

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Sixth*

*Legislature*

OF THE

STATE OF MAINE

1973

KENNEBEC JOURNAL  
AUGUSTA, MAINE

### SENATE

Wednesday, January 24, 1973

Senate called to order by the President.

Prayer by the Rev. Allen T. Short of Augusta.

Reading of the Journal of yesterday.

#### Joint Order

Out of order and under suspension of the rules:

On motion by Mr. Sewall of Penobscot,

ORDERED, the House concurring, that when the House and Senate adjourn, they adjourn to Tuesday, January 30, at 10 o'clock in the morning. (S. P. 143)

Which was Read and Passed.

Under further suspension of the rules, sent down forthwith for concurrence.

#### Joint Order

Out of order and under suspension of the rules:

On motion by Mr. Sewall of Penobscot,

WHEREAS, it is with deep regret, shock and sadness that the Legislature has learned of the death of former President Lyndon Baines Johnson; and

WHEREAS, Thursday, the 25th of January, 1973 has been proclaimed a day of mourning with the 106th Maine Legislature to stand in recess on that day; now, therefore, be it

ORDERED, the House concurring, that notwithstanding Joint Rule 8, all requests for bills and resolves covered by said Joint Rule shall be submitted to the Director of Legislative Research not later than 5:00 P.M. on January 31, 1973 and such measures in complete and final form shall be introduced in the appropriate House not later than 5:00 P.M. on March 14, 1973. (S. P. 144)

Which was Read and Passed.

Under further suspension of the rules, sent down forthwith for concurrence.

#### Papers from the House Non-concurrent Matter

Resolve. Authorizing Alton Worth of Fairfield to bring Action Against the State of Maine. (S. P. 66) (L. D. 168)

In the Senate January 16, 1973, referred to the Committee on Legal Affairs and Ordered Printed.

Comes from the House, referred to the Committee on Judiciary, in non-concurrence.

Thereupon, the Senate voted to Recede and Concur.

#### Joint Order

WHEREAS, an explosion followed by a furious fire tore through the W. S. Libbey Textile Mill at Lewiston on December 13, 1972, leaving two persons dead and ten injured; and

WHEREAS, in the course of this conflagration Mr. Donald Grondin, an employee of the mill, became trapped in heavy smoke and flame on the roof of the complex; and

WHEREAS, Pvt. Armand L. Beaulé of the Lewiston Firefighters, at great odds and personal risk, ascended an 85-foot aerial ladder obscured in smoke and flame to rescue the injured worker; and

WHEREAS, this daring act of heroism required exceptional courage over and above any call of duty and in complete disregard of personal safety; now, therefore, be it

ORDERED, the Senate concurring, that we, the Members of the One Hundred and Sixth Legislature now assembled, unite in a message of sincere thanks to Pvt. Armand L. Beaulé for this extreme act of valor and extraordinary service; and be it further

ORDERED, that a suitable copy of this Order be prepared and presented to Pvt. Beaulé in the presence of our chambers in recognition of his courageous deed (H. P. 295)

Comes from the House, Read and Passed.

Which was Read and Passed in concurrence.

#### Joint Resolution

##### STATE OF MAINE

In the Year of Our Lord One Thousand Nine Hundred and Seventy-Three

Joint Resolution Memorializing the Honorable Richard M. Nixon, President of the United States, To

Abolish the Oil Import Quota

We, your Memorialists, the Senate and House of Representa-

tives of the State of Maine in the One Hundred and Sixth Legislative Session now assembled, most respectfully present and petition the Honorable Richard M. Nixon, President of the United States, as follows:

WHEREAS, the Oil Import Administration was established by presidential proclamation on March 10, 1959 to adjust importants of petroleum and petroleum products into the United States; and

WHEREAS, the Oil Import Administration, acting in conjunction with an Oil Import Appeals Board, discharges the responsibilities imposed upon the Secretary of the Interior for regulating oil imports; and

WHEREAS, the purposes for which these functions were originally established, such as the interests of national security, have become hollow in meaning and lacking any current relevance; and

WHEREAS, major burdens have been placed on both industry and consumers through high prices and shortages pursuant to oil import policies which can no longer be tolerated; now, therefore, be it

RESOLVED: That We, your Memorialists, hereby protest continued federal interference with price and supply of oil imports which are so vital to the economy of the northern states; and be it further

RESOLVED: That we recommend to the Honorable Richard M. Nixon, President of the United States, that appropriate action be immediately taken to abolish all oil import regulation, administration and control which has been carried on under the guise of national security to the detriment of certain states, the State of Maine being but one of those states affected; and be it further

RESOLVED: That a copy of this Resolution, duly authenticated by the Secretary of State, be transmitted forthwith by the Secretary of State to the Honorable Richard M. Nixon, President of the United States and to the Members of the United States Congress from the State of Maine. (H. P. 156)

Comes from the House, Read and Adopted.

