

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*Ninety-Ninth Legislature*

OF THE

STATE OF MAINE

VOLUME II

1959  
and  
SPECIAL SESSION  
1960

DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

**HOUSE**

Wednesday, January 20, 1960

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

Prayer by the Rev. Mr. Horace Colpitts of Augusta.

The journal of yesterday was read and approved.

**Orders**

On motion of Mr. Wade of Auburn, it was

ORDERED, that John Gagnon of Augusta be appointed to serve as Acting Page during this Special Session.

The SPEAKER: At this time the Chair will note the presence in the House of the Representative from Belfast, Mr. Rollins, and the Representative from Bangor, Mr. Brown, and the Clerk will make the official entry on the record of their presence.

**Tabled and Assigned**

Mr. Emmons of Kennebunk presented the following Order and moved its passage:

ORDERED, that all matters placed upon the table during this Special Session, shall be considered automatically assigned for consideration on the next legislative day and the Speaker, under Orders of the Day, shall lay such matters before the House in the order in which they were tabled.

The SPEAKER: Under the Rules of the House any amendment to the House Rules must lie upon the table for one legislative day.

On motion of Mr. Graves of Mt. Desert, it was

ORDERED, that Mr. Mathews of Berwick be excused from attendance at this Special Session for the remainder of his illness.

**House Report of Committee on Elections**

Mrs. Knapp from the House Committee on Elections to which was referred returns of votes cast for Representative to the Legislature and communication from Secretary of State relative to Special Elections,

have had the same under consideration and ask leave to report that:

The following members have been duly elected to fill vacancies: Samuel A. Hinds, South Portland; Natalie A. Shepard, Stonington; Theodore W. Sirois, Rumford; William G. Whitney, Winn; Clyde Hichborn, Medford Township; George D. Varney, Eliot.

Report was read and accepted and the members listed therein declared members of the House.

**House Reports of Committees Ought to Pass Printed Bills**

Mr. Graves from the Committee on Highways reported "Ought to pass" on Bill "An Act relating to Ferry Service for North Haven, Vinalhaven, Islesboro, Swan's Island and Long Island Plantation" (H. P. 996) (L. D. 1405)

Mr. Cyr from the Committee on Public Utilities reported same on Bill "An Act to Create the Houlton Sewer District" (H. P. 1017) (L. D. 1446)

Reports were read and accepted, the Bills read twice and tomorrow assigned.

**House at Ease****Orders of the Day**

Mr. Curtis of Bowdoinham was granted unanimous consent to address the House.

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen: It is perhaps with fear and trembling that I should come before you at this time to ask unanimous consent for a bill, but I know that each and every one of you were sent here by people who well screened you and were satisfied that you were sent here not only to represent them, but to represent all of the people in the State of Maine, and having served with you through one session and a great many of you through others, I feel that they placed their faith well in you and that you have done and will do and continue to do the things that they sent you here to do, and so that is why I do not fear what you will do in regard to this bill, because it is an emergency bill.

The 98th Legislature empowered the Town of Bowdoinham to create a water district and then in the 99th it was amended for some small thing, and the water district was so formed. Well they intended to get the water out of the river, but after they had tried out this water, they found it would have to be so highly chlorinated that it would be almost impossible to sell it. Now in the Town of Bowdoin there was a spring giving out about five hundred gallons per minute, so they went over to that spring at a cost of about some \$75,000 and this water is so nice that the Public Utilities has passed it and they do not have to have any chlorination whatsoever.

Now in going over there to Bowdoin, we thought it was only fair to Bowdoin that we could put in hydrants the same as we did in our own town and we put them in a thousand feet apart down on old route 201, which is now 138, and quite a number of people live there and would like to have this water. Also the municipality of Bowdoin would like to have the use of the hydrants, but we have found that we cannot let them do it unless we have permission of the Legislature.

Now this bill was sent up in time and Mr. Williams, Administrative Assistant to Governor Clauson, told me that he intended to put it in and that they screened it and they thought it was all right and it was an oversight on his part that it didn't get in with the others, and I can blame him for the oversight, but I am not going to blame anybody because I think after the House understands this and the Senate too, that it will be okay.

So without further ado I ask unanimous consent to put in this thing so we won't have to wait two years so the people of Bowdoin can have their own water which comes from their own town and which will help out also the town of Bowdoinham somewhat because our rates now are very, very high because there are so few people buying this water.

The SPEAKER: The Chair understands the gentleman from Bowdoinham, Mr. Curtis, to request unanimous consent the cloture order notwithstanding to introduce a bill. The Clerk will read the title of the bill.

The CLERK: Bill "An Act Amending the Charter of the Bowdoinham Water District."

The SPEAKER: Does the Chair hear objection to the admission of this bill?

(Cry of "Yes")

The Chair does hear objection. The bill is not admitted.

Mr. Varney of Eliot was granted unanimous consent to address the House.

Mr. VARNEY: Mr. Speaker, first, I kind of hoped that this thing would fall and I guess it has. I am not used to it and I think I can make myself heard.

