

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

One Hundred and Seventh Legislature

(First Special Session)

OF THE

STATE OF MAINE

1976

KENNEBEC JOURNAL
AUGUSTA, MAINE

The PRESIDENT: The Chair would advise the Senator that we would not be accepting it until we read and adopt Committee Amendment "B".

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ: Mr. President, may I suggest that the committee report be accepted, that we also accept the committee amendment, which is the bill, and that we assign the second reading for later in today's session, at which time we will have a chance to address ourselves to the questions.

The PRESIDENT: Is the Senate ready for the question? The pending question before the Senate is the motion by the Senator from Kennebec, Senator Katz, that the Senate accept Committee Report "B". Is this the pleasure of the Senate?

The motion prevailed.

Thereupon, on motion by Mr. Merrill of Cumberland, tabled until later in today's session, pending First Reading of the Bill.

Divided Report

The Majority of the Committee on Marine Resources on, Bill, "An Act Concerning Shellfish Licensing." (H. P. 2131) (L. D. 2277)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-1158).

Signed:

Senators:

BERRY of Cumberland
REEVES of Kennebec
CUMMINGS of Penobscot

Representatives:

WEBBER of Belfast
JENSEN of Portland
GREENLAW of Stonington
MACKEL of Wells
CONNERS of Franklin
CURTIS of Rockland
JACKSON of Yarmouth
MILLS of Eastport
BLODGETT of Waldoboro

The Minority of the same Committee on the same subject matter reported that the same be granted Leave to Withdraw.

Signed:

Representative:

POST of Owl's Head

Comes from the House, Bill and accompanying papers Indefinitely Postponed.

Which reports were Read.

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

Mr. BERRY: Mr. President, with two comments, namely: no mention should ever be made in this body of action in the other chamber, and secondly, never overlook the ability and power of a woman. I move that this bill and all accompanying papers be indefinitely postponed.

The PRESIDENT: The Senator from Cumberland, Senator Berry, moves that this Bill and all its accompanying papers be indefinitely postponed. Is this the pleasure of the Senate?

The motion prevailed.

Second Readers

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

House — As Amended

Bill, "An Act Relating to the Effective Dates for School Lunch Programs and Occupational Safety and Health in Public Employment." (H. P. 2207) (L. D. 2307)

Which was Read a Second Time and Passed to be Engrossed, as Amended, in concurrence.

Enactors

The Committee on Engrossed Bills reported as truly and strictly engrossed the following:
An Act to Make Health Care Projects Eligible

for Bonding under the Maine Municipal Securities Approval Act. (H. P. 1899) (L. D. 2079)

An Act to Set the Unemployment Insurance Contribution Rate for New Employers at the Average Contribution Rate for all Employers in the Previous Year. (H. P. 2144) (L. D. 2284)

Which were Passed to be Enacted and, having been signed by the President, were by the Secretary presented to the Governor for his approval.

An Act to Improve Solid Waste Management. (H. P. 2090) (L. D. 2249)

The PRESIDENT: The Chair recognizes the Senator from Washington, Senator Wyman.

Mr. WYMAN: Mr. President and Members of the Senate: This legislature had a good solid waste bill, L. D. 2250, before it. It would have cost the wholesalers approximately one million dollars, but it would have accomplished a lot in solving our litter problems. However, in its wisdom, the legislature defeated this measure.

Now we have another bill before us, somewhat meaningless, but nevertheless a bill which will accomplish a little. The effective date has been postponed, the necessary appropriation has been removed, and a referendum has been attached. Nevertheless, in spite of it all, it will in a small way improve our present litter law.

Although I would prefer Maine to have the best, if we can't have the best, then I will support the second best and vote for this bill which will provide some improvement. Thank you.

The PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Carbonneau.

Mr. CARBONNEAU: Mr. President and Members of the Senate: I don't wish to speak very long on this thing, except that I would like to again emphasize that this is a bottle bill which was defeated in the last session of the legislature under the name of Improved Solid Waste Management. I would like you to think a little bit before you vote on this thing, and I will request a "Yea" and "Nay" vote to give you a little more time to think about it.

