

# 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**

Tuesday, January 21, 1969

Senate called to order by the President.

Prayer by the Rev. Fr. Paul M. Ouellette of Augusta.

Reading of the Journal of yesterday.

**House Papers**

ORDERED, the Senate concurring, that the Clerk of the House issue to each of the Indian Representatives postage in the amount of \$6 and free telephone service to the number of 25 calls; that each of the Indian Representatives be provided with a credit card under the direction of the Clerk of the House to be limited as are all legislative credit cards. (H. P. 185)

Comes from the House Read and Passed.

Which was Read and Passed in concurrence.

WHEREAS, Miss Belinda Desjardins, daughter of Mr. and Mrs. Paul Desjardins of Auburn, and a senior at Edward Little High School, has been crowned Junior Miss of Maine for 1969; and

WHEREAS, Miss Desjardins was selected from a field of 13 worthy contestants to be the recipient of this honor and to compete in national finals; and

WHEREAS, her fascinating charm and talented performance are not only a great credit to her community, her parents and herself, but to the State as well, now, therefore, be it

ORDERED, the Senate concurring, that the Members of the 104th Legislature of the State of Maine extend their warmest regards to Miss Desjardins for this outstanding achievement and best wishes for her future; and be it further

ORDERED, that duly authenticated copies of the Joint Order be transmitted forthwith to Miss Desjardins and the Auburn City Delegation. (H. P. 186)

Comes from the House Read and Passed.

Which was Read and Passed in concurrence.

STATE OF MAINE  
IN THE YEAR OF OUR LORD  
ONE THOUSAND AND NINE  
HUNDRED  
AND SIXTY-NINE

JOINT RESOLUTION EXPRESSING LEGISLATIVE SUPPORT FOR THE EFFORT TO SECURE A NEW FERRY SERVICE FOR THE STATE OF MAINE.

WHEREAS, the State of Maine is presently competing with New Hampshire to become the United States terminus for a new ferry service between Yarmouth, Nova Scotia and the United States; and

WHEREAS, the introduction of additional regular ferry service between the Maritime Provinces of Canada and the northeastern United States would be a significant addition to existing transportation facilities of Vacationland; and

WHEREAS, significant employment will result through supporting transportation, office and service facilities by the location of additional terminal facilities in the State of Maine; and

WHEREAS, Portland, Rockland, Bar Harbor and several other coastal communities have vigorously pursued the location of a ferry terminus on the coast of the State of Maine; and

WHEREAS, analysis has shown that the location of an additional terminus on the coast of Maine will materially strengthen the economic and social ties existing between the Maritime Provinces and the State of Maine; now, therefore, be it

RESOLVED: That the 104th Maine Legislature commends the Greater Portland Chamber of Commerce, the Cities of Portland and Rockland, the Town of Bar Harbor and all coastal communities participating in the effort to secure the location of an additional ferry terminal in Maine; and be it further

RESOLVED: that the 104th Maine Legislature hereby pledges appropriate legislative support to these efforts. (H. P. 187)

Comes from the House Read and Adopted.

Which was Read and Adopted in concurrence.

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 Defenses of Family Relationships in Civil Actions" (H. P. 168) (L. D. 207).

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

On motion by Mr. Katz of Kennebec, tabled and tomorrow assigned, pending Reference to Committee.

Bill, "An Act Extending the Territory of Brunswick Sewer District" (H. P. 176) (L. D. 215).

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

On motion by Mr. Stuart of Cumberland, tabled and tomorrow assigned, pending Reference to Committee.

### Senate Papers

#### Appropriations and Financial Affairs

Mr. Sewall of Penobscot presented Resolve Reimbursing Certain Municipalities on Account of Property Tax Exemptions of Veterans. (S. P. 75) (L. D. 236)

The same Senator presented Bill, "An Act Appropriating Moneys for Salary and Wage Accruals for University of Maine Personnel." (Emergency) (S. P. 76) (L. D. 234)

The same Senator presented Bill, "An Act Appropriating Moneys for Essential Needs at the University of Maine." (Emergency) (S. P. 77) (L. D. 235)

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

Sent down for concurrence.

