LEGISLATIVE RECORD

OF THE

One Hundred and Fifth
Legislature

OF THE

STATE OF MAINE

Volume II
May 5, 1971 to June 15, 1971

KENNEBEC JOURNAL
AUGUSTA, MAINE
education and improve communications between generations; now, therefore, be it

ORDERED, the Senate concurring, that the State Commissioner of Education be authorized and directed to instruct the principals of our high schools to solicit letters of constructive criticism written by high school seniors on any matter involving school affairs, toward the end of improving efficiency and increasing learning. Such letters to be collected under the supervision of the senior class officers or senior members of student councils and mailed at school expense to the Secondary School Education Department, University of Maine, Gorham for analysis in their courses of education and future reference; and be it further

ORDERED, that the Director of said Secondary School Education Department at Gorham be directed to present the findings of said analysis at the next special session of the Legislature; and be it further

ORDERED, upon final passage of this Order that copies be immediately transmitted to the Commissioner of Education and Director of Secondary Education at Gorham, as notice of the intended survey. (H. P. 1349)

The Joint Order received passage and was sent up for concurrence.

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

Mr. LIZOTTE: Mr. Speaker, I would like to inquire if the House is in possession of House Paper 619, L. D. 830.

The SPEAKER: The answer is in the affirmative. The House is in possession of Bill "An Act relating to Steel Guardrails on the Maine Turnpike," House Paper 619, L. D. 830, on which the House voted to insist and ask for a Committee of Conference on yesterday.

Mr. LIZOTTE: I would now move that we reconsider our action whereby we moved to insist and ask for a Committee of Conference.

The SPEAKER: The gentleman from Biddeford, Mr. Lizotte, moves that the House reconsider its action of yesterday whereby it voted to insist and ask for a Committee of Conference.

Whereupon, Mr. Lee of Albion requested a division.

Mr. Vincent of Portland then asked for a roll call.

The SPEAKER: For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All members desiring a roll call vote will vote yes; those opposed will vote no.

A vote of the House was taken, and more than one fifth of the members present having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is on the motion of the gentleman from Biddeford, Mr. Lizotte, that the House reconsider its action of yesterday whereby it insisted and asked for a Committee of Conference. If you are in favor of reconsidering you will vote yes; if you are opposed you will vote no.

ROLL CALL


NAYS — Baker, Barnes, Berry, G. W.; Berry, P. P.; Birt, Bither, Bragdon, Brown, Bunker, Collins, Crosby, Cummings, Curtis, A. P.; Curtis, T. S., Jr.; Evans, Fine­ more, Fraser, Hall, Hanson, Hardy, Haskell, Hawkins, Hayes, Henley, Herrick, Hewes, Kelley, K. F.; Kelley, R. P.; Keyte, Lee, Lewis, Lund, Lynch, MacLeod, Maddox, Marsh, Marstaller, McCormick, McNally, Millett, Mor­ rell, Mosher, Norris, Page, Pay­

ABSENT — Ault, Bartlett, Bustin, Cote, Donaghy, Doyle, Dudley, Dyar, Emery, E. M.; Gauthier, Hodgdon, Jalbert, Jutras, McKinnon, Orestis, Starbird, Wight, Williams.

Yes, 71; No, 61; Absent, 18.

The SPEAKER: Seventy-one having voted in the affirmative, sixty-one in the negative, with eighteen being absent, the motion to reconsider does prevail.

The SPEAKER: The Chair recognizes the gentleman from Brewer, Mr. Norris.

Mr. NORRIS: Mr. Speaker, having voted on the prevailing side, I now move that the House reconsider its action whereby it voted not to recede and concur with the Senate.

The SPEAKER: The gentleman from Brewer, Mr. Norris, now moves that the House reconsider its action of yesterday whereby it failed to recede and concur.

The Chair recognizes the gentleman from Biddeford, Mr. Lizotte.

Mr. LIZOTTE: Mr. Speaker and Ladies and Gentlemen of the House: My reason to bring L. D. 830 back to us this morning, I am sure that we are not well informed of the amendments on this bill. First I would like to explain the two amendments that came from the other body, which were filing 171 and filing 170. Filing 171 merely states that if the turnpike is turned over to the Maine Highway Commission it will be up to the discretion of the Governor as to when these safety barriers will be put up, as to the time.

On filing number 170, we have changed the words 'steel guardrails' and inserted in place thereof the words 'safety barriers'. The reason for this is that if the engineers find something better than steel guardrails, they have the right to do so. And we also have changed the time element on this to make this more palatable. We have given them to December 31, 1974.

