

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Seventh  
Legislature*

OF THE

STATE OF MAINE

1975

KENNEBEC JOURNAL  
AUGUSTA, MAINE

Relating to the Giving Away of Deer." (S. P. 221) (L. D. 734)

Reported that the same Ought to Pass.

Which reports were Read and Accepted, the Bills Read Once and Tomorrow Assigned for second Reading.

#### Reconsidered Matter

On motion by Mr. Huber of Cumberland, the Senate voted to reconsider its prior action whereby on Bill, "An Act Relating to Reclassification and Range Change of Certain Positions and Classifications in State Classified Service", (S. P. 369), was referred to the Committee on State Government and Ordered Printed.

On further motion by the same Senator, referred to the Committee on Appropriations and Financial Affairs and Ordered Printed.

Sent down for concurrence.

#### Second Readers

The Committee on Bills in the Second Reading reported the following:

##### House

Bill, "An Act to Establish County Commissioner Districts in Penobscot County." (H. P. 56) (L. D. 68)

Resolve, to Reimburse Edgar Tupper of Madison for Loss of Beehives by Bear. (H. P. 493) (L. D. 612)

Bill, "An Act to Increase Certain Fees Paid to the State Board of Nursing." (H. P. 496) (L. D. 614)

Bill, "An Act Relating to Conveyance or Loan of Property to the Cumberland County Recreation Center." (H. P. 540) (L. D. 656)

Bill, "An Act to Amend the Charter of Erskine Academy." (H. P. 592) (L. D. 732)

Bill, "An Act Amending the Charter of the Boothbay-Boothbay Harbor Community School District to Require that District to Provide and Fund Pupil Transportation." (H. P. 629) (L. D. 780)

Which were Read a Second Time and Passed to Be Engrossed, in concurrence.

##### House — As Amended

Bill, "An Act to Revise the Laws Relating to the State Board for Registration of Architects." (H. P. 179) (L. D. 196)

Bill, "An Act Relating to Apprentices and Journeymen Plumbers and Establishing the Classification of Trainee Plumber." (H. P. 240) (L. D. 318)

Bill, "An Act Relating to Limit of Insurance Risk Exposure under the Maine Insurance Code." (H. P. 292) (L. D. 344)

Bill, "An Act to Clarify Certain Laws Relating to Boxing." (H. P. 388) (L. D. 480)

Bill, "An Act to Provide for a Booth License under the State Barber Laws." (H. P. 438) (L. D. 539)

Bill, "An Act Relating to Education and Training under the Laws of Barbering." (H. P. 437) (L. D. 545)

Bill, "An Act Increasing Certain Permit, Examination and License Fees for Hairdressers and Providing for Biennial Renewal of Certain Licenses." (H. P. 453) (L. D. 559)

Bill, "An Act to Decrease the Insuring Limitation on Certain Programs of the Maine Guarantee Authority." (H. P. 832) (L. D. 959)

Which were Read a Second Time and Passed to Be Engrossed, as Amended, in concurrence.

Bill, "An Act Relating to Irreconcilable Marital Differences as a Ground for Divorce and Mental Illness as an Impediment to Divorce". (H. P. 911) (L. D. 1032)

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

Mr. MERRILL: Mr. President and Members of the Senate: I note that my worthy colleague, Senator Danton from York County, is not here today. I know that he has some more ideas that he would like to pass on to the Senate with respect to this good piece of legislation, and I would ask that somebody table this for one legislative day.

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

Mr. Berry of Cumberland then moved that the Bill be tabled and Specially Assigned for March 25, 1975, pending Passage to be Engrossed.

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

Mr. MERRILL: Mr. President, I would inquire as to whether a motion to have this tabled for one legislative day would be in order at this time?

The PRESIDENT: The Chair would advise in the affirmative.

Mr. MERRILL: I would so move.

The PRESIDENT: The Senator from Cumberland, Senator Merrill, now moves that L. D. 1032 be tabled for one legislative day, pending passage to be engrossed. Is this the pleasure of the Senate?