Which was Read and Adopted in concurrence.

**Joint Resolution**  
**STATE OF MAINE**

In the Year of Our Lord One Thousand Nine Hundred and Seventy-Three

Joint Resolution to Honor the Memory of His Excellency Lyndon Baines Johnson, Former President of the United States of America

WHEREAS, a saddened nation mourns the passing of the late Lyndon Baines Johnson, 36th President of the United States; and

WHEREAS, he is remembered as a man of compassion, courage and humility who rose by his philosophy of "come, let us reason together" from a teacher in a small Texas town to become leader of the world's greatest nation; and

WHEREAS, he will be remembered as a leader in the struggle to make all men equal before the law; and for his programs to make the government benefit all of the people; and for his efforts to eliminate illiteracy, to provide a decent environment to erase hunger and to give a new start to people suffering from poverty in the land of plenty; and

WHEREAS, he sought a Great Society where the American ideals of equality and justice would become a reality; now, therefore, be it

RESOLVED, in concurrence, that when We, the Members of the Senate and House of Representatives of the 106th Legislature of the State of Maine adjourn this day, we do so in honor and out of respect to his memory; and be it further

RESOLVED, that a copy of this resolution, suitably engrossed and attested on our behalf by our presiding officers, be transmitted to the family of the deceased. (H. P. 292)

Comes from the House, Read and Adopted.

Which was Read.

The PRESIDENT: Is it now the pleasure of the Senate that this Joint Resolution be adopted in concurrence?

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ: Mr. President and Members of the Senate: In the rush of business, I feel this Joint Resolution should not be permitted to go under the hammer. As a member of the Republican Party, I have a feeling that I will remember Lyndon Johnson substantially more for his successes than his failures, and when we enumerate his successes he will go down as a truly great President.

I share in the mourning of the nation and of the members of his party in the passing of this great leader.

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

Mr. SPEERS: Mr. President and Members of the Senate: I would like to second the sentiments of the good Senator from Kennebec, Senator Katz. I would like to further make the comment and read into the record of this body the sentiments that were expressed by the President last night when he mentioned that no one could have been more satisfied and joyous to see the occasions that the President announced last night come to pass than the former President, Lyndon Johnson.

The PRESIDENT: Is it now the pleasure of the Senate that this Joint Resolution be adopted in concurrence.

Thereupon, the Joint Resolution was Adopted in concurrence.

#### House Papers

Bills and Resolution today received from the House requiring Reference to Committees were acted upon in concurrence.

#### Communications

##### STATE OF MAINE

Legislative Research Committee  
State House  
Augusta, Maine 04330

January 3, 1973

To the Members of the 106th Legislature:

The Legislative Research Committee hereby has the pleasure of submitting to you Volume II of its report on activities for the past two years.

This volume, designated as the second summary volume, is a

continuation of both, assigned and unassigned matters undertaken by the Committee and contains findings and recommendations pursuant thereto.

Again, we of the Committee, gratefully acknowledge our indebtedness to the many individuals, organizations and agencies for their valuable contributions to the work of the Committee and it is our hope that the information contained in this report will be of assistance to the members of the 106th Legislature and the people of the State of Maine.

Respectfully submitted,  
(Signed)

JOSEPH SEWALL

Chairman

Legislative Research Committee

(S. P. 146)

Which was Read and with accompanying papers Ordered Placed on File.

Sent down for concurrence.

#### STATE OF MAINE

Department of Transportation

January 23, 1973

To the Honorable Senate and House of Representatives of the 106th Legislature

In accordance with the provisions of Chapter 132, Private and Special Laws of 1971, An Act Providing for a Feasibility Study of Alternative Methods for Crossing Fore River (between the Cities of Portland and South Portland), the State Department of Transportation herewith submits the enclosed report entitled, "Bridge-Tunnel Crossing Study — Portland Harbor — Fore River — Portland-South Portland" prepared for the Maine Department of Transportation by Fay, Spofford & Thorndike, Inc., Engineers, Boston, Massachusetts.

Respectfully,

(Signed)

DAVID H. STEVENS

Commissioner of Transportation

(S. P. 147)

Which was Read and with accompanying papers Ordered placed on File.

Sent down for concurrence.

