

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Fifth
Legislature***

OF THE

STATE OF MAINE

Volume III

June 16, 1971 to June 24, 1971

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1st Special Session

January 24, 1972 to March 10, 1972

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**KENNEBEC JOURNAL
AUGUSTA, MAINE**

Golden Anniversary of their wedding; now, therefore, be it

ORDERED, the House concurring, that we the Members of the Senate and House of Representatives of the One Hundred and Fifth Legislature of the State of Maine now assembled in special legislative session join the Golden Wedding Anniversary celebration of our friend and colleague and his dear bride by extending our warmest congratulations on this memorable occasion, along with our very best wishes for the years to come; and be it further

ORDERED, that a suitable copy of this Joint Order be immediately transmitted to Mr. and Mrs. King of Jefferson as a small memento of our esteem. (S. P. 747)

Which was Read and Passed.
Sent down for concurrence.

Mr. Anderson of Hancock was granted unanimous consent to address the Senate.

Mr. ANDERSON: Mr. President and Members of the Senate: I am very much disturbed over the Governor directing the Attorney General to drop the proceedings against law violators at Snowy Beach. This is a very, very poor example for our young people. It will give other demonstrators the courage to break our laws, knowing that they will not be prosecuted. There was no question but what our laws were willfully violated.

The Governor could have pardoned these offenders after the court proceedings. I feel it is a slap in the face to our law enforcement officers and to our courts, and I don't like it. Thank you.

(Off Record Remarks)

Mr. Shute of Franklin was granted unanimous consent to address the Senate.

Mr. SHUTE: Mr. President and Members of the Senate: Yesterday in my maiden speech during the special session I made reference to two items that I felt were troublesome for all of us, namely, the Senate reapportionment and the big box situation. Later in the day, when I had an opportunity to read the Portland Press Herald, I became distressed at what I read

under a by-line of one Donald Hanson in the Wednesday, February 2nd, issue, and I am asking the Sergeant-at-Arms to distribute a copy so that each one of you may have the opportunity to read this.

I am distressed because of the apparent attitude of the Executive Branch of our government in the matter of this big box controversy. 47,000 signatories of the initiative referendum, I believe, were being put on by the Governor and, indeed, put off by the Governor. The Hanson article — I would like to read part of it along with you: "The Republicans probably would have won the June Referendum that they want on the big box controversy if they hadn't tried to force it by taking him to court, Governor Kenneth M. Curtis said Tuesday. But because the G.O.P. backed ballot reform group tried to make him act in advance of his statutory deadline, the Governor said, he is willing to let the court decide whether a Governor can be forced to perform his ministerial duties. Prior to the court suit, Curtis had written to the Citizens for Ballot Reform, telling them that he intended to issue a proclamation calling for a referendum on the question in conjunction with the June 19 Primaries. Republicans, fearful that Curtis was going to backtrack on his word and delay the referendum until November, brought a writ of mandamus asking the Superior Court to force Curtis to call for the referendum in June. This court suit, Curtis said in an exclusive interview, has had an effect on my changing my mind."

This Hanson article in the Press Herald of yesterday indicates to me what I have suspected all along, that the Executive Department did not intend to issue a proclamation, and used as an excuse the court suit initiated by the Citizens for Ballot Reform. Now, if this is untrue and an unfair charge, then I would like to ask the Governor if he would consider asking the C.B.R. to withdraw their suit and, if agreeable on the part of the C.B.R., would the Governor then proclaim June 19th, June 20th,

June 21st, June 22nd, or any date in that area, as the date upon which the people in this state, and the 47,000 people who signed the initiative referendum, could have their day at the ballot box.

I will read again one of these paragraphs: "This court suit, the Governor said in an exclusive interview, has had an effect on my changing my mind." I would like to pose a question to any member of this body, that if they can secure an exclusive interview with the Chief Executive and prevail upon him again to change his mind, then we would welcome this opportunity.

I consider this an infantile attitude on the part of the Governor, and I think I feel that I represent the feelings of 47,000 people who are waiting for a decision.

So, if we could paraphrase what the good Reverend said to us this morning in our prayer, "Let our souls sing, let us find the peacemaker, let us be passionately reasonable." Thank you, sir.

The PRESIDENT: The Chair at this time would ask the Sergeant-at-Arms to escort the Senator from Cumberland, Senator Berry, to the rostrum to assume the duties of President pro tem.

Thereupon, the Sergeant-at-Arms escorted Senator Berry to the rostrum where he assumed the duties of the President pro tem, and President MacLeod retired from the Senate Chamber.

Committee Reports House

The following Ought Not to Pass report shall be placed in the legislative files without further action pursuant to Rule 17-A of the Joint Rules:

Bill, "An Act Relating to the Treatment and Disposal of Sewage by Portland Water District." (H. P. 1502) (L. D. 1944)

Ought to Pass

The Committee on Public Utilities on, Bill, "An Act Relating to Filling Vacancies in Board of Trustees of Sanford Sewerage District." (H. P. 1501) (L. D. 1943)

Reported that the same Ought to Pass.

Comes from the House, the report Read and Accepted and the Bill Passed to be Engrossed as Amended by House Amendment "A" (H-519).

Which report was Read and Accepted in concurrence and the Bill Read Once. House Amendment "A" was Read and Adopted in concurrence and the Bill, as Amended, Tomorrow Assigned for Second Reading.

Divided Report

The Majority of the Committee on Taxation on, Bill, "An Act Providing for a Change in Standard Deductions in Income Tax Law." (H. P. 1547) (L. D. 2003)

Reported that the same Ought to Pass.

Signed:

Senators:

WYMAN of Washington
HICHENS of York
FORTIER of Oxford

Representatives:

TRASK of Milo
FINEMORE

of Bridgewater
MORRELL of Brunswick
COLLINS of Caribou
McCLOSKEY of Bangor
COTTRELL of Portland

The Minority of the same Committee on the same subject matter reported that the same Ought Not to Pass.

Signed:

Representatives:

CYR of Madawaska
DAM of Skowhegan
ROSS of Bath

Come from the House, the Majority Ought to Pass report Read and Accepted and the Bill Indefinitely Postponed.

Which reports were Read.

Mr. Wyman of Washington moved that the Senate Accept the Majority Ought to Pass Report of the Committee.

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

Mr. KATZ of Kennebec: Mr. President and Members of the Senate: The implications of this bill are not completely clear. I wonder if someone would explain them.