Back in 1937 the people out in the vicinity of Kittery and Eliot and those on the other side of the river wanted a new bridge down there, and in those days money was hard to come by and so it was impossible to get it from the State because the State didn't have it, and so they brought down a bill here which they introduced which created the Maine-New Hampshire Interstate Bridge Authority. Now the Maine-New Hampshire Interstate Bridge Authority is an agency of the State, in fact, an agency of the two states of Maine and New Hampshire. And by that act, the two states authorized that Authority to build a bridge across the river there, and they also authorized them to issue bonds which cannot be obligations of the State, and to pay those bonds only out of tolls that they would receive for going across the bridge. Most everybody, including myself, who were members of the Legislature didn't believe it could be done. However, the Authority built the interstate bridge and I assume most of you have gone over it. And at the same time they constructed a mile and a half of road on the Maine side and two miles and a fraction of road on the New Hampshire side. Since then they have entirely maintained that bridge from tolls, have reduced their bonded indebtedness and within three years the bonds will all be paid for. Most people think then the bridge would be immediately free. However, under the act, the Authority will continue to collect tolls for two or three years more, perhaps five years more, until they have built up a fund of

three or four million dollars which they will continue to invest and from the income will forever maintain the Maine-New Hampshire interstate bridge. I don't have to tell you the passenger car toll there is ten cents. Nobody objects to paying it, almost nobody.

In the summertime the non-resident registration runs as high as ninety per cent. All we did by that act then was to tap a new source of revenue, to wit that ten cent toll, for the purpose of building that bridge and if those people hadn't done it then, the bridge would have by now had to be built by State funds of some kind.

Now a couple of years ago, I guess three years ago, when the Legislature adopted the accelerated highway program, the Highway Commission had to designate the location of the new accelerated highway, now called route 95, and going south now you know they adopted the Maine Turnpike Authority — the Maine Turnpike from Portland to the gate at Kittery. But they could not adopt the Maine-New Hampshire Interstate Bridge as a part of the system only because the bridge itself is only three lanes wide, and that will not qualify for acceptance in the interstate system. Also, the main approach is not limited access and therefore it would not qualify for acceptance into the system. So the Highway Commission of Maine very properly had to designate a new location and they have on their planning board over here a new location beginning at the toll gate of the turnpike and going to the Maine line about a mile and a half where they propose to build a new — entirely new bridge at least four lanes wide and construct the access out of — as a limited access.

Now I think I am safe in saying nobody in Kittery wants a new bridge because if that is done they are going to by-pass a half a million dollars worth of assessable property in the town of Kittery alone. Most of you are familiar with the piece of road I am talking about. I have a couple of aerial photographs of the bridge taken at the time it was built, but it doesn't show the development on the access road because it was not there then, but I am referring to places

like Valle's Barn, and the new motels, I think three or four motels, gasoline stations and so forth. If the Interstate Bridge Authority had built the bridge wide enough at the time, it could have been accepted as part of the interstate system. If the act as drawn had only given them the right to build an additional lane onto that bridge, they could do it now.

The bill I am asking unanimous consent for, which I thought I might ask for, would only amend the act which created the Interstate Bridge Authority by authorizing them to now sell some more revenue bonds and with the money put another lane or rather three additional lanes right beside our present bridge. We could then widen our approach in Maine, making it acceptable for adoption as part of the interstate system and thereby relieve the State of Maine from extending its half of the construction of this entirely new bridge which is as estimated now by the Highway Commission, as I understand, at \$7,700,000. Ninety per cent of that \$7,000,000 would be contributed by Uncle Sam but the State of Maine still would have to put up \$750,000 for the cost of construction and assume the maintenance of that bridge or their half of that bridge and the approach forever. Also, if that is done before the present Interstate Bridge Authority has collected enough revenue to maintain the present bridge, then we will have to free the present bridge because of course we can't collect a dime when you have a free bridge right beside it, and therefore the State of Maine will have to pick up the tab for maintaining half of your present bridge and half of your present approach.

I don't know of anyone who would possibly object to giving the Interstate Bridge Authority a chance to try. I have studied this personally a great deal. I have talked with the banker who bought the bonds for the bridge when it was built. He assures me if we can just get the power to do it, we can build — it will be another bridge right beside the present one, but we can do it, we can fix the lanes so it is acceptable into the state system, and the State of Maine will never have to tax anybody a dime to do

it or to build it. That would immediately relieve the Highway Commission from any further planning or any further commitment to spend \$7,500,000 worth of interstate money down in Kittery. And by the same token it would advance the construction of the rest of the interstate system somewhere down into Maine toward Houlton, so I as a new member of this Legislature, having been in it before, I didn't think there would be any question about getting the bill in here. In fact I even considered the possibility of asking to have no committee hearing because there would be nobody appear opposing the amendment of the act giving us the power to do it, and I would go so far as to say that if anybody did oppose it, I will agree to withdraw it or anything else so it wouldn't hold up the session.

