

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fifth*

*Legislature*

OF THE

STATE OF MAINE

1971

KENNEBEC JOURNAL  
AUGUSTA, MAINE

**SENATE**

Wednesday, January 13, 1971

Senate called to order by the President.

Prayer by the Rev. Laurence E. Merckens of Hallowell.

Reading of the Journal of yesterday.

**House Papers  
Joint Order**

ORDERED, the Senate concurring, that there be paid to the officers of the Senate and House of Representatives as advance on account of compensation, amounts included in fortnightly lists, certified to the State Controller by the Secretary of the Senate and the Clerk of the House, respectively, and that the final payrolls of such officers at the end of the session bear the approval of the Joint Standing Committee on Appropriations and Financial Affairs. (H. P. 107)

Comes from the House Read and Passed.

Which was Read.

On motion by Mr. Berry of Cumberland, Indefinitely Postponed in non-concurrence.

Sent down for concurrence.

Bills and Resolutions today received from the House requiring Reference to Committees were acted upon in concurrence.

**Communications****STATE OF MAINE**

Bureau of Public Improvements  
Augusta, Maine

January 12, 1971

To the Senate and House of Representatives of the One-Hundred and Fifth Legislature

In accordance with the provisions of Title 5, Section 1742, Maine Revised Statutes Annotated, we are submitting herewith the Status of Capital Improvement Projects including cash expenditures through June 30, 1970.

Respectfully,

(Signed)

NIRAN C. BATES  
Director  
(S. P. 73)

Which was Read and with accompanying papers Ordered Placed on File.

Sent down for concurrence.

**STATE OF MAINE**

Department of the Attorney General  
Augusta

January 6, 1971

To the Honorable Senate and House of Representatives of the 105th Legislature

Pursuant to Article V, Part 4, Section 2, of the Constitution, I am transmitting herewith two bonds of the Honorable Norman K. Ferguson, Treasurer of State, each in the amount of \$250,000, one written by Seaboard Surety Company of Portland, Maine, bearing date of January 7, 1971; and the other written by Maine Bonding and Casualty Company of Portland, Maine, bearing date of January 7, 1971, each being payable to the State of Maine.

Respectfully,

(Signed)

JAMES S. ERWIN  
Attorney General  
(S. P. 74)

Which was Read and with accompanying papers Ordered Placed on File with the State Auditor.

Under suspension of the rules, sent down forthwith for concurrence.

**Order**

Out of Order and Under Suspension of the Rules:

On motion by Mr. Greeley of Waldo,

ORDERED, the House concurring, that the two bonds of the Honorable Norman K. Ferguson, Treasurer of State, totalling \$500,000, one written by the Seaboard Surety Company of Portland, Maine in the amount of \$250,000, and one written by the Maine Bonding and Casualty Company of Portland, Maine in the amount of \$250,000, payable to the State of Maine and each bearing the certificate of approval of the Attorney General, be and hereby are approved. (S. P. 75)

Which was Read and Passed.

Under suspension of the rules, sent down forthwith for concurrence.

### Senate Papers

#### Appropriations and Financial Affairs

Mr. Greeley of Waldo presented, Resolve Appropriating Funds for the Perambulation of the Maine-New Hampshire Boundary Line. (S. P. 71) (L. D. 150)

Which was referred to the Committee on Appropriations and Financial Affairs and Ordered Printed.

Sent down for concurrence.

#### Election Laws

Mr. Shute of Franklin presented, Bill, "An Act Clarifying and Revising Certain Election Laws." (S. P. 72) (L. D. 151)

Which was referred to the Committee on Election Laws and Ordered Printed.

Sent down for concurrence.

At this point, there being no objection, the President appointed the following members to Senate Standing Committees (first named Senator to serve as Chairman):

#### Bills In Second Reading

##### Senators

BERRY of Cumberland  
ANDERSON of Hancock  
MINKOWSKY of Androscoggin  
MARCOTTE of York

#### Engrossed Bills

##### Senators

GREELEY of Waldo  
PEABODY of Aroostook  
QUINN of Penobscot  
DUNN of Oxford  
TANOUS of Penobscot  
WYMAN of Washington  
MOORE of Cumberland  
LEVINE of Kennebec  
BERNARD of Androscoggin  
HARDING of Aroostook  
MINKOWSKY of Androscoggin  
CARSWELL of Cumberland

#### Committee Reports

##### Senate

#### Ought Not to Pass

Mr. Moore for the Committee on Election Laws on Bill, "An Act Relating to Checking of Nomination Petitions." (S. P. 31) (L. D. 64)

Reported that the same Ought Not to Pass.

