

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

***One Hundred and Eighth  
Legislature***

OF THE

STATE OF MAINE

**Volume I**

**January 5, 1977 to May 25, 1977**

KJ PRINTING  
AUGUSTA, MAINE

**Divided Report**

The Majority of the Committee on State Government on, Bill, An Act Prohibiting State Legislators from Serving as Lobbyists within 4 Years of their Retirement from Office. (S. P. 246) (L. D. 755)

Reported that the same Ought Not to Pass.

Signed:

Senators:

COLLINS of Aroostook  
SNOWE of Androscoggin

Representatives:

CHURCHILL of Orland  
BACHRACH of Brunswick  
STUBBS of Hallowell  
KANY of Waterville  
CURRAN of S. Portland  
VALENTINE of York

The Minority of the same Committee on the same subject matter Reported that the same Ought to Pass as amended by Committee Amendment "A" (S-150).

Signed:

Senator:

MARTIN of Aroostook

Representatives:

MASTERTON of Cape Elizabeth  
DIAMOND of Windham  
LOCKE of Sebec  
SILSBY of Ellsworth

Which Reports were Read.

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

Mr. COLLINS: Mr. President, I move the Senate accept the Majority Ought Not to Pass Report, and would speak to my Motion.

The PRESIDENT: The Senator has the floor.

Mr. COLLINS: Mr. President and Members of the Senate, this is a very simple straight forward Bill that would prohibit State Legislators from becoming lobbyists for a period of four years, and would grandfather the present Legislation.

If you think that the Bill is overly restrictive, as the Majority of the Committee did, you would vote with us on the Motion to accept the Majority Ought Not to Pass Report. Those of us in this particular position, of course, feel that there is no particular need for this type of restriction, so I hope that you will accept the Majority Ought Not to Pass Report.

On Motion of Mr. Conley of Cumberland, Tabled until Monday next, Pending the Motion of the Senator from Aroostook, Senator Collins, that the Senate accept the Majority Ought Not to Pass Report.

**Second Readers**

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

**House**

Bill, An Act Relating to Recoupment Procedures under the Maine Medical and Hospital Malpractice Joint Underwriting Association Act. (H. P. 514) (L. D. 632)

Bill, An Act to Establish Procedures for Promulgation of Regulations Governing Travel Expense Reimbursement. (H. P. 656) (L. D. 799)

Bill, An Act Converting Hammond Plantation into the Town of Hammond. (H. P. 1088) (L. D. 1312)

Bill, An Act Relating to Expenditures of the Town Road Improvement Fund. (H. P. 1132) (L. D. 1350)

Bill, An Act to Require a Cost-Benefit Evaluation of Government Regulation. (H. P. 1365) (L. D. 1779)

Which were Read a Second Time and Passed To Be Engrossed, in concurrence.

**House — As Amended**

Bill, An Act Relating to Use of Motor Vehicles in Racing Events. (H. P. 206) (L. D. 265)

Bill, An Act Relating to the Motor Vehicle Excise Tax. (H. P. 243) (L. D. 316)

Bill, An Act to Permit Carpools Under the Public Utilities Law. (H. P. 247) (L. D. 319)

Bill, An Act to Create the Voluntary Fish Products Inspection Program. (H. P. 995) (L. D. 1184)

Bill, An Act Concerning Sound Media Near Voting Places on Election Day. (H. P. 981) (L. D. 1187)

Bill, An Act to Amend and Repeal Certain Laws Relating to Agriculture. (H. P. 1065) (L. D. 1292)

Bill, An Act to Define the Term Intersection. (H. P. 1220) (L. D. 1447)

Which were Read a Second Time and Passed To Be Engrossed, As Amended, in concurrence.

**Senate**

Bill, An Act to Amend the Requirement for Public Notice of Public Proceedings under the Right to Know Law. (S. P. 426) (L. D. 1484)

Which was Read a Second Time and Passed To Be Engrossed.

Sent down for concurrence.

**Senate — As Amended**

Bill, An Act Relating to Conduct of Examinations. (S. P. 97) (L. D. 226)

Which was Read a Second Time and Passed To Be Engrossed, As Amended.

Sent down for concurrence.

