

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

Tuesday, February 2, 1971
Senate called to order by the President.

Prayer by the Rev. Fr. Renald C. Hallie of Bangor.

Reading of the Journal of yesterday.

Papers from the House
Non-concurrent Matter

Bill, "An Act Relating to Political Advertisements on State Property." (H. P. 18) (L. D. 27)

In the Senate January 20, 1971, Passed to be Engrossed in concurrence.

Comes from the House, Passed to be Engrossed as Amended by House Amendment "A" (H-6) in non-concurrence.

Thereupon, the Senate voted to Recede and Concur.

Non-concurrent Matter

Bill, "An Act Authorizing Secretary of State to Issue Summary of Motor Vehicles Laws to Tourists." (S. P. 5) (L. D. 19)

In the Senate January 26, 1971, Passed to be Engrossed.

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

The PRESIDENT: The Chair recognizes the Senator from York, Senator Hichens.

Mr. HICHENS of York: Mr. President and Members of the Senate: We have heard a lot of reports about roofs collapsing under the heavy snows this year, but last Thursday afternoon a roof collapsed where there wasn't any snow whatsoever. That happened to be the Legislative Document which I sponsored and which has been sent back to us in non-concurrence.

I was a little disturbed, not over the action of the other body, but because of the procedures by which this bill came out "Ought to Pass." With no reflection whatsoever on the Chairman of the Committee, they were told, and we read in the newspapers, that the gentleman claimed he was not approached, and the report came out unanimously "Ought to

Pass." There were also two other bills which he used as an excuse for the reasoning of the Committee in passing this bill, and as I talked to the gentleman today he claims he was not present at the time that came out "Ought Not to Pass."

And with the new rule that we have set up this year, it poses a very serious problem to me, because on this one we can act with an "Ought Not to Pass" resolution, and no action can be taken whatsoever without the unanimous consent of the bodies. I feel that to prevent such things from happening in the future that the committee chairmen should be made aware of this fact, and it should be a completely unanimous "Ought to Pass" or "Ought Not to Pass" report under the conditions which are warranted.

I therefore move that we recede and concur with the House.

The PRESIDENT: The Senator from York, Senator Hichens, now moves that the Senate recede and concur with the House. Is this the pleasure of the Senate?

The motion prevailed.

Joint Resolution

The Joint Resolution today received from the House was Read and Adopted in concurrence. (For text of the Joint Resolution, H. P. 375, see House Report of January 28, 1971.)

House Papers

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

Communications
SENATE OF MAINE
Augusta, Maine

February 1, 1971

To the Members of the Senate of the 105th Legislature

Pursuant to Senate Order relative to appointment of subordinate officers of the Senate, this is to inform you that the President of the Senate has appointed Sylvia Lehr as Secretary to the President and George MacDonald as official Reporter of the Senate. George

MacDonald has appointed Sue Jenkins as Assistant Reporter of the Senate.

The Secretary of the Senate has appointed Mary Porter as Secretary to the Secretary, May Ross as Index Secretary, Imelda Vautour as Recording Secretary, Ruby Clark as Secretary to the Assistant Secretary, and Marion Dearborn and Dorothy Rollins as Senate Stenographers.

Respectfully,
(Signed)

HARRY N. STARBRANCH

Secretary of the Senate

Which was Read and Ordered Placed on File.

Senate Papers Appropriations and Financial Affairs

Mr. Hoffes of Knox presented, Bill, "An Act Providing Moneys for Eastern Regional Conference of the Council of State Governments to be Held in Maine in 1971." (S. P. 161) (L. D. 483)

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

Sent down for concurrence.

Education

Mr. Chick of Kennebec presented, Bill, "An Act Increasing Minimum Salaries for Teachers." (S. P. 162) (L. D. 484)

Which was referred to the Committee on Education and Ordered Printed.

Sent down for concurrence.

Labor

Mr. Marcotte of York presented, Bill, "An Act Relating to Preference to Maine Workmen and Contractors." (S. P. 163) (L. D. 485)

Which was referred to the Committee on Labor and Ordered Printed.

Sent down for concurrence.

