

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

Comprehensive State-wide Program of Primary Prevention of Alcohol and Drug Abuse and other Forms of Socially Disruptive and Potentially Self-destructive Human Behavior" (H. P. 881) (L. D. 1081) reporting Leave to Withdraw.

Report was read.

The SPEAKER: The Chair recognizes the gentleman from Calais, Mr. Silverman.

Mr. SILVERMAN: Mr. Speaker, Ladies and Gentlemen of the House: Item 9 is a bill that would require the state educational system to set up education in the prevention of drugs, alcohol and tobacco abuse. It was a bill designed to try one approach, which has proven somewhat successful in the State of Ohio, to try to teach our teenagers the problems they may have and will have by becoming addicted or trying alcohol and drugs at a very young age.

It was presented very well before the Committee on Education. Many superintendents and many teachers and many people and parents who have strong feelings that we in this state are neglecting this field and not supplying the tools and the vehicles needed to correct this problem were there at this meeting and they presented their side. There was no opposition at that hearing.

The past two or three days, I have been trying to get the Committee on Education to reconsider and come out with an "ought to pass" report, but their decision was firm and it was almost impossible to get but one name, if that was possible, to sign this "ought to pass." I also realize there is a quarter of a million dollars a year that has to be raised on a dedicated one cent tax on beer and wine, and at this type of session, where money is scarce, where we are fitting into an already hard budget, it is almost impossible to come up with these funds at this time. So, with that decision, I left myself with the only possibility of "leave to withdraw," because with that in mind we can bring this bill, as I understand it, from leadership in the special session.

I think one thing we have done with the drinking and the alcohol amongst teenagers at this session, we have exposed it. We have said it cannot be put under the rug any longer in the State of Maine. There has to be some vehicle in some program set up, at least at the educational level or at a disciplinary level, in trying to gain a foundation for our next generation. With that, we have done our part.

I would only close in saying that a year ago the Representative in seat 29 stood up at the defeat of a prescription drug advertising bill. Then we went to the public and then we came up this year and that bill is now signed by the Governor of this state and passed by both Houses. We only hope that in a need like this that we may see the same results come in the special session which is about seven months away.

(Off Record Remarks)

The SPEAKER: The Chair recognizes the gentleman from Brewer, Mr. Norris.

Mr. NORRIS: Mr. Speaker, Ladies and Gentlemen of the House: I will take just a few moments of your time this morning to speak on this thing. The leave to withdraw, we are in a situation here where NIAAA is going to spend a lot of money studying this very thing. I would hope perhaps this morning that this could be tabled for a couple of days, that we might substitute

the bill for the report and that we might have a concurrent study on the state level to attack this very, very important problem.

The Senate Chairman of the Education Committee is on this national study committee. I talked with him the other day, and if I understood him correctly, there would be no objection to having this go to study because there are many, many complicated factors involved, as the good gentleman from Calais, Mr. Silverman, has stated and the good gentleman from Livermore Falls, Mr. Lynch. I would ask someone to table this for a couple of days and perhaps we can work out a method to go to study on this matter.

The SPEAKER: The Chair recognizes the gentlewoman from Vassalboro, Mrs. Mitchell.

Mrs. MITCHELL: Mr. Speaker, Ladies and Gentlemen of the House: As a member of the Education Committee, I would like to speak on the record briefly to this bill. First of all, I had used this bill as a vehicle: I had hoped to justify my voting to keep the legal drinking age at 18 because I, too, was concerned about the problem but did not wish to attack it by changing the age limit. However, if you read this bill beyond the title and look at what this bill proposes to do, you will see that Mr. Silverman is actually proposing to fund education through a tax on beer and wine, because we are now spending, in the State of Maine, a total appropriation of over \$200 million on education. We can use this money to do the same thing that Mr. Silverman proposes. He wants the teachers to work on self-identity, competency, mutuality, responsibility, understanding behavior. I think we should look at all these things. These are the things that we expect the teachers to do now. I think we can do this within our program and not kid ourselves by voting this additional tax on beer and wine that we get to the alcohol problems. I would hope that you would not table this and hope that you would not substitute the bill for the report.

Please read the bill and see that it does not do what the title says.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker and Members of the House: I feel we are right back where we are with a courtesy of leave to withdraw, vis-a-vis 17-A.

I am a little bit amazed at my learned colleague from Brewer, Mr. Norris. He knows full well that this thing can go under the hammer as it is. He can go into the clerk's office, sit down with himself, draft an order, present it and have a study made. He doesn't have to keep this bill alive to have it made. I don't want this thing alive at all, and I certainly hope, number one, that it is not tabled; number two, I hope it goes its merry way with a leave to withdraw proposition. If you want to study it, put an order in and have it studied, not through this thing here.

Thereupon, the Report was accepted and sent up for concurrence.

Divided Report Later Today Assigned

Majority Report of the Committee on Public Utilities reporting "Ought Not to Pass" on Bill "An Act to Clarify the Fuel Adjustment Clause under the Public Utility Law" (H. P. 1086) (L. D. 1366)

Report was signed by the following members:

Mrs. CUMMINGS of Penobscot
Messrs. GREELEY of Waldo

CYR of Aroostook

— of the Senate.

