

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Sixth
Legislature*

OF THE

STATE OF MAINE

Volume III

June 6, 1973 to July 3, 1973

Index

KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Friday, June 22, 1973

Senate called to order by the President.

Prayer by the Rev. Linwood Welch of Hallowell.

Reading of the Journal of yesterday.

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

Bill, "An Act to Create the Maine Guarantee Authority and to Amend the Maine Industrial Building Authority and Maine Recreational Authority Statutes." (S. P. 667) (L. D. 2033)

In the Senate June 15, 1973, Passed to be Engrossed as Amended by Senate Amendment "A" (S-242).

Comes from the House, Passed to be Engrossed as Amended by Senate Amendment "A" (S-242) as Amended by House Amendment "A" Thereto (H-585) and House Amendment "B" (H-596), in non-concurrence.

On motion by Mr. Berry of Cumberland, the Senate voted to Recede and Concur.

Non-concurrent Matter

Joint Order (S. P. 679) relative to State Librarian furnishing Legislative Record to members of the Senate and House.

In the Senate June 21, 1973, Read and Passed.

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

Thereupon, the Senate voted to Recede and Concur.

Non-concurrent Matter

Joint Order (S. P. 680) relative to Clerk of the House preparing Register of Bills and Resolves.

In the Senate June 21, 1973, Read and Passed.

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

Thereupon, the Senate voted to Recede and Concur.

Non-concurrent Matter

Joint Order (S. P. 686) relative to Leadership of both branches attending National Legislative Conferences.

In the Senate June 21, 1973, Read and Passed.

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

Thereupon, the Senate voted to Recede and Concur.

Joint Order

ORDERED, the Senate concurring, that there be prepared after adjournment of the present session, under the direction of the Clerk of the House, a Register of all the Bills and Resolves considered by both branches of the Legislature, showing the history and final disposition of each Bill and Resolve and that there be printed 600 copies of the same. The Clerk of the House of Representatives shall mail a copy of the Register to each member and officer of the Legislature and the State Law Library shall receive such number of copies as may be required. (H. P. 1633)

Comes from the House, Read and Passed.

Which was Read and Passed in concurrence.

Joint Order

ORDERED, the Senate concurring, that the State Law Librarian be directed to forward bound copies of the Legislative Record to Members of the Senate and House and to the Secretary of the Senate and the Clerk and Assistant Clerk of the House, at their home addresses. (H. P. 1632)

Comes from the House, Read and Passed.

Which was Read and Passed in concurrence.

Joint Order

WHEREAS, ponds containing more than 10 acres are known as great ponds and they are public ponds which with the soil under them are held by the State in trust for the public; and

WHEREAS, the water levels on great ponds are generally maintained by dams at constant levels with the public right of user in such ponds extending shoreward to the low water mark; and

WHEREAS, riparian owners object to public use of inhabitable

flats and areas of land which are periodically exposed fronting their properties on such ponds when water levels are artificially or naturally lowered; and

WHEREAS, questionable conveyances of title to such parcels lying between the shore or low water mark and the water's edge are being made and relied upon; and

WHEREAS, it is desirable to study such conflicting interests and to resolve the matter of title and use in the best interest of all parties concerned; now, therefore, be it

ORDERED, that the Legislative Research Committee is authorized and directed to study the subject matter of "An Act Relating to Trespass on Certain Land Surrounding Lakes and Other Bodies of Water," H. P. 459, L. D. 614, as introduced at the 105th Legislature and such other information as relates to this problem to determine the exact extent of the controversy and whether or not legislation is necessary or desirable; and be it further

ORDERED, that the Office of the Attorney General be directed to provide the committee with such technical advice and assistance as the committee feels necessary or appropriate to carry out the purposes of this Order; and be it further

ORDERED, that the committee report its findings, together with any necessary recommendations or implementing legislation, at the next special or regular session of the Legislature; and be it further

ORDERED, upon passage of this Order, in concurrence, that said office, specified herein be notified accordingly of the pending study. (H. P. 1634)

Comes from the House, Read and Passed.