#### Senate Papers

Mr. Schulten of Sagadahoc presented the following Joint Resolution and moved its adoption:

## STATE OF MAINE

In the Year of Our Lord One Thousand Nine Hundred and Seventy-Three

## Joint Resolution

Honoring Donald R. Larrabee

WHEREAS, Donald R. Larrabee began his brilliant career in journalism as a daily newspaper carrier boy in Portland, Maine; and

WHEREAS, Donald R. Larrabee was the founder and first editor of the Deering High School News; and

WHEREAS, Donald R. Larrabee began his now-talented news reporting as a Portland Press Herald reporter in 1941; and

WHEREAS, Donald R. Larrabee served his Country honorably in the Air Force during World War Two; and

WHEREAS, Donald R. Larrabee began his Washington, D.C. reporting in 1946 and has continuously provided news coverage of Maine events and Maine people since that date; and

WHEREAS, Donald R. Larrabee has been elected as both Secretary and Treasurer of the National Press Club; and

WHEREAS, Donald R. Larrabee has served as the Secretary of the Standing Committee of Correspondents of the House and Senate galleries; and

WHEREAS, Donald R. Larrabee on Sunday, February 4, 1973 will be installed as President of the National Press Club with all its attending recognition and responsibilities,

NOW, THEREFORE, be it resolved that the Senate and House of Representatives of the 106th Maine Legislature do hereby congratulate Donald R. Larrabee for the much deserved honor bestowed on him; and

Be It Further Resolved, that the Senate and House of Representatives of the 106th Maine Legislature pay public tribute to this honorable Maine native for the honor and esteem he has brought to his native State; and

Be It Further Resolved, that a copy of this Joint Resolution attested by the President of the Senate and the Speaker of the House, and duly authenticated by

the Secretary of State and containing the Great Seal of the State of Maine, be immediately transmitted by the Secretary of State to Donald R. Larrabee, President, National Press Club, prior to his official inaugural, Sunday February 4, 1973.

(S. P. 148)

Which was Read and Adopted.

Under suspension of the rules, sent down forthwith for concurrence.

#### Appropriations and Financial Affairs

Mr. Sewall of Penobscot presented Bill, "An Act Making Current Service Appropriations from the General Fund for the Fiscal Years Ending June 30, 1974 and June 30, 1975." (S. P. 141)

The same Senator presented Bill, "An Act Making Supplemental Appropriations from the General Fund for the Fiscal Years Ending June 30, 1974 and June 30, 1975." (S. P. 142)

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

Sent down for concurrence.

#### Education

Mr. Katz of Kennebec presented Bill, "An Act Transferring Duties of Maine School Building Authority to State Board of Education." (S. P. 139)

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

Sent down for concurrence.

#### Health and Institutional Services

Mr. Minkowsky of Androscoggin presented Bill, "An Act Relating to Membership in State Board of Licensure of Administrators of Medical Care Facilities other than Hospitals." (S. P. 140)

Which was referred to the Committee on Health and Institutional Services and Ordered Printed.

Sent down for concurrence.

#### Judiciary

Mr. Cianchette of Somerset presented Bill, "An Act Relating to Fines Levied by the Harness Racing Commission." (S. P. 133)

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

Sent down for concurrence.

#### Legal Affairs

Mr. Clifford of Androscoggin presented Bill, "An Act to Permit Municipalities to Collect a Fee for Lodging House Licenses." (S. P. 132)

Mr. Shute of Franklin presented Resolve, to Reimburse Certain Persons for Property Taken by State Department of Transportation in the Town of Bingham. (S. P. 134)

Mr. Joly of Kennebec presented Bill, "An Act Relating to Change of Name, Trustees, Power to Hold Property of the Maine Conference of the United Methodist Church." (S. P. 137)

Mr. Cianchette of Somerset presented Bill, "An Act Relating to the Installation of Electrical Conduits under the Electricians Law." (S. P. 138)

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

Sent down for concurrence.

#### Taxation

Mr. Shute of Franklin presented Bill, "An Act Relating to Removal of Certain Municipalities from the Forestry District." (S. P. 135)

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

Sent down for concurrence.

#### Transportation

Mr. Cianchette of Somerset presented Bill, "An Act Relating to Apportionment of Cost of Reconstruction of Railroad Grade Separation Structures on Non-federal Aid-State Highways." (S. P. 136)

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

Sent down for concurrence.

#### Orders

On motion by Mr. Berry of Cumberland,

ORDERED, the House concurring, that the Secretary of the Senate be reimbursed for monies personally paid by him to

an employee of the Senate for her administrative services in the Senate while the Legislature was not in session; and be it further

ORDERED, that the President of the Senate be authorized to approve vouchers for the payment of said monies. (S. P. 145)

Which was Read.

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

Mr. BERRY: Mr. President and Members of the Senate: This matter has only at stake some seven hundred odd dollars, but I think it interesting to draw it to the attention of the individual members of this body the reason for it.