Mrs. SAUNDERS of Bethel
Messrs. GRAY of Rockland
LUNT of Presque Isle
LITTLEFIELD of Hermon
BERRY of Buxton
NADEAU of Sanford
KELLEHER of Bangor
SPENCER of Standish

Mrs. TARR of Bridgton

— of the House.

Minority Report of the same Committee reporting "Ought to Pass" on same Bill.

Report was signed by the following member:

Mr. LEONARD of Woolwich

— of the House.

Reports were read.

Mr. Kelleher of Bangor moved the House accept the Majority "Ought not to pass" Report.

On motion of Mr. Greenlaw of Stonington, tabled pending the motion of Mr. Kelleher of Bangor to accept the Majority Report and later today assigned.

Divided Report

Majority Report of the Committee on State Government on Resolution, Proposing an Amendment to the Constitution to Provide for Single Member Districts in the House of Representatives: Reduction of the Number of Representatives and Reapportionment of the House of Representatives and the Senate in 1984; and to Establish an Apportionment Commission to Plan for All Apportionments of the House of Representatives and Senate (H. P. 738) (L. D. 919) reporting "Ought to Pass" in New Draft under New Title

Resolution, Proposing an Amendment to the Constitution to Provide for Reduction of the Number of Representatives in 1985, to Establish the Number of Senators at Thirty-three in 1985 and to Change the Date of Convening of the Legislature (H. P. 1587) (L. D. 1883)

Report was signed by the following members:

Messrs. GRAHAM of Cumberland
WYMAN of Washington

— of the Senate.

Mrs. KANY of Waterville
Messrs. COONEY of Sabattus
WAGNER of Orono
CARPENTER of Houlton
PELOSI of Portland
LEWIN of Augusta
FARNHAM of Hampden
STUBBS of Hallowell

— of the House.

Minority Report of the same Committee reporting "Ought Not to Pass" on same Resolution.

Report was signed by the following members:

Mr. CURTIS of Penobscot

— of the Senate.

Mrs. SNOWE of Auburn
Mr. QUINN of Gorham

— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Sabattus, Mr. Cooney.

Mr. COONEY: Mr. Speaker and Members of the House: I would move acceptance of the Majority "Ought to pass" Report. I would point out to you that the redraft of this bill is on your desks and the long title and many featured bill that we are using as a vehicle does one principal thing, and that is to reduce the size of the House to 132 members.

I would ask that you take some time to

look at it, consider the issue, and I would ask further that we allow this resolution to go to its second reading tomorrow and that the debate occur tomorrow after you all have had a chance to reconsider this new proposal on the reduction of the size of the House.

Thereupon, the Majority "Ought to pass" Report was accepted, the New Draft read once and assigned for second reading tomorrow.

Divided Report

Majority Report of the Committee on State Government reporting "Ought to Pass" on Bill "An Act to Provide Employment Security for State Legislators" (H. P. 1224) (L. D. 1535)

Report was signed by the following members:

- Messrs. GRAHAM of Cumberland
CURTIS of Penobscot
— of the Senate.
- Messrs. COONEY of Sabattus
PELOSI of Portland
WAGNER of Orono
CARPENTER of Houlton
STUBBS of Hallowell
— of the House.

Minority Report of the same Committee reporting "Ought Not to Pass" on same Bill.

Report was signed by the following members:

- Mr. WYMAN of Washington
— of the Senate.
- Mrs. KANY of Waterville
- Mrs. SNOWE of Auburn
- Messrs. QUINN of Gorham
LEWIN of Augusta
FARNHAM of Hampden
— of the House.

Reports were read.

On motion of Mr. Cooney of Sabattus, the Majority "Ought to pass" Report was accepted, the Bill read once and assigned for second reading tomorrow.

**Consent Calendar
First Day**

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

Bill "An Act to Permit Interstate Public Utility Hearings" — Committee on Public Utilities reporting "Ought to Pass" (H. P. 1254) (L. D. 1550)

Resolve, Authorizing the Bureau of Public Lands to Convey the State's Interest in a Lot in Trescott, Washington County, to Clarify Title—Committee on State Government reporting "Ought to Pass" (H. P. 954) (L. D. 1193)

Bill "An Act to Amend the Human Rights Act to Prevent Discrimination Against the Mentally Handicapped and to Clarify the Provisions in the Human Rights Act Regarding Physical Handicap" — Committee on Human Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (H-351) (H. P. 1410) (L. D. 1791)

Bill "An Act to Clarify the Laws Relating to Human Rights" — Committee on Human Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (H-350) (H. P. 187) (L. D. 224)

Bill "An Act Relating to the Period for Commencing Civil Actions under the Human Rights Act" — Committee on Human Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (H-352) (H. P. 1269) (L. D. 1583)

Resolve, Authorizing Peggy Lanpher of South China or her Legal Representatives to Bring Civil Action Against the State of Maine — Committee on Judiciary reporting "Ought to Pass" as amended by Committee Amendment "A" (H-353) (H. P. 549) (L. D. 677)

No objections being noted, the above items were ordered to appear on the Consent Calendar of May 16 under listing of Second Day.

