

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

One Hundred and Seventh Legislature

(First Special Session)

OF THE

STATE OF MAINE

1976

KENNEBEC JOURNAL

AUGUSTA, MAINE

Majority "Ought not to pass" Report. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Ault, Bagley, Berry, G. W.; Birt, Blodgett, Bowie, Call, Carey, Carroll, Carter, Connors, Curran, R.; Doak, Drigotas, Dudley, Dyer, Farley, Farnham, Fraser, Garsoe, Gould, Hewes, Higgins, Hinds, Hunter, Hutchings, Jackson, Jacques, Jensen, Kany, Kelleher, Lavery, LeBlanc, Leonard, Lewis, Lizotte, Lovell, Lunt, Lynch, Mackel, MacLeod, McBreaity, McMahon, Morin, Morton, Nadeau, Norris, Palmer, Perkins, S.; Perkins, T.; Peterson, P.; Raymond, Rideout, Snowe, Sprowl, Strout, Susi, Teague, Theriault, Torrey, Truman, Twitchell, Tyndale, Webber.

NAY — Albert, Bachrach, Bennett, Berry, P. P.; Berube, Boudreau, Burns, Bustin, Carpenter, Chonko, Clark, Connolly, Cooney, Cote, Cox, Curran, P.; Curtis, Dam, Davies, Dow, Durgin, Faucher, Fenlason, Finemore, Flanagan, Goodwin, H.; Goodwin, K.; Gray, Greenlaw, Hall, Henderson, Hennessey, Hobbins, Hughes, Ingegneri, Joyce, Kauffman, Kennedy, Laffin, LaPointe, Lewin, MacEachern, Mahany, Martin, A.; Martin, R.; Mills, Miskavage, Mitchell, Mulkern, Najarian, Peakes, Pearson, Pelosi, Peterson, T.; Post, Powell, Quinn, Rolde, Rollins, Saunders, Shute, Silverman, Smith, Snow, Spencer, Talbot, Tarr, Tierney, Tozier, Usher, Wagner, Walker, Wilfong, Winship.

ABSENT — Churchill, DeVane, Gauthier, Immonen, Jalbert, Littlefield, Maxwell, McKernan, Pierce, Stubbs.

PAIRED — Byers, Kelley.

Yes, 64; No, 74; Absent, 10; Paired, 2.

The SPEAKER: Sixty-four having voted in the affirmative and seventy-four in the negative, with ten being absent and two paired, the motion does not prevail.

Thereupon, the Minority "Ought to pass" Report was accepted, the Bill read once and assigned for second reading tomorrow.

The Chair laid before the House the second tabled and today assigned matter:

Bill, "An Act to Provide for more Effective Debt Management and for more Effective Administration of the State's Development Financing Capability" (H. P. 1816) (L. D. 1974)

Tabled — March 16 by Mr. Cooney of Sabattus.

Pending — Passage to be Engrossed

On motion of Mr. Rolde of York, retabled pending passage to be engrossed and specially assigned for Monday, March 22.

The Chair laid before the House the third tabled and today assigned matter:

An Act Relating to the Initiative and Referendum Processes (Emergency) (H. P. 2027) (L. D. 2203) (C. "A" H-954), (S. "A" S-426)

Tabled — March 17 by Mr. McKernan of Bangor.

Pending — Passage to be Enacted.

On motion of Mr. Spencer of Standish, under suspension of the rules, the House reconsidered its action whereby the Bill was passed to be engrossed.

On further motion of the same gentleman, under suspension of the rules, the House reconsidered its action whereby Committee Amendment "A" was adopted.

The same gentleman offered House Amendment "A" to Committee Amendment "A" and moved its adoption.

House Amendment "A" to Committee

Amendment "A" (H-992) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Standish, Mr. Spencer.

Mr. SPENCER: Mr. Speaker, Ladies and Gentlemen of the House: This amendment would take care of the problem which we mentioned yesterday where all five people who originally were included in the application for a petition had to take the appeal. This would allow any one of the five or any signatory to the petition to take the appeal in the event that the petition were denied.

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

Mr. HENDERSON: Mr. Speaker, I would pose a question to the sponsor of this amendment, and that is if he could just outline exactly what would happen if a voter took an appeal, was in the process of that appeal and then fell ill or died or somehow was unable to continue it. Exactly what would happen thereafter?

The SPEAKER: The gentleman from Bangor, Mr. Henderson, has posed a question through the Chair to the gentleman from Standish, Mr. Spencer, who may answer if he so desires, and the Chair recognizes that gentleman.

Mr. SPENCER: Mr. Speaker, if there were only one person out of the 30,000-odd people who were required to take the appeal and he took the appeal, was the only one taking it and he died, then his estate would have the option of pursuing the appeal if they chose to. But I think chances are fairly good that they wouldn't, but under this amendment, any group of people who wanted to take the appeal could do so, so I would expect that in a normal case, you would have a number of people who signed the petition joining the appeal so that if one of them was run over by a truck, the others could continue the appeal.

Thereupon, House Amendment "A" to Committee Amendment "A" was adopted.

Committee Amendment "A" as amended by House Amendment "A" thereto was adopted in non-concurrence.

The Bill was passed to be engrossed as amended by Committee Amendment "A" as amended by House Amendment "A" thereto and Senate Amendment "A" in non-concurrence and sent up for concurrence.

Mr. Farnham of Hampden was granted unanimous consent to address the House.

Mr. FARNHAM: Mr. Speaker, Ladies and Gentlemen of the House: Last night, I happened to be watching TV and there was a young lady in Portland speaking before a rather large audience. She spent a great deal of time trying to indoctrinate the group in the Communist philosophy and this is her right. I would never deny it. But all I could think of during that period was how fortunate that with her philosophy she lived in this country where she could get up and spout her poison. For if she were in the country whose philosophy she endorses, she would be in a Siberian prison camp the next day.

(Off Record Remarks)

On motion of Mr. Jackson of Yarmouth, Adjourned until twelve o'clock noon tomorrow.