

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

**OF THE**

***One Hundred and Fifth  
Legislature***

**OF THE**

**STATE OF MAINE**

**Volume III**

**June 16, 1971 to June 24, 1971**

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**1st Special Session**

**January 24, 1972 to March 10, 1972**

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**KENNEBEC JOURNAL  
AUGUSTA, MAINE**

**SENATE**

Friday, February 11, 1972

Senate called to order by the President.

Prayer by the Rev. Shane D. Estes of Winthrop.

Reading of the Journal of yesterday.

**Committee Reports****House****Ought to Pass**

The Committee on Appropriations and Financial Affairs on, Bill, "An Act Appropriating Funds to Survey the Boundaries of Passamaquoddy Tribal Lands." (H. P. 1452) (L. D. 1895)

Reported that the same Ought to Pass.

The Committee on Appropriations and Financial Affairs on, Resolve, in Favor of Town of Limestone for Apportionment of Telephone Tax. (H. P. 1454) (L. D. 1897)

Reported that the same Ought to Pass.

The Committee on Appropriations and Financial Affairs on Resolve, Providing for Purchase of Copies of Cyr Plantation Centennial. (H. P. 1456) (L. D. 1899)

Reported that the same Ought to Pass.

The Committee on Appropriations and Financial Affairs on, Resolve, Discharging Plantation of Baring from Indebtedness to the State for Use of School Bus in 1961-62 Prior to Incorporation as a Plantation. (H. P. 1457) (L. D. 1900)

Reported that the same Ought to Pass.

Come from the House, the reports Read and Accepted and the Bill and Resolves Passed to be Engrossed.

Which reports were Read and Accepted in concurrence, the Bill and Resolves Read Once and Tomorrow Assigned for Second Reading.

**Divided Report**

The Majority of the Committee on Liquor Control on, Bill, "An Act Relating to Retail Sale of Wine." (H. P. 1495) (L. D. 1938)

Reported that the same Ought Not to Pass.

Signed:

Senators:

SHUTE of Franklin  
HOFFSEES of Knox  
FORTIER of Oxford

Representatives:

BAILEY of Woolwich  
IMMONEN of West Paris  
HAWKENS of Farmington  
MADDOX of Vinalhaven  
GAGNON of Scarborough  
STILLINGS of Berwick  
FAUCHER of Solon

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

Signed:

Representatives:

TANGUAY of Lewiston  
SLANE of Portland  
LIZOTTE of Biddeford

Come from the House, the Minority Ought to Pass report Read and Accepted and the Bill Passed to be Engrossed.

Which reports were Read.

Mr. Shute of Franklin moved that the Senate Accept the Majority Ought Not to Pass Report of the Committee.

Mr. Danton of York then moved that the Bill be tabled and specially assigned for February 15, 1972, pending the motion by Mr. Shute of Franklin that the Senate Accept the Majority Ought Not to Pass Report of the Committee.

On motion of Mr. Shute of Franklin, a division was had. 12 Senators having voted in the affirmative, and 13 Senators having voted in the negative, the tabling motion did not prevail.

Thereupon, the Majority Ought Not to Pass Report of the Committee was Accepted in non-concurrence.

The PRESIDENT: The Chair recognizes the Senator from Franklin, Senator Shute.

Mr. SHUTE of Franklin: Mr. President, I move we reconsider our action whereby we accepted the Ought Not to Pass Report of the Committee, and ask you all to vote against that motion.

The PRESIDENT: The Senator from Franklin, Senator Shute, moves that the Senate reconsider its action whereby it accepted the

Majority Ought Not to Pass Report of the Committee. As many Senators as are in favor of reconsideration will please say "Yes"; those opposed "No".

A viva voce vote being taken, the motion to reconsider did not prevail.

Sent down for concurrence.

### Second Readers

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

#### House

Bill, "An Act Relating to Use of Drugs on Animals at Agricultural Fairs." (H. P. 1569) (L. D. 2025)

Which was Read a Second Time.

On motion by Mr. Chick of Kennebec, tabled and Tomorrow Assigned, pending Passage to be Engrossed.

#### Senate

Resolve, to Reimburse School Administrative District No. 37 for Funds Paid for School Construction in 1965 and 1966. (S. P. 692) (L. D. 1873)

Bill, "An Act Implementing the Reorganization of the Department of Commerce and Industry." (S. P. 726) (L. D. 1995)

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

Sent down for concurrence.

### Orders of the Day

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

Bill, "An Act Authorizing Oakfield to Withdraw from the Four Corners Elementary Community School District." (H. P. 1568) (L. D. 2023)

Tabled — February 10, 1972 by Senator Hoffes of Knox.

Pending — Passage to be Engrossed.

On motion by Mr. Katz of Kennebec, retabled and Tomorrow Assigned, pending Passage to be Engrossed.

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

Bill, "An Act Authorizing Town of Dresden to Vote on Certain

Liquor Local Option Question." (H. P. 1494) (L. D. 1937)

Tabled — February 10, 1972 by Senator Johnson of Somerset.

Pending — Passage to be Engrossed.

Thereupon, the Bill was Passed to be Engrossed in non-concurrence.

Sent down for concurrence.

#### (Senate at Ease)

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

#### Ought to Pass — As Amended

The Committee on Judiciary on, Bill, "An Act Authorizing the Supreme Judicial Court to Provide for Juries of Fewer than 12." (H. P. 1478) (L. D. 1921)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-522).

Comes from the House, the report Read and Accepted and the Bill Passed to be Engrossed as Amended by Committee Amendment "A" and House Amendment "A" (H-533).

Which report was Read and Accepted in concurrence and the Bill Read Once. Committee Amendment "A" was Read and Adopted in concurrence. House Amendment "A" was Read and Adopted in concurrence and the Bill, as Amended, Tomorrow Assigned for Second Reading.

The Committee on State Government on, Bill, "An Act Implementing the Reorganization of the Department of Military, Civil Defense and Veterans' Services." (H. P. 1542) (L. D. 2014)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-532).

Comes from the House, the report Read and Accepted and the Bill Passed to be Engrossed as Amended by Committee Amendment "A".

Which report was Read and Accepted in concurrence and the Bill Read Once. Committee Amendment "A" was Read and Adopted in concurrence.

Thereupon, under suspension of the rules, the Bill was given its Second Reading and the Bill, as Amended, Passed to be Engrossed in concurrence.

On motion by Mr. Hoffses of Knox.

Adjourned until February 14, 1972, at 3 o'clock in the afternoon.