

# 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

Thursday, July 7, 1977

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Reverend Peter L. Misner of the Winthrop United Methodist Church and the Wayne Community Church.

The journal of yesterday was read and approved.

**Papers from the Senate  
Report of Committees  
Ought to Pass**

Report of the Committee on Appropriations and Financial Affairs on Bill, "An Act Making Additional Appropriations for the Expenditures of State Government, to Make Allocations from the Highway Fund, Title II of the Public Works Act, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1978 and June 30, 1979" (S. P. 588) (L. D. 1895) reporting "Ought to Pass" — Pursuant to Joint Order S. P. 553.

Came from the Senate with the Report read and accepted and the Bill Passed to be Engrossed as amended by Senate Amendments "B" (S-369) and "C" (S-370).

In the House, the Report was read and accepted and the Bill read once.

Senate Amendment "B" (S-369) was read by the Clerk and adopted.

Senate Amendment "C" (S-370) was read by the Clerk and adopted and the Bill specially assigned for 11:00 A.M. today.

## Orders

An Expression of Legislative Sentiment (H. P. 1797) recognizing that:

Wallace H. Cunningham, of Pittsfield, is retiring after 20 years of faithful and efficient service as a teacher at Maine Central Institute.

Presented by: Rep. Wyman of Pittsfield

The Order was read and passed and sent up for concurrence.

An Expression of Legislative Sentiment (H. P. 1798) recognizing that:

William H. McKenzie, III, of Albion, has achieved the high personal honor and distinction of Eagle Scout.

Presented by: Rep. Hunter of Benton

The Order was read and passed and sent up for concurrence.

An Expression of Legislative Sentiment (H. P. 1799) recognizing that:

Donald Hines, of Albion, has achieved the high personal honor, and distinction of Eagle Scout.

Presented by: Rep. Hunter of Benton

The Order was read and passed and sent up for concurrence.

An Expression of Legislative Sentiment (H. P. 1800) recognizing that:

Blane Casey, of Weeks Mills, has achieved the high personal honor and distinction of Eagle Scout.

Presented by: Rep. Hunter of Benton

The Order was read and passed and sent up for concurrence.

The following Enactors appearing on Supplement No. 2 were taken up by unanimous consent:

**Passed to Be Enacted  
Emergency Measure**

An Act to Clarify Actual Notice Under the Recording Laws in Regard to Exceptions and Reservations (H. P. 1119) (L. D. 1337) (H. "A" H-847)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being

necessary, a total was taken. 112 voted in favor of same and 6 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

By unanimous consent, ordered sent forthwith.

"An Act to Revise the Fish and Game Laws" (S. P. 363) (L. D. 1224) (C "A" S-276 as amended by S "A" S-294; S "B" S-302; S "D" S-353; S "E" S-361 and H "A" H-813 and H "B" H-873).

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

The following papers appearing on Supplement No. 3 were taken up out of order by unanimous consent:

**Passed To Be Enacted  
Emergency Measure**

"An Act to Revise the Maine Tort Claims Act" (H. P. 1680) (L. D. 1874) (S "C" S-365)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 118 voted in favor of same and one against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

By unanimous consent, ordered sent forthwith.

**Passed to Be Enacted**

"An Act to Amend the Child Abuse and Neglect Laws" (S. P. 337) (L. D. 1122) (S "A" S-368, and H "A" H-798 to C "A" S-283; S "A" S-297; H "B" H-883).

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

"An Act to Establish a Tax Credit to Aid Businesses Providing New Jobs in Areas of High Unemployment (S. P. 436) (L. D. 1513) (S "E" S-359).

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

Subsequently, on motion of Mr. Wilfong of Stow, the House reconsidered its action whereby the Bill was passed to be enacted.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. WILFONG: Mr. Speaker, before we pass this, could somebody explain what this bill does, especially with the Senate Amendment? Is there anybody here who could explain it?

The SPEAKER: The Gentleman from Stow, Mr. Wilfong, has posed a question through the Chair to anyone who cares to answer.

