

# MAINE STATE LEGISLATURE

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# LEGISLATIVE RECORD

OF THE

*1st Special Session*

OF THE

*One Hundred and Sixth  
Legislature*

OF THE

STATE OF MAINE

1974

Kennebec Journal  
Augusta, Maine

Reported that the same Ought to Pass in New Draft under Same Title (H. P. 1971) (L. D. 2511)

The Committee on Education on, Bill, "An Act Increasing Borrowing Capacity of School Administrative District No. 25." (H. P. 1909) (L. D. 2445)

Reported that the same Ought to Pass in New Draft under New Title: "An Act Increasing Borrowing Capacity of School Administrative Districts No. 25 and 42." (H. P. 1974) (L. D. 2515)

Come from the House the Bills in New Draft Passed to be Engrossed.

Which reports were Read and Accepted in concurrence, the Bills in New Draft Read Once and Tomorrow Assigned for Second Reading.

The Committee on Marine Resources on, Resolve, Authorizing the Department of Marine Resources to Determine Disposition of the Statue, "The Maine Lobsterman." (H. P. 1712) (L. D. 2105)

Reported that the same Ought to Pass in New Draft under New Title: "An Act Relating to the Statue, "The Maine Lobsterman," (H. P. 1969) (L. D. 2509).

Comes from the House, the Bill in New Draft Passed to be Engrossed as Amended by House Amendment "A" (H-694).

Which report was Read and Accepted in concurrence and the Bill in New Draft Read Once. House Amendment "A" was Read and Adopted in concurrence and the Bill, as Amended, Tomorrow Assigned for Second Reading.

### Divided Report

The Majority of the Committee on State Government on,

RESOLUTION, Proposing an Amendment to the Constitution to Provide for Annual Sessions of the Legislature and to Limit the Matters Which May be Considered in the Second Regular Session; to Provide for Single Member Districts in the House of Representatives; to Provide for Reduction of the Number of Representatives and Reapportionment of the House of Representatives and the Senate in 1983; to Establish an Apportionment Commission to Plan for all Reapportionments of the House of Representatives and Senate; to Abolish

the Executive Council and Reassign Certain Constitutional Powers to a Legislative Council; and to Provide that Oaths and Subscriptions of Office of the Governor, Representatives and Senators Shall be Taken Before the Chief Justice of the Supreme Judicial Court. (H. P. 1678) (L. D. 2071)

Reported that the same Ought to Pass in New Draft under New Title: Resolution, Proposing an Amendment to the Constitution to Provide for Single Member Districts in the House of Representatives; to Provide for Reduction of the Number of Representatives to One Hundred Thirty-two, and Reapportionment of the House of Representatives before the General Election of 1976; to Provide for Further Reduction of the Number of Representatives to Ninety-nine, and Reapportionment of the House of Representatives and the Senate before the General Election of 1984; to Provide for Annual Sessions of the Legislature and to Limit the Matters which may be Considered in the Second Regular Session; to Establish an Apportionment Commission to Plan for all Reapportionments of the House of Representatives and Senate; to Abolish the Executive Council and Reassign Certain Constitutional Powers to a Legislative Council; and to Provide that Oaths and Subscriptions of Office of the Governor, Representatives and Senators shall be Taken before the Chief Justice of the Supreme Judicial Court. (H. P. 1972) (L. D. 2513)

Signed:

Senators:

SPEERS of Kennebec  
CLIFFORD of Androscoggin

Representatives:

CURTIS of Orono  
FARNHAM of Hampden  
GAHAGAN of Caribou  
GOODWIN of Bath  
NAJARIAN of Portland  
COONEY of Sabattus  
CROMMETT of Millinocket

The Minority of the same Committee on the same subject matter reported that the same Ought Not to Pass.

Signed:

Senator:

WYMAN of Washington

Representatives:

SIL ERMAN of Calais  
 BUSTIN of Augusta  
 STILLINGS of Berwick

Comes from the House, the Majority report Read and Accepted and the Resolution failed of Passage to be Engrossed.

Which reports were Read.

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

Mr. KATZ: Mr. President and Members of the Senate: I wish I had a dollar for every time I have voted for the items within this grand package, and I wish I had a dollar for ever legislative session that our hopes were raised and then dashed. The fact is this morning though that when single member districts went down the drain all chances for a legislative package went down the drain too. I guess because I have been involved so many times, and don't really desire to regurgitate the whole thing all over again, with a sinking heart I move indefinite postponement.

The PRESIDENT: The Senator from Kennebec, Senator Katz, now moves item 6-9, Legislative Document 2071, be indefinitely postponed.

The Chair recognizes the Senator from Kennebec, Senator Speers.

Mr. SPEERS: Mr. President and Members of the Senate: I don't think that anyone in this body has any illusions as to the chance of passage of this particular package. I think the Senate, however, has indicated its feelings on this matter in the past and, if I judge the feelings of this body correctly, I don't believe that those feelings have changed one minute particle since the end of the session last June.