#### Highways

Mr. Barnes of Aroostook presented Bill, "An Act Relating to Weight Tolerance on Building or Construction Materials." (S. P. 78) (L. D. 240)

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

Sent down for concurrence.

### Inland Fisheries and Game

Mr. Moore of Cumberland presented Bill, "An Act Relating to Lengthening the Open Season on Beaver by the Commissioner of Inland Fisheries and Game." (S. P. 79) (L. D. 239)

The same Senator presented Bill, "An Act Relating to Open Season for the Trapping of Foxes." (S. P. 80) (L. D. 238)

The same Senator presented Bill, "An Act Relating to Open Season on Muskrat in Somerset County." (S. P. 81) (L. D. 237)

Which were referred to the Committee on Inland Fisheries and Game and Ordered Printed.

Sent down for concurrence.

### Orders

On motion by Mr. Moore of Cumberland,

ORDERED, that the State Controller supply for the use of the Legislature 200 copies of a list of State Employees with their salaries paid during January 1969, 160 of the said copies to be deposited in the Office of the Clerk of the House and 40 of the said copies to be deposited in the Office of the Secretary of the Senate; and be it further

ORDERED, that said list be distributed one to each member of the House of Representatives and the Senate and the balance to the Clerk of the House and Secretary of the Senate for such distribution as they may see fit. (S. P. 82)

Which was Read.

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

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: Historically I have found myself in opposition to this order. This is the so-called snoop book. It is overt publicizing of the salaries of our State employees, done in a belittling, demeaning, trivial way to hold these so-called high salaries up to ridicule. Regardless of the glowing words that may be given to you, members of the Senate, this is the true reason.

These books find themselves very shortly in the hands of the public. They are used for commercial purposes, for mailing, they are used

for gossip, and they serve absolutely no useful means at all. It is my personal thinking that it is below the dignity of the Senate to vote for this, and I hope that you would vote against this order.

The PRESIDENT: The question before the Senate is the passage of the order presented by the Senator from Cumberland, Senator Moore, Senate Paper 82.

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ of Kennebec: Mr. President, may I ask for a division, please?

The PRESIDENT: The Senator from Kennebec, Senator Katz, asks that when the vote is taken it be taken by a division. Is the Senate ready for the question?

As many as are in favor of the passage of this order will rise and remain standing until counted. Those opposed?

A division was had, 28 Senators having voted in the affirmative, and two Senators having voted in the negative, the order received passage.

Sent down for concurrence.

#### House Paper

Out of order and under suspension of the rules, the President laid before the Senate the following paper from the House:

Bill, "An Act Relating to Overtime Payments to Employees of Augusta State Hospital, Bangor State Hospital, Pineland Hospital and Training Center and Governor Baxter State School for the Deaf" (H. P. 203) (L. D. 227)

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

Which was Referred to the Committee on Appropriations and Financial Affairs and Ordered Printed in concurrence.

#### Committee Reports

##### House Ought to Pass

The Committee on State Government on Bill, "An Act Relating to Tenure of Office of Assistant Director of Legislative Research." (H. P. 42) (L. D. 43)

Reported that the same Ought To Pass.

Comes from the House, the report Read and Accepted and the Bill Passed To Be Engrossed.

Which report was Read and Accepted in concurrence and the Bill Read Once and Tomorrow Assigned for Second Reading.

#### Orders of the Day

The President laid before the Senate the first tabled and today assigned matter, (H. P. 84) JOINT ORDER—Relative to Amendment to Joint Rule 17-B.

Tabled—January 16, 1969 by Senator Greeley of Waldo.

Pending—Motion by Senator Berry of Cumberland to Indefinitely Postpone the Order and all accompanying papers.

The PRESIDENT: The Chair recognizes the Senator from Knox, Senator Hoffses.

