

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fourth
Legislature*

OF THE

STATE OF MAINE

1969

KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Wednesday, January 15, 1969

Senate called to order by the President.

Prayer by the Rev. George C. Mills of Hallowell.

Reading of the Journal of yesterday.

House Papers

Bills and Resolves today received from the House requiring reference to committees were acted upon in concurrence, with the following exceptions:

Bill, "An Act Relating to Allocations from the General Highway Fund for Reconstruction of Certain Bridges in Baxter State Park" (H. P. 112) (L. D. 128).

Comes from the House referred to the Committee on Appropriations and Financial Affairs and Ordered Printed.

On motion by Mr. Greeley of Waldo, referred to the Committee on Highways and Ordered Printed in non-concurrence.

Sent down for concurrence.

Bill, "An Act to Clarify the Watercraft Registration and Safety Law" (H. P. 118) (L. D. 134).

Comes from the House referred to the Committee on Inland Fisheries and Game and Ordered Printed.

On motion by Mr. Hoffses of Knox, tabled and tomorrow assigned, pending Reference to Committee.

Bill, "An Act to Amend the Charter of the Fryeburg Water Company by Granting Certain Additional Powers and Ratifying and Confirming Certain Acts of Said Corporation" (H. P. 94) (L. D. 103).

Comes from the House referred to the Committee on Judiciary and Ordered Printed.

On motion by Mr. Quinn of Penobscot, tabled and tomorrow assigned, pending Reference to Committee.

On motion by Mr. Conley of Cumberland the Senate voted to reconsider its previous action whereby Bill, "An Act Relating to Eligibility for Membership on the

Council and School Board of the Town of Falmouth" (H. P. 110) (L. D. 118), was referred to the Committee on Towns and Counties and Ordered Printed in concurrence.

On further motion by the same Senator, referred to the Committee on Legal Affairs and Ordered Printed in non-concurrence.

Sent down for concurrence.

Communications

STATE OF MAINE

Senate Chamber

Augusta, Maine

January 14, 1969

Mr. Jerrold B. Speers
Secretary of the Senate
Augusta, Maine

Dear Mr. Speers:

Pursuant to Chapter 188 of the Public and Special laws of 1965, I hereby appoint the Senator from Aroostook, Senator George H. Barnes and the Senator from Cumberland, Senator Gerard P. Conley to the State Commission on Transportation.

Respectfully yours,

KENNETH P. MacLEOD

President of the Senate

Which was Read and Ordered Placed on File.

STATE OF MAINE

Senate Chamber

Augusta, Maine

January 14, 1969

Mr. Jerrold B. Speers
Secretary of the Senate
Augusta, Maine

Dear Mr. Speers:

Pursuant to the authority vested in me by Section 3504 of Title 20 of the Revised Statutes, I hereby appoint the Senator from Kennebec, Senator Bennett D. Katz, to membership on the Maine School Building Authority.

Respectfully yours,

KENNETH P. MacLEOD

President of the Senate

Which was Read and Ordered Placed on File.

STATE OF MAINE

Senate Chamber

Augusta, Maine

January 14, 1969

Honorable Kenneth P. MacLeod
President of the Senate

104th Legislature
Dear Mr. President:

I herewith submit my resignation from the Joint Standing Committee on Claims, the same to take effect immediately.

Sincerely,

(Signed)

JAMES MARTIN

Which was Read and Ordered Placed on File.

Thereupon, there being no objection, the President appointed Senator Gordon of Cumberland to the Joint Standing Committee on Claims.

Senate Papers

Appropriations and Financial Affairs

Mr. Sewall of Penobscot presented Bill, "An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1970 and June 30, 1971." (Emergency) (S. P. 55) (L. D. 226)

The same Senator presented Bill, "An Act to Appropriate Moneys for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1970 and June 30, 1971." (Emergency) (S. P. 56) (L. D. 225)

Which were referred to the Committee on Appropriations and Financial Affairs and Ordered Printed.

Sent down for concurrence.

Judiciary

Mr. Berry of Cumberland presented Bill, "An Act Relating to Notice of Suspension or Revocation of Motor Vehicle Operators' License." (S. P. 57) (L. D. 165).

Which was referred to the Committee on Judiciary and Ordered Printed.

Sent down for concurrence.

Retirements and Pensions

Mr. Hanson of Kennebec presented Bill, "An Act Relating to Injury or Incapacity of State Police Officer." (S. P. 58) (L. D. 166).

The same Senator presented Bill, "An Act Relating to the Executive Secretary and Procedure of Actuarial Computations Under

State Retirement System." (S. P. 59) (L. D. 167).

Which were referred to the Committee on Retirements and Pensions and Ordered Printed.

Sent down for concurrence.

Towns and Counties

Mr. Dunn of Oxford presented Bill, "An Act Creating County Commissioner Districts." (S. P. 60) (L. D. 168).

Which was referred to the Committee on Towns and Counties and Ordered Printed.

Sent down for concurrence.

Orders

On motion by Mr. Hoffses of Knox,

ORDERED, the House concurring, that the rooms in the State House and State Office Building used by the One Hundred and Third Legislature as hearing rooms be reserved as hearing rooms for the One Hundred and Fourth and succeeding legislatures and be released for other purposes only upon written approval by the President of the Senate and the Speaker of the House. (S. P. 54)

Which was Read and Passed.

Sent down for concurrence.

Mr. Berry of Cumberland was granted unanimous consent to address the Senate.

