

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

*One Hundred and Seventh
Legislature*

OF THE

STATE OF MAINE

1975

KENNEBEC JOURNAL
AUGUSTA, MAINE

With the bill, as I say, if you are worried about the county commissioners receiving more money, they are not going to receive more money. It is written into the bill that they will reduce their salaries, and this will offset the price of the county administrator.

Now, the qualifications of this man would be the same qualifications that a town manager would have, or he would have to have a background, so you are not worrying about hiring somebody right off the street that doesn't have any knowledge of the workings of government. Another thing is that the legislative delegation would be tied into the hiring of this individual. It is not that every county is going to go right out and hire somebody. It would be only the counties that feel they need one.

I think it is a good bill, and again I would urge the members of this body to vote against indefinite postponement.

The PRESIDENT: Is the Senate ready for the question? The pending question before the Senate is the motion of the Senator from Androscoggin, Senator Clifford, that Item 6-2, L. D. 1132, and all its accompanying papers be indefinitely postponed.

The Chair will order a division. Will all those Senators in favor of the indefinite postponement of this bill please rise in their places until counted.

A division was had. 18 having voted in the affirmative, and 14 having voted in the negative, the motion prevailed.

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

Mr. CLIFFORD: Mr. President, I move that the Senate reconsider its action whereby this bill was indefinitely postponed, and I urge you to vote against my motion.

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

Mr. JACKSON: Mr. President, I move this lie on the table for one legislative day.

On motion by Mr. Conley of Cumberland, a division was had. 12 having voted in the affirmative, and 17 having voted in the negative, the motion did not prevail.

Thereupon, a viva voce vote being taken, the motion to Reconsider did not prevail.

Divided Report

The Majority of the Committee on Public Utilities on, Bill, "An Act to Clarify the Fuel Adjustment Clause under the Public Utility Law." (H. P. 1086) (L. D. 1366)

Reported that the same Ought Not to Pass.

Signed:

Senators:

CUMMINGS of Penobscot
GREELEY of Waldo
CYR of Aroostook

Representatives:

GRAY of Rockland
SAUNDERS of Bethel
LUNT of Presque Isle
LITTLEFIELD of Hermon
BERRY of Buxton
NADEAU of Sanford
KELLEHER of Bangor
TARR of Bridgton
SPENCER of Standish

The Minority of the same Committee on the same subject matter reported that the same Ought to Pass.

Signed:

Representative:

LEONARD of Woolwich

Comes from the House, the Majority report Read and Accepted.

Which reports were Read and the Majority Ought Not to Pass Report of the Committee Accepted in concurrence.

Committee of Conference Report

The Committee of Conference on the disagreeing action of the two branches of the Legislature, on Bill, "An Act Increasing the Number of Associate Justices of the Supreme Judicial Court." (S. P. 147) (L. D. 510)

ask leave to report: that the House recede from passage to be engrossed; indefinitely postpone House Amendment "B" (H-190); adopt Conference Committee Amendment "A" and pass the bill to be engrossed as amended by Conference Committee Amendment "A" (H-373); that the Senate recede from passage to be engrossed; adopt Conference Committee Amendment "A"; and pass the bill to be engrossed as amended by Conference Committee Amendment "A".

On the part of the House:

SNOW of Falmouth
CARPENTER of Houlton

On the part of the Senate:

COLLINS of Knox
CLIFFORD of Androscoggin
MERRILL of Cumberland

Comes from the House, the report Read and Accepted and the Bill Passed to be Engrossed as Amended by Conference Committee Amendment "A".

Which report was Read and Accepted in concurrence.

Senate

Ought to Pass — As Amended

Mr. Thomas for the Committee on Business Legislation on, Bill, "An Act to Clarify the Estimated Premium Tax Law." (S. P. 260) (L. D. 857)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-165).

Which report was Read and Accepted and the Bill Read Once. Committee Amendment "A" was Read and Adopted and the Bill, as Amended, Tomorrow Assigned for Second Reading.

Second Readers

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

House

Resolve, Authorizing the Bureau of Public Lands to Convey the State's Interest in a Lot in Trescott, Washington County, to Clarify Title. (H. P. 954) (L. D. 1193)

Bill, "An Act to Permit Interstate Public Utility Hearings." (H. P. 1254) (L. D. 1550)

Which were Read a Second Time and Passed to be Engrossed, in concurrence.

Bill, "An Act to Provide Employment Security for State Legislators." (H. P. 1224) (L. D. 1535)

Which was Read a Second Time.

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

Mr. KATZ: Mr. President, may I inquire through the Chair whether or not an amendment is to be offered at this time on this legislation?

The PRESIDENT: The Senator from Kennebec, Senator Katz, has posed a question through the Chair to any Senator who may care to answer.

The Chair recognizes the Senator from York, Senator Danton.

Mr. DANTON: Mr. President and Members of the Senate: There is an amendment that will be prepared to be

offered to this bill, and I wish someone would table it for one day.

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

Thereupon, on motion by Mr. Katz of Kennebec, tabled and Tomorrow Assigned, pending Passage to be Engrossed.

Bill, "An Act Further Defining the Definition of North American Indians Residing in Maine." (H. P. 1375) (L. D. 1688)

Which was Read a Second Time and Passed to be Engrossed, in non-concurrence.

Sent down for concurrence.

House — As Amended

Resolution, Proposing an Amendment to the Constitution to Establish Filing Dates for Initiative and Referendum Petitions; Clarify when the Effective Date of a Bill is Suspended by the Filing of a Referendum Petition; Clarify the Process of Calling a Special Election for an Initiative or Referendum Vote; Limit Legislative Amendment and Repeal of Laws Initiated or Approved by the People; Clarify the Petition Process; and Provide for Review of the Validity of Petitions. (H. P. 158) (L. D. 188)

Which was Read a Second Time.

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

Mr. SPEERS: Mr. President, I would like to ask a question through the Chair on this particular item of anyone on the Committee on State Government as to the status of this particular bill. I note that in the title there is a phrase, "Limit Legislative Amendment and Repeal of Laws Initiated or Approved by the People." My concern regarding this is if there is an initiated bill which comes before the legislature and which the legislature turns down, not because of the merits of the particular bill but because the bill is so badly written, that bill of course must then go to the people at any rate, and if then approved by the people, under the provisions of this constitutional amendment would the legislature be prohibited from changing that bill in any way and creating a better bill which might possibly do the same thing, but in other words, changing that bill in any way in the next regular session or even the special session after the people had voted on that particular initiative?

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

Mr. CURTIS: Mr. President, the answer to the question, I believe, is no. However, because this is a pretty complicated piece of legislation dealing with the Maine Constitution, we are in the process of preparing a summary which details what the changes would be. It would be in writing so it would be available to people.

I think it might be appropriate, as there is no huge rush on the enactment of this, to table it for a day so that the memo I have in mind might be available before us on our desks.

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

Thereupon, on motion by Mr. Graham of Cumberland, tabled and Tomorrow Assigned, pending Passage to be Engrossed.

Bill, "An Act to Clarify the Laws