

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**

Index

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Engrossed as amended by Committee Amendment "A".

Which Reports were Read and Accepted, in concurrence, and the Bills Read Once. Committee Amendments "A" were Read and Adopted, in concurrence.

The Committee on State Government on, Bill, "An Act Concerning Displaced Homemakers." (H. P. 700) (L. D. 842)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-599).

Comes from the House, the Bill Passed to be Engrossed as amended by Committee Amendment "A" (H-599) as amended by House Amendment "A" (H-620) thereto.

Which Report was Read and Accepted, in concurrence, and the Bill Read Once. Committee Amendment "A" was Read. House Amendment "A" to Committee Amendment "A" was Read and Adopted, in concurrence. Committee Amendment "A", as amended by House Amendment "A" thereto, Adopted, in concurrence. The Bill, as amended, Tomorrow Assigned for Second Reading.

Ought to Pass in New Draft

The Committee on Business Legislation on, Bill, "An Act Relating to Regulation of Traveling Shows." (H. P. 713) (L. D. 843)

Reported that the same Ought to Pass in New Draft under same title. (H. P. 1722) (L. D. 1883)

Comes from the House, the Bill, in New Draft, Passed to be Engrossed.

Which Report was Read and Accepted, and the Bill, in New Draft, Read Once, and Tomorrow Assigned for Second Reading.

Enactors

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

"An Act to Allow Escape of Sublegal Lobsters from Lobster or Crab Traps." (H. P. 944) (L. D. 1139)

On Motion of Mr. Huber of Cumberland, Tabled One Legislative Day, pending enactment.

"An Act to Revise the Water Quality Program." (S. P. 508) (L. D. 1793)

"An Act to Provide that Regular Annual Reports of the Executive Branch be Made Through the Maine State Government Annual Report." (S. P. 336) (L. D. 1121)

"An Act to Require that a Hospital Pharmacist, a Chain Pharmacist and an Independent Pharmacist be Appointed to the Board of Commissioners of Pharmacy." (S. P. 251) (L. D. 759)

"An Act to Establish Withdrawal Dates for Candidates and Nominees." (H. P. 1666) (L. D. 1866)

"An Act Relating to Public Utility Electrical Transmission Lines and Gas and Oil Pipelines." (H. P. 1659) (L. D. 1855)

"An Act to Increase the Veterans Exemption for Paraplegics." (H. P. 1129) (L. D. 1347)

"An Act to Allow Free Hunting and Fishing Licenses to Maine Disabled War Veterans." (H. P. 1071) (L. D. 1263)

"An Act Establishing the Maine Small Business Loan Authority." (H. P. 1004) (L. D. 1244)

"An Act to Reduce the Size of the Board of Directors of the Criminal Justice Planning and Assistance Agency and to Change the Appointment of the Executive Director." (H. P. 441) (L. D. 548)

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 to Authorize County Jail Inmate Participation in Municipal Public Work Projects." (H. P. 1313) (L. D. 1547)

The PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Pray.

Mr. PRAY: Mr. President and Members of the Senate: I just bring this one bill to your at-

tention at this time as it goes through the process, the final action the Senate will be able to take on this, and I would hope that each and every one of you would read the Bill and consider the consequences.

Which was Passed to be Enacted and having been signed by the President, was by the Secretary presented to the Governor for his approval.

"An Act to Allow Limited Operation of an Unregistered Motor Vehicle." (H. P. 1101) (L. D. 1325)

On Motion of Mr. Conley of Cumberland, This Bill Passed to be Enacted and having been signed by the President, was by the Secretary presented to the Governor for his approval.

Emergency

"An Act Relating to Tuna Fishing." (H. P. 914) (L. D. 1110)

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Merrill.

Mr. MERRILL: Mr. President, I would like to pose a question through the Chair to anyone who may care to answer. In reading this Bill, seeing that it is an emergency bill that deals with tuna fishing, and would create a fee that has to be paid, I have two questions. Who does the revenue from this fee go to, and is this a new concept, having fees paid to the State of Maine for fishing salt water fish, or is this already a well established precedent?

The PRESIDENT: The Chair recognizes the Senator from Sagadahoc, Senator Chapman.

