

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred and Sixth

Legislature

OF THE

STATE OF MAINE

1973

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passage to be enacted and later today assigned.

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

Bill "an Act Appropriating Funds for Public Housing Authorities for Operating Subsidies" (H. P. 1365)

Tabled — April 3, by Mr. LaPointe of Portland.

Pending — Reference.

On motion of Mr. LaPointe of Portland, referred to the Committee on State Government, ordered printed and sent up for concurrence.

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

Bill "An Act to Clarify and Simplify the Administration of the Mechanic's Lien Law" (H. P. 1361)

Tabled — April 3, by Mr. Emery of Rockland.

Pending — Reference.

On motion of Mr. Martin of Eagle Lake, referred to the Committee on Judiciary, ordered printed and sent up for concurrence.

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

Resolution, Proposing an Amendment to the Constitution to Provide Single Member Districts, Apportion and Reduce the Number of Legislators in the House of Representatives; Increase the Terms of Senators; Abolish the Executive Council and Re-assign its Constitutional Powers; Provide for Annual Sessions of the Legislature; and Provide for Appointment of the Attorney General, Secretary of State and Treasurer by the Governor (H. P. 1354)

Tabled — April 3, by Mr. Cote of Lewiston.

Pending — Reference.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Cote.

Mr. COTE: Mr. Speaker and Ladies and Gentlemen of the House: In looking over this resolution, I find that it is covered by other legislation put in by other individual members. Now if this

resolution is printed, is sent up between both Houses, back and forth, and has a hearing, it is my understanding, to the best of my knowledge, that it will cost some \$5,000. And as it is covered by other legislation, I move the indefinite postponement of this resolution.

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

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: I rise in opposition to the motion. I think we would be setting a very dangerous precedent if we were to indefinitely postpone an item prior to it being referred to committee, regardless of what happens to be in the item. I made a few checks as to whether or not everything was indeed introduced. There are at least two items in here that have not been priorly introduced — if that's a proper adjective, and I expect it isn't.

I would make the suggestion to the members of the House that this particular bill, if you just look at the bill that the Clerk is holding, is not a very thick bill. When we talk about cost of printing, we are talking about bills which are running some 150 to 200 pages. Unfortunately, I happened to have one of those that was referred this morning and there are a couple of bills that deal with all of the constitutional questions in reference to the Executive Council that have a large number of pages, but this bill does not. This would be no more than a regular bill. I really think that if we determine that we are going to kill a bill prior to being referred to committee, we are setting a very dangerous precedent. This is something we have never done before. And I would ask you to vote against the motion and would request a division.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Cote.

Mr. COTE: Mr. Speaker and Ladies and Gentlemen of the House: I still maintain that these bills are already in committee and nothing stops the State Government Committee from incorporat-

ing all these bills together and reporting them at a later date. Now this is duplication in my opinion, and I feel the cost of printing and everything else costs a lot of money.

And something else, this is not granting a precedent, it's been done before, I have been here for 20 years and I have seen it done before.

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

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: This could be fun for us all over, but I just do want to point out that in terms of duplication that the gentleman from Lewiston, Mr. Cote, introduced a bill dealing with raising the governor's salary when another bill was already on the table in the Senate pending enactment for final enactment, so there is obviously the possibility — there is always duplications. Since we don't have the system where we can jointly sponsor legislation, this is bound to happen.

There are certain things in here that have not been referred. I do think it would be a bad precedent to start, to kill a bill before it is referred. If it happened, I guess it happened before my time.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: I agree with Mr. Cote, it has happened before. I have seen it happen at least twice. But what we do not think of is, that since the committee has most of these bills, if not all of them but most of them, they can come out with a redraft including them all. And I certainly think that this would be a waste of money to put this through.

The SPEAKER: The Chair recognizes the gentleman from Enfield, Mr. Dudley.

Mr. DUDLEY: Mr. Speaker and Ladies and Gentlemen of the House: I too have been here for some time and I have seen this happen more than two times, as a matter of fact, many times. I

think Mr. Cote is right. This should be indefinitely postponed as other action can be taken. It can be amended in committee. It can be rewritten into one of these other bills. There are numerous ways to take care of it and I can assure you that Representative Cote is correct and I hope you will support his motion.

The SPEAKER: The pending question is on the motion of the gentleman from Lewiston, Mr. Cote, that this Bill be indefinitely postponed. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

62 having voted in the affirmative and 69 having voted in the negative, the motion did not prevail.

Thereupon, the Resolution was referred to the Committee on State Government, ordered printed and sent up for concurrence.

The Chair laid before the House the eighth tabled and today assigned mater:

Bill "An Act Permitting a Dollar Check-off on Income Tax Returns for Election Campaign Fund" (H. P. 1010) (L. D. 1324)

Tabled — April 3, by Mr. Simpson of Standish.

Pending — Passage to be engrossed.

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

House Amendment "A" (H-155) 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 particular bill, number 1234 is one of two relating to the one dollar check-off on income tax returns to be used for the benefit of the candidates of both political parties. The other one, 439, which was tabled for tomorrow and it only refers to persons receiving refunds. It would exempt 146,000 persons. This bill allows only those who have a tax liability and does not mention refunds. This would exempt 250,000 persons.

Since the purpose of this bill mentioned by both sponsors, one