

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

Index

**Senate Confirmation Session
September 16, 1977**

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AUGUSTA, MAINE

dly the Resolution was finally passed, signed by the Speaker and sent to the Senate.

By unanimous consent, ordered sent forthwith.

Passed to Be Enacted Emergency Measure

"An Act to Make Additional Corrections of Errors and Inconsistencies in the Laws of Maine" (S. P. 590) (L. D. 1896) (S. "A" S-374; S. "B" S-375, S. "C" S-377, S. "E" S-380, S. "F" S-381, S. "G" S-382, S. "H" S-389; H. "A" H-901, H. "B" H-904, H. "C" H-906, H. "D" H-907, H. "I" H-913, H. "J" H-915, H. "L" H-917, H. "R" H-923, H. "S" H-924, H. "T" H-925, H. "U" H-926, H. "V" H-927, H. "W" H-928, H. "Z" H-931, H. "BB" H-933)

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

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mrs. Lewis.

Mrs. LEWIS: Mr. Speaker, Ladies and Gentlemen of the House: I can't vote for this bill today, and the reason is that House Amendment "J" is on the bill. I am very much opposed to it. If any of you have read this particular amendment, it says that the President of the Senate and the Majority and Minority Leaders of the Senate and the Speaker of the House and the Majority and Minority Leaders of the House will have the authority to hire more than one assistant if their aggregate salary does not exceed that of the single personal staff assistant when the Legislature is in session or such other time. I think any of you know perfectly well that when you hire more than one person, if the salary is the same, the salary is just one part of it. There are the fringe benefits that go with it. There could be transportation involved, and it is very easy to extend the time that the person has — I would presume each one of these people are working part time — to extend that time and it is just another way to increase legislative bureaucracy.

When I first came here in the 106th and people who came then or came before certainly will have to see how it has enlarged. I can remember when the post office was down where the Majority Leader's office is now, the Speaker and the Majority Leader were together where the Speaker's Office is now. The whole thing has just increased and been enlarged, and this is just one other way. When you have more than one person, you are also going to have to have more than one desk, probably going to have to have more room, and it is an enlargement, and for that reason, I am going to vote against this bill.

The SPEAKER: This being an emergency measure, it requires a two-thirds vote of all the members elected to the House. All those in favor of this bill being passed to be enacted as an emergency measure will vote yes; those opposed will vote no.

A vote of the House was taken.

102 having voted in the affirmative and 7 having voted in the negative, the Bill was passed to be enacted.

Signed by the Speaker and sent to the Senate.

By unanimous consent, ordered sent forthwith to the Senate.

Passed to Be Enacted

"An Act to Lighten the Burden of Property Taxes on the Elderly Widowed or Disabled" (S. P. 440) (L. D. 1531) (C. "A" S-186)

"An Act to Amend the Maine Human Rights Act" (H. P. 162) (L. D. 200) (H. "A" H-941)

"An Act to Amend the Membership and the Legislative Mandate of the Capitol Planning Commission" (H. P. 1128) (L. D. 1345) (Conf. C. "A" H-936)

Were 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.

By unanimous consent, ordered sent forthwith to the Senate.

Orders of the Day

The Chair laid before the House the first item of Unfinished Business:

Joint Order — Relative to Adding Joint Rule 36-A, Carry over of bills and resolves (H. P. 1815)

Tabled — July 7, 1977 by Mr. Tierney of Lisbon Falls (Pursuant to House Rule 54)

Pending — Passage

On motion of Mr. Tierney of Lisbon Falls, the Order was indefinitely postponed.

The Chair laid before the House the second item of Unfinished Business:

Joint Order — Relative to Repealing and Replacing Joint Rule 24, Cloture; second regular session (H. P. 1814)

Tabled — July 7, 1977 by Mr. Tierney of Lisbon Falls (Pursuant to House Rule 54)

Pending — Passage

On motion of Mr. Tierney of Lisbon Falls, tabled pending passage and later today assigned.

The Chair laid before the House the third item of Unfinished Business:

Joint Order — Relative to Repealing and Replacing Joint Rule 22, Departmental Bills (H. P. 1816)

Tabled — July 7, 1977 by Mr. Tierney of Lisbon Falls (Pursuant to House Rule 54)

Pending — Passage

On motion of Mr. Tierney of Lisbon Falls, tabled pending passage and later today assigned.

The Chair laid before the House the fourth item of Unfinished Business:

RESOLVE, to appropriate \$8,956 to the Town of Milbridge to Reimburse it for Burglary Loss (Emergency) (H. P. 1759) (L. D. 1891)

Tabled — July 8, 1977 (Till Later Today) by Mr. Palmer of Nobleboro.