It has only been two months since the snowdrift has disappeared from the median strip on the turnpike, and if you have seen the information sheet you would notice that if we would have had the safety barriers on the Maine Turnpike just two days ago — we had an accident in Hallowell, which is on the Maine Turnpike, and two people were injured. But if these barriers had not been there we might have had a much greater tragedy. Imagine that this car would have been permitted to cross the median strip and hit another vehicle in the opposite lane — there might have been fatalities rather than injuries.

I hope once again that you will all join me and vote to recede and concur with the other body.

The SPEAKER: The Chair recognizes the gentleman from Kennebunk, Mr. Crosby.

Mr. CROSBY: Mr. Speaker and Members of the House: Because of the apparent confusion about the various amendments, I would hope that somebody would table this for two days so that we may study them.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mr. Morrell.

Mr. MORRELL: Mr. Speaker, I move that we table this for two days.

Whereupon, Mr. Vincent of Portland requested a division.

The SPEAKER: All in favor of tabling the motion to reconsider for Monday, May 24 will vote yes; those opposed will vote no.

A vote of the House was taken. 43 having voted in the affirmative and 84 having voted in the negative, the motion to table did not prevail.

The SPEAKER: The Chair will order a vote. All in favor of the motion of the gentleman from Brewer, Mr. Norris, that the House reconsider its action of yesterday whereby it failed to recede and concur will vote yes; those opposed will vote no.

A vote of the House was taken. 77 having voted in the affirmative and 50 in the negative, the motion did prevail.

The SPEAKER: The pending question is to recede and concur.
All in favor of receding and concurring will vote yes; those opposed will vote no.

A vote of the House was taken. 75 having voted in the affirmative and 52 having voted in the negative, the motion to recede and concur did prevail.

House Reports of Committees Ought Not to Pass

Mr. Bragdon from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Bill "An Act to Provide the Elderly and Lower Income Residents of Maine Prescription Drugs and Other Medical Services" (H. P. 955) (L. D. 1316)

Mr. Carter from same Committee reported same on Bill "An Act to Provide Funds for Additional State Office Space at Augusta" (H. P. 961) (L. D. 1343)

Mr. Shaw from same Committee reported same on Bill "An Act relating to Accrued Sick Leave of State Employees" (H. P. 730) (L. D. 992)

Mr. Scott from the Committee on Business Legislation reported same on Bill "An Act Creating the Maine Consumer Credit Code" (H. P. 1140) (L. D. 1676)

In accordance with Joint Rule 17-A, were placed in the legislative files and sent to the Senate.

Leave to Withdraw

Mr. Lund from the Committee on Judiciary on Bill "An Act Repealing the Law Relating to Sterilization" (H. P. 529) (L. D. 691) reported Leave to Withdraw.

Report was read.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Cottrell.

Mr. COTTRELL: Mr. Speaker and Members of the House: I wish that the committee report would be accepted, but I just want to make this word of explanation.

I submitted two bills concerning sterilization. There are two kinds of sterilization, voluntary and involuntary. The bill concerning voluntary sterilization was passed to be engrossed by the House and it is now in the other body for action. This is the bill relating to our present statutes on involuntary sterilization.

The bill was totally redrafted. It is a very complicated bill. I knew that we would not get satisfactory action at this time because of the exigency of time, and I asked that this bill be withdrawn.

Thereupon, the Report was accepted and sent up for concurrence.

Mr. Good from the Committee on Labor on Bill "An Act relating to Apprentices Preference to Maine Workmen and Contractors" (H. P. 853) (L. D. 1166) which was recommitted, reported Leave to Withdraw.

Mr. Donaghy from the Committee on State Government reported same on Bill "An Act to Organize a Division of Housing within the Environmental Improvement Commission" (H. P. 658) (L. D. 888)

Same gentleman from same Committee on Bill "An Act relating to Salaries of Commissioner of Education and Commissioner of Parks and Recreation" (H. P. 1100) (L. D. 1506) reported Leave to Withdraw, as covered by other legislation.

Reports were read and accepted and sent up for concurrence.

Mr. Rocheleau from the Committee on Business Legislation on Bill "An Act relating to Health Insurance Coverage for Mental Illness" (H. P. 382) (L. D. 497) reported that it be referred to the 106th Legislature.

Report was read.

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

Mr. SMITH: Mr. Speaker, I would like to have item 9 tabled for two legislative days.

The SPEAKER: The gentleman from Waterville, Mr. Smith, moves that this matter be tabled for two legislative days.

Thereupon, Mr. Scott of Wilton requested a vote on the tabling motion.

The SPEAKER: A vote has been requested on the tabling motion. All in favor of this matter being tabled pending acceptance of the Report and specially assigned for