

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Eighth
Legislature***

OF THE

STATE OF MAINE

Volume I

January 5, 1977 to May 25, 1977

KJ PRINTING
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**Consent Calendar
Second Day**

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

Bill "An Act Concerning a Limitation for Imposing a Penalty for Violations of the Public Utility Regulatory Law" (S. P. 80) (L. D. 188)

Bill "An Act to Require Voters to State Their Name and Address when Voting" (C. "A" H-46) (H. P. 32) (L. D. 49)

Bill "An Act to Modify the Immunity Granted by Statute to a Person Who Testifies Before the Public Utilities Commission on Matters Which May Tend to Incriminate that Person" (H. P. 227) (L. D. 291)

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

**Passed to Be Engrossed
Amended Bill**

Bill "An Act to Clarify the Right of Trust Companies to Invest Funds Held as Trustee Under Certain Retirement Plans" (Emergency) (H. P. 71) (L. D. 99) (C. "A" H-38)

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

The following paper from the Senate was taken up out of order by unanimous consent:

From the Senate: The following Order: (S. P. 230)

ORDERED, the House concurring, that when the House adjourns, it adjourns to 9:30 in the morning on March 8, and when the Senate adjourns, it adjourns to 10 o'clock in the morning on March 8.

Came from the Senate, read and passed.

In the House, the Order was read and passed in concurrence.

The following paper from the Senate was taken up out of order by unanimous consent:

ORDERED, the House concurring, that notwithstanding Joint Rule 23, all bills and resolves now in the Office of the Director of Legislative Research shall be introduced in complete final form in the appropriate House not later than 5 p.m. on Tuesday, March 29, 1977, and be it further

ORDERED, that no bill or resolve received by the Director of Legislative Research for drafting shall be in order for introduction in either House after March 8, 1977, unless the director indicates on the bill or resolve that it was prepared after that date.

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

The following Papers from the Senate appearing on Supplement No. 1 were taken up out of order by unanimous consent:

Bill "An Act to Prohibit Voter Registration After 12 Noon on Election Day" (S. P. 219) (L. D. 683)

Came from the Senate referred to the Committee on Election Laws and ordered printed.

In the House, referred to the Committee on Election Laws in concurrence.

Bill "An Act to Regulate Security Deposits on Residential Rental Units" (S. P. 222) (L. D. 686)

Came from the Senate referred to the Committee on Judiciary and ordered printed.

In the House, referred to the Committee on Judiciary in concurrence.

Bill "An Act to Increase the Salaries of Cer-

tain County Officials of Waldo County" (S. P. 226) (L. D. 688)

Came from the Senate referred to the Committee on Local and County Government and ordered printed.

In the House, referred to the Committee on Local and County Government in concurrence.

Bill "An Act Concerning Standing before the Board of Environmental Protection" (S. P. 220) (L. D. 684)

Bill "An Act to Clarify the Powers of Regional Planning Commissions" (S. P. 221) (L. D. 685)

Came from the Senate referred to the Committee on Natural Resources and ordered printed.

In the House, referred to the Committee on Natural Resources in concurrence.

Resolve, Authorizing the Bureau of Public Lands to Convey the State's Interest in Public Lots in the Town of Osborn, Hancock County, Maine, to the Inhabitants of the Town of Osborn (S. P. 225) (L. D. 687)

Came from the Senate referred to the Committee on State Government and ordered printed.

In the House, referred to the Committee on State Government in concurrence.

Orders of the Day

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

Bill, "An Act to Revise the Laws Relative to the State Military Level for Children's Homes" (H. P. 569) (Committee on Health and Institutional Services suggested)

Tabled — March 2, 1977 by Ms. Goodwin of Bath.

Pending — Reference.

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

Ms. GOODWIN: Mr. Speaker and Members of the House: This is the second time this bill has appeared and it has already been printed as L. D. 412 under a much better title. This one got badly garbled, so I now move that House Paper 569 be indefinitely postponed.

Thereupon, the Bill was indefinitely postponed and sent up for concurrence.

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

Bill, "An Act to Annex the Town of Otisfield to Oxford County" (H. P. 127) (L. D. 160)

Tabled — March 2, 1977 by Mr. Curran of South Portland.

Pending — Passage to be Engrossed.

Mr. Curran of South Portland offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-49) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from South Portland, Mr. Curran.

