

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Seventh  
Legislature*

OF THE

STATE OF MAINE

1975

KENNEBEC JOURNAL  
AUGUSTA, MAINE

Signed:

Senators:

CUMMINGS of Penobscot  
GREELEY of Waldo  
CYR of Aroostook

Representatives:

LEONARD of Woolwich  
TARR of Bridgton  
NADEAU of Sanford  
BERRY of Buxton  
KELLEHER of Bangor  
LUNT of Presque Isle  
LITTLEFIELD of Herman  
SAUNDERS of Bethel  
SPENCER of Standish

The Minority of the same Committee on the same subject matter reported that the same Ought to Pass.

Signed:

Representative:

GRAY of Rockland

Which reports were Read.

Thereupon, on motion by Mr. Graham of Cumberland, tabled and Tomorrow Assigned, pending Acceptance of Either Report.

**Divided Report**

The Majority of the Committee on Education on, Bill, "An Act to Provide an Agricultural Education Consultant within the Department of Educational and Cultural Services." (S. P. 202) (L. D. 669)

Reported that the same Ought to Pass.

Signed:

Senators:

KATZ of Kennebec  
THOMAS of Kennebec  
BERRY of Androscoggin

Representatives:

TYNDALE of Kennebunkport  
BAGLEY of Winthrop  
LEWIS of Auburn  
CARROLL of Limerick  
CONNALLY of Portland  
MITCHELL of Vassalboro  
POWELL of Wallagrass Pt.

The Minority of the same Committee on the same subject matter reported that the same Ought Not to Pass.

Signed:

Representatives:

LYNCH of Livermore Falls  
FENLASON of Danforth  
INGEGNERI of Bangor

Which reports were Read.

Thereupon, the Majority Ought to Pass Report of the Committee was Accepted, the Bill Read Once and Tomorrow Assigned for Second Reading.

**Second Readers**

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

**House**

Bill, "An Act to Clarify the Power of the Commissioner of Transportation and the Chief of the Maine State Police to Regulate Speed Limits." (H. P. 905) (L. D. 1104)

Bill, "An Act Relating to Cancellation of Insurance Policies under the Maine Consumer Credit Code." (H. P. 1177) (L. D. 1480)

Bill, "An Act Relating to Sales Tax on Aircraft and Sales Tax Exemption on Trade-in Credit for Aircraft." (H. P. 1188) (L. D. 1484)

Bill, "An Act to Exempt Community Based Mental Retardation Services from the Sales Tax." (H. P. 1255) (L. D. 1551)

Bill, "An Act Relating to the Borrowing Capacity of East Range II Community School District." (H. P. 1560) (L. D. 1870)

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Capacity of East Range II Community School District." (H. P. 1560) (L. D. 1870)

Bill, "An Act Relating to Reserve Valuation Standards for Life Insurance and Annuity Contracts and Nonforfeiture Benefits of Life Insurance Policies." (H. P. 1576) (L. D. 1879)

Resolve, to Reimburse Briana Hinkley of Wilton for Injuries Received in the State Forestry Building at Weld. (H. P. 1481) (L. D. 1772)

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

Bill, "An Act to Permit the Continuation of Mediation Services." (H. P. 739) (L. D. 911)

Which was Read a Second Time.

On motion by M. Speers of Kennebec, tabled and Specially Assigned for May 19, 1975, pending Passage to be Engrossed.

**House - As Amended**

Bill, "An Act to Repeal Exclusions Granted under the Consumer Credit Code to Certain Loans Made by Supervised Financial Institutions." (H. P. 606) (L. D. 749)

Bill, "An Act to Facilitate the Collection of Real Estate Taxes on House Trailers." (H. P. 672) (L. D. 847)

Bill, "An Act Relating to the Exclusion or Modification of Warranties on Used Consumer Goods." (H. P. 810) (L. D. 999)

Bill, "An Act Regarding Late Payment of Insurance Claims." (H. P. 930) (L. D. 1156)

Bill, "An Act Concerning Candidates for Public Office who are Running as Independents." (H. P. 953) (L. D. 1192)

Bill, "An Act to Permit the Use of Weirs and Eel Traps in Certain Washington County Waters." (H. P. 1145) (L. D. 1439)

Bill, "An Act Relating to Eligibility of Benefits under the Employment Security Law." (H. P. 1215) (L. D. 1529)

Bill, "An Act Creating the Bureau of Central Computer Services within the Department of Finance and Administration." (H. P. 1440) (L. D. 1789)

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

Bill, "An Act to Clarify Certain Provisions of the Maine Right to Know Law." (H. D. 848) (L. D. 1035)

Which was Read a Second Time.

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

Mr. REEVES: Mr. President, in the interest of orderly Senate procedures, later in the session I intend to withdraw my motion to revive a bill similar to this bill, but in no way do I or the other sponsors of this other proposal withdraw any support for the important provisions of our bill.

Maine needs to improve its right to know law. That should be clear to all of us. For example, our present law, although it was a pioneer in the area of open meetings, has given room to some government councils to operate behind closed doors, and that has given reason for public suspicion. When you don't know what is going on, it is only natural for some to suspect the worst, and I think the people still remember Watergate. But I would like to offer an example of this from a recent issue of the Kennebec Journal that many of you may have seen. The headline is "Council Budget Session Secret."

I don't wish to take a lot of time right

now because my intention is to redraft certain amendments for this bill, L. D. 1035, in the areas which are listed on a fact sheet which I distributed to members of the Senate today. Specifically, the sponsors of the Common Cause bill on open meetings, L. D. 512, believe that our law needs these improvements, and these are the types of amendments that I have in mind for this bill, L. D. 1035;

The first, and I think one of the most important, is public notice, because without this, without a simple way of letting the public know, any meeting would in effect be a secret meeting.

Second, we need to require that minutes be kept. We must recognize that there also must be a flexibility in our law, that there are times when some matters cannot be discussed in public, so we want to list certain exceptions under which a government council may vote to meet in private without, of course, taking any final action. Such exemptions might include the discussion of individuals, security measures, collective bargaining, criminal allegations.

Finally, we feel it is important that an ordinary citizen must have standing to bring action to stop secret meetings which violate our law, and to void any actions taken in violation of the law.

Most important, this law on open government must apply to us in the legislature as well as all others. We must be as open as any government council. We cannot be above the law as we are now.

Mr. President, I think it is appropriate in discussing this bill to mention Common Cause of Maine. They are a group of good people who worked hard on this bill, and they represent many others who believe that good government is open government. Thank you, Mr. President.

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

Mr. SPEERS: Mr. President, I appreciate the remarks of the good Senator from Kennebec, Senator Reeves, and I certainly commend him for acknowledging that this bill is before us, as well as another bill coming from the House, and that it is available for amendments that may be offered, rather than insisting on the bill that was reported out "Leave to Withdraw" from the Committee on Legal Affairs. For that reason, I would like to have this matter tabled until possibly Tuesday of next week so that the good Senator may have the amendments prepared, as he has indicated he would like to do.

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

Thereupon, on motion by Mr. Conley of Cumberland, tabled and Specially Assigned for May 20, 1975, pending Passage to be Engrossed.

**Senate**

Bill, "An Act to Establish Job Development, Placement and Follow-up Services in Secondary Schools." (S. P. 476) (L. D. 1609)

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

Sent down for concurrence.

**Senate - As Amended**

Bill, "An Act to Redefine the Term Payable in Instalments under the Maine Consumer Credit Code." (S. P. 61) (L. D. 178)