Due to lack of funds, for several reasons, the conduct of your legislature has been during the period when it is not in session carried on in quite a charitable manner, one must say. You may recall that in speaking to you previously on another similar order I pointed out that even the individual who was second to the Governor did not have the privilege of secretarial assistance to write a letter. This is of a somewhat similar nature, and there was no money during the absence of the legislature to carry on such essential duties as forwarding the mail of the Senators to their home address — this would include first class mail or anything at all — and there was no provision for readying the mechanics which we know are so vital for the initiation of the special or the regular session, and the Secretary of the Senate has paid for these sums out of his own pocket with no intention, or I would say even hope, of reimbursement.

This order would provide for the reimbursement to the Secretary of the Senate who, quite fortunately, is the same Secretary who did the good work then that we have now, about \$390 for the first year of the past biennium and \$300 for the second year. As I point out, it is quite small, but I think it is extremely important that this legislature is making tremendous steps to get up to the place where it should be in discharging its duties to the people of the state.

The PRESIDENT: Is it the pleasure of the Senate that this order receive passage?

Thereupon, the Joint Order received Passage.

Sent down for concurrence.

### Committee Reports Ought to Pass

#### House

The Committee on Legal Affairs on Resolve, to Reimburse William Rich of Buckfield for Loss of Bee Hives by Bear. (H. P. 16) (L. D. 16)

Reported that the same Ought to Pass.

The Committee on Legal Affairs on, Resolve, to Reimburse Merlin Foster of Littleton for Loss of Heifer by Dogs. (H. P. 40) (L. D. 47)

Reported that the same Ought to Pass.

The Committee on Education on, Bill, "An Act to Validate Certain Proceedings Authorizing the Issuance of Bonds and Notes by School Administrative District No. 6" (H. P. 43) (L. D. 50)

Reported that the same Ought to Pass.

The Committee on Legal Affairs on Bill, "An Act to Change the Name of Gammon Pond, York County, to Perry Pond." (H. P. 56) (L. D. 66)

Reported that the same Ought to Pass.

Come from the House, the Bills and Resolves Passed to be Engrossed.

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

#### Ought to Pass — As Amended

The Committee on Appropriations and Financial Affairs on Bill, "An Act Increasing Compensation of Assistant Secretary of the Senate and the Assistant Clerk of the House of Representatives." (H. P. 76) (L. D. 89)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-5).

The Committee on Appropriations and Financial Affairs on Resolve, Reimbursing Mars Hill Utility District for Bonds Issued for Sewer Construction. (H. P. 65) (L. D. 80)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-3).

The Committee on Education on Bill, "An Act Increasing the Borrowing Capacity of Bucksport School District." (H. P. 71) (L. D. 84)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-4).

Come from the House, the Bills and Resolve Passed to be Engrossed as Amended by Committee Amendments "A".

Which reports were Read and Accepted in concurrence and the Bills and Resolve Read Once. Committee Amendments "A" were Read and Adopted in concurrence and the Bills and Resolve, as Amended, Tomorrow Assigned for Second Reading.

#### Second Readers

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

#### Senate

Bill, "An Act Changing Name of Promote Recreation and Industry Down East, Inc." (S. P. 38) (L. D. 95)

Which was Read a Second Time and Passed to be Engrossed.

Sent down for concurrence.

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

Mr. JOLY: Mr. President and Members of the Senate: Since the Governor's Budget Message on January 11, we have been subjected to newspaper editorials and personal calls and visits from those concerned over the curtailment of certain federal programs.

The Governor stated in his budget message that we must appropriate an extra \$2.7 million under social services because of "Action of the Federal Administration" and another one million under emergency measures because of other "Action of the Congress or the President". Later, in discussing the financing of his budget, he refers to \$8.8 million from the federal revenue sharing fund.

Federal revenue sharing came about for two reasons: the ability



of the federal government to acquire monies somewhat more easily than the states, and the belief on the part of those in Washington who have been fighting for revenue sharing for some time that not all states had the same needs or in the same proportion.

The \$8.8 million referred to by the Governor was not obtained by the federal government from new tax revenues; it was made available by the curtailment of those programs that were believed to be the type that should be considered by each state and community, and determined by each state and community as to whether they were considered priority programs in the respective states.

It may well be that each program that has been curtailed in Maine is one Maine desires to continue and, if so, the \$8.8 million could be used to continue all of them. It is also possible that one or more of the programs curtailed may not be of top priority in our

state, and in this case monies are then available to beef up other programs or could be used to aid our municipalities.

In any event, to imply criticism of the federal government for cutting programs and then to recommend, as the Governor has done, that the balance of the \$29.8 million available from federal revenue sharing be returned to the people of Maine in the form of tax relief is, at the least, misleading. I would hope these few remarks might set this matter straight. Thank you.

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(Off Record Remarks)

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The Adjournment Order having been returned from the House, Read and Passed in concurrence, on motion by Mr. Sewall of Penobscot,

Adjourned until Tuesday, January 30 at ten o'clock in the morning.