs needing funds are Medical Care, Aid to Families with Dependent Children, General Assistance, the Human Services Council, Social Services and Supplemental Security Income; and

WHEREAS, such obligations and expenses amount to a projected deficit of over 5.9 million dollars which has not been explained satisfactorily to the Legislature; now, therefore, be it

ORDERED, the House concurring, that the Joint Standing Committee of the 107th Legislature on Performance Audit is hereby directed to investigate all aspects relating to the expenditure of funds for such programs and to collect such facts concerning the extent of the projected

deficit and the reason for its occurrence in order that the Members of the Maine Legislature may be fully informed; and be it further

ORDERED, that the Committee report the results of its findings and audit of performance together with any proposed recommendations for legislative action as expeditiously as possible to the 107th Legislature. (S. P. 120)

Which was Read.

On motion by Mr. Speers of Kennebec, tabled and tomorrow assigned, pending Passage.

**Committee Reports
 House**

The following Ought Not to Pass reports shall be placed in the legislative files without further action pursuant to Rule 17-A of the Joint Rules:

Bill, "An Act to Reduce the Pay of State Legislators." (H. P. 118) (L. D. 140)

Billan Act to Allow Growers to Protect their Crops Against Damage by Deer." (H. P. 66) (L. D. 78)

Leave to Withdraw

The Committee on Legal Affairs on, Bill, "An Act to Permit the Sale of Fireworks for 2 Weeks Before July 4th and on July 4th." (H. P. 129) (L. D. 148)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the report Read and Accepted.

Which report was Read and Accepted in concurrence.

Ought to Pass in New Draft

The Committee on State Government on, Bill, "An Act Designating a Legal State Holiday in Remembrance of Martin Luther King, Jr." (H. P. 17) (L. D. 25)

Reported that the same Ought to Pass in New Draft under New Title: "An Act Designating a Commemorative Day in Remembrance of Martin Luther King, Jr." (H. P. 271) (L. D. 242)

Comes from the House, the Bill in New Draft Passed to be Engrossed.

Which report was Read.

On motion by Mr. O'Leary of Oxford, tabled pending Acceptance of the Committee Report.

Second Readers

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

House — As Amended

Resolve, to Reimburse Mrs. Betty Mills of Portland for Damage to Property Caused by Escapes from the Boys' Training Center. (H. P. 29) (L. D. 37)

Resolve, to Reimburse William Rich of Buckfield for Loss of Beehives by Bear (H. P. 65) (L. D. 77)

Which were Read a Second Time and Passed to be Engrossed, as Amended, in concurrence.

Senate

RESOLUTION, Proposing an Amendment to the Constitution Reducing the Size of the House of Representatives and Establishing the Size of the Senate. (S. P. 2) (L. D. 2)

Which was Read a Second Time.

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

Mr. CURTIS: Mr. President, I have prepared an amendment that is a rather technical item, and it has not been distributed yet. If I may, Mr. President, the amendment has arrived and I would

like to offer Senate Amendment "A" and move its adoption. I will speak briefly to it.

The PRESIDENT: The Senator from Penobscot, Senator Curtis, offers Senate Amendment "A" to L. D. 2 and moves its adoption.

The Secretary will read the amendment. Senate Amendment "A", Filing No. S-2, was Read.

The PRESIDENT: The Senator has the floor.

Mr. CURTIS: Mr. President and ladies and gentlemen of the Senate: This is rather a technical amendment which probably should have been prepared by the committee, but we have reviewed the matter with the legislative staff and with the Attorney General's Office and they agree that these provisions ought to be included.

Specifically, the amendment provides that the three House districts which would be comprised to make one Senate district must be contiguous, and the date is changed by one year so that it would be possible to actually do the reapportionment after the information was available from the 1980 decennial census. Thank you.

The PRESIDENT: Is it now the pleasure of the Senate that Senate Amendment "A" be adopted?

Thereupon, Senate Amendment "A" was Adopted and the Resolution, as Amended, Passed to be Engrossed.

Sent down for concurrence.

Enactors

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

An Act to Prevent the Department of Transportation from Confiscating or Appropriating Private Water Supply Equipment in Certain Situations. (H. P. 30) (L. D. 38)

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

Reconsidered Matter

On motion by Mr. Conley of Cumberland, the Senate voted to reconsider its prior action whereby Bill, "An Act to Remove Certain Provisions in the Motor Vehicle Statutes Concerning Unnecessary Tire and Brake Noises", Senate Paper 100, was referred to the Committee on Transportation.

Thereupon, on further motion by the same Senator, referred to the Committee on Judiciary and Ordered Printed.

Sent down for concurrence.

Orders of the Day (Off Record Remarks)

On motion by Mrs. Cummings of Penobscot,

Adjourned until 10:00 o'clock tomorrow morning.