Which was Read.

On motion by Mr. Berry of Cumberland, placed on the Special Legislative Research Table.

Communications

STATE OF MAINE
House of Representatives
Augusta

June 21, 1973

Hon. Harry N. Starbranch
Secretary of the Senate
106th Legislature

Dear Mr. Secretary:

Today the House voted to adhere to its action of June 19 whereby it Indefinitely Postponed Bill "An Act Relating to Sale of Crawfish or Imitation Lobster" (S. P. 237) (L. D. 688)

Respectfully,

Signed:

E. LOUISE LINCOLN

Clerk

House of Representatives

Which was Read and Ordered
Placed on File.

Orders

On motion by Mr. Katz of Kennebec,

ORDERED, the House concurring, the Joint Legislative Committee on Education is directed to review and study the delivery of post-secondary educational services to Maine people by the University of Maine and to further review its use of financial resources relating thereto which come from public sources and report its findings to the next Legislature. (S. P. 688)

Which was Read.

On motion by Mr. Berry of Cumberland, placed on the Special Legislative Research Table.

On motion of Mr. Katz of Kennebec,

ORDERED, the House concurring, the Joint Legislative Committee on Education is directed to study existing statutes and departmental regulations and guidelines concerning local school construction and transportation and report any necessary changes to the next Legislature.

Which was Read.

On motion by Mr. Berry of Cumberland, placed on the Special Legislative Research Table.

Second Readers

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

Senate

Bill, "An Act to Correct Errors and Inconsistencies in the Public Laws." (S. P. 678) (L. D. 2044)

Which was Read a Second Time.

On motion by Mr. Berry of Cumberland, tabled until later in today's session, pending Passage to be Engrossed.

Enactors

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

An Act Regulating Agricultural Labor Practices. (H. P. 1606) (L. D. 2027)

Comes from the House, Indefinitely Postponed.

On motion by Mr. Tanous of Penobscot, Indefinitely Postponed in concurrence.

An Act to Improve the Lobster Fisheries. (S. P. 638) (L. D. 1973)

Comes from the House, Indefinitely Postponed.

Mr. Huber of Knox then moved that the Bill be Indefinitely Postponed in concurrence.

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

Mr. BERRY: Mr. President and Members of the Senate: It is impossible to remain seated and allow this burial to take place without some sort of funeral oration.

I can't imagine when so many people have labored so long on the clam flats and wherever you store lobster pots and have produced so little tangible results. Many, many dedicated hours have been put in on the part of many, many people to attempt to help out the lobster industry, and once again we have lamentably seen the impact of the disorganization and the desire on the part of many people to retain the present status. In my 12 years up here, I have never seen such a concentrated intelligent effort given to this very, very complicated problem. Unfortunately, the results we see here today surprise no one.

The PRESIDENT: Is it now the pleasure of the Senate that this bill be indefinitely postponed in concurrence?

The motion prevailed.

Reconsidered Matter

On motion by Mr. Conley of Cumberland, the Senate voted to take from the Special Appropriations Table: An Act Creating Regional Library Systems. (S. P. 281) (L. D. 828)

On motion by Mrs. Cummings of Penobscot, and under suspension of the rules, the Senate voted to reconsider its action whereby the Bill was Passed to be Engrossed.

On further motion by the same Senator, the Senate voted to reconsider its action whereby Committee Amendment "A" was Adopted.

The same Senator then presented Senate Amendment "B" to Committee Amendment "A" and moved its Adoption.

Senate Amendment "B", Filing No. S-257, to Committee Amendment "A" was Read and Adopted and, Committee Amendment "A", as Amended by Senate Amendment "B" Thereto, was Adopted and the Bill, as Amended, Passed to be Engrossed in non-concurrence.

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

On motion by Mr. Berry of Cumberland,

Recessed, pending the sound of the bell.

After Recess

Called to order by the President.

(Off Record Remarks)

On motion by Mr. Berry of Cumberland,

Adjourned until Monday, June 25, 1973, at 2:00 o'clock in the afternoon.