

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fourth  
Legislature*

OF THE

STATE OF MAINE

**Volume III**

June 17, 1969 to July 2, 1969

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**1st Special Session**

January 6, 1970 to February 7, 1970

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KENNEBEC JOURNAL  
AUGUSTA, MAINE

Relating to Assistance to Municipal Assessors." (S. P. 306) (L. D. 999)

Reported that the same Ought to Pass in New Draft "A" Under Same Title. (S. P. 518) (L. D. 1605)

Signed:

Senator:

MARTIN of Piscataquis

Representatives:

FORTIER of Rumford

ROSS of Bath

SUSI of Pittsfield

WHITE of Guilford

DRIGOTAS of Auburn

HARRIMAN of Hollis

The Minority of the same Committee on the same subject matter reported that the same Ought to Pass in New Draft "B" Under Same Title. (S. P. 519) (L. D. 1606)

Signed:

Senators:

WYMAN of Washington

HANSON of Kennebec

Representative:

COTTRELL of Portland

Pending — the motion by Mr. Martin of Piscataquis that the Senate Accept the Ought to Pass in New Draft "A" Report of the Committee.

On motion by Mr. Wyman of Washington, retabled and tomorrow assigned, pending the motion by Mr. Martin of Piscataquis to accept the Ought to Pass in New Draft "A" Report of the Committee.

The President laid before the Senate the third matter tabled earlier in today's session, by Mr. Katz of Kennebec:

Bill, "An Act to Provide for the Interception of Wire and Oral Communications." (H. P. 769) (L. D. 1002)

Pending — Passage to be Engrossed.

The PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ of Kennebec: Mr. President, I have been unable to come up with a suitable amendment on this bill. It is my understanding that the Senator from Oxford, Senator Beliveau, is at work on an amendment that I think will prove satisfactory, and I might suggest this be tabled until the next legislative day.

The PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Beliveau.

Thereupon, on motion by Mr. Beliveau of Oxford, retabled and tomorrow assigned, pending Passage to be Engrossed.

The President laid before the Senate the fourth matter tabled earlier in today's session, by Mr. Hoffses of Knox:

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)

Pending — the motion by Mr. Katz of Kennebec that the Senate reconsider its action whereby the Resolve Failed of Final Passage.

Thereupon, the Senate voted to reconsider its action whereby the Resolve Failed of Final Passage.

On further motion by the same Senator, and under suspension of the rules, the Senate voted to reconsider its action whereby the Resolve was Passed to be Engrossed.

The same Senator then presented Senate Amendment "A" and moved its Adoption.

Senate Amendment "A", Filing No. S-299, was Read.

The PRESIDENT: The Chair recognizes the same Senator.

Mr. KATZ of Kennebec: Mr. President and Members of the Senate: I direct the Senate's attention to this amendment. It very clearly says what we said the other day, that there are no partisan implications to this and no political implications. The amendment clearly states that on the call of the President of the Senate and the Speaker of the House, with the consent of a majority of each political party, all members of the legislature having been polled. This takes away any possibility of any capricious action and does what we said we wanted to do, protect the State against an emergency which perhaps may not have arisen so far but conceivably could arise in the future. I hope that those of you who had substantial misgivings previously will now see the true intent of the amendment.

The PRESIDENT: The Chair recognizes the Senator from Sagadahoc, Senator Reed.

Mr. REED of Sagadahoc: Mr. President and Members of the Senate: I have discussed this amendment with several people here and I personally did not get awfully upset by it. I think it may have some merit, and yet I question, with all the problems that we have now, whether this one is going to be resolved in this session. I hope that this would be tabled and I would like to talk with others concerning it and get the reaction of some of the other Democrats in the Senate. Therefore, I hope that this would be tabled for a day at least.

The PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Katz.

Thereupon, on motion by Mr. Katz of Kennebec, tabled and tomorrow assigned, pending Adoption of Senate Amendment "A".

The PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Violette.

Mr. VIOLETTE of Aroostook: Mr. President is the Senate in possession of Bill, "An Act Providing for Implied Consent Law for Operators of Motor Vehicles" (H. P. 1030) (L. D. 1339)?

The PRESIDENT: The Chair would answer in the affirmative, the Bill having been held at the request of the Senator.

Thereupon, on motion by Mr. Violette of Aroostook, the Senate voted to reconsider its action whereby the Bill failed of Enactment.

On further motion by the same Senator, under suspension of the rules, the Senate voted to reconsider its action whereby the Bill was Passed to be Engrossed.

The PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Beliveau.

Mr. BELIVEAU of Oxford: Mr. President and Members of the Senate: I am pleased to announce that those of us who are interested in highway safety have finally arrived at an agreement with the members of the Highway Safety

Committee and with the sponsor on this bill.

Yesterday I discussed at some length my two proposals, the two amendments which I am going to offer this afternoon. Since our discussion yesterday afternoon I have been in conference with the sponsor and the Executive Director of the Highway Safety Committee, and we have agreed on the amendments that appear before you this afternoon. They are under Filing No. S-301 and S-300.

S-301 is Senate Amendment "B" to House Amendment "A", which would remove the breath test as one of the chemical tests available to a defendant upon an arrest for this violation. Senate Amendment "D" to L. D. 1339 again would remove solely the breath test and would require that a person submit either to a blood test or a urine test after he had been arrested for this crime. It further amends the bill to permit, as the present document does, the individual to have a physician of his own choosing to administer one of these two tests at the expense of the State.

The third change would be to reduce the period of suspension from six months to three months for failure to take the test in order to conform with the three months' sanction that would be imposed if a person is found guilty of the crime, to make them both consistent. In other words, you could lose your license for three months for failure to take the test, and if you were convicted of the crime you would lose it for three months as well for that. But if you fail to take the test, and were acquitted of the crime, you would still lose your license for three months.

Finally, in Section 5, the results of the test, we have changed that to read that "the results of such test shall be given to the person tested as soon as available." This is a minor change from the existing bill in that under the present bill the individual would have to request it. This would require that when the police are supplied with the result of the test that they in turn would give a photo copy or a copy of the document to the individual.