

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred and First Legislature

OF THE

STATE OF MAINE

VOLUME II

MAY 10 - JUNE 22, 1963

and

SPECIAL SESSION

JAN. 6 - JAN. 17, 1964

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

Pending — Passage to be Engrossed.

Thereupon, the Bill was passed to be engrossed as amended by Senate Amendments "A" and "B" and sent to the Senate.

The Chair laid before the House the fourth tabled and today assigned matter of Unfinished Business.

HOUSE JOINT ORDER Recalling from the Legislative Files Bill "An Act Eliminating Certain Exemptions under Sales Tax Law." (H. P. 513) (L. D. 715)

Tabled — June 6, by Mr. MacLeod of Brewer.

Pending — Passage.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Wellman.

Mr. WELLMAN: Mr. Speaker, I move this order be indefinitely postponed.

The SPEAKER: The gentleman from Bangor, Mr. Wellman, moves this House Joint Order be indefinitely postponed.

The Chair recognizes the gentleman from Brewer, Mr. MacLeod.

Mr. MacLEOD: Mr. Speaker, Ladies and Gentlemen of the House: I put this order in at the request over the last several weeks from several members of this House who felt that there should be another vehicle available for use in funding the requirements of the current services supplemental budget and L. D.'s. I don't feel very kindly towards this bill now. I don't feel very kindly towards any major tax bill. I would probably vote against this as I will probably vote against the sales tax, but I did put the order in so that if some people in the House felt they wanted to use it, use all or part of it, it would be available.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Bangor, Mr. Wellman, that this Joint Order be indefinitely postponed. All those in favor of indefinite postponement will say yes, those opposed, no.

A viva voce vote being doubted by the Chair, a division of the House was had.

Sixty-eight having voted in the affirmative and forty-two having voted in the negative, the motion did prevail.

The Chair laid before the House the fifth tabled and today assigned matter of Unfinished Business.

Bill "An Act Revising the Administrative Code." (H. P. 922) (L. D. 1356) In House Engrossed with Committee "A" (L. D. 1572) — In Senate Engrossed With Committee "A" as Amended by Senate "A" Thereto (S-268)

Tabled — June 5, by Mr. Rust of York.

Pending — Further Consideration.

The SPEAKER: The Chair recognizes the gentleman from York, Mr. Rust.

Mr. RUST: Mr. Speaker, Ladies and Gentlemen of the House: As most of you know, this bill is a merger of the hearings officer under the liquor licensing provisions of the law and also the administrative code. In merging those two laws it is apparent that there have been some technical errors made which need correcting. For the purpose of presenting an amendment to correct those technicalities, I would now move that the House recede from its former action whereby it passed this bill to be engrossed as amended by Committee Amendment "A", and recede from its action whereby it adopted Committee Amendment "A", and concur with the Senate in adopting Senate Amendment "A" to Committee Amendment "A."

The SPEAKER: Does the gentleman have his motion reproduced?

Mr. RUST: Right here.

Thereupon, the House voted to recede from its former action whereby the bill was passed to be engrossed as amended by Committee Amendment "A" and to recede from its action whereby it adopted Committee Amendment "A" and to recede from its action whereby it adopted Committee Amendment "A," and to concur with the Senate in the adoption of Senate Amendment "A" to Committee Amendment "A".

Mr. Rust of York offered House Amendment "A" to Committee Amendment "A" and moved its adoption.

The SPEAKER: The Chair would inform the gentleman we receded from the adoption of Committee Amendment "A". Does the gentleman now move the indefinite postponement of Committee Amendment "A" or the adoption of it?

Mr. RUST: No, we must have the adoption of Committee Amendment "A."

Thereupon, the House voted to concur in the adoption of Committee Amendment "A" as amended by Senate Amendment "A" thereto.

Thereupon, the House voted to reconsider its action whereby it adopted Committee Amendment "A."

House Amendment "A" to Committee Amendment "A" was read by the Clerk as follows:

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H. P. 922, L. D. 1356, Bill, "An Act Revising the Administrative Code."

Amend said Amendment by inserting after the 5th amending paragraph, the following:

"Further amend said Bill in that part designated "Sec. 5." of section 8 by inserting after the word "agency" in the 2nd line the underlined punctuation and words 'except the Liquor Commission,'"

Further amend said Amendment in the 13th amending paragraph by striking out all of that part designated "Sec. 10-A." and inserting in place thereof the following:

"Sec. 10-A. Limitation. In any conflict between this chapter and chapter 61, the provisions of chapter 61 shall prevail."

Further amend said Amendment in the 18th amending paragraph by striking out in the 4th, 5th and 6th lines the words and punctuation "and by striking out in the 2nd line of subsection III the underlined word "Officer" and inserting in place thereof the underlined word "Commissioner";" and inserting in place thereof the following words and punctuation 'and by striking out in the 2nd and 3rd lines of subsec-

tion III the underlined words "the Hearing Officer may do so or"'

Further amend said Amendment in the 19th amending paragraph by striking out all of that part designated "Sec. 16." and inserting in place thereof the following:

"Sec. 16. R. S., c. 61, Sec. 56-A, amended. The first paragraph of section 56-A of chapter 61 of the Revised Statutes, as enacted by section 6 of chapter 410 of the public laws of 1957, is amended to read as follows:

'A full and complete record shall be kept of all proceedings had before the Hearing Examiner on the revoking and suspending of any license issued by the commission, but the Hearing Examiner need not have a transcript of the testimony prepared unless required for rehearing or appeal.'

Further amend said Amendment in the 19th amending paragraph by striking out all of that part designated "Sec. 17."

House Amendment "A" to Committee Amendment "A" was adopted.

Committee Amendment "A" as amended by Senate Amendment "A" thereto and by House Amendment "A" thereto was adopted, the Bill passed to be engrossed as amended in non-concurrence and sent up for concurrence.

The Chair laid before the House the sixth tabled and today assigned matter of Unfinished Business:

Resolve Authorizing the Establishment of a Residential and Day School for the Mentally Retarded in Northern Maine." (H. P. 416) (L. D. 569)

Tabled — June 5, by Mr. O'Leary of Mexico.

Pending — Passage to be Engrossed.

The SPEAKER: The Chair recognizes the gentlewoman from Falmouth, Mrs. Smith.

Mrs. SMITH: Mr. Speaker and Members of the House: I now move the indefinite postponement of this bill and all its accompanying papers.

The SPEAKER: The gentlewoman from Falmouth, Mrs. Smith, moves