Mr. CHAPMAN: Mr. President and Members of the Senate: In reference to the questions, no, it is not a new fee. Three years ago the Legislature established a fee for commercial fishing of \$200.00. Commercial fishing is when fish are sold. If anyone catches one of these tuna fish, they obviously have to sell it, because it is too big. In order to sell it, they have to buy, under the new fee set up, a \$200.00 license.

It restricted severely the sport fishing interest from out of state, this is an out-of-state fee, so we reduced it in this one instance to \$50.00 to sell it to them.

This being an emergency measure and having received the affirmative votes of 22 members of the Senate, and the negative votes of 3 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 Reduce and Combine the Guarantee Limits for the Insurance of Enterprises within the State, and to make Vessels Registered in the State Eligible for Such Insurance. (S. P. 252) (L. D. 778)

The PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Mangan.

Mr. MANGAN: Mr. President, I would hate to think that I am voting on something I am not very sure of what I am voting on. Would there be a possibility of having somebody from the Committee explain this?

The PRESIDENT: The Senator from Androscoggin, Senator Mangan, has posed a question through the Chair to any Senator from the State Government Committee who may care to answer.

The Chair recognizes the Senator from Aroostook, Senator Collins.

Mr. COLLINS: Mr. President and Members of the Senate: The present Constitution provides for a Loan Authority of \$80 million for industrial purposes, and a separate Authority for recreational purposes of \$17 million. The Bill combines the two Authorities, and it also reduces the total amount from \$97 million to \$90 million. It provides for more flexibility so that the Authority can choose somewhat better than it can now.

The demand for recreational loan has declined substantially, while there has been an increase in the demand for industrial type loans. So it just combines the two, and further it does reduce the total Authority, and this is the Constitutional provision opposed to the statutory provision. The statutory provision at the present time provides for only \$40 million of the total constitutional authority.

This being a Constitutional Amendment and having received the affirmative votes of 28 members of the Senate, was Finally Passed, and having been signed by the President, was by Secretary presented to the Secretary of State.

Orders of the Day

The President laid before the Senate:

House Reports — from the Committee on Marine Resources — Bill, "An Act to Prohibit Otter Trawling for Scallops in the Penobscot River." (H. P. 1147) (L. D. 1381) Majority Report Ought Not to Pass; Minority Report — Ought to Pass

Tabled — Earlier in the Day by Senator Chapman of Sagadahoc

Pending — Acceptance of Either Report

On Motion of Mr. Speers of Kennebec, Retabled for one Legislative Day.

The President laid before the Senate:

Senate Reports — from the Committee on Election Laws — Bill, "An Act to Permit Voter Registration and Enrollment at the Polls on Election Day." (S. P. 355) (L. D. 1180) Majority Report — Ought Not to Pass; Minority Report — Ought to Pass as Amended by Committee Amendment "A" (S-254)

Tabled — Earlier in the Day by Senator Danton of York

Pending — Acceptance of Either Report

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

Mr. SPEERS: Mr. President, I move that this item lie on the table one Legislative Day.

The PRESIDENT: The Senator from Kennebec, Senator Speers, now moves that this item be tabled for one Legislative Day.

The Chair recognizes the Senator from Cumberland, Senator Conley.

Mr. CONLEY: Mr. President, I request a Roll Call.

The PRESIDENT: A Roll Call has been requested.

In order for the Chair to order a Roll Call, it must be the expressed desire of one-fifth of those Senators present and voting. Will all those Senators in favor of a Roll Call, please rise in their places to be counted.

Obviously, more than one-fifth having arisen, a Roll Call is ordered.

The Chair recognizes the Senator from Cumberland, Senator Merrill.

Mr. MERRILL: Mr. President, would it be in order at this time to inquire from the Secretary the Legislative history of this Bill in this Chamber up until now.

The PRESIDENT: The Chair would answer in the affirmative.

History of the Bill Read.

The PRESIDENT: The pending question before the Senate is the motion by the Senator from Kennebec, Senator Speers, that item number 2 by tabled for one legislative day.

A yes vote will be in favor of tabling for one legislative day. A no vote will be opposed to tabling for one legislative day.

The doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEA — Chapman, Collins, D.; Collins, S.; Cummings, Curtis, Greeley, Hewes, Hichens, Huber, Jackson, Katz, Lovell, McNally, Morrell, Pierce, Redmond, Snowe, Speers, Wyman.

NAY — Conley, Danton, Farley, Levine, Mangan, Martin, Merrill, Minkowsky, Pray, Trotzky, Usher.