

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

*One Hundred and Fourth
Legislature*

OF THE

STATE OF MAINE

1969

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Thursday, January 16, 1969

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

Prayer by the Rev. Mr. Herbert Reid of Fairfield.

The journal of yesterday was read and approved.

Papers from the Senate

From the Senate: The following Order:

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)

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

Bills from the Senate requiring reference were disposed of in concurrence.

Non-Concurrent Matter

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) which was referred to the Committee on Towns and Counties in the House on January 9.

Came from the Senate referred to the Committee on Legal Affairs in non-concurrence.

In the House: The House voted to recede and concur with the Senate.

Non-Concurrent Matter

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) which was referred to the Committee on Appropriations and Financial Affairs in the House on January 14.

Came from the Senate referred to the Committee on Highways in non-concurrence.

In the House: The House voted

to recede and concur with the Senate.

From the Senate: The following Order:

ORDERED, the House concurring, that when the House and Senate adjourn, they adjourn to Tuesday, January 21, at 10 o'clock in the morning. (S. P. 61)

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

Messages and Documents

The following Communication:

THE SENATE OF MAINE
AUGUSTA

January 15, 1969

Honorable Bertha W. Johnson
Clerk of the House
104th Legislature
Augusta, Maine

Dear Madam Clerk:

The President today appointed Senator George H. Barnes of Aroostook, and Senator Gerard P. Conley of Cumberland to the State Commission on Transportation.

He also today appointed Senator Bennett D. Katz of Kennebec to the Maine School Building Authority.

Respectfully yours,

(Signed) JERROLD B. SPEERS
Secretary of the Senate

The Communication was read and ordered placed on file.

The following Communication:

THE SENATE OF MAINE
AUGUSTA

January 15, 1969

Honorable Bertha W. Johnson
Clerk of the House
104th Legislature
Augusta, Maine

Dear Madam Clerk:

The Senate on this date, January 15, 1969, accepted the resignation of Senator James Martin of Piscataquis from the Committee on Claims.

To fill the vacancy on the Joint Standing Committee on Claims, the President appointed Senator Arthur C. Gordon, Jr., of Cumberland.

Respectfully,

(Signed) JERROLD B. SPEERS
Secretary of the Senate

The Communication was read and ordered placed on file.

**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 Authorize Bond Issues in the Amount of \$50,000,000 to Provide Funds for School Building Construction under the Revised Statutes, Title 20, Sections 3457, 3458 and 3459" (H. P. 158) (Presented by Mr. Jalbert of Lewiston)
(Ordered Printed)
Sent up for concurrence.

Business Legislation

Bill "An Act to Clarify Certain Banking Laws" (H. P. 159) (Presented by Mr. Clark of Jefferson)

Bill "An Act relating to Approval or Disapproval of Mergers under the Banking Laws" (H. P. 160) (Presented by same gentleman)
(Ordered Printed)
Sent up for concurrence.

Claims

Resolve to Reimburse Russell S. Leonard of Wells for Injuries Sustained in Automobile Accident with Deer (H. P. 161) (Presented by Mr. Clark of Wells)

Resolve to Reimburse Errol Barker of East Stoneham for Well Damage by Highway Maintenance (H. P. 162) (Presented by Mrs. Lincoln of Bethel)

Resolve to Reimburse Norman Ouellette of Canaan for Well Damage from Highway Maintenance (H. P. 163) (Presented by Mr. Susi of Pittsfield)

(Ordered Printed)
Sent up for concurrence.

Education

Bill "An Act to Permit the Election of an Alternate School Director for Each Town Within a School Administrative District" (H. P. 164) (Presented by Mr. Page of Fryeburg)

(Ordered Printed)
Sent up for concurrence.

Inland Fisheries and Game

Bill "An Act relating to Open Season on Canada Lynx" (H. P.

165) (Presented by Mr. Bourgoin of Fort Kent)
(Ordered Printed)
Sent up for concurrence.

**Industrial and
Recreational Development**

Bill "An Act Repealing Law Providing for Economic and Recreational Development in Oxford County" (H. P. 166) (Presented by Mr. Page of Fryeburg)
(Ordered Printed)
Sent up for concurrence.

Judiciary

Bill "An Act relating to Lack of Privity as a Defense in Action Against Manufacturer or Seller of Goods under the Uniform Commercial Code" (H. P. 167) (Presented by Mr. Richardson of Cumberland)
(Ordered Printed)
Sent up for concurrence.

Labor

Bill "An Act relating to Defenses of Family Relationships in Civil Actions" (H. P. 168) (Presented by Mr. McTeague of Brunswick)
(Ordered Printed)
Sent up for concurrence.

