

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Seventh
Legislature*

OF THE

STATE OF MAINE

Volume II

May 21, 1975 to July 2, 1975

Index

KENNEBEC JOURNAL
AUGUSTA, MAINE

Thereupon, the Majority Ought to Pass Report of the Committee was Accepted in concurrence and the Bill Read Once. House Amendment "A" was Read and Adopted in concurrence and the Bill, as Amended, Tomorrow Assigned for Second Reading.

Reconsidered Matter

Mr. Conley of Cumberland moved that the Senate reconsider its prior action whereby it voted to Recede and Concur on the following matter:

Bill, "An Act Creating the Post-secondary Education Commission of Maine." (S. P. 344) (L. D. 1160)

Tabled — May 27, 1975 by Senator Katz of Kennebec.

Pending — Consideration.

(In the Senate — Passed to be Engrossed as amended by Committee Amendment "A" (S-134).)

(In the House — Bill and Accompanying Papers Indefinitely Postponed, in non-concurrence.)

Thereupon, on motion by Mr. Katz of Kennebec, tabled and Tomorrow Assigned, pending the motion by Mr. Conley of Cumberland to Reconsider.

The President laid before the Senate the twelfth tabled and Specially Assigned matter:

Bill, "An Act to Clarify Certain Provisions of the Maine Right to Know Law." (H. P. 848) (L. D. 1035)

Tabled — May 28, 1975 by Senator Speers of Kennebec.

Pending — Adoption of Senate Amendment "B" (S-202).

(In the House — Passed to be Engrossed as amended by Committee Amendment "A" (H-285).)

(In the Senate — Committee Amendment "A" (H-285) as amended by Senate Amendment "A" (S-201), Adopted in non-concurrence.)

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

Mr. REEVES: Mr. President and Members of the Senate: I have received a lot of avuncular advice on this subject and have actually reconsidered the advisability of pressing my luck here. I would like to ask permission to withdraw this amendment, Senate Amendment "B".

The PRESIDENT: The Senator from Kennebec, Senator Reeves, now requests permission from the Senate to withdraw Senate Amendment "B". Is this the pleasure of the Senate?

It is a vote.

Thereupon, the Bill was Passed to be Engrossed, as Amended.

Sent down for concurrence.

The President laid before the Senate the thirteenth tabled and Specially Assigned matter:

Bill, "An Act to Remove the Requirement that Municipalities Composing a Transit District be Contiguous and to Authorize Municipal Transit Districts to Provide Transportation Service Outside of District Boundaries." (H. P. 1244) (L. D. 1545)

Tabled — May 28, 1975 by Senator Merrill of Cumberland.

Pending — Adoption of Senate Amendment "A" (S-221) to House Amendment "B" (H-498).

(In the House — Passed to be Engrossed as amended by House Amendment "B".)

On motion by Mr. Merrill of Cumberland, Senate Amendment "A" to House Amendment "A" was Indefinitely Postponed.

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

Mr. BERRY: Mr. President and Members of the Senate: Having been vanquished by the good Senator from Portland, Senator Merrill, I would like to say that this is a situation where I know I haven't got the votes to push my amendment through. My objection to the bill as originally proposed was purely an aesthetic one. I felt that visual pollution is something we are still interested in in the greater Portland community. However, the arguments that this advertising will provide money both perhaps in Waterville and Augusta, and perhaps Bangor too, are very potent arguments these days, so I realize that my amendment, meritorious as it might have been in my eyes, is totally impractical and I agree with its withdrawal.

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

Mr. MERRILL: Mr. President and Members of the Senate: I am glad to see that the Senator from Cumberland has changed his mind in this regard. Earlier he spoke of a bill which would put a layer of bureaucratic fat all over the secondary education in Maine, and I am afraid if this amendment were adopted that we would have a good shot of malnutrition into the mass transit system of this state.

The PRESIDENT: Is it now the pleasure of the Senate to adopt House Amendment "B"?

