

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fourth
Legislature*

OF THE

STATE OF MAINE

Volume III

June 17, 1969 to July 2, 1969

Index

1st Special Session

January 6, 1970 to February 7, 1970

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KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Friday, January 30, 1970

Senate called to order by the President.

Prayer by Dr. Stephen Szikszai of Bangor.

Reading of the Journal of yesterday.

Joint Order

Out of Order and Under Suspension of the Rules:

On motion by Mr. Hoffses of Knox,

ORDERED, the House concurring, that when the House and Senate adjourn, they adjourn to Monday, February 2, at 11 o'clock in the morning. (S. P. 653)

Which was Read and Passed and, under suspension of the rules, sent down forthwith for concurrence.

**Papers from the House
Non-concurrent Matter**

Bill, "An Act Appropriating Funds to the Department of the Attorney General." (Emergency) (H. P. 1364) (L. D. 1713)

In the Senate January 22, 1970, Passed to be Engrossed, in concurrence.

Comes from the House, Indefinitely Postponed, in non-concurrence.

Thereupon, the Senate voted to Recede and Concur.

Non-concurrent Matter

Bill, "An Act Providing for Immunity to Members of Ski Patrols in Emergency Cases." (Emergency) (S. P. 583) (L. D. 1710)

In the Senate January 27, 1970, Passed to be Engrossed as Amended by Committee Amendment "A" (S-396), in concurrence.

Comes from the House, Passed to be Engrossed as Amended by Committee Amendment "A" and House Amendment "A", in non-concurrence.

Thereupon, the Senate voted to Recede and Concur.

Non-concurrent Matter

Resolve to Reimburse Canton Water District for Costs of Relocating Pipes because of Highway Construction. (S. P. 597) (L. D. 1768)

In the Senate January 27, 1970, the Minority Ought to Pass Report Read and Accepted and the Bill subsequently Passed to be Engrossed as Amended by Committee Amendment "A" (S-392).

Comes from the House, the Majority Ought Not to Pass Report Read and Accepted, in non-concurrence.

The PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Beliveau.

Mr. BELIVEAU of Oxford: Mr. President, I move we insist.

The PRESIDENT: The Senator from Oxford, Senator Beliveau, moves that the Senate insist. Is this the pleasure of the Senate?

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ of Kennebec: Mr. President, I move we recede and concur.

The PRESIDENT: The Senator from Kennebec, Senator Katz, moves that the Senate recede and concur.

The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: In the few waning hours available to us I think there is ample time to attempt to do something here, and it certainly is a needy case. I would hope that we would defeat the motion to recede and concur, and then that a motion to insist and request a committee of conference would prevail.

The PRESIDENT: Is the Senate ready for the question? The pending question before the Senate is the motion of the Senator from Kennebec, Senator Katz, that the Senate recede and concur with the House. As many Senators as are in favor of receding and concurring will say "Yes"; those opposed, "No."

A viva voce vote being taken, and the Chair being in doubt ordered a division. Eleven Senators having voted in the affirmative, and fifteen Senators having voted in the negative, the motion did not prevail.

Thereupon, on motion by Mr. Berry of Cumberland, the Senate voted to Insist and Request a Committee of Conference.

The President named a s conferees on the part of the Senate:

Senators:
 LOGAN of York
 STUART of Cumberland
 BELIVEAU of Oxford

**Committee Reports
 House**

Ought to Pass in New Draft

The Committee on Education on, Bill, "An Act to Authorize Town of Winterport to Form a School Administrative District." (H. P. 1398) (L. D. 1754)

Reported that the same Ought to Pass in New Draft under New Title: "An Act Permitting the Town of Winterport to Join School Administrative District No. 22 or School Administrative District No. 56 Under Certain Conditions." (H. P. 1451) (L. D. 1827)

Comes from the House, the report Read and Accepted, and the Bill, in New Draft, Passed to be Engrossed.

Which report was Read and Accepted in concurrence, the Bill, in New Draft, Read Once and tomorrow assigned for Second Reading.

Senate

Ought to Pass in New Draft

Mr. Berry for the Committee on Natural Resources on Bill, "An Act Relating to Water Quality Standards." (S. P. 599) (L. D. 1770)

Reported that the same Ought to Pass in New Draft under Same Title. (S. P. 650) (L. D. 1828)

Which report was Read and Accepted and the Bill, in New Draft, Read Once.

Under suspension of the rules, the Bill, in New Draft, was given its Second Reading and Passed to be Engrossed.

Thereupon, under further suspension of the rules, sent down forthwith for concurrence.

Enactors

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

An Act Relating to the Taxation of Farm Machinery. (H. P. 1360) (L. D. 1689)

An Act Adjusting Salaries of Certain Unclassified State Personnel. (S. P. 590) (L. D. 1745)

An Act Increasing Salaries of Justices of the Supreme Judicial Court and the Superior Court and Judges of the District Court. (H. P. 1432) (L. D. 1805)

(On motion by Mr. Sewall of Penobscot, placed on the Special Appropriations Table.)

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

Orders of the Day

The President laid before the Senate the first tabled and specially assigned matter:

JOINT ORDER — Relative to Proposed State Liquor Store in the Town of Lubec. (H. P. 1437)

Tabled—January 29, 1970 by Senator Katz of Kennebec.

Pending—Consideration.