Now I don't want to be too long here, but this is really as far as I am concerned very serious. So many have said well what's the emergency, can't you do that at the next regular session, and of course we can, and I assume we will at the next regular session perhaps, but the emergency — I don't like that term, but the fact is this, if it is done in this special session it has also got to be done by New Hampshire and they are talking about a special session over there. Then it has got to be agreed to by the Congress. Now if we can get it through now and get it into the Congress this session, we can get it agreed to then, and we can immediately — when I say we, I mean the Interstate Bridge Authority, then we can start and take some of those dimes and go out and start making our survey and our plan. Now if you put us off a year, and more than a year because you can't get a bill through in the regular session as early as this in the year, during that time the State Highway Commission has got to continue with their planning for the construction of that bridge, and they have got to continue to spend money down in that section just for planning alone.

Now I thought when I got up here that I was going to make one more effort to get the bill in by unanimous consent, but you know I would go along with the thinking that

most of you have here that we came down here for several purposes and we shouldn't get into any controversial matters and we have shut the door tight, but I can't help but think that one of the things we were called here for was to do something good for the State of Maine, and if there is something that can be done that isn't going to prolong the session and some way we can guarantee that it won't prolong the session, I think we all agree at least to listen to it. I feel I am down here with what I think is a gold brick, and I think it is worth at least \$750,000 to the State of Maine, and I think when we come down to the regular session we are going to be hard put to find the money to maintain our present road system and also pick up the tab for this new 95 which is being constructed, and I think I have got this gold brick in my pocket and I am trying to get somebody to take a look at it, and as I am talking it comes to me and having seen unanimous consent refused on a bill which I thought we probably could consider from what I heard the gentleman say, this thought occurs to me, that rather than ask for unanimous consent, I have said to you I think I have a gold brick.

I have some pictures here of the present bridge which shows where the new bridge is proposed to be built. I would like to ask you if you will come and ask me about it and then after you have asked me about it, if there is any one of you who says you think there is anything wrong with it or anything you don't like about it, tell me, and I won't bother you again or say anything to anybody. Now because it occurred to me yesterday when the gentleman from Rockland got up and if I understood him correctly, and I think I did, he said there is a piece of land down there that belongs to the State of Maine and the State of Maine would like to give it to the City of Rockland and the City of Rockland would like to have it to develop or to do something with it, but of course the State can't give it unless we say so. And he wanted us to say so and we turned him down.

Now I think there are three or four bills like that and I happen to

think mine is one of them, perhaps it isn't, but I wish we could let some committee of this Legislature, and I don't care who, if you have a Committee on Rules and Business of the House, if you could just give us an opportunity to go before that committee and state our case to that committee and then I will agree to this, that if that committee will come in here and just say we have heard the facts and we recommend this bill be considered by the Legislature or we recommend it be admitted by unanimous consent, then if it doesn't get unanimous consent I will say no more. I don't want to change the rule, but I would just like to have one opportunity before somebody and it takes longer than I want to take here to tell you the whole story, I would just like to unwrap the brick and show it to you and let you take a look at it. And so I am going to change my mind and sit down. (Applause)

Mr. Edmunds of Fort Fairfield was granted unanimous consent to address the House.

Mr. EDMUNDS: Mr. Speaker and Ladies and Gentlemen of the House: I have a similar problem to some of the other Representatives with respect to my Town of Fort Fairfield. The problem is schools. As in many of the communities of the State of Maine the problem is we do not have enough school buildings to take care of our school population at the present time. We have tried since the Sinclair Act was enacted by the 98th Legislature to combine the surrounding towns in the area and build the school buildings that we need in Fort Fairfield. I think we have thoroughly exhausted every possibility with respect to the Sinclair Act. We do not find any towns in the area with which we can combine, either they are not interested or it just does not work out.

Following the date after which the bills were screened by the Governor

and the leaders of the Legislature as to what bills would be considered at this special session, the citizens of Fort Fairfield decided that if they were going to build school buildings, solve their school problems, they would have to ante up the money and build the buildings themselves. In order to do this it would be necessary to increase the borrowing capacity of the Fort Fairfield School District. Now this is a non-controversial matter. It is entirely similar to other legislation which faces us at this special session, and unless it is considered the school program in Fort Fairfield will be set back at least one year and best projections of our school population indicate that we will be in a very, very bad pinch by the year 1963.

Therefore, notwithstanding the cloture order I would request unanimous consent to introduce a bill to increase the borrowing capacity of the Fort Fairfield School District.

The SPEAKER: The Chair understands the gentleman from Fort Fairfield, Mr. Edmunds, requests unanimous consent the cloture order notwithstanding to introduce a bill. The Clerk will read the title of the bill.

The CLERK: Bill "An Act to Increase the Borrowing Capacity of the Fort Fairfield School District."

The SPEAKER: Does the Chair hear objection to the admission of this bill?

(Cries of "Yes")

The Chair does hear objection. The bill is not admitted.

On motion of the gentlewoman from Rumford, Miss Cormier, House Rule 25 was suspended for the remainder of today's session in order to permit smoking.

On motion of Mr. Wade of Auburn,

Adjourned until twelve o'clock noon tomorrow.