

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Sixth
Legislature*

OF THE

STATE OF MAINE

Volume II

April 23, 1973 to June 5, 1973

KENNEBEC JOURNAL
AUGUSTA, MAINE

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

Emergency

Resolve, Appropriating Moneys for Spruce Budworm Control. (H. P. 735) (L. D. 938)

This being an emergency measure and having received the affirmative votes of 23 members of the Senate, with three Senators voting in the negative, was Finally Passed and, having been signed by the President, was by the Secretary presented to the Governor for his approval.

Constitutional Amendment

Resolution, Proposing an Amendment to the Constitution Providing for Regulation of Municipal Borrowing by the Legislature. (S. P. 586) (L. D. 1804)

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

Mr. KATZ: Mr. President, may I request an explanation of this proposed Constitutional Amendment, please?

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

Mr. COX: Mr. President and Members of the Senate: This resolution states that the legislature shall pass laws regulating the borrowing power of municipal corporations. At this point in time the legislature cannot do that; the people can. This resolution, which happens to be my bill, was done after a complete study by the Maine Municipal Association as to the inequities in the debts of various municipalities in the State of Maine. There have been several attempts in the past few years to get something through this legislature to set a more reasonable control on debt limitation by the various municipalities.

The intent of the resolution is to develop a more effective method of regulating debt. In 1970, for example, \$238 million was owed by the various municipalities, 51 percent of that debt rested in the municipalities, and 49 percent in

special districts. So there are ways of getting around the current debt limits. Not only are they getting around it, they are getting around it in a more expensive way. The major debt limits in special districts has produced many inequities, and the sum and substance of it is that those communities that do not want to go into a special district are at a distinct disadvantage, and by letting the legislature control the debt limit you will have a more equitable way of controlling it in the State of Maine.

The PRESIDENT: Is the Senate ready for the question?

Thereupon, this being a Constitutional Amendment and having received the affirmative votes of 28 members of the Senate, with one Senator voting in the negative, was Finally Passed and, having been signed by the President, was by the Secretary presented to the Secretary of State for presentation to the people.

Orders of the Day

The President laid before the Senate the first tabled and specially assigned matter:

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)

Tabled — May 1, 1973 by Senator Clifford of Androscoggin.

Pending — Consideration.

In the Senate — Passed to be Engrossed.

In the House — Indefinitely Postponed.

The PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Clifford.

Mr. CLIFFORD: Mr. President and Members of the Senate: This bill, of course, is the unicameral one-house bill. It is a bill which I really believe in. I think it is the real solution to the lack of legislative powers as opposed to executive power, and perhaps as the only real solution to unclog the long legislative process which we find ourselves in. But the resolve went further than it ever has; it received a favorable committee

report for the first time, in my understanding, and it passed one of the legislative bodies for the first time in history in this legislature.

I appreciate all those who did support it and those who didn't but voted to give it a chance to be debated. In the interest of unclogging that legislative process, Mr. President and Members of the Senate, I would move that we recede and concur with the House.

The PRESIDENT: The Senator from Androscoggin, Senator Clifford, now moves that the Senate recede and concur with the House. Is this the pleasure of the Senate?

The motion prevailed.

The President laid before the Senate the second tabled and specially assigned matter:

Bill, "An Act Relating to Deceptive Price Comparison Advertising under Uniform Deceptive Trade Practices Act." (H. P. 1057) (L. D. 1381)

Tabled — May 2, 1973 by Senator Joly of Kennebec.

Pending — Motion of Senator Katz of Kennebec to Recede and Concur.

In the Senate — Indefinitely Postponed.

In the House — Passed to be Engrossed as Amended by Committee Amendment "A" (H-198).

Mr. Katz of Kennebec was granted Leave to Withdraw his motion to Recede and Concur.

On further motion by the same Senator, the Senate voted to Recede from its action whereby the Bill was Indefinitely Postponed.

On further motion by the same Senator, the Senate voted to Recede from its action whereby the Bill was Passed to be Engrossed.

The same Senator then presented Senate Amendment "B" and moved its Adoption.

Senate Amendment "B", Filing No. S-102, was Read.

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

Mr. RICHARDSON: Mr. President, I would inquire of the Senator from Kennebec, Senator Katz, as to what the present status of this

somewhat over-amended legislation is?

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

Mr. KATZ: Mr. President, prior to responding to the Senator from Cumberland, Senator Richardson, I understand that the bill is presently amended by Committee Amendment "A". Was there another one?

The PRESIDENT: The Chair would inform the Senator that the Senate adopted on April 25, Filing S-95, Senate Amendment "A".

Mr. KATZ: Under Filing S-95?

The PRESIDENT: On April 24, we adopted Committee Amendment "A".

Mr. KATZ: Mr. President, is it my understanding that Senate Amendment "A" would be in conflict with Senate Amendment "B"?

The PRESIDENT: The Chair would inform the Senator that the Secretary of the Senate says there is no conflict between the two amendments.

Mr. KATZ: Mr. President, in that event, to straighten things out, I had better withdraw my motion whereby I offered this amendment for adoption and kill Senate Amendment "A" first.

The PRESIDENT: The Chair would inform the Senator that if it is the intention of the Senator to adopt Senate Amendment "B" eventually — it is up for adoption at the present time — but if the Senator then wants to have the Senate reconsider its action whereby Senate Amendment "A" was adopted, he may move for reconsideration. Is it the pleasure of the Senate to adopt Senate Amendment "B"?

Senate Amendment "B" was Adopted.

Mr. Katz of Kennebec then moved that the Senate reconsider its action whereby Senate Amendment "A" was Adopted.

The PRESIDENT: The Chair recognizes the Senator from York, Senator Marcotte.

Mr. MARCOTTE: Mr. President, I would oppose this motion and would request a division.

The PRESIDENT: A division has been requested.