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

Mr. KATZ of Kennebec: Mr. President, would the Chair inform me what the status of this matter is?

The PRESIDENT: Yesterday the Senate reconsidered its action whereby it receded and concurred with the House, and it was placed on the table pending further consideration. In the House this Joint Order was referred to the Committee on Appropriations and Financial Affairs.

The Chair recognizes the same Senator.

Mr. KATZ: Mr. President, it is Bill, "An Act to Clarify the Legislature is to take any action it will not be in this form. I move that the Senate adhere.

Thereupon, the Senate voted to Adhere.

The President laid before the Senate the second tabled and specially assigned matter:

Bill, "An Act to Clarify the Education Laws and Subsidy Payments." (H. P. 1309) (L. D. 1623)

Tabled—January 29, 1970 by Senator Katz of Kennebec.

Pending—Passage to be Engrossed.

On motion by Mr. Katz of Kennebec, retabled until later in today's session, pending Passage to be Engrossed.

On motion by Mr. Hoffses of Knox,

Recessed pending the sound of the bell.

(After Recess)

Called to order by the President.

Out of order and under suspension of the rules, the Senate voted to take up the following Papers from the House:

Committee Reports

House

Ought to Pass

The Committee on Appropriations and Financial Affairs on Bill, "An Act to Authorize a Bond Issue in the Amount of \$3,935,000 for the Construction of New Facilities and Equipment at Northern, Southern, Eastern, Central, and Washington County Vocational Technical Institutes and a Diagnostic Facility for the Boys Training Center." (H. P. 1452) (L. D. 1829)

Reported pursuant to Joint Order (H. P. 1444) that the same Ought to Pass.

Comes from the House, the report Read and Accepted and the Bill Passed to be Engrossed.

Which report was Read.

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

The Chair recognizes the Senator from Oxford, Senator Dunn.

Mr. DUNN of Oxford: Mr. President and Members of the Senate: I signed this one out a little bit reluctantly, but I do believe in the vocational schools. There is one item, the diagnostic center, that I have serious doubts about, and part of it, I guess, is because I am told that it will cost a little over a quarter of a million dollars a year to operate it. I just wanted to bring that point out to go on the record that there is quite an expense to this one building.

Thereupon, the Ought to Pass Report of the Committee was Accepted in concurrence and the Bill Read Once.

Under suspension of the rules, the Bill was then given its Second Reading.

Thereupon, on motion by Mr. Katz of Kennebec, tabled and tomorrow assigned, pending Passage to be Engrossed.

Non-concurrent Matter

Bill, "An Act to Promote Governmental Reorganization and Efficiency." (S. P. 641) (L. D. 1812)

In the Senate January 27, 1970, Passed to be Engrossed.

Comes from the House, Passed to be Engrossed as Amended by House Amendment "A" (H-667) and House Amendment "B" (H-676) in non-concurrence.

On motion by Mr. Katz of Kennebec, tabled and tomorrow assigned, pending Consideration.

Ought to Pass - As Amended

The Committee on Judiciary on Bill, "An Act Relating to Easements in Lands." (H. P. 1336) (L. D. 1665)

Reports that the same Ought to Pass as Amended by Committee Amendment "A" (H-679).

The Committee on Judiciary on Bill, "An Act Relating to the Commitment of Juveniles to Juvenile Institutions." (H. P. 1382) (L. D. 1731)

Reports that the same Ought to Pass as Amended by Committee Amendment "A" (H-680).

Come from the House, the reports Read and Accepted and the Bills Passed to be Engrossed as Amended by Committee Amendments "A".

Which reports were Read and Accepted in concurrence and the Bills Read Once. Committee Amendment "A" was Read and Adopted in concurrence and, under suspension of the rules, the Bills, as Amended, given their Second Reading and Passed to be Engrossed in concurrence.

Enactors

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

An Act to Implement the Powers of Municipal Home Rule. (S. P. 555) (L. D. 1630)

An Act Increasing Burial Expenses Under the Workmen's Compensation Act. (S. P. 611) (L. D. 1787)

An Act Creating the Maine Postassessment Insurance Guaranty Association. (H. P. 1446) (L. D. 1822)

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

Emergency

An Act Amending the Municipal Public Employees Labor Relations Law. (H. P. 1410) (L. D. 1776)

(On motion by Mr. Sewall of Penobscot, placed on the Special Appropriations Table.

Emergency

An Act to Clarify and Amend the State Housing Authority Law. (S. P. 642) (L. D. 1813)

(On motion by Mr. Moore of Cumberland, tabled and tomorrow assigned, pending Enactment.)

The President laid before the Senate the matter tabled earlier in today's session, by Mr. Katz of Kennebec:

Bill, "An Act to Clarify the Education Laws and Subsidy Payments" (H. P. 1309) (L. D. 1623).

Pending — Passage to be Engrossed.

Mr. Katz of Kennebec then presented Senate Amendment "B" and moved its Adoption.

Senate Amendment "B", Filing No. S-415, was Read.

Thereupon, on motion by Mr. Barnes of Aroostook, tabled and tomorrow assigned, pending Adoption of Senate Amendment "B".

The Adjournment Order having been returned from the House, Read and Passed in concurrence, on motion by Mr. Katz of Kennebec, Adjourned until Monday, February 2, 1970, at 11 o'clock in the morning.