I don't believe that by passing this matter in the Senate we would be rehashing the old problems because I firmly believe that once it goes back down to the other body in non-concurrence that, true to form, we will not see this bill before us again this session. I would not like to see this body, however, bow in its will to the deliberations of that other body because I don't believe that the Senate of the State of Maine in any way feels the same way about this package that the other body does feel. I would, therefore, oppose the motion for indefinite

postponement on that basis, and hope that the Senate would stand firm in its feelings of the need for legislative reform for the people of the State of Maine.

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

Mr. CLIFFORD: Mr. President and Members of the Senate: I would concur with the good Senator from Kennebec, Senator Speers. I think it is important for the Senate to once again affirm its determination that government should be modernized, especially the legislative branch of government which represents the people most directly, so that the legislative branch of government will be able to modernize itself and cope with the growing executive and bureaucratic branch of the government. I think that is really what the issue is here, and I think it is important that the Senate reaffirm its position in favor of that much needed reform. Thank you, Mr. President.

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

Mr. BERRY: Mr. President and Members of the Senate: One of the curious qualities of floor leaders is their ability to pursue worthwhile objectives and then, when reality closes in, such chaps as Senator Brennan from Cumberland and myself all of a sudden can become very practical.

We have gone beyond the point of any possibility of enacting this legislation and, in the interest of legislative progress, I would urge everybody to join Senator Katz's motion. I would reaffirm my support for this, but the time is past when it is a practical reality.

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

Mr. SPEERS: Mr. President and Members of the Senate: With reluctance, I rise to disagree with the majority floor leader on this issue. I don't feel that the Senate by taking affirmative action on this matter is going to delay this session one moment. Certainly this particular matter is not the last matter before us and once we dispose of this we are not going to be adjourning without day, and it will go

back down to the other body and they can do what they wish with it.

I think that I would agree with the Senator from Androscoggin, that it is most important for this body to affirm its belief that the legislative branch of government must reform itself if we are to meet the ever-increasing demands upon us in order to better represent the people of this state. I think the realities of this particular package are known, but I think it is also important for this body, being the upper branch of the legislature, being the Senate of this state, to reaffirm its very strong belief that the legislature must reform itself to meet realities of today.

The PRESIDENT: The pending motion before the Senate is the motion of the Senator from Kennebec, Senator Katz, that Legislative Document 2071, be indefinitely postponed. The Chair will order a division. As many Senators as are in favor of the motion of the Senator from Kennebec, Senator Katz, that this resolution be indefinitely postponed will please rise and remain standing until counted. Those opposed will please rise and remain standing until counted.

A division was had. 12 Senators having voted in the affirmative, and 13 Senators having voted in the negative, the motion did not prevail.

Thereupon, the Majority Ought to Pass in New Draft Report of the Committee was Accepted in concurrence, the Resolution in New Draft Read Once and Tomorrow Assigned for Second Reading.

**Senate  
Divided Report**

The Majority of the Committee on Taxation on, Bill, "An Act Relating to Property Tax Exemption of Health Care Institutions." (S. P. 894) (L. D. 2496)

Reported that the same Ought to Pass in New Draft under Same Title (S. P. 910) (L. D. 2519)

Signed:

Senators:

WYMAN of Washington

FORTIER of Oxford

Representatives:

FINEMORE of Bridgewater

DAM of Skowhegan

MAXWELL of Jay

MERRILL of Bowdoinham

IMMONEN of West Paris

SUSI of Pittsfield

MORTON of Farmington

DRIGOTAS of Auburn

The Minority of the same Committee on the same subject matter reported that the same Ought Not to Pass.

Signed:

Representative:

COTTRELL of Portland

Which reports were Read.

Thereupon, the Majority Ought to Pass in New Draft Report of the Committee was Accepted, the Bill in New Draft Read Once and tomorrow Assigned for Second Reading.

**Second Readers**

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

**House**

Bill, "An Act Increasing Indebtedness of Stonington Water Company." (H. P. 1910) (L. D. 2446)

Bill, "An Act to Amend the Charter of Augusta Sanitary District." (H. P. 1967) (L. D. 2506)

Bill, "An Act Relating to the Expunging of Certain Records of Arrest." (H. P. 1957) (L. D. 2492)

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

**Senate**

Bill, "An Act Relating to Citizenship and Residency Requirements for Employment in the State's Classified Service." (S. P. 909) (L. D. 2516)

Which was Read a Second Time and Passed to be Engrossed.

Sent down for concurrence.

**Senate — As Amended**

Bill, "An Act Prohibiting Swimming or Bathing in Mt. Zircon Reservoir, Blanchard Reservoir and the Distribution or Pettengill Reservoir all in Rumford, Oxford County." (S. P. 844) (L. D. 2385)

Bill, "An Act Relating to Duties of the Attorney General." (S. P. 780) (L. D. 2236)

Which were Read a Second Time and Passed to be Engrossed as Amended.

Sent down for concurrence.

**Enactors**

The Committee on Engrossed Bills