

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Sixth
Legislature*

OF THE

STATE OF MAINE

Volume II

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KENNEBEC JOURNAL
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to be a divided report and if it is, I am going to kill that. I move, Mr. Speaker, that this little bauble and all accompanying papers be indefinitely postponed and when the vote is taken, I ask for the yeas and nays.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, moves the indefinite postponement of L. D. 1691 and all accompanying papers and requests a roll call.

The Chair recognizes the gentleman from Kennebunkport, Mr. Tyndale.

Mr. TYNDALE: Mr. Speaker, I move this lie on the table one legislative day.

The SPEAKER: The pending question is on the motion of the gentleman from Kennebunkport, Mr. Tyndale, that this matter be tabled pending the motion of Mr. Jalbert of Lewiston to indefinitely postpone Bill and all accompanying papers and tomorrow assigned. All in favor of tabling one legislative day will vote yes; those opposed will vote no.

A vote of the House was taken.

57 having voted in the affirmative and 46 having voted in the negative, the motion did prevail.

Divided Report

Majority Report of the Committee on State Government on Resolution Proposing an Amendment to the Constitution Changing the Legislature to a Single Chamber, Unicameral System, with Single Member Districts (S. P. 273) (L. D. 798) reporting "Ought to pass"

Report was signed by the following members:

Mr. CLIFFORD
— of Androscoggin
— of the Senate.

Messrs. FARNHAM of Hampden
BUSTIN of Augusta
COONEY of Sabattus
CROMMETT

Mrs. — of Millinocket
Mrs. GOODWIN of Bath
Mrs. NAJARIAN of Portland
— of the House.

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

Report was signed by the following members:

Messrs. SPEERS of Kennebec

WYMAN of Washington

— of the Senate.

Messrs. CURTIS of Orono

GAHAGAN of Caribou

STILLINGS of Berwick

— of the House.

Came from the Senate with the Majority "Ought to pass" Report accepted and the Resolution passed to be engrossed.

In the House: Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mrs. Najarian.

Mrs. NAJARIAN: Mr. Speaker and Members of the House: I move we accept the Majority "Ought to pass" Report and would speak briefly to my motion.

The SPEAKER: The gentleman from Portland, Mrs. Najarian, moves the acceptance of the Majority "Ought to pass" Report.

The gentlewoman may proceed.

Mrs. NAJARIAN: Mr. Speaker and Members of the House: This may not be an idea whose time has come, but I think it is a very good idea. In earlier times the Senate was intended to represent a different economic element or geographic area than the House; plus, I believe, they elected U.S. Senators. Since the Supreme Court ruling of one man, one vote, both Houses must be based on population. Our two houses today are very similar. Both are elected with the same terms, they are paid the same salary. The majority party is almost always the same. We have similar staff and joint committees. The two houses differ only in size and district.

One advantage, and there are many, of the single chamber would be a large savings in both public and private money. It would be simple in organization, easy for the public to understand what is happening as well as providing better and clearer press coverage. Checks and balances would still exist with the two-party system, the Governor's veto, the press and the public through opinion and initiative and referendum.

I hope you will vote "ought to pass" and let the people decide whether they want a one-body

legislature and if it would be preferable to what we now have.

The SPEAKER: The Chair recognizes the gentleman from Orono, Mr. Curtis.

Mr. CURTIS: Mr. Speaker and Members of the House: Being on the opposing side, I would like to move indefinite postponement and would speak to this motion.

I think it is very important that we do consider carefully the entire concept of the checks and balances and the method by which our system presently operates. Legislation should be carefully considered, should not be hastily enacted, and I expect that if there were a single body, a unicameralism system, that legislation might indeed be hastily enacted.

It is also quite possible, and we can see an example not too far away, of this situation in which one political party has managed to obtain the necessary two-thirds control of the body and would be able to enact emergency legislation. So I think perhaps one of the arguments that the gentleman from Portland made about the parties providing a checks and balances is not necessarily a valid argument.

I would suggest that there are other reforms which are needed and which we will, I hope, consider and perhaps enact; such as single member districts which would, in the case of the Maine House, provide the different kind of representation that the gentle lady was discussing. I think there are other members of this body who are as familiar, more familiar probably than I am, with some of the concepts involved here and they want to speak.

The SPEAKER: The gentleman from Orono, Mr. Curtis, moves the indefinite postponement of this Report and Bill.

The Chair recognizes the gentleman from Bath, Mr. Ross.

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: A one-chamber system of government exists in only one state, Nebraska. They have one 50-member body called the Senate. I don't really know how it works, but of course it is an entirely different state than ours. Certainly

there has been no hue and cry from other states to follow suit.

This bill calls for one 75-member body called the House of Representatives. At least the omnipotent Senate is willing to give up their distinguished title of Senator. It is said that the bicameral system originated in England, where aristocracy is represented by the House of Lords and the common man by the House of Commons. If this were true here, our Senate would only be representing the high-hat, wealthy snobs. Thank goodness there aren't too many of these in Maine, and I would hate to depend on them for my votes. I do say our Senators would not fare too well.

