

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

***One Hundred and Ninth  
Legislature***

OF THE

STATE OF MAINE

**Volume II**

**First Regular Session**

May 7, 1979 to June 15, 1979

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**First Confirmation Session**

August 3, 1979

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**First Special Session**

October 4-5, 1979

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**Second Confirmation Session**

December 7, 1979

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Teague, Trotzky.

NAY—Carpenter, Clark, Conley, Hichens, Najarian, Pray, Shute, Sutton, Traflet, Usher.  
ABSENT—Danton, Farley, Huber, Katz, Martin, O'Leary.

A Roll Call was had.

16 Senators having voted in the affirmative, and 10 Senators in the negative, with 6 Senators being absent the Motion to Indefinitely Postpone does prevail.

The Chair recognizes the Senator from Aroostook, Senator McBreaity.

Senator McBREAITY: I move Reconsideration.

The PRESIDENT: The Senator from Aroostook, Senator McBreaity, having voted on the prevailing side, moves the Senate reconsider its action whereby L. D. 1134 was Indefinitely Postponed.

The Chair recognizes the Senator from Aroostook, Senator Carpenter.

Senator CARPENTER: Mr. President, I realize that I don't have a snowballs chance of turning around that last vote. I just want you to all keep in mind we can give \$200,000 to Pratt and Whitney, which the leadership of the Legislature favors. We can do a lot of things for industry, Tree Growth Tax, for the Pulp and Paper people. We've got a couple of programs up in Aroostook County and in other parts of this State. We honored the young men standing in the back of this room earlier this year that wear blue coats. I used to wear one.

Now I want to know how these kids are going to get started, and where your food is going to come from, just a few years from now? Some day there will probably be a program like this. It obviously won't come this session. I'm sorry that this bill has gotten tangled up. We get it all the way to Enactment. Then all of a sudden, there were objections raised, objections raised by people who aren't even in the Chamber tonight. That bothers me a little bit.

If anybody would just go ahead and take a look at this amendment, and understand what this bill does. We might have been able to change the votes around. Thank you very much.

The PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Sutton.

Senator SUTTON: Mr. President, just very briefly, I have changed my mind on this bill. I did look at the amendment. I hadn't. I see there is a mortgage on there that we keep and a mortgage on land the day is gold. Helping the small man, the farmer or small businessman with that type of guarantee is, I think, in good judgment.

The PRESIDENT: Will all those Senators in favor of reconsideration, please say Yes.

Will all those Senators opposed, please say No.

A Viva Voce Vote being had.

The Motion does not prevail.

The Chair laid before the Senate:

Bill, "An Act to Provide for Staggered Registration for Motor Trucks." (H. P. 767) (L. D. 970)

Tabled—Earlier in the Day by Senator Katz of Kennebec.

Pending—Enactment.

On motion by Senator Pierce of Kennebec, Tabled for 1 Legislative Day, pending Enactment.

The Chair laid before the Senate:

"An Act to Define Suitable Work after the First Twelve Consecutive Weeks of Unemployment." (H. P. 823) (L. D. 1023), tabled earlier in today's session, pending Enactment.

On Motion by Senator Pray of Penobscot, Re-tabled for 1 Legislative Day.

Out of Order and Under Suspension of the Rules, the Senate voted to consider the following:

#### Enactor

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

#### Emergency

Resolve, for Laying of the County Taxes and Authorizing Expenditures of Penobscot County for the Year 1979. (H. P. 1483) (L. D. 1670)

This being an emergency measure and having received the affirmative votes of 25 members of the Senate, with 1 Senator voting in the negative, was Finally Passed and having been signed by the President, was by the Secretary presented to the Governor for his approval.

Out of Order and Under Suspension of the Rules, the Senate voted to consider the following:

#### Papers from the House

##### Non-concurrent Matter

Bill, "An Act to Make Additional Corrections of Errors and Inconsistencies in the Laws of Maine." (S. P. 581) (L. D. 1639)

In the Senate, June 6, Passed to be Engrossed as amended by Senate Amendment "B" (S-328) as amended by Senate Amendments "A" (S-332), "B" (S-334), "C" (S-335), "D" (S-336), and "E" (S-337).

Comes from the House, the Bill Passed to be Engrossed, as amended by Senate Amendment "B" (S-328) as amended by Senate Amendments "A" (S-332), "B" (S-334), "D" (S-336), and "E" (S-337) and House Amendment "C" (H-705), Thereto, in non-concurrence.

The PRESIDENT: The Chair recognizes the Senator from Knox, Senator Collins.

Senator COLLINS: Mr. President, I'm going to move to Recede and Concur with the House. Before reaching that point I would just report to the Senate that as the bills comes back to us there are only 2 changes.

