

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

***One Hundred and Eighth  
Legislature***

OF THE

STATE OF MAINE

**1978**

**Second Regular Session**

January 4, 1978 — April 6, 1978

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**Senate Confirmation Session**

June 14, 1978

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**First Special Session**

September 6, 1978 — September 15, 1978

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**Second Special Session**

October 18, 1978

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**Third Special Session**

December 6, 1978

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APPENDIX

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

By unanimous consent, ordered sent forthwith to the Senate.

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**At Ease**  
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Called to order by the Speaker.

On motion of Mr. Goodwin of South Berwick, the House reconsidered its action of yesterday whereby Bill "An Act to Establish the Health Facilities Information Disclosure Act." Senate Paper 695, L. D. 2136, was passed to be engrossed in non-concurrence.

On further motion of the same gentleman, tabled pending passage to be engrossed and later today assigned.

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**(Off Record Remarks)**  
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The Chair laid before the House the following matter:

Bill "An Act to Make Additional Corrections of Errors and Inconsistencies in the Laws of Maine" (Emergency) (S. P. 692) (L. D. 2132) which was tabled earlier in the day and later today assigned pending passage to be engrossed.

Ms. Clark of Freeport offered House Amendment "A" and moved its adoption.

House Amendment "S" (H-1207) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Freeport, Ms. Clark.

Ms. CLARK: Mr. Speaker, Men and Women of the House: This amendment simply brings the percentage form 20 back to 40. The Governor of the state just signed the bill that this amends. Prior to his signature, the percentage in the statutes was 50 percent. The Committee on Business Legislation somehow dropped the percentage down to 20 percent, which is 20 percent below the national standard. How that happened, I don't know, but we are now, hopefully, are bringing it back up to 40 percent, which is reflective of national standards of underwriting.

Thereupon, House Amendment "S" was adopted.

Mr. Hughes of Auburn offered House Amendment "T" and moved its adoption.

House Amendment "T" (H-1208) was read by the Clerk and adopted.

Thereupon, the Bill was passed to be engrossed as amended by Senate Amendments "C", "E", "G", "H", "I", "J", "L", "M", "N", "O", "P" and Senate Amendment "K" as amended by House Amendment "A" thereto, and House Amendments "A", "F", "G", "H", "K", "L", "M", "O", "P", "Q", "R", "S", "T" in non-concurrence and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

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**(Off Record Remarks)**  
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On motion of Mr. Tierney of Lisbon Falls, Recessed until the sound of the gong.

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**After Recess**  
**4:30 P.M.**  
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The House was called to order by the Speaker.

On motion of Mr. Lynch of Livermore Falls, the House reconsidered its action of earlier in the day whereby it voted to recede and concur with the Senate on passage to be engrossed of Bill "An Act to Clarify the Education Laws." House Paper 2018, L. D. 2093.

Senate Amendment "A" (S-587) was read by the Clerk.

On motion of Mr. Lynch of Livermore Falls, Senate Amendment "A" was indefinitely postponed in non-concurrence.

Senate Amendment "B" was read by the Clerk and adopted in concurrence.

On further motion of the same gentleman, the House receded from its action whereby House Amendment "A" was adopted.

The same gentleman offered House Amendment "A" (H-1211) was read by the Clerk and adopted.

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

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

By unanimous consent, ordered sent forthwith to the Senate.

On motion of Mr. Tierney of Lisbon Falls, the following Joint Order: (H. P. 2286)

ORDERED, the Senate concurring, that when the House and Senate adjourn, the House adjourns to 9:30 in the morning, and the Senate adjourns to 10:00 o'clock in the morning on Tuesday, March 21, 1978.

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

By unanimous consent, ordered sent forthwith.

Mr. Morton of Farmington was granted unanimous consent to address the House.

Mr. MORTON: Mr. Speaker, Ladies and Gentlemen of the House: We have three legislative days left. The Appropriation Bill has been available to the House for some little time and the three printed amendments, which may or may not be offered but those amendments, obviously have to do with the subject which, to say the least, is controversial at this session. What I wish to emphasize here late on this lovely Friday afternoon is that the Appropriation Bill of and by itself is not controversial, to the best of my knowledge. It contains many funding items which are 'must' items if state government is not to grind to a halt.

For those of you who have had an opportunity to examine the Appropriation Bill, it includes funding for the Education Finance Law and sets the index, sets the per pupil rate and makes the total allocation.

In the Mental Health and Corrections area, it funds the Pineland Law Suit Judgment, court intake workers in additional homes; it provides required new security at the state prison; it relieves overcrowding at the Men's Correctional Center, as well as OSHA inspired fire deficiencies as necessary.

In the Human Services area, the required funding includes children's protective services and it is absolutely essential that those be replaced from last session's actions, which came from the removal of the Mental Health Improvement Fund. Besides these unavoidable expenditures, there are highly desirable items which include new security cottages at the Youth Center in South Portland; AFDC increases; continuation of Day Care Funds at an even higher level.

Speaking for myself, Mr. Speaker, and I think I am a member of the loyal opposition in this House, I feel that it would be highly inappropriate and bordering on the irresponsible to further delay this bill and to mix it into the controversy on taxes. I am not offended by the political considerations that are part of the process that we have to use here to arrive at decisions, but I do urge that all my colleagues on both sides of the aisle consider carefully the necessity of acting on a clean Appropriation Bill with no delay.

Mr. Carey of Waterville was granted unanimous consent to address the House.

Mr. CAREY: Mr. Speaker, Ladies and Gentlemen of the House: I realize that the gentleman who spoke before me is of the loyal opposition and I am very well aware, having served on the Appropriations Committee, how

pure the Appropriation Bills are when they come out of that particular committee, but I would like to make a political fact known to the gentleman from Farmington, Mr. Morton, that we have, as Democrats in this House, captured the Appropriation Bill, L. D. 2195, just as your colleagues at the other end have captured the Taxation Bill, and it is being held for ransom at that is obviously the only reason why the Republicans are even still talking about a tax package.

Mr. Tierney of Lisbon Falls was granted unanimous consent to address the House.

Mr. TIERNEY: Mr. Speaker, Men and Women of the House: In addition to those very obvious political considerations, I do think that there is a substantive reason for the current posture of both bills, and while there is unanimous agreement on the Appropriation Committee as to what should be in the Appropriation Bill, obviously the larger question, which is, how much we should appropriate, it is contingent upon how much we decide to leave in surplus, which in turn contingent upon how much we grant in tax relief, so there is a substantive reason in addition to the obvious political ramifications.

The Chair laid before the House the following matter:

Bill, "An Act to Establish Standard Interest and Penalty Provisions for the Tax Laws" (H. P. 2070) (L. D. 2130) which was tabled earlier in the day and later today assigned further consideration.

On motion of Mrs. Post of Owls Head, the House voted to recede and concur.

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**(Off Record Remarks)**  
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On motion of Ms. Clark of Freeport, Adjourned until Tuesday, March 21, at nine-thirty in the morning.