

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Third
Legislature*

OF THE

STATE OF MAINE

1967

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Tuesday, January 24, 1967

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Roger Smith of Augusta.

The members stood at attention during the playing of the National Anthem.

The journal of the previous session was read and approved.

Papers from the Senate

The following 7 Bills which were referred to the 103rd Legislature by the 102nd Legislature:

From the Senate:

Bill "An Act Providing for the Registration of Home Improvement Companies and Salesmen" (S. P. 93)

Bill "An Act to Create the Maine Recreation Authority" (S. P. 94)

Bill "An Act relating to Application of School Building Authority to Private and Public Colleges" (S. P. 95)

Bill "An Act to Create a Law Revision Commission" (S. P. 96)

Bill "An Act Appropriating Funds for a Swimming Pool in Gymnasium at Pineland Hospital and Training Center" (S. P. 97)

Bill "An Act to Authorize Bond Issues in Amount of Ten Million Dollars for State Matching Funds for Elementary and Secondary School Building Construction" (S. P. 98)

Bill "An Act Appropriating Funds for Time and a Half Overtime Payment for State Employees" (S. P. 99)

Came from the Senate indefinitely postponed.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. Ross.

Mr. ROSS: Mr. Speaker, may I inquire from leadership why this action was taken, indefinite postponement?

The SPEAKER: The Chair will answer the gentleman from Bath, Mr. Ross, to the effect that these bills traditionally referred to the next Legislature having been reviewed sometimes by the Legisla-

tive Research Committee, report back that these bills should be indefinitely postponed and new legislation introduced in its stead. Does the gentleman consider his question answered?

Mr. ROSS: Yes, Mr. Speaker.

Thereupon, the Bills were indefinitely postponed in concurrence.

From the Senate:

Bill "An Act Increasing Salaries of Official Court Reporters" (S. P. 58) (L. D. 71)

Came from the Senate referred to the Committee on Appropriations and Financial Affairs.

In the House, referred to the Committee on Appropriations and Financial Affairs in concurrence.

From the Senate:

Bill "An Act Creating the Maine Higher Education Loan Authority Act" (S. P. 59) (L. D. 72)

Bill "An Act relating to Approval of School Building Plans" (S. P. 61) (L. D. 74)

Bill "An Act to Revise the Teacher Certification Laws" (S. P. 62) (L. D. 106)

Bill "An Act to Clarify State Aid for School Construction Purposes and Borrowing in Anticipation Thereof" (S. P. 63) (L. D. 107)

Resolve Proposing an Amendment to the Constitution Pledging Credit of State and Providing for the Issuance of Bonds Not Exceeding, at Any One Time Issued and Outstanding, Twenty-Five Million Dollars for Loans to Private Colleges for Construction and Expansion of Facilities (S. P. 60) (L. D. 73)

Came from the Senate referred to the Committee on Education.

In the House, referred to the Committee on Education in concurrence.

From the Senate:

Resolve Providing Funds for Conservation Education (S. P. 64) (L. D. 108)

Came from the Senate referred to the Committee on Inland Fisheries and Game.

In the House, referred to the Committee on Inland Fisheries and Game in concurrence.

From the Senate:

Bill "An Act relating to Bridge Academy" (S. P. 65) (L. D. 109)

Came from the Senate referred to the Committee on Legal Affairs.

In the House, referred to the Committee on Legal Affairs in concurrence.

From the Senate:

Resolve Proposing an Amendment to the Constitution Authorizing the Legislature to Enact Bond Issues, to be Ratified by the People Upon Petition or Referral by the Legislature (S. P. 66) (L. D. 110)

Came from the Senate referred to the Committee on State Government.

In the House, referred to the Committee on State Government in concurrence.

Senate Report of Committee Leave to Withdraw

Report of the Committee on Education on Bill "An Act relating to Contracts of Superintendents of Schools When School Administrative District Becomes Operative" (S. P. 5) (L. D. 11) reporting Leave to Withdraw.

Came from the Senate read and accepted.

In the House, the Report was read and accepted in concurrence.

Petitions, Bills and Resolves Requiring Reference

The following Bills and Resolves were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

Appropriations and Financial Affairs

Bill "An Act to Provide Aerial Photos for Resurvey of Maine's Forest Lands" (H. P. 182) (Presented by Mr. Benson of Southwest Harbor)

(Ordered Printed)

Sent up for concurrence.