The PRESIDENT: Is the Senate ready for the question? The pending question is the enactment of L. D. 2249, An Act to Improve Solid Waste Management. A roll call has been requested. In order for the Chair to order a roll call, it must be the expressed desire of one-fifth of those Senators present and voting. Will all those Senators in favor of a roll call on the enactment of 2249 please rise in their places until counted.

Obviously more than one-fifth having arisen, a roll call is ordered. The pending question before the Senate is the enactment of L. D. 2249, An Act to Improve Solid Waste Management. A "Yes" vote will be in favor of enactment; a "Nay" vote will be opposed.

The Secretary will call the roll.

ROLL CALL

YEAS: Senators E. Berry; R. Berry; Collins, Conley, Corson, Cummings, Curtis, Cyr, Gahagan, Graffam, Graham, Greeley, Hichens, Huber, Jackson, Katz, McNally, Merrill, O'Leary, Pray, Reeves, Roberts, Speers, Thomas, Trotzky, Wyman.

NAYS: Senators Carbonneau, Cianchette, Danton, Marcotte.

ABSENT: Senators Clifford, Johnston.

A roll call was had, 26 Senators having voted in the affirmative, and 4 Senators having voted in the negative, with two Senators being absent, the Bill was Passed to be Enacted and, having been signed by the President, was by the Secretary presented to the Governor for his approval.

The PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Trotzky.

Mr. TROTZKY: Mr. President, I move the Senate reconsider its action whereby this bill

was passed to be enacted, and hope the Senate will vote against my motion.

The PRESIDENT: The Senator from Penobscot, Senator Trotzky, now moves the Senate reconsider its action whereby this bill was passed to be enacted. Will all those Senators in favor of reconsideration please say "Yes"; all those opposed will please say "No".

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

Emergency

An Act Concerning the Salary of Knox County Register of Probate Deputy Treasurer, Clerk Hire and Legal Fees of the York County Treasurer. (H. P. 2230) (L. D. 2318)

This being an emergency measure and having received the affirmative votes of 30 members of the Senate, was Passed to be Enacted and, having been signed by the President, was by the Secretary presented to the Governor for his approval.

Orders of the Day

The President laid before the Senate the first tabled and Specially Assigned matter:

Study Report — Health and Institutional Services Committee — study relative to Require the Department of Human Services to Reopen the Itinerant Office in Belfast pursuant to H. P. 2014 of the 107th Legislature submit its findings and to report that the accompanying Resolve to Require the Department of Human Services to Reopen the Itinerant Office in Belfast. (H. P. 2269) (L. D. 2336) be referred to this Committee for public hearing and printed pursuant to Joint Rule 3.

Tabled — April 1, 1976 by Senator Speers of Kennebec

Pending — Acceptance of Report

(In the House — Referred to Committee on Health and Institutional Services)

On motion by Mr. Speers of Kennebec, the Report of the Committee was Accepted and, under suspension of the rules, the Resolve Read Once.

Thereupon, under further suspension of the rules, the Resolve was Read a Second Time and Passed to be Engrossed in non-concurrence.

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

The President laid before the Senate the second tabled and Specially Assigned matter:

Bill, "An Act to Clarify the Fish and Game Laws." (H. P. 1933) (L. D. 2121)

Tabled — April 1, 1976 by Senator Speers of Kennebec

Pending — Adoption of House Amendment "C" (H-1164) to Committee Amendment "B" (H-1050)

(In the House — Majority Ought to Pass Report Accepted and the Bill Passed to be Engrossed as Amended by Committee Amendment "B", as Amended by House Amendments "A" (H-1068), "B" (H-1163) "C" (H-1164), "D" (H-1172) and "E" (H-1175).

(In the Senate — House Amendment "A" to Committee Amendment "B", Indefinitely Postponed; House Amendment "B" to Committee Amendment "B", Adopted.)

On motion by Mr. McNally of Hancock, House Amendment "C" to Committee Amendment "B" was Adopted in concurrence.

House Amendment "D" to Committee Amendment "B" was Read.

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

Mr. GRAFFAM: Mr. President, House Amendment "D" is an amendment to lower the registration fee, and that would lower the revenue for Fisheries and Wildlife \$105,000. And not only that, Item 15 on the unassigned table is a study order for the snowmobile and watercraft registration programs. For that