Pending — Final Passage (Roll Call Ordered)

The SPEAKER: The pending question is on final passage. All those in favor of this Resolve being finally passed will vote yes; those opposed will vote no.

ROLL CALL

YEA — Aloupis, Bachrach, Bagley, Beaulieu, Benoit, Berube, Boudreau, A.; Boudreau, P.; Brennerman, Brown, K. L.; Bunker, Burns, Bustin, Carey, Carroll, Carter, F.; Churchill, Clark, Connors, Connolly, Cunningham, Devoe, Diamond, Drinkwater, Durgin, Elias, Fenlason, Flanagan, Garsoe, Gill, Gillis, Goodwin, H.; Goodwin, K.; Gould, Gray, Greenlaw, Henderson, Hickey, Higgins, Hunter, Hutchings, Immonen, Jackson, Jalbert, Kany, Kilcovne, Lewis, Lunt, Lynch, Mackel, Martin, A.; Maxwell, McBreaity, McPherson, Mills, Nadeau, Najarian, Nelson, M.; Palmer, Peltier, Perkins, Peterson, Plourde, Prescott, Quinn, Rideout, Rollins, Sewall, Shute, Sprowl, Tarr, Theriault, Tierney, Torrey, Tozier, Trafton, Valentine, Whittemore, Wood, Wyman, The Speaker.

NAY — Berry, Birt, Brown, K. C.; Carter, D.; Chonko, Cote, Dexter, Dow, Green, Hall, Howe, Huber, Jensen, Joyce, Kelleher, Laffin, Littlefield, Lougee, MacEachern, Mahany, Masterman, McHenry, McKean, Mitchell, Morton, Pearson, Raymond, Smith, Stover, Teague, Wilfong.

ABSENT — Ault, Austin, Bennett, Biron, Blodgett, Carrier, Cox, Curran, Davies, Dudley, Dutremble, Fowlie, Gauthier, Hobbins, Hughes, Jacques, Kane, Kerry, LaPlante, LeBlanc, Lizotte, Locke, Marshall, Masterton, McMahon, Moody, Nelson, N.; Norris, Peakes, Post, Silsby, Spencer, Strout, Stubbs, Talbot, Tarbell, Truman, Twitchell, Tyndale.

Yes, 81; No, 31; Absent, 39.

The SPEAKER: Eighty-one having voted in the affirmative and thirty-one in the negative, with thirty-nine being absent, the Resolve fails of final passage.

Sent up for concurrence.

The Chair laid before the House the fifth item of Unfinished Business:

Joint Order — Relative to Legislative Council studying bill carry-over (H. P. 1827) Read in House on July 8.

Tabled — July 8, 1977 (Till Later Today) by Mr. Kelleher of Bangor

Pending — Passage

On motion of Mr. Tierney of Lisbon Falls, the Order was indefinitely postponed.

At this point, the rules were suspended to permit members to remove their jackets.

The following papers appearing on Supplement No. 1 were taken up out of order by unanimous consent:

Passed to Be Enacted Emergency Measure

"An Act to Provide Minimum Subsidy Payments for Small Administrative Units" (H. P. 185) (L. D. 247) (C. "A" H-120; S. "A" S-398)

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. 107 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.

Finally Passed Emergency Measure

RESOLVE, to appropriate Moneys for Research on Blackfly Biology and Continued Research on an Environmentally Safe Insecticidal Control for Blackflies (H. P. 291) (L. D. 348) (H. "A" H-361; S. "A" S-405 to S. "A" S-392)

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. 101 voted in favor of same and 11 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

"An Act to Establish an Assessment of Student Performance in the Basic Skills" (S. P. 518) (L. D. 1810) (H. "B" H-509; S. "A" S-401)

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. 102 voted in favor of same and 11 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

"An Act to Provide for Legislative Review and Automatic Termination of State Agency Rules" (H. P. 173) (L. D. 211) (S. "A" S-37 and S. "B" S-391 to C. "A" H-56)

"An Act to Raise the Christmas Tree Transportation Registration Fee" (H. P. 179) (L. D. 241) (S. "A" S-194 to C. "A" H-253)

"An Act to Authorize the State Librarian to Purchase Town Histories and other Maine Histories for Distribution to Public Libraries and Schools" (S. P. 182) (L. D. 496) (S. "A" S-397 to C. "A" S-35)

"An Act Appropriating Funds to Maine Vocational Development Commission" (H. P. 516) (L. D. 634) (S. "A" S-393 to C. "A" H-119)

"An Act Concerning Displaced Homemakers" (H. P. 700) (L. D. 842) (S. "A"