

# MAINE STATE LEGISLATURE

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**Legislative Record**

OF THE

**One Hundred and Seventh Legislature**

(First Special Session)

OF THE

STATE OF MAINE

**1976**

KENNEBEC JOURNAL  
AUGUSTA, MAINE

Turner Chosen Winner of the Maine Voice of Democracy Contest

We the Members of the House of Representatives and Senate do hereby Order that our congratulations and acknowledgement be extended; and further

Order and direct, while duly assembled in session at the Capitol in Augusta, under the Constitution and Laws of the State of Maine, that this official expression of pride be sent forthwith on behalf of the Legislature and the people of the State of Maine.

The Order was read.

The SPEAKER: The Chair recognizes the gentleman from Poland, Mr. Torrey.

Mr. TORREY: Mr. Speaker, Ladies and Gentlemen of the House: It is a pleasure and a privilege to have with us today Miss Susan Moore from Turner, a Junior at Leavitt Area High School. I think her achievement in being a state winner in the democracy contest is very commendable. Her essay was written on the title "What Our Bicentennial Heritage Means to Me." It was a three to five minute speech, and besides getting a state award, she will also be taking an expense-paid trip to Washington, D. C. in March and also to San Diego, California in June. (Applause)

Thereupon, the Order received passage and was sent up for concurrence.

Mr. Palmer of Nobleboro presented the following Joint Resolution and moved its adoption: (H. P. 2064)

#### IN MEMORIAM

Having Learned of the Death of Eda F. Weeks of Jefferson who Faithfully Served the People of Maine as a Legislative Clerk.

The Senate and House of Representatives of the State of Maine do hereby extend their sincere heartfelt condolences and sympathy to the bereaved family and friends of the deceased; and further

While duly assembled in session at the State Capitol in Augusta under the Constitution and Laws of the State of Maine, do herein direct that this official expression of sorrow be forthwith sent to the family of the deceased on behalf of the Legislature and the people of the State of Maine.

The Resolution was read and adopted and sent up for concurrence.

#### House Reports of Committees Leave to Withdraw

Mr. Greenlaw from the Committee on Energy on Bill "An Act to Notify Home Owners, Apartment Building Owners and Tenants of Termination of Oil and Bottled Gas Delivery Service" (H. P. 1917) (L. D. 2105) reporting "Leave to Withdraw"

Report was read and accepted and sent up for concurrence.

#### Consent Calendar First Day

In accordance with House Rule 49-A, the following items appeared on the Consent Calendar for the First Day:

Bill "An Act Authorizing Educational Associates, Inc., to Confer Associate in Applied Science Degrees" — Committee on Education reporting "Ought to Pass" as Amended by Committee Amendment "A" (H-919) (H. P. 1851) (L. D. 2020)

Bill "An Act to Amend the Real Estate Disclosure Law" — Committee on Judiciary reporting "Ought to Pass" as Amended by Committee Amendment "A" (S-399) (S. P. 658) (L. D. 2083)

No objections being noted, the above items were ordered to appear on the

Consent Calendar on February 23, under listing of the Second Day.

#### Consent Calendar Second Day

In accordance with House Rule 49-A, the following item appeared on the Consent Calendar for the Second Day:

Bill "An Act to Increase the Number of Trustees of Nason College" (H. P. 1852) (L. D. 2021)

No objections having been noted at the end of the Second Legislative Day, the above item was passed to be engrossed and sent up for concurrence.

#### Passed to Be Engrossed

Bill "An Act to Revise Definition of 'Case' under Sardine Tax Law" (H. P. 1971) (L. D. 2160)

Was reported by the Committee on Bills in the Second Reading, read the second time, passed to be engrossed and sent up for concurrence.

#### Passed to Be Enacted Emergency Measure

An Act to Remove the Maine Criminal Justice Sentencing Institute from the Administrative Supervision of the Judicial Council (H. P. 1974) (L. D. 2163) (C. "A" H-895)

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. 116 voted in favor of same and none against and accordingly, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### Constitutional Amendment Tabled and Assigned

Resolution, Proposing an Amendment to the Constitution Allowing the Governor Ten Days to Act on Legislation (H. P. 1970) (L. D. 2159)

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

The SPEAKER: The Chair recognizes the gentleman from York, Mr. Rolde.

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: On my way in here today I was approached by a member of the Governor's staff, Miss Manson, who said there was a technical error in this resolution that needed to be corrected. I would appreciate it if somebody would table this for one legislative day.

Thereupon, on motion of Mrs. Najarian of Portland, tabled pending final passage and specially assigned for Monday, February 23.

#### Passed to Be Enacted

An Act Concerning the Uniform Processing of Employer Contributions into the Retirement System (H. P. 1871) (L. D. 2042) (C. "A" H-896)

Was 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.

#### Orders of the Day

The Chair laid before the House the first tabled and today assigned matter:

An Act Concerning Municipal Appropriations to Incorporated Volunteer Fire Departments (H. P. 1906) (L. D. 2093)

Tabled — February 18 by Mr. Berry of Buxton.

Pending — Passage to be Enacted.

The SPEAKER: The Chair recognizes the gentleman from Buxton, Mr. Berry.

Mr. BERRY: Mr. Speaker, Ladies and Gentlemen of the House: The original bill had some problems in it. An amendment was being prepared and the amendment still is not ready, so I would appreciate it if somebody would table this for one more day.

Thereupon, on motion of Mr. Talbot of Portland, Tabled pending passage to be enacted and specially assigned for Monday, February 23.

Mr. Peterson of Windham was granted unanimous consent to address the House.

Mr. PETERSON: Mr. Speaker, Ladies and Gentlemen of the House: The Natural Resources Committee has been involved in a study order which resulted from the Regular Session of the 107th Legislature concerning solid waste management, resource recovery and recycling. The whole committee has worked on that program diligently and has prepared legislation which is now in the Legislative Research Office. What any individual says on that committee concerning that legislation is his own opinion and his own view. Many of you have probably seen the newspapers today regarding a member's opinion of the opposite body on this piece of legislation. Those are his own opinions, he went to the press and delivered the documents, courtesy of himself, the rest of the members of the committee have not done such but they did work hard and each and every one of them deserve credit for it and I would hate to see something like this be spoiled because somebody is interested in seeing his own name in the paper.

Mr. McMahan of Kennebunk was granted unanimous consent to address the House.

Mr. McMAHON: Mr. Speaker, Ladies and Gentlemen of the House: I didn't really expect to speak today and I will apologize in advance if any of you find my comments unpleasant. Several times I have commented to this body and in the caucus that to open the question of an income tax increase at the present time would be to invite a much larger increase by every special interest group in this state. This would be to the detriment of the taxpayers of this state.

As the gentleman from Buxton, Mr. Berry, said so well yesterday, in this state the income tax is actually regressive, since most Maine people who pay are it are poor. Per capita personal income in this state in 1974 was \$4,590, which ranks Maine 39th in the nation.

During the same fiscal year, Maine ranked 3rd in the nation in the amount of state and local revenues per thousand dollars of personal income taxation and that amount was \$149.07 as opposed to a national average of \$123.58. This means, very simply, in Maine anyway, the poor are taxed to help the poor.

In spite of this situation, we have had sent to us today a letter which represents to me nothing more than a joint attempt by three special interest groups, one of which, I am sad to say, represents the profession to which I belong, to further penalize the very people of this state for whom they are stating they are concerned.

I call your attention to this letter sent out under the heading, Alliance to Maine's Future. The first paragraph of the letter says, "This letter is written in behalf of the alliance of three major public employee organizations in the State concerning our