One is that we have lost the Senate Amendment that was offered by the Senator from Kennebec, Senator Pierce, that had to do with the graduate medical and other students. I've conferred with that Senator. We believe that the matter can be lived with, in spite of that loss.

The other change is House Amendment "C", which is a correction in the Arithmetic in the Budget of Hancock County, a \$10,000 error was made and has been corrected.

In order to pass the correction of the Hancock County Budget error in Arithmetic, it was necessary the amendment has not been printed for 24 hours to suspend Joint Rule 19A. I would therefore move that the Senate also suspend Joint Rule 19A with respect to House Amendment "C".

On motion by Senator Collins of Knox, Joint rule 19A suspended.

Senator COLLINS: Mr. President, I now move that the Senate Recede and Concur with the House.

The PRESIDENT: The Senator from Knox, Senator Collins now moves that the Senate Recede and Concur with the House.

Is this the pleasure of the Senate?

The Motion Prevailed.

#### Joint Orders

Expressions of Legislative Sentiment recognizing that:

The Oak Hill High School Boy's baseball team, coached by Bill Fairchild, won the Mountain Valley Conference Division III Championship for 1979... (H. P. 1535)

The Oak Hill Boy's Tennis Team, coached by Jim Ford, won the Mountain Valley Conference Championship for 1979... (H. P. 1536)

Mark Johnson of Wales is Valedictorian of the Class of 1979 at Oak Hill High School... (H. P. 1537)

Any Black of Litchfield is salutatorian of the Class of 1979 at Oak Hill High School... (H. P. 1538)

Bob Barriault won 3rd place in the shotput and 4th place in the javelin, for Oak Hill High

School, at the 1979 State Class "C" Track meet... (H. P. 1539)

Central High School Girl's Softball Team is the Eastern Maine Class C Champion for 1979... (H. P. 1540)

Drummond Erley Jr., son of Drummond and Joy Earley of Hudson received high honors for 4 years and is Salutatorian of the Class of 1979 at Central High School... (H. P. 1541)

Melody F. Blackwell, daughter of Delvin and Joan Blackwell of East Corinth, received High Honors for 4 years and is the Valedictorian of the Class of 1979 at Central High School.

Comes from the House, Read and Passed (H. P. 1542)

Which were Read.

On motion by Senator Pierce of Kennebec, Passed in concurrence.

#### Committee Report

##### House

##### Ought to Pass—As Amended

The Committee on Taxation on, Bill, "An Act Providing for Administrative Changes in Maine Tax Law." (H. P. 1068) (L. D. 1326)

Reports that the same Ought to Pass as amended by Committee Amendment "A" (H-702).

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

The Ought to Pass, as amended, Report of the Committee, Accepted, in concurrence, and the Bill Read Once.

Committee Amendment "A" Read and Adopted, in concurrence.

Under Suspension of the Rules, the Bill was Read a Second Time, and Passed to be Engrossed, as amended, in concurrence.

Sent forthwith to the Engrossing Department.

On Motion by Senator Perkins of Hancock, the Senate voted to remove from the Special Appropriations Table, Bill, "An Act to Conserve Fuels by Promoting the Construction of Facilities for the Burning of Solid Waste for Production of Thermal Energy." (H. P. 876) (L. D. 1081)

On Motion by Senator Clark of Cumberland, the Senate voted to Suspend its Rules.

On Motion by Senator Clark of Cumberland the Senate voted to reconsider its action whereby this Bill was Passed to be Engrossed.

On Motion by Senator Clark of Cumberland the Senate voted to reconsider Adoption of Committee Amendment "A".

Senator CLARK: Mr. President, I present Senate Amendment "A" to Committee Amendment "A", under Filing Number S-346 and move its Adoption.

The PRESIDENT: The Senator from Cumberland, Senator Clark, now offers Senate Amendment "A" to Committee Amendment "A" and moves its Adoption.

Senate Amendment "A" (S-346) Read.

The PRESIDENT: The Senator has the floor.

Senator CLARK: Thank you, Mr. President. This amendment is an amendment which I am doing. It's a technical change, 2 words were left from the Committee Amendment. I'm doing it rather than the good Chairman of our committee, Senator Teague, who is very busy with other things today. It has, other than that, no effect on the bill, other than it includes the intent of the Committee on Taxation, meaning that the bill was not directed solely to major industries in the State, but to commercial as well as industrial activities.

Senate Amendment "A" Adopted.

Committee Amendment "A", as amended, Adopted, in non-concurrence.

The Bill, Passed to be Engrossed, as amended, in non-concurrence.

Sent down for concurrence.

Senator Pierce of Kennebec, was granted unanimous consent to address the Senate, Off