

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Eighth
Legislature***

OF THE

STATE OF MAINE

Volume II

May 26, 1977 to July 25, 1977

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**Senate Confirmation Session
September 16, 1977**

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House: I have met with the sponsor of this bill and people from the Bureau of Banking and Senator Chapman, who worked with me on the bill. We believe we have, in good faith, reached a satisfactory amendment which I am sure will be ready to present tomorrow. In good faith and with apologies, I ask that somebody table this one more day.

On motion of Ms. Clark of Freeport, tabled pending passage to be engrossed and tomorrow assigned.

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

Bill, "An Act to Permit the Advertising of Prescription Eyeglasses and Other Optical Devices" (H. P. 415) (L. D. 518) (C. "A" H-784)

Tabled — June 24, 1977 by Mr. Goodwin of So. Berwick.

Pending — Passage to be Engrossed.

On motion of Mr. Goodwin, of So. Berwick, tabled pending passage to be engrossed and tomorrow assigned.

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

Senate Divided Report — Majority (8) "Ought Not to Pass" — Minority (5) "Ought to Pass" — Committee on Taxation on Bill "An Act to Repeal the Personal Property Tax on Commercial Fishing Vessels and Equipment" (H. P. 1290) (L. D. 1537) — In Senate, Minority "Ought to Pass" Report Read and Accepted and the Bill Passed to be Engrossed.

Tabled — June 24, 1977 by Mr. Carey of Waterville.

Pending — Motion of the same gentleman to Accept the Majority "Ought Not to Pass" Report.

On motion of Mr. Carey of Waterville, tabled pending motion of the same gentleman to accept the Majority "Ought Not to Pass" Report and tomorrow assigned.

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

An Act to Provide Lifeline Electrical Services (H. P. 1669) (L. D. 1867) (H "A" H-561; H "B" H-656; S "A" S-235)

Tabled — June 24, 1977 by Mr. Connolly of Portland.

Pending — Passage to be Enacted.

On motion of Mr. Connolly of Portland, tabled pending passage to be enacted and later today assigned.

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

House Divided Report — Majority (7) "Ought to Pass" — Minority (6) "Ought Not to Pass" — Committee on State Government on Bill, "An Act to Amend the Maine Human Rights Act" (H. P. 162) (L. D. 200)

Tabled — June 24, 1977 by Mr. Tierney of Lisbon Falls.

Pending — Acceptance of Either Report.

On motion of Ms. Goodwin of Bath, tabled pending acceptance of either Report and tomorrow assigned.

By unanimous consent, all matters were ordered sent forthwith to the Senate.

(Off Record Remarks)

On motion of Mr. Spencer of Standish, Recessed until one o'clock in the afternoon.

After Recess 1:00 P.M.

The House was called to order by the Speaker.

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

House Divided Report — Majority (10)

"Ought to Pass" as Amended by Committee Amendment "A" (H-734) — Minority (1) "Ought to Pass" as Amended by Committee Amendment "B" (H-735) — Committee on Transportation on Bill "An Act Relating to the Maine Turnpike Authority" (H. P. 343) (L. D. 388)

Tabled — June 24, 1977 by Mr. Greenlaw of Stonington.

Pending — Motion of Mr. Strout of Corinth to Accept the Majority "Ought to Pass" Report.

The SPEAKER: The Chair recognizes the gentleman from Stonington, Mr. Greenlaw.

Mr. GREENLAW: Mr. Speaker, Men and Women of the House: This bill has been in the House now for a week and I am going to ask someone to table it once I sit down after just a brief explanation but it seems to me appropriate that you do have that explanation so you know what is transpiring.

The reason I have asked to be tabled for a week is that there are a number of small problems, or perhaps major, depending on the point of view, that I have tried to resolve for a number of members of the House. I have, in fact, drafted a fact sheet which will be distributed this afternoon. What my hope is that you can take a look at it this afternoon and tonight. I would certainly be glad to answer any questions as I am sure the other three sponsors of the bill will be, members of the Transportation Committee. I hope that tomorrow morning it can be discussed in each of the respective caucuses, obviously not from the point of view of taking a caucus position, but from the point of view of trying to pass information on to members of the respective caucus.

On motion of Mr. Strout of Corinth, tabled pending the motion of the same gentleman to accept the Majority "Ought to Pass" Report and tomorrow assigned.

