

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fourth
Legislature*

OF THE

STATE OF MAINE

1969

KENNEBEC JOURNAL
AUGUSTA, MAINE

Rod and Reel" (H. P. 7) (L. D. 7) reported same in a new draft (H. P. 251) (L. D. 241) under same title and that it "Ought to pass."

Report was read and accepted, the New Draft read twice and tomorrow assigned

**House Reports of Committees
Ought to Pass
Printed Bills**

Mr. Dennett from the Committee on State Government reported "Ought to pass" on Bill "An Act relating to Membership and Expenses of Maine Recreation Authority" (H. P. 70) (L. D. 70)

Mr. Rideout from same Committee reported same on Bill "An Act relating to United States Property and Fiscal Officer under Military Law" (H. P. 71) (L. D. 71)

Reports were read and accepted, the Bills read twice and tomorrow assigned.

**Ought to Pass with
Committee Amendment**

Mr. Bragdon from the Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Moneys to Carry Out Duties of the Attorney General" (H. P. 111) (L. D. 127) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

Committee Amendment "A" (H-4) was read by the Clerk and adopted, and the Bill assigned for third reading tomorrow.

Passed to Be Engrossed

Bill "An Act relating to Closed Season on Wild Hares in Lincoln County" (H. P. 17) (L. D. 20)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed and sent to the Senate.

**Third Reader
Amended**

Resolve Proposing an Amendment to the Constitution Providing for Convening of the Legislature at Such Times as the Legislature Deems Necessary (H. P. 21) (L. D. 24)

Was reported by the Committee on Bills in the Third Reading and

read the second time.

Mr. Ross of Bath offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-3) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. Ross.

Mr. ROSS: Mr. Speaker and Members of the House: This is a technical amendment emanating from the Attorney General Department. As they reviewed the suggested legislation, it was their opinion that original proposed language was not clear and would indicate that the President of the Senate and the Speaker of the House would have to have a majority vote of the Legislature in order to call them into session. In other words, we would have to have a special session to call a special session. This was pointed out to the Committee, and I understand that it was the intention of the six members of the State Government Committee who signed the ought to pass report, that the report be ought to pass as amended; but somewhere along the line, probably since this is the first part of the session, this was overlooked and this is why I present the House Amendment this morning.

The SPEAKER: The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I think each member of this House and most likely other Legislatures before have recognized the needs for the Legislature to be able to reconvene itself into a session or a special session. Somehow or other in reading this amendment and reading the document, I think probably it brings back to my mind some discussion in the Legislative Research Committee regarding the Legislature reconvening itself at the call of the President of the Senate and the Speaker of the House.

By the same token, I still remember in the discussion when this was proposed, and mind you we were all in favor that the Legislature should be able to call

itself in session, that it would be a meeting of the leadership with the President of the Senate and the Speaker of the House to decide the needs, the necessities and the feasibility of calling a special session.

Now in the amendment proposed by the gentleman from Bath, Mr. Ross, this morning, I find that at such time — at such other times on the call of the President of the Senate and the Speaker of the House as the Legislature may prescribe by joint rules. Now it may very well be that the joint rules will include the meeting of the leadership with the President of the Senate and the Speaker of the House, but this has not been written to my knowledge, and I feel that if the Speaker of the House and the President of the Senate only by their own discretion would call the Legislature in session, might cause quite a bit of conflict on a statewide basis, so I would like to ask the gentleman from Bath, Mr. Ross, if he has any reservations as to what this 'as prescribed by joint rules' may include at this time.

The SPEAKER: The gentleman from Madawaska, Mr. Levesque, poses a question through the Chair to the gentleman from Bath, Mr. Ross, who may answer if he so chooses, and the Chair recognizes that gentleman.

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: In answer to the question of the gentleman from Madawaska, Mr. Levesque, that really is what the amendment does do, it says by joint rule. We don't have that rule now, but I would think that the President of the Senate and the Speaker of the House certainly would want to have their leadership in for both parties by calling a special session.

The SPEAKER: The Chair recognizes the gentleman from Manchester, Mr. Rideout.

Mr. RIDEOUT: Mr. Speaker, if I can add to the general hilarity on this amendment in answer to Mr. Levesque, this is a report from the Research Committee subcommittee on rules and procedures, and it was intended that this be written into the legislation,

but the Research Office and the Attorney General's Office advised us not to write it into the legislation but to adopt it as a joint rule, and it is the full intention of the Procedures Committee that this be handled as the gentleman suggests.

The SPEAKER: Is the House ready for the question? Is it the pleasure of the House that House Amendment "A" be adopted?

The motion prevailed, the Resolve passed to be engrossed as amended and sent to the Senate.

Amended Bill

Bill "An Act relating to Settlement Status of Persons Residing in Rest Homes and Nursing Homes" (H. P. 36) (L. D. 37)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

Orders of the Day

The Chair laid before the House the first tabled and today assigned matter:

HOUSE REPORT "A" (5)—Ought not to pass—Committee on Judiciary on Bill "An Act relating to Notice Requirement under Tenancy at Will by New Owner or Lessee" (H. P. 64) (L. D. 66)

—REPORT "B" (4)—Ought to pass—REPORT "C" (1) Ought to pass as amended by Committee Amendment "A" (H-2)

Tabled—January 21, by Mr. Berman of Houlton.

Pending—Acceptance of any Report.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Moreshead.

Mr. MORESHEAD: Mr. Speaker, I move that we accept Committee Report "A."

The SPEAKER: The gentleman from Augusta, Mr. Moreshead, moves that the House accept Report "A." Is this the pleasure of the House?

The Chair recognizes the gentleman from Portland, Mr. Brennan.

Mr. BRENNAN: Mr. Speaker, I would oppose the acceptance of Committee Report "A" and would like to speak on my motion.