Mr. BERRY: Mr. President and Members of the Senate: The news media of the last ten days has carried with alarming and increasing frequency reports and remarks concerning the new consolidated and greater University of Maine.

It appears, unfortunately, that notice must be taken and should be taken of the situation. To those of us who were members of previous legislatures the arrival and development of a plan for the consolidated university was many things: it was the realization of a hope, it was the recognition of a confusing, expensive and inefficient operation in the field of higher education. The birth pangs attendant upon the passage of that historic document were many and severe. It represented bitter sacrifice on the part primarily of the people in the educational field and,

to only slightly a lesser extent, those of us in the legislature.

The hope and the thought was expressed that time would prove that this step was the proper one, and in this spirit the hope and the promise was that time would be allowed to all concerned to work out the problems quite easily foreseen. Probably the first significant step that was made was the appointment of the existing board of trustees. Time has proved this group not only to be dedicated, not only to be capable, but extremely courageous, a quality which I know legislators appreciate. The make-up of the board of trustees is certainly a prestigious one. It contains several people with whom I am personally acquainted, with whom I differ significantly in political thought and philosophy, shall we say, in educational matters. They are, however, very capable people and time has certainly proven this so.

There has been reports of pressure by the trustees on top personnel in the University. These are only reports and, from my personal knowledge of the people involved, I am sure that the usual procedure was followed: a discussion period, a period of resolution, and a period of decision, and that the trustees, capable men that they are, and capable ladies too, are going to do what they think is best, and that is allow the new chancellor to exert his professional ability for the welfare of the State as a whole.

Not only is the board of trustees in this position of not exerting pressure, but certainly the Legislature itself, composed of people from all over the State, should realize and does realize that we are in this period of trial, that we are still in this period of concession, and that this period must continue.

It is my firm belief, and one which I have voiced several times in the last year, that this two-year period is critical in the history of the University of Maine, and by that I mean the University and all its branches. Certainly the time has passed when legislators from certain areas, such as the Senator from Cumberland, Senator Berry, should apply pressure or introduce

specific parochial legislation to answer the honest needs of the areas they represent. This in itself was one of the benefits we knew that we would accrue from the combined university. No longer would decisions be made on the basis of political influence, uninformed opinion or a good honest attempt to do what was felt necessary for the area one represents. This period has gone. Certainly for a trial period the trustees themselves are the people to make these decisions, and this was one of the major reasons for the consolidation.

A second reason, which isn't really germane to my comments this morning, but a very important one, is that the trustees themselves are in the position, a unique position, to determine the needs of the State-wide system, and there was nothing more frustrating than to sit on one of the legislative committees and hear the pleas from the several State institutions requesting monies and have neither the staff back-up nor the inherent instinct to make the right decision.

So I would say, Mr. President and Members of the Senate, I would plead for a continuation of this period of tolerance, understanding and back-up for our State University in order that it may have the proper chance to arrive to where we want it, and that is a position to give higher education to as many young people in the State as possible.

Mr. Katz of Kennebec was granted unanimous consent to address the Senate.

Mr. KATZ: Mr. President and Members of the Senate: I also speak as the Chairman of Education. I want to subscribe completely to the remarks of the Senator from Cumberland, Senator Berry. I have been away for a couple of days and I was distressed at what I read in the press and what I have been hearing in the corridor this morning about criticism of the new system before we have actually had a chance to see it perform.

I think I should say immediately that I do not like and I do not approve of the goals of the present

university budget. I am not terribly enthused about the capital construction program that I see. I am aware that all of us here have a very, very narrow path that we must walk. Political interference in the operation of the university is unthinkable, and yet each of us here has a very heavy burden to supervise the expenditure of all tax funds and, perhaps equally as important, to make sure that the maximum educational opportunities of the proper type are being offered to our youngsters.

In years past the university has given us a budget document that is about so big, and this is the procedure that has been followed this year. I, for one am unable in all conscience to say that I can approve or disapprove appropriations in the amount the university is requesting, based upon the information that has been given me so far. I would say to each of you too that I am sure that there are misgivings in your minds that, if you are indeed conscientious legislators, you can make appropriations or approve appropriations in excess of fifty million dollars based upon the sketchy information that has been given.

The university has consistently in the past refused to give any back-up information to justify these appropriations that they have asked, and there have been irritations, myriad irritations, in years gone by, but this year the original requests of the University of Maine were \$58,000,000 for operating and something like \$39,000,000 for

capital and, quick like a bunny, it adds up to almost as much money as the total bonded indebtedness of the State of Maine was outstanding last summer, outstanding since the beginning of the State in 1820. So when an organization or an institution asks this much money I think that we have to start off on a new footing, and we have a responsibility to look very, very deeply into the educational values of the tremendous monies that are being asked.

I am very happy to say that the university, for the first time ever, has agreed to give us substantially more information. I would plead with those of you who are at this moment irritated, confused, and perhaps I should say burned up at some of the implications that you have seen already in the beginning of a system that we assured you was going to be more rather than less efficient, I urge you to exercise some patience. It is going to be a long legislative session, and decisions don't have to be made shooting from the hip right in the first week or two. Let's sit back and see whether we have lived up to our obligations and dig into the university system and, hopefully, offer the type of educational opportunities that our kids need.

(Off Record Remarks)

On motion by Mr. Hoffses of Knox,

Adjourned until 1:30 o'clock tomorrow afternoon.