

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Sixth  
Legislature*

OF THE

STATE OF MAINE

Volume III

June 6, 1973 to July 3, 1973

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KENNEBEC JOURNAL  
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pension of the rules, sent down forthwith for concurrence.

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

Mr. BERRY: Mr. President, an inquiry of the Chair: Is it not correct that the bill held, Item 1, An Act Providing for a State Lottery, and Item 11 on the unassigned table, Joint Resolution, House Paper 1639, are not before this body?

The PRESIDENT: The Chair would inform the Senator that the bill held, An Act Providing for a State Lottery, is not before the body. The Senate reconsidered yesterday its action whereby the bill was passed to be enacted, the motion to reconsider was lost, and that bill is in the Governor's office.

The Chair would inform the Senator that the Reference of Bills Committee met and approved the introduction of tabled matter No. 11.

Thereupon, on motion by Mr. Berry of Cumberland, the Senate voted to take from the table the eleventh unassigned matter:

Joint Resolution —  
Memorializing the Congress of the United States to Extend the United States Fisheries Management Jurisdiction 200 Miles Seaward from its Boundaries. (H. P. 1639)

Tabled — June 26, 1973 by Senator Berry of Cumberland.

Pending — Adoption.

The Joint Resolution was then Adopted in concurrence.

On motion by Mr. Berry of Cumberland,  
recessed pending the sound of the bell.

#### After Recess

Called to order by the President.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table:

An Act to Provide Elected District Attorneys. (S. P. 474) (L. D. 1569)

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

Mr. BERRY: Mr. President and Members of the Senate: I think that the enactment of this legislation ends for many of us a certain section of a road we have been on for a long time, but it opens up to the people of the State of Maine in the law enforcement area an extremely attractive and hoped for future.

The bill, in essence, has been introduced in the past by several people in this body, and I was one, so I take a certain amount of personal satisfaction in it. It has represented political viewpoints of a partisan nature in the past both pro and con on the part of many members of the Senate. I find it extremely interesting that the present bill which we are acting upon was sponsored by the esteemed leader of the Minority Party, Senator Brennan of Cumberland, and I am taking a great deal of pleasure in urging its enactment at this time.

It is going to bring to law enforcement, for the first time in the history of the state, organized prosecution with adequate salaries to pay for well trained and effective prosecution, something I think we will all agree that we have not enjoyed in the past.

I think this is a rare moment, Mr. President and Members of the Senate. This is one of the most effective pieces of legislation that any session in which I have had the pleasure of serving has enacted, and I consider it a privilege to vote for the enactment of this bill.

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

Mr. TANOUS: Mr. President and Members of the Senate: In my three terms in this body I have always worked toward a full-time prosecutor system, and you are aware I sponsored a bill on two different occasions, which was vetoed by the Governor, which called for appointment of district prosecutors. But I too am interested in having some form of full-time prosecutors in our state, and I am willing to compromise my position and go along with this particular bill to have them elected. Thank you.

The PRESIDENT: Is it now the pleasure of the Senate that this bill be passed to be enacted?

Thereupon, 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.

On motion by Mr. Berry of Cumberland, the Senate voted to take from the table the second unassigned matter:

Bill, "An Act Relating to Salaries of County Attorneys and Assistant County Attorneys." (H. P. 964) (L. D. 1285)

Tabled — June 19, 1973 by Senator Speers of Kennebec.

Pending — Passage to be Engrossed.

On further motion by the same Senator, the Bill was Indefinitely Postponed in non-concurrence.

Thereupon, under suspension of the rules, sent down forthwith for concurrence.

On motion by Mr. Berry of Cumberland, the Senate voted to take from the table the fourth unassigned matter.

Bill, An Act Providing Full-time Prosecuting Attorneys and Public Defenders. (H. P. 1380) (L. D. 1861)

Tabled — June 20, 1973 by Senator Berry of Cumberland.

Pending — Enactment.

On further motion by the same Senator, the Bill was Indefinitely Postponed in non-concurrence.

Thereupon, under suspension of the rules, sent down forthwith for concurrence.

On motion by Mr. Sewall of Penobscot,

recessed, pending the sound of the bell.

#### After Recess

Called to order by the President.

#### Papers From the House

Out of order and under suspension of the rules, the Senate voted to take up the following:

##### Enactors

The Committee on Engrossed Bills reports as truly and strictly engrossed the following:

#### Emergency

An Act to Correct Errors and Inconsistencies in the Education Laws. (S. P. 417) (L. D. 1378)

This being an emergency measure and having received the affirmative votes of 28 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.

On motion by Mr. Sewall of Penobscot,

Recessed until 2:00 o'clock this afternoon.

#### (After Recess)

Called to order by the President.

#### Papers From the House

Out of order and under suspension of the rules, the Senate voted to take up the following:

##### Non-concurrent Matter

Bill, "An Act to Amend the Land Use Regulation Commission Law." (H. P. 627) (L. D. 851)

In the House June 27, 1973, Passed to be Enacted.

In the Senate June 27, 1973, Passed to be Engrossed as Amended by Senate Amendment "C" (S-239).

Comes from the House, that Body having Insisted.

On motion by Mr. Berry of Cumberland, the Senate voted to Recede and Concur.

Thereupon, the Bill was Passed to be Enacted and, having been signed by the President, was by the Secretary presented to the Governor his approval.

##### Non-concurrent Matter

Bill, "An Act Relating to Joint Standing Committees of the Legislature." (S. P. 560) (L. D. 1731)

In the Senate June 3, 1973, the Leave to Withdraw, Covered by Other Legislation report Read and Accepted.

In the House June 25, 1973, Passed to be Engrossed as Amended by House Amendment "A" (H-584).

In the Senate June 26, 1973, the Senate voted to Insist.

Comes from the House, that Body having Insisted.