Which report was Read and Accepted.

Sent down for concurrence.

#### Ought to Pass

Mr. Minkowsky for the Committee on Education on Bill, "An Act Increasing Assistance to War Orphans in Securing Higher Education." (S. P. 17) (L. D. 45)

Reported that the same Ought to Pass.

Mr. Moore for the Committee on Election Laws on Bill, "An Act Relating to Reports of Registration and Enrollment of Voters." (S. P. 30) (L. D. 63)

Reported that the same Ought to Pass.

Which reports were Read and Accepted, the bills Read Once and tomorrow assigned for Second Reading.

#### Order

Out of Order and Under Suspension of the Rules:

On motion by Mr. Hoffses of Knox,

ORDERED, that a message be sent to the House of Representatives proposing a Convention of both branches in the Hall of the House, for the purpose of extending to His Excellency, Governor Kenneth M. Curtis, an invitation to attend the Convention and make such communication as pleases him.

Which was Read and Passed.

At the request of the President, Mr. Hoffses of Knox delivered the message, and subsequently reported that he had performed the duty assigned to him.

At this point a message was received from the House through Representative Roosevelt Susi concurring in the proposition.

The Senate then retired to the Hall of the House of Representatives where a Joint Convention was formed.

(For proceedings of Joint Convention, see House Report.)

#### In Senate

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 Report**

**Ought to Pass as Amended**

The Committee on Education on Bill, "An Act Defining Secondary Schools." (H. P. 48) (L. D. 81)

Reports that the same Ought to Pass as Amended by Committee Amendment "A" and Committee "B".

Comes from the House, the Report Read and Accepted and the Bill Passed to be Engrossed as Amended by Committee Amendment "A" (H-3) and Committee Amendment "B" (H-4) and Ordered Sent Forthwith.

Which report was Read.

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

Mr. KATZ of Kennebec: Mr. President and Members of the Senate: This was a bill sponsored in the other branch. On opening day it was given its two readings and passed to be engrossed by the other chamber and came down to us without reference to any committee.

The Senate properly felt that it was not that much of an emergency and it should be referred to a committee. It was, and we had a public hearing yesterday.

There is an emergency attached to this bill in that it clarifies the intent of the bond issue that was passed by the vote on the \$50 million bond issue. When the voters passed this bond issue they presumed, very properly, that this money would also be available, as I recall it, for construction funds for area vocational schools. There was confusion in the law, and it was the opinion of the Attorney General and the Department of Education that this should be clarified.

The Committee put two amendments on it. One was an emer-

gency enactor, and the other one was an amendment which came out of the Attorney General's office which was not a substantive change at all but was a technical change in the wording of the bill. Because of the haste in getting this thing through, I can't give you any more details. I am sorry, I don't even have a copy of it here. But the Committee did not change the intent of the bill at all. The bill has been researched by the Attorney General, by the State Department of Education and the State Board of Education.

The urgency is that there will be a State Board of Education meeting almost immediately, and one of the things on their agenda pertains to the area vocational school in Lewiston, and it is primarily for the sake of Lewiston — the sponsor was Representative Jalbert, as I recall it — and it was primarily because of the urgency for Lewiston that the House has pursued the unusual tactic of first recommending that it be enacted without reference to committee and, in the second instance, passing it to be engrossed and asking that this chamber do likewise.

Thereupon, the Committee Report was Accepted in concurrence and the Bill Read Once.

Committee Amendments "A" and "B" were Read and Adopted and, under suspension of the rules, the Bill, as Amended, given its Second Reading and Passed to be Engrossed in concurrence.

Whereupon, under further suspension of the rules, sent forthwith to the Engrossing Department.

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(Off Record Remarks)

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On motion by Mr. Hoffses of Knox,

Adjourned until 10 o'clock tomorrow morning.