

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

work performed by our Law Clerk and Committee Clerk.

Sincerely,
Signed:

ETHEL B. BAKER
House Chairman
Committee on Judiciary

The Communication was read.

The SPEAKER: Before this communication is accepted, the Speaker would like to praise the Committee on Judiciary which handled 263 bills, which I believe is a record for any one committee.

Thereupon, the Communication was ordered placed on file.

Second Reader Later Today Assigned

Bill "An Act to Correct Errors and Inconsistencies in the Education Laws" (S. P. 417) (L. D. 1378) (C. "A" S-127 as amended by Senate "D" (S-266) thereto, Senate Amendment "C" (S-181), Senate Amendment "D" (S-206), Senate Amendment "E" (S-214), Senate Amendment "F" (S-235), Senate Amendment "G" (S-241).

Was reported by the Committee on Bills in the Second Reading and read the second time.

The SPEAKER: The Chair recognizes the gentleman from Livermore Falls, Mr. Lynch.

Mr. LYNCH: Mr. Speaker and Ladies and Gentlemen of the House: I said I would present an amendment today, but I find that this bill which is rather a bulky document has already been engrossed twice and rather than delay the proceedings, I have a commitment from the Department of Education that they will notify all school administrative units, all school boards, that L. D. 1112 is unconstitutional and hopefully that will prevent a lot of court battles until we can come back in January and correct this situation. If there is any question as to what the bill is, I would be glad to identify it.

The SPEAKER: The Chair recognizes the gentleman from Standish, Mr. Simpson.

Mr. SIMPSON: Mr. Speaker and Ladies and Gentlemen of the House: I believe that yesterday we were going to have maybe a member of the Education Committee explain to us some of the substantive changes that are in this

bill, including some of the amendments that came down from the Senate, and I know that there are some. I have one real good one here if I can find my amendment. I can tell you this, it is in Senate Amendment "D" to the Committee Amendment and it is section 52-D, which authorizes the commission to give direct subsidy — no, it is in 52-A. I would like to know from the Education Committee, what is the meaning of the addition in there where it says, "or any projects which have been approved by the commissioner." This to me can be read two ways and if I read it the way I hope it is maybe not interpreted, the commissioner would be given some almighty powers that I don't particularly want him to have.

The SPEAKER: The Chair recognizes the gentleman from Livermore Falls, Mr. Lynch.

Mr. LYNCH: Mr. Speaker and Ladies and Gentlemen of the House: I believe the gentleman is asking the effect of the language in the amendment regarding projects which have been approved by the commissioner. The intent of this legislation is that the language refers to projects which have been approved, which means approved prior to this date. It does not give the Commissioner of Education the right to approve new school construction projects. That can only be done by the State Board of Education.

Thereupon, on motion of Mr. Simpson of Standish, tabled pending passage to be engrossed and later today assigned.

Passed to Be Enacted Emergency Measure

An Act to Extend the Deadline for Mandatory Shoreland Zoning (H. P. 1538) (L. D. 1968)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 113 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.