

# MAINE STATE LEGISLATURE

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**Legislative Record**

OF THE

**One Hundred and Seventh Legislature**

(First Special Session)

OF THE

STATE OF MAINE

**1976**

KENNEBEC JOURNAL  
AUGUSTA, MAINE

board are two of the bulkiest items going to dumps. We already have litter laws that, if enforced, would take care of the situation. I am not naive enough to expect to get anywhere with this, given the fact that it was allowed by leadership and sponsored by leadership and pushed by leadership.

The SPEAKER: A roll call has been ordered. The pending question is on the motion of the gentleman from Scarborough, Mr. Higgins, that the House reconsider its action whereby it voted to recede and concur. All in favor of reconsideration will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Berube, Carter, Connors, Curtis, Durgin, Dyer, Farley, Finemore, Gould, Hinds, Immonen, Kauffman, Kelleher, Kelley, Lewis, Lizotte, MacLeod, Martin, R.; Maxwell, McBreairey, Morin, Perkins, T.; Peterson, P.; Rideout, Strout, Theriault, Torrey, Truman, Twitchell, Walker, Webber.

NAY — Albert, Ault, Bachrach, Bagley, Bennett, Berry, G. W.; Berry, P. P.; Birt, Blodgett, Boudreau, Bowie, Burns, Bustin, Byers, Call, Carey, Carpenter, Carroll, Chonko, Churchill, Clark, Connolly, Cooney, Cote, Cox, Curran, P.; Curran, R.; Dam, Davies, DeVane, Doak, Dow, Dudley, Farnham, Faucher, Fenlason, Flanagan, Fraser, Garsoe, Gauthier, Goodwin, H.; Goodwin, K.; Gray, Greenlaw, Henderson, Hennessey, Hewes, Higgins, Hughes, Hunter, Hutchings, Ingegneri, Jackson, Jensen, Joyce, Kany, Kennedy, LaPointe, Laverty, LeBlanc, Leonard, Lewin, Lovell, Lynch, MacEachern, Mackel, Mahany, Martin, A.; McKernan, McMahon, Mills, Miskavage, Mitchell, Morton, Mulkern, Nadeau, Najarian, Norris, Peakes, Pearson, Pelosi, Perkins, S.; Peterson, T.; Pierce, Post, Quinn, Raymond, Rolde, Rollins, Saunders, Shute, Silverman, Smith, Snowe, Spencer, Sprowl, Stubbs, Susi, Talbot, Tarr, Teague, Tozier, Tyndale, Usher, Wagner, Wilfong, Winship.

ABSENT — Drigotas, Hall, Hobbins, Jacques, Jalbert, Laffin, Littlefield, Lunt, Palmer, Powell, Snow, Tierney.

Yes, 31; No, 107; Absent, 12.

The SPEAKER: Thirty-one having voted in the affirmative and one hundred and seven in the negative, with twelve being absent, the motion does not prevail.

From the Senate: The following communication: (S. P. 779)

United States Senate  
Committee on Finance  
Washington, D.C. 20510

March 25, 1976

Harry N. Starbranch  
Secretary of the Senate  
The Senate of Maine  
Augusta, Maine 04330  
Dear Mr. Starbranch:

Thank you for providing me with copies of the Joint Resolutions adopted by the Maine Senate and House of Representatives protesting and requesting an explanation of the reasons underlying the proposed personnel reduction of Loring Air Force Base.

I appreciate your making the resolution available to me and I certainly share the Legislature's concern over the devastating impact the cutback would have in Maine and, in particular, in Aroostook County. I am enclosing a copy of the letter which the Maine Congressional delegation addressed to Air Force Secretary Reed on March 18 outlining our concerns and requesting detailed information regarding the basis of the preliminary decision and the projected consequences of its implementation.

I look forward to reviewing the Secretary's report and when it arrives I shall be in a better position to determine the most effective course of action to pursue. You may be assured that I

shall do everything I can to forestall or minimize the severe adverse impact on Aroostook County's already depressed economy which would surely accompany the proposed cutback.

With best regards,

Sincerely,  
(Signed)

WILLIAM D. HATHAWAY  
U.S. Senator

Came from the Senate, read and with accompanying Report ordered placed on file.

In the House, the Communication was read and with accompanying Report ordered place on file in concurrence.

#### Consent Calendar First Day

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

(H. P. 2010) (L. D. 2192) Bill "An Act To Clarify the Laws Relating to Marine Resources" — Committee on Marine Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (H-1145)

On the request of Mr. Greenlaw of Stonington, was removed from the Consent Calendar.

