

# 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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companies now feel that service is getting rare as far as telephone company is concerned.

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

Mrs. CUMMINGS: Mr. President, I would like to reply that if I did not drink coffee, I would not want to subsidize somebody else for his cup.

The PRESIDENT: Is the Senate ready for the question?

A Roll Call has been requested. In order for the Chair to order a Roll Call, it must be the expressed desire of one-fifth of those Senators present and voting. Will all Senators in favor of a Roll Call, please rise in their places to be counted.

Obviously, more than one-fifth having arisen, a Roll Call is ordered.

The Chair recognizes the Senator from Cumberland, Senator Hewes.

Mr. HEWES: Mr. President and Members of the Senate: Just in rebuttal, I have seen children of our children's age that will dial information rather than get the telephone directory out of the drawer and look it up. I do not think that you folks ought to be paying for our children's laxity in doing this.

Further, the telephone company is very generous in its distribution of telephone directories when the new ones come out or anytime if anyone needs one. You are able to obtain a telephone directory, and I do not think it is right for you people to have to pay for the use someone else is making by dialing information rather than taking the 15 seconds or whatever it takes to look up a number in the phone book. If you are going to use a service, ask information for a number, then you ought to go and pay for that service.

So I hope you will vote along with the good Senator from Penobscot, Senator Cummings.

The PRESIDENT: Is the Senate ready for the question?

The pending question before the Senate is the motion by the Senator from Penobscot, Senator Cummings, that the Senate accept the Ought Not to Pass Report of the Committee.

A yes vote will be in favor of accepting the Ought Not to Pass Report. A nay vote will be opposed.

The Doorkeepers will secure the Chamber. The Secretary will call the Roll.

**ROLL CALL**

YEA — Chapman, Collins, D.; Collins, S.; Cummings, Curtis, Greeley, Hewes, Huber, Jackson, Katz, Lovell, McNally, Morrell, Pierce, Redmond, Snowe, Trotzky, Wyman.

NAY — Carpenter, Conley, Danton, Farley, Hichens, Levine, Mangan, Merrill, O'Leary, Pray, Speers, Usher.

ABSENT — Martin, Minkowsky.

18 Senators having voted in the affirmative, and 12 Senators in the negative, with 2 Senators being absent, the motion to accept the Ought Not to Pass Report does prevail.

Sent down for concurrence.

**Divided Report**

Eight Members of the Committee on Public Utilities on. Bill, "An Act Relating to Utility Rate Making Treatment of Certain Advertising and Sales Promotion Expenses of Electrical Companies." (H. P. 778) (L. D. 965)

Reported in Report A that the same Ought to Pass as amended by Committee Amendment "A" (H-170).

Signed: Senator:

CARPENTER of Aroostook

Representatives:  
 KELLEHER of Bangor  
 WOOD of Sanford  
 SMITH of Mars Hill  
 BERRY of Buxton  
 NADEAU of Sanford  
 McHENRY of Madawaska

**PEARSON of Old Town**

Three members of the same Committee on the same subject matter Reported in Report B that the same Ought Not to Pass.

Signed: Senators:

CUMMINGS of Penobscot  
 COLLINS of Aroostook

Representatives:  
 CUNNINGHAM of New Gloucester

One member of the same Committee on the same subject matter Reported in Report "C" that the same Ought to Pass as amended by Committee Amendment "B" (H-171).

Signed: Representative:

TARR of Bridgton

Comes from the House, Report "A" read and Accepted and the Bill Passed to be Engrossed as amended by Committee Amendment "A".

Which Reports were Read.  
 The PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Cummings.

Mrs. CUMMINGS: Mr. President, I move that the Senate accept the Ought Not to Pass Report, Report "B".

The PRESIDENT: The Senator from Penobscot, Senator Cummings, now moves that the Senate accept the Ought Not to Pass Report of the Committee.

The Chair recognizes the Senator from Cumberland, Senator Conley.

Mr. CONLEY: Mr. President, I request a Division.

The PRESIDENT: A Division has been requested.

Will all those Senators in favor of accepting Report "B", the Ought Not to Pass Report of the Committee, please rise in their places to be counted.

Will all those Senators opposed to the motion to accept Report "B", the Ought Not to Pass Report of the Committee, please rise in their places to be counted.

