

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

Index

KENNEBEC JOURNAL
AUGUSTA, MAINE

Cressey, Crommett, Curran, Dam, Davis, Deshaies, Dow, Drigotas, Dudley, Dunleavy, Dyar, Evans, Farley, Farrington, Faucher, Fecteau, Ferris, Finemore, Fraser, Genest, Good, Goodwin, H.; Goodwin, K.; Greenlaw, Hancock, Henley, Hobbins, Jacques, Jalbert, Kelleher, Kelley, Kelley, R. P.; Keyte, Kilroy, LaCharite, Lawry, LeBlanc, Lewis, E.; Lynch, Mahany, Martin, Maxwell, McCormick, McHenry, McKernan, McNally, McTeague, Morin, L.; Morin, V.; Murchison, Murray, Najarian, Norris, O'Brien, Perkins, Pontbriand, Ricker, Rollins, Ross, Shute, Smith, D. M.; Smith, S.; Soulas, Sproul, Stillings, Strout, Susi, Tanguay, Tierney, Trumbull, Walker, Wheeler, Whitzell, Willard, Wood, M. E.

ABSENT — Ault, Birt, Bustin, Clark, Cooney, Flynn, Gauthier, Haskell, Herrick, LaPointe, Maddox, McMahan, Mulkern, Palmer, Peterson, Rolde, Santoro, Sheltra, Silverman, Talbot, Theriault, Trask, Webber

Yes, 35; No, 92; Absent, 23.

The SPEAKER: Thirty-five having voted in the affirmative and ninety-two in the negative, with twenty-three being absent, the motion to indefinitely postpone does not prevail.

Thereupon, the Bill was passed to be enacted.

The SPEAKER: The Chair recognizes the gentleman from Eagle Lake, Mr. Martin.

Mr. MARTIN: Mr. Speaker, I now move we reconsider our action whereby the Bill was passed to be enacted and hope you vote against me.

The SPEAKER: The gentleman from Eagle Lake, Mr. Martin, moves the House reconsider its action whereby the Bill was passed to be enacted. All in favor will say yes; those opposed will say no.

A viva voce vote being taken, the motion did not prevail.

Signed by the Speaker and sent to the Senate.

On request of Mr. Simpson of Standish, by unanimous consent, unless previous notice was given to the Clerk of the House by some member of his or her intention to

move reconsideration, the Clerk was authorized today to send to the Senate, thirty minutes after the House recessed for lunch and also thirty minutes after the House adjourned for the day, all matters passed to be engrossed in concurrence and all matters that require Senate concurrence; and that after such matters had been so sent to the Senate by the Clerk, no motion to reconsider would be allowed.

Mr. Henley of Norway was granted unanimous consent to address the House.

Mr. HENLEY: Mr. Speaker and Ladies and Gentlemen of the House: I am concerned with the number of amendments that they seem to be tacking onto the Judiciary Omnibus bill, 2044. It seems to me we got one four-page one this morning that in my humble opinion, not being an attorney, but I still insist that a lot of it is substantive. We had a good hearing on that and I resent an omnibus bill that has got a whole fistful of changes here and amendments of last week. I believe that our good chairman made up a splendid explanation of them and those were more or less accepted by us. But now I don't know where we stand on these. I don't know just what I am getting at here, except that if they keep on piling these amendments on in the other body, when the bill comes back here for final enactment, I shall request to take them all off again.

I do not know how the rest of the House feels about it, but I am sick and tired at this time in the session of having these omnibus bills loaded with amendments. I don't know, I just wanted to get this off my chest. I am certainly fed up with these amendments coming on there. The bill is being held and I don't know why.

For whatever it is worth, that is the way I feel about this load of amendments being hooked onto that omnibus bill and I don't know how the rest of you feel about it.

Mr. Perkins of South Portland was granted unanimous consent to address the House.

Mr. PERKINS: Mr. Speaker and Ladies and Gentlemen of the House: I, too have been concerned,

and if it would help Representative Henley's concern, I would just state that I have requested a conference of the Judiciary Committee sometime today to take up these amendments. I am concerned because there are so many and I think some of them are substantive.

(Off Record Remarks)

Mr. Cote of Lewiston was granted unanimous consent to address the House.

Mr. COTE: Mr. Speaker, Ladies and Gentlemen of the House: The way I see it, there are inconsistencies and errors in the Errors and Inconsistency Bill.

(Off Record Remarks)

On motion of Mr. Simpson of Standish,

Recessed until the sounding of the gong.

After Recess

The House was called to order by the Speaker.

Supplement No. 2 was taken up out of order by unanimous consent.

Non-Concurrent Matter

Bill "An Act to Redistribute Certain Statutory Powers Now Vested in the Executive Council, to Abolish the Legislative Research Committee, to Create a Statutory Legislative Council, to Provide for Permanent Joint Standing Committees of the Legislature, and to Provide for an Annual Rather than a Biennial Budget" (S. P. 661) (L. D. 2021) which failed final passage in the House on June 28.

Came from the Senate with the Bill passed to be engrossed as amended by Senate Amendment "A" (S-278) in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Eagle Lake, Mr. Martin.

Mr. MARTIN: Mr. Speaker, I move that we recede and concur and would ask for the yeas and nays.

The SPEAKER: The gentleman from Eagle Lake, Mr. Martin, moves the House recede and concur and requests a roll call vote.

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

Mr. ROSS: Mr. Speaker and Members of the House: This bill is called an Act to Redistribute Certain Statutory Powers of the Council. This is by and large a misnomer. Of the total 250 duties of the council, they have given 20, which are minor consultation duties, to the Attorney General, the Auditor, the Secretary of State, the Bureau of Budget, the Board of Education, and the Legislative Council. Aside from confirmations, they will just assign bills, appoint legislative administrator directors, appoint legislative assistants, and director of legislative research and finance officer.

The legislative administrator director must have an assistant, he must have clerical assistance and he must have staff assistance. Now aside from this, which will cost a great deal more money, we are going to give the Governor sole authority to handle the contingent funds, and in a four-year term of office this will amount to \$3.2 million. The transfer of funds will be his, the approval of financial orders will be his, pardons and commutations will be his, the approval of bonds will be his, to set bonding limits will be his, to have certain authority over surplus monies even will be his, to determine departmental work programs, to authorize temporary loans, to approve financial programs, to grant retirement exemptions, to approve the demolition of buildings, to authorize audits, to abate taxes, to approve appeals, to fill vacancies, all of these plus 200 more.

Of course some of these could be eliminated, but certainly not all, unless we want a complete one-man control, and I am opposed to this, whether that one man were a Democrat or a Republican. There would be so many duties that he would have to allocate many of these to his staff like the minor appointments in individual counties. The present county council knows the people and their wishes in their district much better than one man could ever do.

It has never been mentioned when we have mentioned the council that now they have certain de-