State Government

Mr. Schulten of Sagadahoc presented, Bill, "An Act to Create the State Central Data Processing Commission." (S. P. 164) (L. D. 486)

Mr. Moore of Cumberland presented, Bill, "An Act Relating to Terms of the Members of the Land Damage Board." (S. P. 165) (L. D. 487)

Mr. Shute of Franklin presented, Resolution, Proposing an Amendment to the Constitution Concerning the Age of State Senators. (S. P. 166) (L. D. 488)

Mr. Harding of Aroostook presented, Resolution, Proposing an Amendment to the Constitution to Abolish the Council and Make Changes in the Matter of Gubernatorial Appointments and Their Confirmation. (S. P. 167) (L. D. 489)

Mr. Shute of Franklin presented, Resolution, Proposing an Amendment to the Constitution Concerning the Age of State Representatives. (S. P. 168) (L. D. 490)

Which were referred to the Committee on State Government and Ordered Printed.

Sent down for concurrence.

Committee Reports House

The following Ought Not to Pass reports shall be placed in the legislative files without further action pursuant to Rule 17-A of the Joint Rules:

Bill, "An Act Providing for Voting in School Administrative District by Residents of Unorganized Territory." (H. P. 95) (L. D. 139)

Bill, "An Act Providing a Bond Issue in the Amount of Seven Hundred Thousand Dollars for a Vocational Institute in Knox County." (H. P. 110) (L. D. 154)

Leave to Withdraw

The Committee on Business Legislation on Bill, "An Act Relating to Credit Reports." (H. P. 27) (L. D. 36)

Reported that the same be granted Leave to Withdraw.

The Committee on Transportation on Bill, "An Act Relating to Provisional Motor Vehicle Operator's Licenses." (H. P. 33) (L. D. 57)

Reported that the same be granted Leave to Withdraw.

The Committee on State Government on Bill, "An Act Relating to Toll-free Use of the Maine Turnpike by Members of the Legislature." (H. P. 80) (L. D. 120)

Reported that the same be granted Leave to Withdraw.

The Committee on Transportation on Bill, "An Act Relating to Issuance of Motor Vehicle Registration by Municipal Tax Officers." (H. P. 86) (L. D. 126)

Reported that the same be granted Leave to Withdraw.

Come from the House, the reports Read and Accepted.

Which reports were Read and Accepted in concurrence.

Ought to Pass

The Committee on State Government on Bill, "An Act Relating to Vacancies in State and County Offices Before Officers-elect Die or Resign." (H. P. 122) (L. D. 166)

Reported that the same Ought to Pass.

Comes from the House, the report Read and the Bill Recommended to the Committee on State Government.

Thereupon, on motion by Mr. Johnson of Somerset, the Senate voted to Recede and Concur.

Senate

Ought to Pass

Mr. Levine for the Committee on Agriculture on Bill, "An Act Relating to Controlled Atmosphere Storage Room for Apples." (S. P. 80) (L. D. 174)

Reported that the same Ought to Pass.

Which report was Read and 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 Protect Endangered Species of Fish and Wildlife." (H. P. 45) (L. D. 77)

Bill, "An Act Relating to Judges' Instructions in Comparative Negligence Actions." (H. P. 69) (L. D. 110)

Bill, "An Act Changing Name of Pine Tree Chapter of the Construction Specifications Institute, Inc." (H. P. 74) (L. D. 115)

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

Senate

Bill, "An Act to Correct an Error in Filing Fee for a Financing Statement Under Uniform Commercial Code." (S. P. 1) (L. D. 15)

Bill, "An Act Relating to Witnesses in Workmen's Compensation Hearings." (S. P. 61) (L. D. 93)

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

Sent down for concurrence.

Enactors

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

An Act Relating to Open Season for Bass by Ice Fishing. (H. P. 38) (L. D. 70)

An Act Relating to Daily Bag Limit of Certain Fish Taken by Ice Fishing. (H. P. 40) (L. D. 72)

Which 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 following tabled and specially assigned matter:

Bill, "An Act Relating to Qualifications and Term of Office of Commissioner of Inland Fisheries and Game." (H. P. 262) (L. D. 351)

Tabled—January 28, 1971 by Senator Johnson of Somerset.

Pending—Reference.

On motion by the same Senator, referred to the Committee on State Government and Ordered Printed in non-concurrence.

Sent down for concurrence.

The PRESIDENT: The Chair understands that last week some Senators experienced difficulty in getting information from the legislative docket at the other end

of the corridor. If any instances of this occur again the Chair would be most interested in hearing about it and will take immediate action to see that it does not happen again.

(Off record remarks)

On motion by Mr. Hoffses of Knox,

Adjourned until 10 o'clock tomorrow morning.