19 Senators having voted in the affirmative, and 10 Senators in the negative, the motion to accept Report "B", Ought Not to Pass Report, does prevail.

Sent down for concurrence.

**Senate**

**Committee of Conference**

The Committee of Conference on the disagreeing action of the two branches of the Legislature, on Bill, "An Act to Make Possible Property Tax Valuation Assistance to Local Officials." (S. P. 464) (L. D. 1607) have had the same under consideration, and ask leave to report:

that they are unable to agree.  
 On the Part of the Senate:

Sensors:  
 JACKSON of Cumberland  
 WYMAN of Washington  
 FARLEY of York

On the Part of the House:

Representatives:  
 CAREY of Waterville  
 POST of Owls Head  
 TEAGUE of Fairfield

Which Report was Read and Accepted.  
 Sent down for concurrence.

**Second Readers**

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

**House — As Amended**

Bill, "An Act Concerning the Administration of Property Tax Laws Administered by the Bureau of Taxation." (H. P. 244) (L. D. 318)

Which was Read a Second Time.  
 The PRESIDENT: The Chair recognizes the Senator from Somerset, Senator Redmond.

Mr. REDMOND: Mr. President and Members of the Senate: I wish that some

member of the Taxation Committee could explain L. D. 318.

The PRESIDENT: The Senator from Somerset, Senator Redmond, has posed a question through the Chair to any member of the Taxation Committee with reference to L. D. 318.

On motion of Mr. Jackson of Cumberland, Tabled until later in Today's Session, Pending Passage to be Engrossed.

(See Action Later Today)

Bill, "An Act to Improve the Administration of the Maine Tree Growth Tax Law." (H. P. 1509) (L. D. 1734)

Which was Read a Second Time and Passed to be Engrossed as amended, in concurrence.

Bill, "An Act Concerning the Administration of Laws by the Bureau of Taxation." (H. P. 394) (L. D. 498)

Which was Read a Second Time.  
 The PRESIDENT: The Chair recognizes the Senator from Washington, Senator Wyman.

Mr. WYMAN: Mr. President, I would appreciate it if somebody would table this pending an Amendment that is now being prepared.

On motion of Mr. Jackson of Cumberland, Tabled until later in Today's Session, Pending Passage to be Engrossed.

(See Action Later Today)

**Enactors**

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

"An Act Exempting Certain Uses of Gas and Electricity from Taxation under the Sales and Use Tax Law." (H. P. 307) (L. D. 362)

"An Act Providing for an Investment Tax Credit and a Credit for the Creation of New Jobs." (H. P. 540) (L. D. 658)

"An Act to Coordinate, Effectively Utilize and Comprehensively Plan the Service Needs of Maine's Children and Families by Establishing a Maine Council of Families and Children, County Councils on Families and Children and a State Office for Children and Families." (H. P. 910) (L. D. 1158)

On motion of Mr. Huber of Cumberland, Placed on Special Appropriation Table, Pending Enactment.

"An Act Relating to Motor Vehicle Fees Collected by the Public Utilities Commission." (S. P. 92) (L. D. 216)

On motion of Mr. Merrill of Cumberland, Tabled until later in Today's Session, Pending Enactment.

"An Act to Revise Certain Motor Vehicle Related Laws." (H. P. 246) (L. D. 336)

"An Act to Create a Board of Registration of Substance Abuse Counselors." (H. P. 418) (L. D. 530)

"An Act Relating to Taxable Personal Property." (H. P. 851) (L. D. 1042)

"An Act to Repeal and Correct Certain Laws Relating to Health and Institutions." (H. P. 1356) (L. D. 1592)

"An Act to Establish Long-term Foster Care." (H. P. 1453) (L. D. 1693)

"An Act to Adjust Payments from the Mental Health and Mental Retardation Improvement Fund." (H. P. 1470) (L. D. 1727)

"An Act to Encourage Restitution." (H. P. 1474) (L. D. 1712)

"An Act Concerning Solicitation by Law Enforcement Officers." (H. P. 547) (L. D. 664)

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

"An Act to Require Adequate Polling Facilities in Municipalities." (S. P. 445) (L. D. 1535)

The PRESIDENT: The Chair recognizes the Senator from York, Senator Hichens.

Mr. HICHENS: Mr. President and Members of the Senate: Even though this bill was