The Chair recognizes the Senator from Cumberland, Senator Conley.

On motion by Mr. Conley of Cumberland, a division was had. 16 having voted in the affirmative, and 11 having voted in the negative, the Bill was tabled and Specially Assigned for March 24, 1975, pending Passage to be Engrossed.

#### Senate — As Amended

Bill, "An Act Relating to the Labeling of Shrimp." (S. P. 195) (L. D. 645)

Bill, "An Act Creating the Newport Water District." (S. P. 194) (L. D. 661)

Bill, "An Act to Provide for Marine Resource Education by the Department of Marine Resources." (S. P. 222) (L. D. 735)

Which were Read a Second Time and Passed to be Engrossed, as Amended.

Sent down for concurrence.

#### Enactors

The Committee on Engrossed Bills reported as truly and strictly engrossed the following:

##### Constitutional Amendment

Resolution, Proposing an Amendment to the Constitution to Provide Single Member Districts for the House of Representatives, to Provide for Apportionment of the House and Senate and to Establish an Apportionment Commission to Plan for all Apportionments of the House and Senate. (H. P. 19) (L. D. 27)

This being a Constitutional Amendment and having received the affirmative votes of 27 members of the Senate, with two members voting in the negative, was Finally Passed and, having been signed by the President, was by the Secretary presented to the Secretary of State.

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

Mr. BERRY: Mr. President, having voted on the prevailing side, I move reconsideration.

The PRESIDENT: The Senator from Cumberland, Senator Berry, now moves that the Senate reconsider its action whereby this resolution was passed.

The Chair recognizes that Senator.

Mr. BERRY: Mr. President and

Members of the Senate: I think an occasion such as this should not pass totally unnoticed. The only comment, I think, that would be worthy of mention today is that there has been a tremendous show of statesmanship on the part of members in the other house. For those of us who have fought for this measure through the years, this is indeed a moment of gratification. I think that at long last we are going to really see truly the one-man one-vote theory applied here in Maine, with all the benefits which it will have on legislation.

I realize that there have been real practical, political partisan problems involved here. I think the people who have swallowed their thoughts and who have acted in the best interests of Maine — these are known only to themselves, I think — deserve the thanks of everybody in the legislature and out.

The PRESIDENT: The Senator from Cumberland, Senator Berry, now moves that the Senate reconsider its action whereby this resolution was passed. Will all those in favor of the Senator's motion say "Yes"; those opposed say "No".

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

#### Orders of the Day

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

House Report — from the Committee on Taxation — Bill, "An Act Relating to Definition of Retail Sale under Sales and Use Tax Law." (H. P. 537) (L. D. 672) Ought to Pass.

Tabled — March 19, 1975 by Senator Katz of Kennebec.

Pending — Acceptance of Report.

(In the House — Passed to be Engrossed.)

Thereupon, the Ought to Pass Report of the Committee was Accepted in concurrence, the Bill Read Once and Tomorrow Assigned for Second Reading.

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

Bill, "An Act to Provide Funds to Pine Tree Legal Assistance, Inc., for Continued Legal Representation for those in Need." (S. P. 133) (L. D. 438)

Tabled — March 19, 1975 by Senator Cyr of Aroostook.

Pending — Passage to be Engrossed.

The PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Cyr.

Mr. CYR: Mr. President and Members of the Senate: This bill, as you know, calls for an appropriation of 185,000 dollars. Personally I don't believe that this is a time to start adding on programs. It is a time to cut programs instead of adding on. This program so far has been funded by the federal government.

Now, this bill asks to fund two new offices, one in Lewiston and one in Skowhegan, that have been discontinued from federal funds. Many of the Senators I talked to about this bill told me "Well, why put up a fight on it? It is going to die on the Appropriations Table anyway." I think that is the cowardly way for us to do it. The danger to let it go on the Appropriations Table is that the co-sponsor is on the Appropriations Committee that divides the financial pie at the end of the session. I predict that this would end up with a smaller appropriation, and possibly in competition with more worthwhile programs or even your own pet project. Once they acquire a toehold, the next