Legal Affairs

Bill "An Act Limiting the Liability of the Owner of a Credit Card or Other Like Credit Device" (H. P. 169) (Presented by Mr. Jalbert of Lewiston)

Bill "An Act to Grant a Council-Manager Charter to the Town of Gray" (H. P. 170) (Presented by Mr. Richardson of Cumberland)
(Ordered Printed)
Sent up for concurrence.

Natural Resources

Bill "An Act to Create the Wild-lands Use Regulation Commission" (H. P. 171) (Presented by Mr. Richardson of Cumberland)
(Ordered Printed)
Sent up for concurrence.

Public Utilities

Bill "An Act relating to the Exemption of School Bus Operations from Regulation by the Public Utilities Commission" (H. P. 172) (Presented by Mr. Clark of Wells)

Bill "An Act relating to Injunctive Relief Against a Gas Company or Natural Gas Pipeline Company" (H. P. 173) (Presented by same gentleman)

Bill "An Act Increasing Compensation of Trustees of Sanford Sewerage District" (H. P. 174) (Presented by Mr. Gauthier of Sanford)

Bill "An Act relating to Cooperative Agreements by the Public Utilities Commission" (H. P. 175) (Presented by Mr. Lawry of Fairfield)

Bill "An Act Extending the Territory of Brunswick Sewer District" (H. P. 176) (Presented by Mr. McTeague of Brunswick)

(Ordered Printed)
Sent up for concurrence.

Retirements and Pensions

Bill "An Act relating to Retirement of Fish and Game Wardens and Coastal Wardens under State Retirement System" (H. P. 177) (Presented by Mr. Tyndale of Kennebunkport)

(Ordered Printed)
Sent up for concurrence.

Sea and Shore Fisheries

Bill "An Act relating to Hauling Lobster Pots on Sundays" (H. P. 178) (Presented by Mr. Tyndale of Kennebunkport)

(Ordered Printed)
Sent up for concurrence.

State Government

Bill "An Act Permitting Designation of House of Representative Districts by Numbers" (H. P. 179) (Presented by Mr. Mills of Eastport)

Bill "An Act relating to Appointment and Duties of Deputy Attorneys General and Assistant Attorneys General" (H. P. 180) (Presented by Mrs. Payson of Falmouth)

Bill "An Act Transferring Arson Investigation Authority from Insurance Department to the Department of the Attorney General" (H. P. 181) (Presented by Mr. Scott of Presque Isle)

(Ordered Printed)
Sent up for concurrence.

Taxation

Bill "An Act Exempting Sales to

Certain Children Treatment Centers from the Sales Tax" (H. P. 182) (Presented by Mrs. Payson of Falmouth)

Bill "An Act Exempting Hearing Aids from the Sales Tax" (H. P. 183) (Presented by Mr. Soulas of Bangor)

(Ordered Printed)
Sent up for concurrence.

Transportation

Bill "An Act relating to the Registration of Interstate Motor Carriers" (H. P. 184) (Presented by Mr. Lawry of Fairfield)

(Ordered Printed)
Sent up for concurrence.

Orders

Mr. Rideout of Manchester presented the following Joint Order and moved its passage:

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)

The Order received passage and was sent up for concurrence.

Mr. Drigotas of Auburn presented the following Joint Order and moved its passage:

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)

The Order received passage and was sent up for concurrence.

House Reports of Committees Ought to Pass Printed Bills

Mr. Richardson from the Committee on Education reported "Ought to pass" on Bill "An Act to Validate Certain Proceedings Authorizing the Issuance of Bonds and Notes by School Administrative District No. 47" (H. P. 28) (L. D. 29)

Mr. Waxman from same Committee reported same on Bill "An Act Increasing Indebtedness of Baileyville School District" (H. P. 27) (L. D. 28)

Reports were read and accepted, the Bills read twice and assigned the next legislative day.

Passed to Be Engrossed

Bill "An Act relating to Tenure of Office of Assistant Director of Legislative Research" (H. P. 42) (L. D. 43)

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

Orders of the Day

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

Joint Resolution Expressing Legislative Support to the City of Portland in its Effort to Secure a New Ferry Service for the State of Maine.

Tabled — January 14, by Mr. Richardson of Cumberland.

Pending — Adoption.

The SPEAKER: The Chair recognizes the gentleman from Cumberland, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker and Ladies and Gentlemen of the House: What was intended as an effort on my part to have this Legislature commend the City of Portland and what I thought was, as I told you last week, a very

innocuous proposal, has run into a thorn of—I won't say parochial, but it has been a coastal dispute, and since I am assured by the people who are negotiating this that Portland is in fact the only site being considered at the present time, that because I know that many other coastal communities have made a real effort here and are still from at least their point of view and perhaps others I really can't honestly say, being considered, we are now going to suggest I hope a compromise that's going to be in the best interests of all concerned.