Education

Bill "An Act relating to Conveyance of Secondary Pupils. (H. P. 183) (Presented by Mr. Evans of Freedom and Mr. Carroll of

Limerick) (Later tabled and assigned)

(Ordered Printed)

Sent up for concurrence.

Health and Institutional Services

Bill "An Act Providing for Voluntary Foster Home Placement of Children" (H. P. 184) (Presented by Mr. Evans of Freedom)

(Ordered Printed)

Bill "An Act relating to the Support of Children Committed to the Training Centers" (H. P. 185) (Presented by Mr. Sahagian of Belgrade)

(Ordered Printed)

Sent up for concurrence.

Highways

Bill "An Act to Authorize the Construction of a Bridge Across the Androscoggin River Between the Cities of Auburn and Lewiston" (H. P. 186) (Presented by Mr. Jalbert of Lewiston)

(Ordered Printed)

Sent up for concurrence.

Inland Fisheries and Game

Bill "An Act relating to Hunting Deer with Bow and Arrow in Northern Zone" (H. P. 187) (Presented by Mr. Crommett of Millinocket)

(Ordered Printed)

Bill "An Act relating to Closed Season on Bear" (H. P. 188) (Presented by Mr. Haynes of Camden)

(Ordered Printed)

Bill "An Act relating to Open Season for Fishing in Rivers, Streams and Brooks" (H. P. 189) (Presented by Mr. Mosher of Gorham)

(Ordered Printed)

Bill "An Act relating to Hunting from Automobiles by Double Amputees" (H. P. 190) (Presented by Mr. Pendergast of Kennebunkport)

(Ordered Printed)

Resolve Regulating Fishing in McGrath Pond and Salmon Pond in Kennebec County (H. P. 191) (Presented by Mr. Sahagian of Belgrade)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act Prohibiting the Destruction of Political Posters and Signs" (H. P. 192) (Presented by Mr. Birt of East Millinocket) (Ordered Printed)

Resolve Authorizing Marcella Levasseur to Bring Action Against the State of Maine (H. P. 193) (Presented by Mr. Lebel of Van Buren) (Ordered Printed)
Sent up for concurrence.

Legal Affairs

Bill "An Act relating to Expenses of Forest Management on Indian Township Forest Lands" (H. P. 194) (Presented by Mrs. Lincoln of Bethel) (Ordered Printed)

Bill "An Act to Provide a Council-Manager Charter for the Town of Cumberland" (H. P. 195) (Presented by Mr. Richardson of Cumberland) (Ordered Printed)
Sent up for concurrence.

Natural Resources

Bill "An Act Reclassifying Certain Tidal Waters of Hancock County" (H.P. 196) (Presented by Mr. Bunker of Gouldsboro) (Ordered Printed)

Bill "An Act To Prohibit the Sale or Use of the Chemical Compound Known as DDT" (H. P. 197) (Presented by Mr. Crommett of Millinocket) (Ordered Printed)
Sent up for concurrence.

Public Utilities

Bill "An Act Creating a Sewer District in the Town of Bethel" (H. P. 198) (Presented by Mrs. Lincoln of Bethel) (Ordered Printed)
Sent up for concurrence.

Retirements and Pensions

Resolve Increasing Pension for Margaret H. Frisbee of Belfast (H. P. 199) (Presented by Mr. Thompson of Belfast) (Ordered Printed)
Sent up for concurrence.

State Government

Bill "An Act relating to Membership of Aeronautics Commis-

sion" (H. P. 200) (Presented by Mr. Roy of Winslow) (Ordered Printed)
Sent up for concurrence.

Taxation

Bill "An Act relating to Refund of Sales Tax on Goods Removed from State" (H. P. 201) (Presented by Mr. Drigotas of Auburn) (Ordered Printed)

Bill "An Act relating to Sales Tax Exemption of Ships' Stores" (H. P. 202) (Presented by same gentleman) (Ordered Printed)

Bill "An Act Applying Sales Tax to Charges for Fabricating Tangible Personal Property" (H. P. 203) (Presented by Mr. Hanson of Gardiner) (Ordered Printed)

Bill "An Act relating to Assessments Under Gasoline Tax Act" (H. P. 204) (Presented by Mr. Harriman of Hollis) (Ordered Printed)

Bill "An Act relating to Allocations from Gasoline Tax for Public Facilities for Boats and to Department of Sea and Shore Fisheries" (H. P. 205) (Presented by same gentleman) (Ordered Printed)
Sent up for concurrence.