Mr. HOFFSES of Knox: Mr. President and Members of the Senate: In regards to this joint order, if you would bear with me, I would like to point out some of the merits of this order, and I would also make reference to some of the objections.

Having served in the halls of this august body for three terms, having seen the calendar much thicker than it is now by virtue of many, many tabled items, as many as 100 at a time, not to mention the Appropriations Table, the Highway Table, I can see that this order has some very definite merits. It affords the committees, by unanimous Ought Not to Pass reports, to dispose of the bills and to avoid long debate and, almost without exception, final indefinite postponement. The tabling of these bills coming out of committee with a unanimous Ought Not to Pass report, and some legislator tabling the item for days upon end, it does entail a certain amount of expense involved in continual printing of the matter.

Were I to vote on this matter personally, individually, and as I say, having been here for three terms, I would vote in favor of the joint order. However, the very distinguished gentlemen who have spoken in opposition to this, the good Senator from Franklin, Senator Mills, the good Senator from Penobscot, Senator Quinn,

and the good Senator from Cumberland, Senator Berry, have pointed out very definite reasons why this order should not pass. The committees and members have heard a great deal of debate in regards to the merits of the bill, but it does afford a committee a great deal of power in the killing of a bill which some legislator may have a very deep feeling in consideration of the bill, and for members of a committee to have the power to kill the bill, it does leave that particular member of the legislature in somewhat of a feeling of frustration. So, perhaps it is well that that individual member may be granted the privilege of trying to inject new life into his particular pet measure, notwithstanding the bill may ultimately go down in defeat.

Regardless of the merits or the demerits of this particular order, I would remind the members of this august body and chairmen of the various committees that this perhaps will be a reminder that they should make every effort to get the bills out of their respective committees, to press for legislative action, and in the matter of these bills which this order has specific reference to, that they could perhaps encourage that member who is trying to keep alive their measure, that some definite action would be taken.

I do believe that we have before this 104th Legislature much more important measures to discuss and to debate and I would, therefore, move the pending question, which is the indefinite postponement of the order and its accompanying papers.

The PRESIDENT: The question before the Senate is the motion of the Senator from Cumberland, Senator Berry, that this order and all its accompanying papers be indefinitely postponed. Is this the pleasure of the Senate?

The motion prevailed and the Joint Order and its accompanying papers were indefinitely postponed in non-concurrence.

Sent down for concurrence.

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

Mr. MILLS: Mr. President and Members of the Senate: Things have been happening in the last few days and I was waiting — I thought maybe some Democrat would get up and commemorate the inauguration of the new President yesterday, but they didn't and I didn't see anybody from leadership — and I think it ought to be noted perhaps, and so that cold record of ours would show it, that the Senate at least is aware that yesterday the 37th President of the United States was inaugurated in Washington. I think we should note too, for our own edification perhaps, that the keynote of the proceedings was peace and peacemaking.

I am reminded that in the Bangor News, just within a few days, one of our distinguished Senators, the leader of the minority party, was mentioned there in a very fine piece, and he was spoken of in that same vein, as to his great ability to bring people together and to work together. And I think if there is any lesson that we can take from the closeness of the margins in Washington it is that we here, in order to have a successful legislative session, have got to follow those precepts and be peacemakers. With those kind words off my chest, maybe I can say a few other things that are perhaps a little bit facetious that did occur to me in connection with a few things that are going on today.

We have noted that there has got to be a lot of new money raised in the State in order to carry on the affairs of the State during the next biennium. We have noted that there has got to be new housing for various officials of the State, and we have noted particularly that the Governor's Task Force on Human Rights is decrying the housing situation generally with fourteen pictures of what is alleged to be very poor housing in certain parts of the State. So, I suggest that if housing in Maine is going to follow the tone that is being set by governmental housing, that is, the housing for governmental officials, that the Governor has got to suggest something more than a 25 per cent income tax. He has