**Enactors**

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

An Act Concerning the Disposition of Human Remains. (H. P. 1543) (L. D. 1771)

An Act to Provide Accessible Polling Places for the Physically Handicapped and the Elderly. (H. P. 68) (L. D. 98)

An Act to Amend and Repeal Certain Laws Relating to Public Utilities. (H. P. 1091) (L. D. 1315)

An Act Concerning Damage to Cars Involved in Collision with Deer. (H. P. 692) (L. D. 874)

An Act Relating to a Single State Contact Agency for Matters Dealing with the Federal Fire Prevention and Control Act of 1974. (H. P. 949) (L. D. 1143)

Which were Passed To Be Enacted and having been signed by the President, were by the Secretary presented to the Governor for his approval.

An Act in Support of Regional Library Systems. (S. P. 462) (L. D. 1585)

On Motion of Mr. Huber of Cumberland, Placed on Special Appropriations Table, Pending enactment.

**Emergency**

An Act Appropriating Funds for Current Services of the Maine Human Services Council for the Fiscal Years Ending June 30, 1978 and June 30, 1979. (H. P. 564) (L. D. 689)

On Motion of Mr. Huber of Cumberland, Placed on Special Appropriations Table, Pending Enactment.

**Emergency**

An Act to Allocate Money from the Federal Revenue Sharing Fund for the Fiscal Years Ending June 30, 1978 and June 30, 1979. (S. P. 106) (L. D. 235)

This being an emergency measure and having received the affirmative votes of 26 members of the Senate, was Passed to be Enacted, and having been signed by the President, was by the Secretary presented to the Governor for his approval.

**Constitutional Amendment**

Resolution, Proposing an Amendment to the Constitution to Repeal Provisions Relating to the Poll Tax and to Payment in Lieu of Military Duty. (S. P. 387) (L. D. 1300)

The PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ: Mr. President, this is the first experience the Senate has had dealing with legislation pertaining to Quakers and Shakers and I just want to call it to the attention of the Senate.

Apparently the good Senator from Cumberland, Senator Merrill, is going to make it unconstitutional to buy your way out of military service. And before this is enacted, I think I would like a broad explanation from the Senator as to exactly what his motives were in this respect.

The PRESIDENT: The Senator from Kennebec, Senator Katz, has posed a question through the Chair.

The Chair recognizes the Senator from Cumberland, Senator Merrill.

Mr. MERRILL: Mr. President and Members of the Senate, when the previous speaker first arose I thought it might be possibly to put this one on the Appropriations Table.

This Bill removes two obsolete sections from our Constitution, one pertaining to the poll tax, which of course we no longer use for obvious reasons, and finally an archaic provision that is left in the State Constitution which allowed people to make payment in lieu of serving State Militia. Of course, that has not been done for some period of time, nor would we want it to be done I think, in the future if we had something we called the State Militia. So this Amendment simply takes out those obsolete sections of the Constitution.

This being a Constitutional Amendment and having received the affirmative votes of 29 members of the Senate, was Finally Passed and having been signed by the President, was by the Secretary presented to the Secretary of State.

**Orders of The Day**

The President laid before the Senate: Bill, "An Act to Exempt the Literacy Volunteers of the Pine Tree State from the Sales Tax." (H. P. 537) (L. D. 652)

Tabled — May 17, 1977 by Senator Huber of Cumberland

Pending — Enactment

On Motion of Mr. Huber of Cumberland, Placed on Special Appropriations Table Pending Enactment.

The President laid before the Senate:

**Veto**

Bill, "An Act Relating to Representation of State Employees under the State Employees Labor Relations Act." (S. P. 149) (L. D. 391)

Tabled — May 18, 1977 by Senator Speers of Kennebec

Pending — Consideration

The PRESIDENT: The Pending Question before the Senate is Shall this Bill become a law not withstanding the objections of the Governor? According to the Constitution, the vote will be taken by the Yeas and Nays.

A vote of Yes will be in favor of the Bill. A vote of no will be in favor of sustaining the veto of the Governor. Is the Senate ready for the question?

The Chair recognizes the Senator from Penobscot, Senator Pray.

Mr. PRAY: Mr. President and Members of the Senate, I would just point out one small fact before we vote on this Bill.

This Bill would give State Employees something that we as a Legislature in the 107th gave to the University of Maine State