Thereupon, House Amendment "B" was Adopted in concurrence and the Bill, as Amended, Tomorrow Assigned for Second Reading.

There being no objection, all matters previously acted upon in today's session requiring concurrence were sent down forthwith for concurrence.

(Off Record Remarks)

On motion by Mrs. Cummings of Penobscot,

Recessed until 4 o'clock this afternoon.

After Recess

Called to order by the President.

Papers from the House

Out of order and under suspension of the rules, the Senate voted to take up the following:

Non-concurrent Matter

Bill, "An Act Concerning the Power of the Lewiston Parking District to Mortgage Certain Properties and Permitting the Taxation of Real Property of the District Which is Not Used for Parking." (S. P. 498) (L. D. 1845)

In the House May 15, 1975, Passed to be Engrossed as Amended by House Amendment "A" (H-249) in non-concurrence.

In the Senate May 28, 1975, Passed to be Engrossed as Amended by Senate Amendment "A" (S-188), in non-concurrence.

Comes from the House, that Body having Adhered.

On motion by Mr. Clifford of Androscoggin, the Senate voted to Adhere.

Non-concurrent Matter

Bill, "An Act Relating to County Administration of Certain Federal Programs." (S. P. 416) (L. D. 1312)

In the Senate, Passed to be Engrossed as Amended by Senate Amendment "A" (S-200).

Comes from the House, Bill and

accompanying papers Indefinitely Postponed, in non-concurrence.

Mr. Conley of Cumberland moved that the Senate insist.

Mr. Jackson of Cumberland then moved that the Senate Recede and Concur.

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

Mr. SPEERS: Mr. President, this bill was obviously debated at length when we first had it in this body, and I won't proceed to rehash the arguments but I will urge the Senate to vote against the motion to recede and concur and affirm the decision that was made in the Senate at a previous time.

The PRESIDENT: The pending question before the Senate is the motion by the Senator from Cumberland, Senator Jackson, that the Senate recede and concur with the House.

The Chair will order a division. Will all those Senators in favor of the motion to recede and concur please rise in their places until counted.

A division was had, 14 having voted in the affirmative, and 14 having voted in the negative, the motion did not prevail.

The PRESIDENT: Is it now the pleasure of the Senate to insist?

The Chair recognizes the Senator from Cumberland, Senator Jackson.

Thereupon, on motion by Mr. Jackson of Cumberland, a division was had, 15 having voted in the affirmative, and 14 having voted in the negative, the motion prevailed.

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

Mr. CONLEY: Mr. President, having voted on the prevailing side, I now move the Senate reconsider its action and would ask the Senate to vote against me.

The PRESIDENT: The Senator from Cumberland, Senator Conley, now moves that the Senate reconsider its action whereby it voted to insist. Will all those in favor of the motion to reconsider say "Yes"; those opposed, "No".

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

Non-concurrent Matter

Bill, "An Act to Require Returnable Beverage Containers." (H. P. 1609) (L. D. 1888)

In the Senate May 28, 1975, Passed to be Engrossed as Amended by Senate Amendments "A" (S-208) and "B" (S-209), in non-concurrence.

Comes from the House, Passed to be Engrossed as Amended by House Amendment "B" (H-539) and Senate Amendments "A" and "B", in non-concurrence.

Mr. Danton of York moved that the Senate Recede from its former action whereby the Bill was Passed to be Engrossed.

The PRESIDENT: The pending motion before the Senate is the motion by the Senator from York, Senator Danton, that the Senate recede.

The Chair will order a division. Will all those Senators in favor of the motion to recede please rise in their places until counted.

A division was had, 20 having voted in the affirmative, and 10 having voted in the negative, the motion prevailed.

Mr. Carbonneau of Androscoggin then moved that the Bill and accompanying papers be Indefinitely Postponed.

The PRESIDENT: The Senator has the floor.