Towns and Counties

Bill "An Act to Annex Bar Island to Town of Bar Harbor, Hancock County" (H. P. 206) (Presented by Mr. Benson of Southwest Harbor) (Ordered Printed)
Sent up for concurrence.

Tabled and Assigned

Bill "An Act relating to Education of Members of Lewiston Police Department" (H. P. 207) (Presented by Mr. Gaudreau of Lewiston)
(On motion of Mr. Gaudreau of Lewiston, tabled pending reference and tomorrow assigned.)

Orders

On motion of Mr. Ross of Bath, it was ORDERED, that Mr. COOKSON of Glenburn be excused from attendance for the duration of his illness.

Mr. Richardson of Cumberland presented the following Order and moved its passage:

ORDERED, the Senate concurring, that the Bureau of Accounts and Control is directed to study the feasibility and cost of reducing the work week of all state employees to 40 hours. (H. P. 208)

The Order received passage and was sent up for concurrence.

**House Report of Committee
Ought to Pass with
Committee Amendment**

Mr. Humphrey from the Committee on Appropriations and Financial Affairs on Resolve Relating to Repairing Training Vessel at Southern Maine Vocational Technical Institute in South Portland (H. P. 24) (L. D. 45) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT
"A" to H. P. 24, L. D. 45, Resolve,
Relating to Repairing Training
Vessel at Southern Maine Vocational
Technical Institute in South
Portland.

Amend said Resolve in the 8th line from the end (7th line from the end in L. D. 45) by striking out the stricken out figure "1966" and underlined figure "1968" and inserting in place thereof the figure '1966'

Committee Amendment "A" was adopted and the Resolve assigned for second reading tomorrow.

Passed to Be Engrossed

Bill "An Act to Validate Proceedings Authorizing the Issuance of Bonds or Notes by School Administrative District No. 51" (H. P. 27) (L. D. 48)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed and sent to the Senate.

The SPEAKER: Is there objection at this time to considering messages from the Executive?

The Chair hears none. The Clerk will read the communication.

The following Communication: (S. P. 147)

STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE

January 24, 1967

To the Senate and House of Representatives of the 103rd Legislature:

Dear Members:

Today, in accordance with my Constitutional duty, I am submitting a message on Government Reform.

It contains proposals which supplement those in my Inaugural and Budget Messages.

Respectfully,

(Signed) KENNETH M. CURTIS
Governor

Came from the Senate read and with accompanying message ordered placed on file.

In the House, the Communication was read and with accompanying message ordered placed on file in concurrence.

(Off Record Remarks)

Orders of the Day

The Chair laid before the House the first tabled and today assigned matter:

Bill "An Act relating to Reciprocity in Registration of Pharmacists" (H. P. 153)

Tabled — January 19, by Mr. Richardson of Cumberland.

Pending — Motion of Mr. Gill of South Portland to reconsider reference to Committee on Legal Affairs

The SPEAKER: The Chair recognizes the gentleman from South Portland, Mr. Gill.

Mr. GILL: Mr. Speaker and Ladies and Gentlemen of the House: After a great deal of soul searching over the weekend and conferences I would like to withdraw my motion to reconsider this matter.

The SPEAKER: Is it the pleasure of the House that the gentleman from South Portland, Mr. Gill, withdraw his motion to reconsider?

The motion prevailed.

Mr. Jalbert of Lewiston was granted unanimous consent to address the House.

MR. JALBERT: Mr. Speaker and Ladies and Gentlemen of the House:

On your desks is the large manilla envelope containing the three reports written by the professional firm retained by the Legislative Research Committee of the 102nd Session, dealing with all major aspects of civil service in Maine's state government.

To say to you this morning that these reports are vital to the operations of state government would be an understatement.

It is my understanding that our study of the specific operations and administration of the State Personnel System is the first that has been completed since the creation of the classified service. I sincerely believe that the reports now before you contain recommendations that can and will affect the future of career employment in our State, and that each report is deserving of your serious and undivided attention now and in the weeks to come.

