

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

kids they are, down to the jail. You can't take them to the Boy's Training Center, you can't take them anywhere. So I would hope that you would accept the Majority "Ought to pass" Report with the Committee Amendment. It has nothing to do with the truancy problem. I would also, when we get to that point of acting upon the Senate Amendment "A", ask that you not support the inclusion of truancy as a crime, which is another matter which we took care of during the regular session.

I am in agreement with Representative Martin in respect to the truancy problem, as the majority of this committee is. So I do hope that you will not support the motion to indefinitely postpone, and we will get to the point of Senate Amendment "A".

The SPEAKER: The Chair recognizes the gentleman from Biddeford, Mr. Farley.

Mr. FARLEY: Mr. Speaker and Members of the House: I got a telephone call two nights ago in regard to this bill here. I was in a hurry, and I told him I would get back to him over the weekend. I didn't realize it would be on the calendar this soon. I wish somebody would make a motion to table this.

The SPEAKER: The Chair recognizes the gentleman from Old Orchard Beach, Mrs. Morin.

Mrs. MORIN: Mr. Speaker, I make a motion we table it for one day.

Thereupon, Mr. Shaw of Chelsea requested a vote.

The SPEAKER: The pending question is on the motion of the gentleman from Old Orchard Beach, Mrs. Morin, that this Bill be tabled pending the motion of Mr. Martin of Eagle Lake to indefinitely postpone in non-concurrence and specially assigned for Monday, February 11. All in favor of tabling one legislative day will vote yes; those opposed will vote no.

A vote of the House was taken.

50 having voted in the affirmative and 45 having voted in the negative, the motion did prevail.

Divided Report Tabled and Assigned

Majority Report of the Committee on Judiciary on Bill "An Act to Repeal Certain Due Process of Law Provisions

by Governmental Agencies" (S. P. 717) (L. D. 2129) reporting "Ought to pass" as amended by Committee Amendment "A" (S-341)

Report was signed by the following members:

Mr. TANOUS of Penobscot
— of the Senate.

Mrs. BAKER of Orrington
WHITE of Guilford
WHEELER of Portland
KILROY of Portland

Messrs. CARRIER of Westbrook
GAUTHIER of Sanford
— of the House.

Minority Report of the same Committee on same Bill reporting "Ought not to pass"

Report was signed by the following members:

Messrs. PERKINS of South Portland
McKERNAN of Bangor
— of the House.

Came from the Senate with the Majority Report accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (S-341)

In the House: Reports were read.

The SPEAKER: The Chair recognizes the gentlewoman from Orrington, Mrs. Baker.

Mrs. BAKER: Mr. Speaker, I move the acceptance of the Majority "Ought to pass" Report.

The SPEAKER: The gentlewoman from Orrington, Mrs. Baker, moves the House accept the Majority "Ought to pass" Report.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: This particular bill repeals one of my little gems I had during the regular session. The bill that I introduced during the regular session and which this, as I understand it, would pretty well do the job of killing, was passed by this body in a pretty substantial vote. The purpose, as I remember it and you may remember it was to try to make sure that decisions arrived at by governmental agencies could be in writing and could be available to you if you were denied what you considered your due process. It is my understanding that this particular bill would pretty well destroy that.

I would pose a question to the

gentle lady from Orrington, Mrs. Baker, as to what this bill would do on the bill that we enacted during the regular session of the legislature.

Thereupon, on motion of Mr. McKernan of Bangor, tabled pending the motion of Mrs. Baker of Orrington to accept the Majority "Ought to pass" Report in concurrence and specially assigned for Tuesday, February 12.

Divided Report

Tabled and Assigned

Majority Report of the Committee on Judiciary on Bill "An Act to Clarify Election Procedure Respecting Jury Trials in Misdemeanor Proceedings" (S. P. 751) (L. D. 2161) reporting "Ought not to pass"

Report was signed by the following members:

Mrs. BAKER of Orrington
 WHITE of Guilford
 WHEELER of Portland
 KILROY of Portland
 Messrs. PERKINS of South Portland
 McKERNAN of Bangor
 GAUTHIER of Sanford
 CARRIER of Westbrook

— of the House.

Minority Report of the same Committee on same Bill reporting "Ought to pass" as amended by Committee Amendment "A" (S-340).

Report was signed by the following members:

Mr. TANOUS of Penobscot
 — of the Senate.
 Mr. DUNLEAVY of Presque Isle
 — of the House.

Came from the Senate with the Minority Report accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (S-340).

In the House: Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. McKernan.

Mr. McKERNAN: Mr. Speaker, I move acceptance of the Majority "Ought not to pass" Report.

Thereupon, on motion of Mrs. Wheeler of Portland, tabled pending the motion of Mr. McKernan of Bangor to accept the Majority "Ought not to pass" Report in non-concurrence and specially assigned for Tuesday, February 12.

Non-Concurrent Matter

Bill "An Act to Clarify Certain Municipal Laws" (H. P. 1920) (L. D. 2452) (H. "A" H-656) (H. "B" H-658) which was enacted in the House on February 6.

Came from the Senate with the Bill passed to be engrossed as amended by House Amendment "A" (H-656); House Amendment "B" (H-658) and Senate Amendment "A" (S-343) in non-concurrence.

In the House: The House voted to recede and concur.

Non-Concurrent Matter

Bill "An Act Providing Emergency Funds for Staffing a Fuel Allocation Office Within the Bureau of Civil Defense for the Fiscal Year Ending June 30, 1974" (S. P. 834) (L. D. 2366) Emergency which was enacted in the House on January 30.

Came from the Senate with the Bill passed to be engrossed as amended by Senate Amendment "A" (S-344) in non-concurrence.

In the House: The House voted to recede and concur.

Petitions, Bills and Resolves Requiring Reference

The following Bill was received and, upon recommendation of the Committee on Reference of Bills, was referred to the following Committee:

Taxation

Bill "An Act Amending the Elderly Householders Tax and Rent Refund Act to Improve Benefits to their Previous Level" (H. P. 1958) (Presented by Mr. Silverman of Calais)

(Ordered Printed)

Sent up for concurrence.

Orders

The SPEAKER: The Chair recognizes the gentleman from Exeter, Mr. Smith.

Mr. SMITH: Mr. Speaker, is the House in possession of Legislative Document 2486?

The SPEAKER: The Chair would answer in the affirmative. Bill "An Act to Prohibit Executive Sessions in Public Proceedings," Senate Paper 790, L. D. 2273, is in the possession of the House.

Mr. SMITH: Mr. Speaker, I move we