The only way here the Senate represents a different constituency is the fact that they represent more people from different towns. In this respect, some of their constituents may have different ideas on specific subjects than those from smaller areas which we represent. However, in the overall they are no different or better than we are, and in the farther analysis we are all working for the best interests of the State.

It is a good thing to have two separate bodies review each piece of legislation. This is commonly called, this has been mentioned before, the system of checks and balances. And this is really in the best interest of the overall public. We pass things which they object to and often we kill some of their schemes. Several times this year this has happened in both instances. With almost 2,000 pieces of legislation, it is good to have as many reviews of each individual item as possible because certain things might just slip by.

In my opinion, this bill is a perfect example of why we should have two different bodies. I don't feel that this is either progressive or sensible legislation. I feel that we should usurp our prerogative and vote for what I consider common sense, and I certainly support the motion to indefinitely postpone and request a roll call.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call, it must have the

expressed desire of one fifth of the members present and voting. All those 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 Orono, Mr. Curtis, that this Report and Bill be indefinitely postponed in non-concurrence. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Ault, Baker, Berry, G. W.; Berry, P. P.; Birt, Bither, Boudreau, Bragdon, Brawn, Briggs, Brown, Cameron, Carey, Carrier, Churchill, Conley, Cote, Cottrell, Cressey, Curran, Curtis, T. S., Jr.; Deshaies, Drigotas, Dunn, Dyar, Farley, Farrington, Fecteau, Ferris, Finemore, Flynn, Fraser, Gahagan, Garsoe, Gauthier, Good, Greenlaw, Hamblen, Hancock, Haskell, Henley, Herrick, Hobbins, Huber, Hunter, Immonen, Jackson, Jalbert, Kauffman, Kelleher, Kelley, Kelley, R. P.; Keyte, Kilroy, LeBlanc, Lewis, E.; MacLeod, Mahany, Maxwell, McCormick, McHenry, McMahon, McNally, Merrill, Mills, Morin, L.; Morton, Murchison, Murray, Norris, O'Brien, Palmer, Parks, Peterson, Pratt, Ricker, Rolde, Rollins, Ross, Simpson, L. E.; Sproul, Strout, Susi, Theriault, Tierney, Trask, Trumbull, Tyndale, Walker, Wheeler, White, Willard, The Speaker.

NAY — Berube, Bustin, Chonko, Clark, Connolly, Cooney, Davis, Donaghy, Dow, Emery, D. F.; Farnham, Goodwin, H.; Goodwin, K.; Jacques, LaCharite, LaPointe, Lawry, Lewis, J.; Lynch, Martin, McTeague, Morin, V.; Mulkern, Najarian, Perkins, Pontbriand, Shaw, Smith, D. M.; Smith, S.; Soulas, Talbot, Tanguay, Webber, Whitzell, Wood, M. E.

ABSENT — Binnette, Bunker, Carter, Chick, Crommett, Dam, Dudley, Dunleavy, Evans, Faucher, Genest, Hoffses, Knight, Littlefield, Maddox, McKernan, Santoro,

Sheltra, Shute, Silverman, Stillings. Yes, 94; No, 35; Absent, 21.

The SPEAKER: Ninety-four having voted in the affirmative and thirty-five in the negative, with twenty-one being absent, the motion to indefinitely postpone does prevail.

Sent up for concurrence.

Order Out of Order

Mr. Smith of Exeter presented the following Order and moved its passage:

ORDERED, that Marie Tardy, Nancy Leonard, Chris Peterson of Newport and Stephen Wiers of Palmyra be appointed Honorary Pages for today.

The Order was received out of order by unanimous consent, read and passed.

Non-Concurrent Matter

Bill "An Act Prohibiting Bringing Animals Into Food Stores" (H. P. 986) (L. D. 1306) on which the House passed the Bill to be enacted as amended by Committee Amendment "A" (H-188) on April 19.

Came from the Senate with that body insisting whereby the Bill was passed to be engrossed as amended by Committee Amendment "A" (H-188) and Senate Amendment "A" (S-90) in non-concurrence.

In the House: On motion of Mr. Bustin of Augusta, the House voted to recede and concur.

Non-Concurrent Matter

Bill "An Act Relating to the Appointment of Clerks of the Judicial Courts" (S. P. 456) (L. D. 1428) which the House indefinitely postponed on April 26.

Came from the Senate with that body insisting and asking for a Committee of Conference.

In the House: On motion of Mr. Kelleher of Bangor, the House voted to adhere.

Non-Concurrent Matter

Bill "An Act Increasing License Fee for Nurserymen" (H. P. 1019) (L. D. 1342) which the House indefinitely postponed on April 26.

Came from the Senate with the Bill Passed to be enacted in non-concurrence.