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

Mr. PALMER: Mr. Speaker, Ladies and Gentlemen of the House: This is not my bill, it is Senator Pray's bill. It is similar to mine, except it differs to the extent that in the other bill dealing with this same subject, two things are taken care of: one is an investment credit and jobs. This one is simply jobs in high unemployment areas. So the two are, in a way, companion bills, except this one does not deal with the problem of investment credit where the other one does.

Mr. Wilfong of Stow requested a roll call vote.

The SPEAKER: For the Chair to order a roll call, it must have the expressed desire of one fifth of the members present and voting. All those desiring a roll call vote will vote yes; those opposed will vote no.

A vote of the House taken, and more than one fifth of the members present having expressed

a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is on passage to be enacted. All those in favor will vote yes; those opposed will vote no.

## ROLL CALL

YEA — Ault, Bagley, Beaulieu, Bennett, Benoit, Berry, Berube, Biron, Boudreau, A.; Boudreau, P.; Brennerman, Brown, K. D.; Bunker, Bustin, Carroll, Carter, D.; Chonko, Churchill, Clark, Conners, Connolly, Cote, Cunningham, Curran, Diamond, Dow, Drinkwater, Elias, Fenlason, Flanagan, Gill, Goodwin, K.; Gould, Greenlaw, Henderson, Hickey, Higgins, Hobbins, Huber, Hughes, Hutchings, Jackson, Jacques, Jalbert, Jensen, Joyce, Kane, Kany, Kelleher, Kerry, Kilcoyne, Laffin, Lewis, Lizotte, MacEachern, Marshall, Masterman, Masterton, McMahon, McPherson, Mitchell, Nadeau, Najarian, Nelson, M.; Nelson, N.; Palmer, Pearson, Perkins, Plourde, Prescott, Quinn, Raymond, Rideout, Rollins, Sewall, Shute, Silsby, Smith, Spencer, Sprowl, Strout, Tarbell, Tarr, Theriault, Tierney, Torrey, Trafton, Tyndale, Valentine, Wilfong, Wood, Wyman, The Speaker.

NAY — Aloupis, Austin, Bachrach, Birt, Brown, K.L.; Burns, Carter, F.; Cox, Dexter, Dudley, Durgin, Garsoe, Gillis, Goodwin, H.; Gray, Green, Hunter, Immonen, Littlefield, Locke, Lougee, Lynch, Mackel, Martin, A.; Maxwell, McBreairty, McHenry, Morton, Peltier, Peterson, Stover, Teague, Tozier, Whittemore.

ABSENT — Blodgett, Carey, Carrier, Davies, Devoe, Dutremble, Fowlie, Gauthier, Hall, Howe, LaPlante, LeBlanc, Lunt, Mahany, McKean, Mills, Moody, Norris, Peakes, Post, Stubbs, Talbot, Truman, Twitchell.

Yes, 93; No, 34; Absent, 24.

The SPEAKER: Ninety-three having voted in the affirmative and thirty-four in the negative, with twenty-four being absent, the motion does prevail.

Signed by the Speaker and sent to the Senate.

An Act to Authorize Family Crisis Workers and Short-term Emergency Services for Children, to Require the Designation of Return to Family Workers and to Enact Objectives and Priorities for Services to Children (S. P. 579) (L. D. 1893) (H. "A" H-888)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

**Later Today Assigned**

An Act Concerning the Administration of Property Tax Laws Administered by the Bureau of Taxation (H. P. 244) (L. D. 318) (C "A" H-822; S "A" S-362)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

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

Mr. COX: Mr. Speaker and Members of the House: The Senate amendment on this makes what appears to me to be a substantive change and I would like to have a little more time today to check this out. I notice the Chairman of the Taxation Committee is not in his seat, and I would appreciate it if somebody would table this until later in today's session.

Thereupon, on motion of Mr. Greenlaw of Stonington, tabled pending passage to be enacted and later today assigned.

An Act Concerning Requirements for Absentee Ballots (H. P. 1117) (L. D. 1335) (H "A" H-850, H "B" H-885, H "C" H-889 to C "A" H-688)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.