Thereupon, the Report was accepted and the Bill read once. Committee Amendment "A" (H-1145) was read by the Clerk.

On motion of Mr. Greenlaw of Stonington, tabled pending adoption of Committee Amendment "A" and tomorrow assigned.

#### Consent Calendar Second Day

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

Bill "An Act to Make Health Care Projects Eligible for Bonding under the Maine Municipal Securities Approval Act" (C. "A" H-1128). (H. P. 1899) (L. D. 2079)

No objection being noted, the above item was passed to be engrossed and sent up for concurrence.

#### Second Reader Tabled and Assigned

(Item 1) Bill "An Act Repealing the Expungement Law and Providing for the Control of Access to and Disclosure of Criminal History Record Information" (S. P. 773) (L. D. 2326)

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

(On motion of Mrs. Najarian of Portland, tabled pending passage to be engrossed and tomorrow assigned.)

The Chair laid before the House the following matter:

Bill "An Act Relating to the Form of Ballots" (H. P. 2063) (L. D. 2233) which was tabled earlier in the day and later today assigned pending passage to be engrossed.

The SPEAKER: The Chair recognizes the gentleman from Solon, Mr. Faucher.

Mr. FAUCHER: Mr. Speaker and Members of the House: Because of the backlog in the Printing Office, we don't have the amendment on our desks, so I would appreciate it if somebody would table it until later in today's session.

Thereupon, on motion of Mrs. Najarian of Portland, retabled pending passage to be engrossed and later today assigned.

The Chair laid before the House the following matter:

Bill "An Act to Enable Counties to Hire County Administrators (H. P. 2092) (L. D. 2251) (H. "A" H-1051) which was tabled earlier in the day and later today assigned pending passage to be engrossed.

On motion of Mr. Birt of East Millinocket,

retabled pending passage to be engrossed and later today assigned.

The Chair laid before the House the following matter:

Bill "An Act to Clarify the Retirement Statutes" (Emergency) (H. P. 1860) (L. D. 2027) which was tabled earlier in the day and later today assigned pending adoption of House Amendment "B" to Committee Amendment "A".

On motion of Mr. Theriault of Rumbold, retabled pending adoption of House Amendment "B" to Committee Amendment "A" and later today assigned.

The Chair laid before the House the following matter:

An Act Clarifying the Use of the Mental Health Improvement Fund (Emergency) (H. P. 2068) (L. D. 2238) (C. "A" H-1024) which was tabled earlier in the day and later today assigned pending passage to be enacted.

On motion of Mr. Goodwin of South Berwick, under suspension of the rules, the House reconsidered its action whereby the Bill was passed to be engrossed.

On further motion of the same gentleman, under suspension of the rules, the House reconsidered its action whereby Committee Amendment "A" was adopted.

The same gentleman offered House Amendment "A" to Committee Amendment "A" and moved its adoption.

House Amendment "A" to Committee Amendment "A" (H-1142) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from South Berwick, Mr. Goodwin.

Mr. GOODWIN: Mr. Speaker and Members of the House: This amendment is to clarify the transitional clause for this bill. The mental health improvement fund, which is an existing fund, presently is handled by the Governor and Council. The changes we have made in this, we are saying that starting with the 108th, the legislature will have a hand in approving broad categories of the use of the mental health improvement fund with the Department of Human Services and the Department of Mental Health and Corrections. This amendment just clarifies that point so that for the next fiscal year the Governor and council will continue, at least until January, to handle the funds and then for the remaining fiscal year, the Governor will and we will start with the 108th in determining the priorities for the use of this fund.

Thereupon, House Amendment "A" to Committee Amendment "A" was adopted.

Committee Amendment "A" as amended by House Amendment "A" thereto was adopted.

The Bill was passed to be engrossed as amended by Committee Amendment "A" as amended by House Amendment "A" thereto in non-concurrence and sent up for concurrence.

The Chair laid before the House the following matter:

An Act Relating to Property of Survivor where Joint Deposits or Accounts are Involved (S. P. 664) (L. D. 2102) (C. "A" S-460) which was tabled earlier in the day and later today assigned pending passage to be engrossed.

On motion of Mr. Perkins of South Portland, the House reconsidered its action of earlier in the day whereby Committee Amendment "A" as amended by House Amendment "A" thereto was adopted.

The same gentleman offered House Amendment "B" to Committee Amendment "A" and moved its adoption.

House Amendment "B" to Committee Amendment "A" (H-1147) was read by the Clerk.

The SPEAKER: The Chair recognizes the