All coastal communities who have been involved deserve our commendation, and I want to assure you that rumors of a split in the GOP leadership over this insignificant legislation are completely exaggerated. You all know how difficult it is to split Granite. I am going to move that this matter which is now on the table be indefinitely postponed, and I will have an additional resolution to propose afterwards for your amusement. Thank you.

The SPEAKER: The Chair understands the gentleman from Cumberland, Mr. Richardson, now moves that this Joint Resolution be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed.

Thereupon, Mr. Richardson of Cumberland presented the following Joint Resolution and moved its adoption:

WHEREAS, the State of Maine is presently competing with New Hampshire to become the United State 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, the location of an additional ferry terminal in the State of Maine would provide for many additional visitors and consequent economic advantage to the State; 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)

The Joint Resolution was received out of order by unanimous consent, adopted and sent up for concurrence.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Over the years some of us have hollered loud and long in that we felt we did not have enough racing room as I would put it, to meet our people and to talk with our constituents at anytime during or off a session of the Legislature. Some of us who frequent the State House, on possibly more occasions than others, are possibly more familiar with the problem than some who might not because of their own choosing or because they would not have the business to frequent as often as the others.

What has brought this to a point with me occurred last Monday morning. I met with two businessmen from a neighboring state for the purpose of discussing with them a new industry that might

be brought into our State, and to set the record straight, it would not have gone to my area, it would go — it would not go to my area but would go around one of the coastal centers. I met them, as I told them, around the rotunda, and had it not been for the graciousness of our lovely Clerk of the House, I would not have found a room to meet with these people. She very gracefully as she does, or as I asked the Speaker, allowed me to use the inner office of the Speaker's office.

On several occasions I have found myself needing someone to take a letter. Outside of asking and imposing on a departmental head, I have not been able to find anyone to type a letter for me. I have been known to be, or at least I have been called somewhat fastidious, and disarray on my desk is not necessarily of my own choosing, but I find it quite obnoxious to me when I have to take a stack of letters pertaining to the same subject and go to someone within the State House family that I know, here's a bunch of letters, some say yes, some say no, will you please take care of them for me? I took another batch of letters twice as thick as this one concerning another measure yesterday, and I imposed upon our own Clerk in our own Party office to do the same with that stack of letters, while she was also trying to please some sixty-plus of us, and I don't care how efficient anyone would be, to me that is physically impossible.

After the session of the Legislature we cannot, unless as I say, we find the Clerk of the House office open or the Senate office open, we cannot find a telephone that we can use, outside of a pay 'phone or outside of going to a department head and asking him if we can impose ourselves upon she or he.

Now I think that in view of the fact that if you would visit other states or some states, and I think that's altogether too much by far stretching the point, but actually when you think that some states actually have a secretary for every member of either branch and we compare that with what very, very little we have here, I think it is

time that we could possibly consider making a move.

If you will read the Governor's Budget Message and then read more concisely the appropriations bill which will be filed or has been filed, you will see that somewhere along the line with our very small travel allowance or very small boarding allowance or sleeping allowance, or very small food allowance as compared to the travel of state employees, and I don't begrudge them a bit of it, I don't think that we necessarily can call ourselves spendthrifts.

The reason I am asking that my remarks be placed on the Floor of the House and the reason I am making these comments now, certainly not in a belligerent manner, is for our leaders for heaven's sake please at this early date in the session find some way, the leaders of both parties, some ways and means whereby we will be able to greet someone from out of the state and be able to meet somewhere else besides a telephone booth. Thank you very much.

(Off Record Remarks)

Mr. Lewis of Bristol was granted unanimous consent to address the House.

Mr. LEWIS: Mr. Speaker and Ladies and Gentlemen of the House: I am sure that each and every legislator here is proud of the area which he represents. Today, I am particularly proud because when I went to my mailbox I found this skeleton edition of the National Geographic. I had seen

this before when the issue came out in June, but I would like to call your attention to the photograph on the cover. This is a photograph of Pemaquid Point Light located in the town of Bristol, the town in which I live. Throughout the magazine you will see numerous photographs, and I would like to call your attention particularly to the one on page 812. The men pictured in this photograph are sitting in the barber shop at New Harbor, Maine, and the gentleman with the red cap who has a grin on his face happens to be a cousin of mine.

The Town of Bristol was able to purchase this property back in 1936 for the sum of \$3,500 which includes about twenty or thirty acres. They purchased everything with the exception of the light itself, which is still maintained by the Coast Guard. During the summer months, this past summer in particular, there were over 50,000 visitors who came to Pemaquid Point Light to view the natural beauty and the picturesque rocks and sea.

At this time, I would like to extend an invitation to any member of this House who has not seen this beautiful spot to come to Pemaquid Point even during the winter months. It would be worth your while. Thank you.

On motion of Mrs. Baker of Orrington,

Adjourned until Tuesday, January 21, at ten o'clock in the morning.