We, on the Research Committee, have attempted to come up with answers in three distinct areas of state employment:

(1) Up-to-date, professionally-analyzed classifications of over 900 different job titles;

(2) A realistic appraisal of the salaries attached to each of these different job positions;

(3) The administrative setup of the Personnel System which governs the day-in, day-out policies and programs affecting approximately 10,500 state employees.

We believe, generally speaking, that we are offering a practical, yet progressive set of recommendations in all three areas. We also believe that these recommendations look to the future.

Naturally I will not attempt to outline in detail this morning all of the recommendations contained in these three reports. I urge you to study them carefully. I urge you to make note of questions that may come to your minds.

These reports, in my opinion, are of such importance that it is

your duty and obligation to raise any point on which you may be uncertain. To this, may I inform you that the director of the professional firm that conducted this overall study will be with us, presumably a week from today, to answer any and all questions and points that you may have in mind.

When anyone, let alone the Research Committee, recommends that the civil service system be completely revamped, then I believe that this and the other body should make every attempt to insure that our final decisions are made after careful deliberations.

I call your attention to the following:

The firm of Cresap, McCormick and Paget devised a new and completely streamlined pay plan, after making comparisons with salaries and pay grades within industry and commerce in Maine, and with comparable pay levels in other New England States.

They recommended a beginning level of pay of \$57.00 a week, which was logical in our State from the point of view of in-state comparisons. However, at our request, the professional firm also offered an alternative which would upgrade their proposed minimums.

In view of changing economic conditions, in view of considerable sentiment that many of us on the Research Committee have detected within this House, and in view of our attempt to look not only to today's problems but tomorrow's as well, we are recommending that the minimum hourly rate be increased from \$1.38 to \$1.50 an hour, and that the minimum starting salary in state government for permanent positions be \$60.00 weekly, instead of the report's proposed \$57.00 a week.

At this time, I cannot give you accurate figures as to the cost of implementation of either the new pay plan or the new personnel system as recommended.

I can tell you that by raising the hourly minimum rate from \$1.38 to \$1.50, the annual cost will not rise by a large amount of dollars.

Ladies and gentlemen of the House, this, at times, has been an arduous task, but it has been a

satisfying one in that all of us on the Research Committee who have concentrated on these reports believe that we have accomplished considerably towards the betterment of both career state employment and, hopefully, an improved state government structure.

If there are weaknesses in these reports, if there are areas that need strengthening, if there are phases that need correcting, then I for one, and I am sure that the entire Committee is in agreement, am more than willing to consider the need for proven changes.

Thank you for your kind attention. I hope that you, too, agree that generally speaking, you have before you recommendations of real importance to our State, arrived at only after thorough and thoughtful deliberations.

(Off Record Remarks)

The SPEAKER: The Chair recognizes the gentleman from China, Mr. Farrington.

Mr. FARRINGTON: Mr. Speaker, I move that we reconsider our action whereby we referred item 2, page 2, House Paper 183, Bill "An Act relating to Conveyance of Secondary Pupils" to the Committee on Education.

The SPEAKER: The gentleman from China, Mr. Farrington, moves the House reconsider its action whereby it referred this Bill to the Committee on Education.

(On motion of Mrs. Baker of Winthrop, tabled pending the motion of Mr. Farrington of China, and tomorrow assigned.)

Mr. Ross of Bath was granted unanimous consent to briefly address the House.

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: I

would like to make a few brief remarks for the benefit of new members. I believe that you have found out by now that you receive so much material on your desks that it is hard to determine what to keep and what to throw away. As a matter of fact, it even requires the most conscientious person to read all of it.

But today, you have received the first of a great many most important items. You have received a blue sheet of paper headed Committee Amendment "A" and at the bottom it says House Filing H-1. It is most advisable that you save all of these because if you did not, you would never know exactly the status of most of the bills since most of our bills are amended at some point or another.

Now there are several ways to save these and several things to do with them. Many persons fold them such as this (indicating) and put them in the book of L. D.'s along with the Legislative Document to which they pertain. Others keep a notebook either by themselves or with their neighbors together. For instance, my most agreeable, cooperative and pleasant seatmate, the gentleman from Wilton, Mr. Scott, and I, keep a notebook together. Sometimes he will punch the holes in the things so we can put them in and other times I do, but in the final analysis, we always have these up-to-date. In that way we can tell what the status of the bills are, without which you never would be able to do it. Thank you very much.

On motion of Mr. Benson of Southwest Harbor,

Adjourned until ten o'clock tomorrow morning.