

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

One Hundred and Seventh Legislature

(First Special Session)

OF THE

STATE OF MAINE

1976

KENNEBEC JOURNAL
AUGUSTA, MAINE

Enactors

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

“An Act Concerning Brake Requirements on Certain Hauling Devices.” (H. P. 1870) (L. D. 2041)

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

Orders of the Day

The President laid before the Senate the following matter which was tabled earlier in today's session by Mr. Conley of Cumberland:

The Committee on State Government on Resolution, Proposing an Amendment to the Constitution to Provide that the House of Representatives shall, Beginning on the Day Next Preceding the First Wednesday after the First Tuesday in January of 1985, Consist of One Hundred and Thirty-two Members Instead of One Hundred and Fifty-one. (H. P. 1895) (L. D. 2075) Reports that the same be granted Leave to Withdraw.

Comes from the House, report Rejected pursuant to Joint Rule 28.

Pending — Acceptance of the Committee Report.

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

Mr. CONLEY: Mr. President and Members of the Senate: I believe last Friday a joint order came before the Senate requesting the Senate to consider the order before them by a two-thirds vote, as one member of this body, or several members actually when the vote was taken, decided that that piece of legislation was not of an emergency nature, and it was soundly defeated.

If there is one thing I think we should try to refrain from it is to become engrossed in an item which by its very title and the nature of it would not take effect until the first Tuesday in January of 1985, hardly what I would consider to be an emergency piece of legislation to be debated at this session of the legislature. Now, the only thing that I am saying is that I am going to make the motion that we accept the leave to withdraw report of the committee because I think it is sheer nonsense, in a sense, whereas the body at the other end of the hall has already rejected this proposal, and it would seem to me that if we want to be criticized, then we leave ourselves wide open for criticism to get enthused over an item that to me is absolutely ludicrous as far as any affirmative action being taken by either body at this particular time. Therefore, Mr. President, I would move that the Senate accept the leave to withdraw report of the committee.

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

Mr. CURTIS: Mr. President and Members of the Senate: Because this report for leave to withdraw purports to come from the State Government Committee, I think it is appropriate if I make some remarks about what happened to this particular piece of legislation.

The State Government Committee had a public hearing on the bill, L. D. 2075, and listened to the sponsor, who I am sure put the bill in in good faith, describe why he requested leave to withdraw. And those of you who may have followed the reports in the press will know that the reasons that he gave included the lack of supporters to

come before the committee at that time at the public hearing to support the reduction of the size of the House of Representatives. In particular, he mentioned the lack of support from the executive office and the lack of support from the editorial writers in the state who had been supporting the bill. There were several people who opposed the legislation at the public hearing, including some legislators. The committee considered the matter initially in a working session, and the only time that a vote or a counting of heads within the State Government Committee was taken at all, there was a 5 to 4 indication by the members present that they desired to report out a bill “ought to pass” to reduce the size of the House of Representatives. Shortly after that, one member of the committee signed a leave to withdraw report and that showed up on the House calendar. I mention this in order that you might have the background of this piece of legislation.

It may be that this piece of legislation does not have an opportunity to go very far in this special session. It may also be that the concept of reducing the size of the House of Representatives to something manageable and workable, or more manageable and more workable, is an idea whose time has come. Certainly it is true that the people, when they had the opportunity in November to vote upon the many constitutional issues that we sent to them, approved all of those recommendations, even though many of those ideas had been worked on for years and some parts of those ideas would not become effective again until after the census in 1980.

For these reasons, I would hope that we would not kill this bill at this time. I have requested and there is being prepared an amendment to this piece of legislation which would result in a decision affecting both the size of the Senate and the size of the House, establishing the size of the Senate at 33, and establishing the size of the House at 132, with four House districts being combined to comprise one Senate district. So for all of those reasons, and because the amendment is not yet ready, I would hope that the pending motion to accept the leave to withdraw report would not be accepted.

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

Mr. Speers of Kennebec then moved that the matter be tabled, pending Acceptance of the Committee Report.

On motion by Mr. Conley of Cumberland, a division was had. 13 having voted in the affirmative, and 12 having voted in the negative, the motion prevailed.

On motion by Mrs. Cummings of Penobscot,

Adjourned until 10 o'clock tomorrow morning.