got to have a 50 per cent income tax to provide public housing perhaps for the oppressed real estate property taxpayers in the towns and cities of the State when you consider that housing for government is going up to the extent that it is. This is our own public housing. This is our public housing for the new chancellor who comes from what the Bangor News says is a \$16,000 house in Madison, Wisconsin, and he wants to come to a \$79,000 house in Cape Elizabeth. We want them to improve their situation when they come to Maine. I mean, we don't want them to be underfed and underhoused. We will pay them \$37,500 and give them a good house to go with it, and give it to them in one of the fashionable environs of Portland so that they can get off to New York and Boston where the main work is going to be, they say, in bringing funds back to Maine. I don't know what we have got congressmen and senators for in Washington if we need to hire thirty-seven and a half thousand dollars new officials to spend most of their time in Washington and New York to do extra work for us. But, be that as it may, we do want him housed right and we want him to have a good house. And we want the Governor to have a good house.

I am aware that the Governor has given a warning on this subject, that we ought to stay off the University of Maine and the trustees, but I think probably the use of that word "warning" was ill advised, because he knows better than to warn the Legislature. We don't take warnings. We will talk about the University of Maine. We will talk about any subject we want to, especially on a morning when we are getting ready to adjourn on an early date like this. Let him warn us all he wants to. He has got an election coming up in two years and he may be a second mate on a ship after that election; we will warn him about that, because he can't go to the people of the State of Maine with a 25 per cent income tax and expect much good will back. But, anyway, this Blaine House situation, we want him well housed. We

don't want him to be housed the way these people are in this human rights document here. We want him to have the best, and he is asking for it. I mean, he is asking for a pretty good stipend, increase. He wants \$13,829 more for the next year than he had last year for the Blaine House, and he wants over \$40,000. Now, he wants to \$16,366 in the succeeding year for the Blaine House. Now, that will put the Blaine House up from — it cost \$41,667.73 in '67-'68 to run the Blaine House — just a little up it for '69-'70 to \$55,496. And then he wants to up it the next year to \$58,033. Well, that will house a lot of people. It will do a lot up in Avon Valley. It would take the whole of Avon Valley, which is noted up our way as a depressed area of the State. It would do a lot in this depressed area of Bangor. We don't expect him to pitch a tent out in Capitol Park, but we think we ought to know why he needs \$13,829 more next year and \$16,000 the year following, and why it costs so much. I don't think the people back in the country know that it is going to cost \$58,000 to keep a roof over the Governor's head, and I don't think they approve either of our backing away from the subject of paying a chancellor from out in the cheese state of Wisconsin with an \$80,000 home on top of a \$37,000 salary.

Now, just to keep this non-partisan, I noted also that we got the Mafia scare again coming at us. We had it two years ago and it was coupled with requests for a lot of changes in the criminal laws. The Mafia was in here, or practically here, buying up a lot of property and so forth. Well, they didn't get the changes in the criminal laws through the regular session but the Gannett Press cooperated in the interim and they did get quite a few of these, modified, through the next time. Now we see the Mafia again coming in Cumberland and York Counties, and coupled with it is a request by the Attorney General to take over the County Attorney system. He wants to junk the County Attorneys and to have all district attorneys under appoint-

ment by himself, and he wants ten more state policemen. I think it is ten; somebody told me it was twenty. But we have got them at every crossroads up in Franklin County now, and they want at least ten more. It is accompanied by this furor about the Mafia. Now, 300 years ago down in York County and what is now Cumberland County the English colonists were paying very substantial sums of money for scalps of the Indians. I guess we could say also that the French were probably paying the Indians substantial sums of money for scalps of the Englishmen, but I say to you that if there should happen to be a member of the Mafia successfully prosecuted from Cumberland or York Counties, it

just might produce for the Attorney General ten new state policemen and a whole new flock of county attorneys. I think we ought to look at these things with a little skepticism, whether it is on the side of the Democrats or on the side of the Republicans.

But, to go back to the original theme, this is a day for peacemaking, and we hope that the leadership of the other party will feel as peaceful as I do about some of these subjects.

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(Off Record Remarks)

On motion by Mr. Hoffses of Knox,

Adjourned until 10 o'clock tomorrow morning.