

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Seventh  
Legislature*

OF THE

STATE OF MAINE

**Volume II**

May 21, 1975 to July 2, 1975

**Index**

KENNEBEC JOURNAL  
AUGUSTA, MAINE

Utilities on, Resolve. Proposing Study of the Implementation of State Ferry Service on Casco Bay. (H. P. 1154) (L. D. 1448)

Reported that the same Ought Not to Pass.

Signed:

Senators:

CUMMINGS of Penobscot  
GREELEY of Waldo  
CYR of Aroostook

Representatives:

SAUNDERS of Bethel  
GRAY of Rockland  
LITTLEFIELD of Hermon  
TARR of Bridgton

The Minority of the same Committee on the same subject matter reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-631).

Signed:

Representatives:

LUNT of Presque Isle  
SPENCER of Standish  
NADEAU of Sanford  
KELLEHER of Bangor

Comes from the House, the Minority report Read and Accepted and the Resolve Passed to be Engrossed as Amended by Committee Amendment "A".

Which reports were Read and the Majority Ought Not to Pass Report of the Committee Accepted in non-concurrence.

Sent down for concurrence.

#### Divided Report

The Majority of the Committee on Public Utilities on, Bill, "An Act to Allow Nonprofit Corporations to Operate Ferries on Casco Bay." (H. P. 1150) (L. D. 1444)

Reported that the same Ought Not to Pass.

Signed:

Senators:

CUMMINGS of Penobscot  
GREELEY of Waldo  
CYR of Aroostook

Representatives:

LITTLEFIELD of Hermon  
NADEAU of Sanford  
GRAY of Rockland  
SPENCER of Standish  
TARR of Bridgton  
LEONARD of Woolwich

The Minority of the same Committee on the same subject matter reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-586).

Signed:

Representatives:

LUNT of Presque Isle  
SAUNDERS of Bethel  
KELLEHER of Bangor

Comes from the House, the Minority report Read and Accepted and the Bill Passed to be Engrossed as Amended by Committee Amendment "A".

Which reports were read.

On motion by Mr. Conley of Cumberland, tabled and Tomorrow Assigned, pending Acceptance of either Committee Report.

#### Senate

The following Ought Not to Pass reports shall be placed in the legislative files without further action pursuant to Rule 17-A of the Joint Rules:

Bill, "An Act to Require Legislative Approval of State Property Assessment Districts, Assessment Standards and their Implementation Schedules." (S. P. 438) (L. D. 1454)

fBill, "An Act Relating to Assessment of Taxes in Municipalities of Less than 3,500 Population." (S. P. 462) (L. D. 1515)

#### Leave to Withdraw

Mr. Thomas for the Committee on Business Legislation on, Bill, "An Act Relating to Credit Unions." (S. P. 114) (L. D. 379)

Reported that the same be granted Leave to Withdraw.

Which report was Read.

On motion by Mr. Conley of Cumberland, tabled pending Acceptance of the Committee Report.

#### Ought to Pass - As Amended

Mr. Merrill for the Committee on Judiciary on, Bill, "An Act Creating the Maine Criminal Code." (S. P. 113) (L. D. 314)

Reported that the same Ought to Pass as Amended by Committee Amendments "A" (S-264) and "B" (S-265).

Which report was Read.

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

Mr. COLLINS: Mr. President and Members of the Senate: This is the major bill from the Committee on Judiciary concerning the Maine Criminal Code. I wanted to explain to the Senate why there are two committee amendments, which is a bit unusual. We have the unanimous concurrence of the Committee on both amendments, but there were two amendments because you will recall that earlier in the session we sent to the Law Court a request for a ruling on the constitutionality of certain provisions of the Code, and in order to do this in a proper manner, it was necessary to make a formal adoption of Committee Amendment "A", which picked up the two or three sections of the code about which there was some question.

Committee Amendment "B" is the part that you will wish to examine in learning what the committee has done to the original bill, the changes that have been made, and the statement of fact at the end of Committee Amendment "B" provides a summary in rather brief lay language as to what we have attempted to do.

I would like to say for the Senate members of the committee that we would welcome your inquiries. Senator Merrill, Senator Clifford, and I are willing to remain in the chamber after recess to answer questions or to meet with any of the members of the Senate individually to explore any specific concerns that you may have.

If it should be the case that any Senator has an amendment that he feels he should offer, we would hope that you would take advantage of the technical drafting expertise which is available through the Judiciary Committee. We will be glad to give you information about how to take advantage of that assistance in a technical manner. That does not mean that the committee would be departing from its policy position but, as we all realize, this is a very technical subject, and if there should be any amending, it is most important that the draftsmanship be of the very best quality. Thank you.

The PRESIDENT: Is it now the pleasure of the Senate to accept the Ought to Pass as Amended Report of the Committee?

Thereupon, the Ought to Pass as Amended Report of the Committee was Accepted and the Bill Read Once. Committee Amendments "A" and "B" were Read and Adopted and the Bill, as Amended, Tomorrow Assigned for Second Reading.

#### Second Readers

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

#### House

Bill, "An Act to Raise the Tax on Beer, Wine and Other Alcoholic Beverages to Provide Operating Funds for Alcohol Treatment Facilities." (H. P. 773) (L. D. 944)

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

Bill, "An Act to Require Ferries Operating in Casco Bay to be Equipped with Radar Devices." (H. P. 1151) (L. D. 1445)

Which was Read a Second Time and Passed to be Engrossed, in non-concurrence.

(See action later in today's session.)

#### House — As Amended

Bill, "An Act to Expand the Authority of Pharmacists to Dispense Drugs by their Generic Names." (H. P. 176) (L. D. 200)

Bill, "An Act Relating to School Dropouts and to Potential School Dropouts." (H. P. 1442) (L. D. 1702)

Bill, "An Act to Establish Assessments upon Certain Public Utilities and to Authorize use of the Funds Generated by those Assessments to Pay Certain Expenses of the Public Utilities Commission." (H. P. 1407) (L. D. 1719)

Which were Read a Second Time and Passed to be Engrossed, as Amended, in concurrence.

Bill, "An Act to Increase Certain Hunting and Fishing License Fees." (H. P. 464) (L. D. 566)

Which was Read a Second Time.

On motion by Mr. Pray of Penobscot, tabled until later in today's session, pending Passage to be Engrossed.

Bill, "An Act to Repeal Milk Control Prices at the Retail Level." (H. P. 208) (L. D. 267)

Which was Read a Second Time.

On motion by Mr. Merrill of Cumberland, the Senate voted to reconsider its former action whereby Committee Amendment "A" was Adopted.

The same Senator then moved that Committee Amendment "A" be Indefinitely Postponed.

The PRESIDENT: The Senator has the floor.

Mr. MERRILL: Mr. President, I am not going to deliver a long speech on the issue of retail price controls in Maine. I think every Senator here has probably gone around the arguments on this issue many times. I merely wish to say that it is my purpose in moving the indefinite postponement of Committee Amendment "A" to restore the bill to its previous posture whereby it would effectively repeal the retail price controls presently in force in the State of Maine. I think the purposes are obvious. I would just like to say a couple of things, underline a couple of points that I made to the Senator from York, Senator Hichens, and his committee, the Agriculture Committee, when I testified before that committee in this regard.

This is an issue that concerned me during the campaign and it is an issue that has concerned me since. Several times I have undertaken to compare the prices that my constituents in Portland are paying for milk and compare those to the prices that are being paid in the City of