Bill "An Act Relating to the Dredging, Filling or Otherwise Altering Coastal Wetlands" — Committee on Natural Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (H-354) (H. P. 590) (L. D. 730)

On the request of Mr. Morton of Farmington, was removed from the Consent Calendar.

Thereupon, the Report was read and accepted and the Bill read once. Committee Amendment "A" (H-354) was read by the Clerk and adopted and the Bill assigned for second reading tomorrow.

Bill "An Act to Amend the Charter of the Searsport Water District" — Committee on Public Utilities reporting "Ought to Pass" as amended by Committee Amendment "A" (H-355) (H. P. 1235) (L. D. 1795)

Bill "An Act Relating to Venue in the Superior Court" — Committee on Judiciary reporting "Ought to Pass" as amended by Committee Amendment "A" (S-141) (S. P. 171) (L. D. 577)

Bill "An Act to Implement the Recommendations of the Trial Court Revision Commission" — Committee on Judiciary reporting "Ought to Pass" as amended by Committee Amendment "A" (S-142) (S. P. 350) (L. D. 1263)

Bill "An Act to Include Procedures Performed by Dentists and Dental Hygienists under Health Insurance Policies and Health Care Contracts which Pay Benefits for those Procedures if Performed by a Physician" — Committee on Business Legislation reporting "Ought to Pass" as amended by Committee Amendment "A" (S-143) (S. P. 136) (L. D. 440)

Bill "An Act to Provide for State Financing of the Expenses of the Superior and Supreme Judicial Courts" — Committee on Performance Audit reporting "Ought to Pass" as amended by Committee Amendment "A" (S-140) (S. P. 163) (L. D. 575)

No objections being noted the above items were ordered to appear on the Consent Calendar of May 16 under listing of the Second Day.

**Consent Calendar
Second Day**

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

Bill "An Act to Permit Housing Authority Commissioners to Serve Concurrently as Commissioners of a Renewal Authority in Certain Places" (S. P. 317) (L. D. 1094)

Bill "An Act Relating to Closing Costs under the Maine Consumer Credit Code" (C. "A" S-136) (S. P. 218) (L. D. 717)

Bill "An Act to Authorize the County of Hancock to Collect and Dispose of Solid Waste on a Regional Basis" (C. "A" S-139) (S. P. 128) (L. D. 414)

Bill "An Act to Authorize Knox County to Raise \$700,000 for Construction of a County

Jail and a District Court Facility" (C. "A" S-137) (S. P. 285) (L. D. 995)

Bill "An Act Repealing the York Harbor Village Corporation" (C. "A" S-138) (Later Reconsidered) (S. P. 468) (L. D. 1563)

Bill "An Act Concerning Publication and Public Inspection of Executive Orders" (C. "A" S-135) (S. P. 449) (L. D. 1508)

No objections having been noted at the end of the Second Legislative Day, the Senate Papers were passed to be engrossed in concurrence and the House Papers were passed to be engrossed and sent up for concurrence.

Tabled and Assigned

Bill "An Act Appropriating Funds to the Department of Mental Health and Corrections for Fire Prevention and Structural Safety Improvements at the Military and Naval Children's Home at Bath" (Emergency) (C. "A" H-340) (H. P. 1357) (L. D. 1659)

On the request of Mr. Higgins of Scarborough, was removed from the Consent Calendar.

On motion of the same gentleman, tabled pending acceptance of the Committee Report and tomorrow assigned.

Tabled and Assigned

Bill "An Act Relating to Property Insurance under the Maine Consumer Credit Code" (C. "A" H-341) (H. P. 1201) (L. D. 1496)

On the request of Mrs. Boudreau of Portland, was removed from the Consent Calendar.

On motion of the same gentlewoman, tabled pending acceptance of the Committee Report and specially assigned for Monday, May 19.

Passed to Be Engrossed

Bill "An Act Exempting Alcohol and Drug Abuse Centers from Payment of State Sales Tax" (H. P. 265) (L. D. 864)

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

Amended Bills

Bill "An Act Amending the Elderly Householders Tax and Rent Refund Act to Expand Eligibility to Recipients of Supplemental Security Income" (H. P. 104) (L. D. 101) (C. "A" H-343)

Was reported by the Committee on Bills in the Second Reading and read the second time.

Mrs. Goodwin of Bath offered House Amendment "A" and moved its adoption.

House Amendemnt "A" (H-356) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentlewoman from Bath, Mrs. Goodwin.

Mrs. GOODWIN: Mr. Speaker, Ladies and Gentlemen of the House: This amendment merely refers to another section of Maine law which prohibits SSI recipients from receiving property tax rebate. In the original draft of the bill, we neglected to put this section under the state optional program for SSI, as well as that section which is ending property tax and rent refund act itself. This is merely to clarify the language.

Thereupon, House Amendment "A" was adopted.