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

Bill, "An Act Concerning Required Voting on Certain Boards and Commissions with Quasi-judicial Authority" (H. P. 1200) (L. D. 1441) (C. "A" H-758)

Tabled — June 24, 1977 by Mr. Palmer of Nobleboro.

Pending — Passage to be Engrossed.

The SPEAKER: The Chair recognizes the gentleman from Nobleboro, Mr. Palmer.

Mr. PALMER: Mr. Speaker, Ladies and Gentlemen of the House: We are still awaiting some word from the Attorney General on this bill and I would ask that someone table it for one legislative day.

On motion of Mr. Greenlaw of Stonington, tabled pending passage to be engrossed and tomorrow assigned.

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

Bill, "An Act to Repeal Certain Laws Relating to Conservation" (S. P. 363) (L. D. 1224) — In Senate, Report Read and Accepted and Bill Passed to be Engrossed as Amended by Committee Amendment "A" (S-276) as Amended by Senate Amendments "A" (S-294) "B" (S-302) and "C" (S-310) thereto.

Tabled — June 24, 1977 by Mr. Dow of West Gardiner.

Pending — Adoption of Committee Amendment "A" (S-276) as Amended by Senate Amendment "A" (S-294), Senate Amendment "B" (S-302) and House Amendment "A" (H-813) thereto.

Committee Amendment "A" as amended by Senate Amendments "A", "B" and House Amendment "A" thereto was adopted.

Under suspension of the rules, the Bill was read a second time.

The Bill was passed to be engrossed as amended by Committee Amendment "A" as amended by Senate Amendments "A" and "B"

and House Amendment "A" thereto in non-concurrence and sent up for concurrence.

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

Bill, "An Act to Reform the Regulation of Watch, Guard and Patrol Agencies and of Private Detectives" (H. P. 1741) (L. D. 1889)

Tabled — June 24, 1977 by Mr. Palmer of Nobleboro.

Pending — Passage to be Engrossed.

The SPEAKER: The Chair recognizes the gentleman from Limestone, Mr. McKean.

Mr. MCKEAN: Mr. Speaker, Ladies and Gentlemen of the House: When this piece of legislation initially came out, I did have a few problems with it and I did ask that it be tabled. Part of my problem was on Paragraph 3782, which related to part-time and off-duty law enforcement officers and I wanted to be assured, in my own mind, that this was not going to be an open door to the Commissioner of Public Safety promulgating rules and regulations which would indeed make sure that the local law enforcement people had to either be bonded or be licensed. As you probably know, in a lot of our smaller towns the deputy sheriffs, a lot of the reserve policemen who are under town warrant do serve at school dances, basketball games, different private clubs and clubs within the location themselves, and at the beginning of the L. D., Paragraph 10, Items A, B, C and D, it just so happens that these are the items that these people perform and there is a real close tie in here, and I wanted to be sure in my mind that we are not going to come out with something that would say that the people under warrant would have to either be bonded or be licensed. I am not really assured of that as yet, however, as of right now, I have no problems.

The SPEAKER: The Chair recognizes the gentleman from Anson, Mr. Burns.

Mr. BURNS: Mr. Speaker, Ladies and Gentlemen of the House: In reply to the gentleman's query, there is a provision in here that any rule and regulation set forth by the Commissioner of Public Safety must have a review by the legislature immediately after its implementation or as soon as the legislature can get to it after it has been imposed. Now, specifically to the point, in regard to the officers functioning in this area, this is the same as the current law is now, that a full-time or part-time officer may act as a part-time security guard at such events. This is put in here and for such events, as school dances, various meetings, etc., particularly in small towns. It does require bonding, though, but it does forgive them from having a license but they must be bonded if they are going to act in this area.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Kelleher.

Mr. KELLEHER: Mr. Speaker I would further like to ask a question to the Legal Affairs Committee. Am I understanding correctly that you are increasing the bond from \$5,000 to \$10,000 and if that is the case, an individual who holds a detective license would be going from \$5,000 to \$10,000. How about an agency, where they employ one, two or more detectives, does the \$10,000 bond provision blanket all those employees, or does it just cover the agency itself and if additional personnel are put on, do they subsequently have to have a \$10,000 bond coverage as well as the fellow that is an independent detective?

The SPEAKER: The Chair recognizes the gentleman from Anson, Mr. Burns.

Mr. BURNS: Mr. Speaker, in reply to the query, in the private investigator area, that addresses to each licensee and each licensee must have his own bond. Now, if they are employed within an investigative agency, they would have to be licensed independently also, with one exception, and that exception being that a licensee