

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Third Legislature

OF THE

STATE OF MAINE

1947

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

"An Act Relating to Examination of Domestic Companies." (H. P. 93) (L. D. 73)

"An Act Providing for the Reappointment of Active Retired Justices." (H. P. 116) (L. D. 80)

"An Act Permitting the Building of a Bridge Between Burnt Island and Spruce Head Island." (H. P. 117) (L. D. 81)

Orders of the Day

The President: At this time, the Chair will appoint as members of the Committee of Conference on the part of the Senate, on the disagreeing action of the two branches of the legislature on Legislative Document 481, Bill, An Act to Institute a Land Use Survey, Senators: Cross of Kennebec, Hopkins of Kennebec and Dunbar of Washington.

On motion by Miss Clough, of Penobscot, the Senate voted to take from the table, Senate Report from the Committee on Judiciary: Majority Report "Ought to Pass as Amended by Committee Amendment A", Minority Report "Ought Not to Pass" on Resolve Proposing an Amendment to the Constitution Providing for Additional Signers in Petitions for Referendum (S. P. 107) (L. D. 238) tabled by that Senator on February 7 pending adoption of either report; and that Senator yielded to the Senator from Sagadahoc, Senator Bishop.

On motion by Mr. Bishop of Sagadahoc, the Senate voted to adopt the Majority Report "Ought to Pass as Amended by Committee Amendment A" and the bill was given its first reading.

Committee Amendment A was read:

"Committee Amendment A to S. P. 107, L. D. 238. Resolve Proposing an Amendment to the Constitution Providing for Additional Signers in Petitions for Referendum.

Amend said resolve in the 1st line of that part designated as 'Sec. 17' thereof, by drawing a line through 'not less than 10,000'.

Further amend said resolve in the 2nd line of that part designated as 'Sec. 17' thereof, by striking out the underlined words 'in each congressional district.'

Further amend said resolve in the 2nd line of that part designated as 'Sec. 17' thereof, by adding after the comma the following underlined

words, 'the number of which shall not be less than 10% of the total vote for governor cast in the last gubernatorial election preceding the filing of such petition, and'".

Committee Amendment A was adopted and the bill as so amended was tomorrow assigned for second reading.

On motion by Mr. Ela of Somerset, the Senate voted to take from the table, Senate Report from the Committee on Judiciary: Majority Report "Ought Not to Pass"; Minority Report "Ought to Pass" on bill, An Act Relating to Inspection of Records of Vital Statistics and Issuing Certified Copies Thereof (S. P. 49) (L. D. 21) tabled by that Senator on January 31 pending adoption of either report.

Mr. ELA of Somerset: Mr. President and members of the Senate, Legislative Document 21 is a bill to correct, or to change an act, or a portion of an act passed two years ago, which closed the town and city clerks' books to that part of the public record which refers to vital statistics of birth, death and marriage, except to those persons who in the opinion of the town or city clerk had a direct or tangible interest in the statute.

For many, many years, as far back as we have knowledge, that part of the town record which had to do with vital statistics was considered a part of the public record and as such was open to all the public who cared to inquire and who asked for copies. This bill as it was enacted two years ago specified that only those people who had a direct or tangible interest in the opinion of the town or city clerk or his deputy or his clerks, could obtain those records. The intent was very clear and very commendable. The intent was not to disclose those records which proved that somebody had acted not in accord with our civil and moral codes. As I say, this was commendable in its intent.

The law, however, did not in my opinion do that which it was intended to do and it did further, great harm in many cases where certainly no harm was intended. It had the disadvantage of closing records to which the general public thought they were entitled and generally tended toward that policy of gradually shutting off some of