Mr. CURRAN: Mr. Speaker and Members of the House: Just a brief explanation of the amendment. L. D. 160 deals with the annexation of the Town of Otisfield, the process by which it would be annexed into the County of Oxford. Many of us of the Cumberland County Delegation have some serious reservations, along with local selectmen and city councilors and commissioners, about the bill in its original form, which separates any financial obligation to the county. This amendment removes that section to the financial obligation and does put in some wording so that the commissioners of Cumberland County and the selectmen of the Town of Otisfield, upon the effective date of this act, could sit down and talk about the bonded indebtedness which was incurred while that town was a member of Cumberland County.

I would urge the support of this amendment and the Bill, L. D. 160.

The SPEAKER: The Chair recognizes the

gentlewoman from Bridgton, Mrs. Tarr.

Mrs. TARR: Mr. Speaker, Men and Women of the House: Of course you know that this amendment deals with the civic center. I am getting so I hate to even mention that name in conjunction with Otisfield, but this does deal with that. My first reaction, of course, was to strongly oppose this amendment. I guess I would rather fight than switch.

I have been in close contact with the selectmen of Otisfield, I have kept them aware of what was happening, and they have advised me to let this amendment go, so I will not oppose this amendment, and good luck and let Otisfield go to Oxford County.

Thereupon, House Amendment "A" was adopted.

The Bill was passed to be engrossed as amended and sent up for concurrence.

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

Bill, "An Act to Correct Errors and Inconsistencies in Laws of Maine" (Emergency) (S. P. 186) (L. D. 531)

Tabled — March 2, 1977 by Mr. Tierney of Lisbon Falls.

Pending — Passage to be Engrossed.

Mr. Pearson of Old Town offered House Amendment "C" and moved its adoption.

House Amendment "C" (H-53) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Old Town, Mr. Pearson.

Mr. PEARSON: Mr. Speaker, Ladies and Gentlemen of the House: This amendment deals with a very small section of the Errors and Inconsistencies Bill, and it deals with the scholarships for North American Indians, and there has been some concern expressed on the reservation in Old Town by the Governor of the reservation and his council as to whether this amendment is proper at this time, this change. I should say, in the Errors and Inconsistencies.

There will be another chance later on in the session for another errors and inconsistencies bill, and if we could have time to look this item over, we were not aware of it until yesterday afternoon, we could deal with it later when the tribe has had a chance to consider the measure.

The SPEAKER: Under Rule 55, the Chair recognizes the Representative of the Penobscot Tribe, Mr. Goslin.

Mr. GOSLIN: Mr. Speaker, Ladies and Gentlemen of the House: I am Ernest Goslin, the Penobscot Indian Representative. At a meeting last night of the Governor and Council of the Penobscot Indian Tribe, they voted to reject any word changes in considering our laws. The thing is that we have in our private and special laws that any word changes, any legislation dealing with the Penobscot Indian Reservation has first got to come to the Indian Representative and to the Governor and Council, which in this case has not been done.

I just want to say again that we cannot accept this, we will not accept it, and we wish that you would strike it from the record.

The SPEAKER: The Chair recognizes the gentleman from Standish, Mr. Spencer.

Mr. SPENCER: Mr. Speaker and Members of the House: On behalf of the Judiciary Committee, I would like to apologize to the Indian Representative. The change here was not a change of substance, but in the future we will be sure that any changes, whether substantive or not, are first cleared with the Indian Representative and the Council.

Thereupon, House Amendment "C" was adopted.

Mr. Burns of Anson offered House Amendment "B" and moved its adoption.

House Amendment "B" (H-52) was read by the Clerk.

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

Mr. BURNS: Mr. Speaker, Ladies and Gentlemen of the House: This amendment is offered — it was passed into law under Chapter 465 in the 107th Legislature. A member of the third house and a member of the Executive Branch got together and bagged the committee and made a substantive change in the law by removing two paragraphs that had been heard in public hearing, had been debated on the floor of the House and had been passed into law. It was a very small item in the last Errors and Inconsistencies Bill and it just deleted these two paragraphs. I move that they be placed back in the law at this time.

Thereupon, House Amendment "B" was adopted.

On motion of Mr. Tierney of Lisbon Falls, tabled pending passage to be engrossed as amended and specially assigned for Tuesday, March 8.

The SPEAKER: The Chair would like to inform the members of the House that the Clerk will be returning on Monday, and the Chair would like to take this opportunity to thank the Assistant Clerk, Debbie Bedard, for an excellent job during the Clerk's absence, and I am sure we all appreciate it. (Applause, the members rising)

(Off Record Remarks)

On motion of Mr. Carter of Winslow,
Adjourned until Tuesday, March 8, at nine thirty in the morning.