

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Third
Legislature*

OF THE

STATE OF MAINE

Volume III

June 16 to July 8, 1967

Index

1st Special Session

October 2 and October 3, 1967

2nd Special Session

January 9 to January 26, 1968

KENNEBEC JOURNAL
AUGUSTA, MAINE

John T. Quinn and Edith Quinn — happy 43rd Wedding Anniversary! (Applause, the members rising)

The SPEAKER: And very sincere congratulations from the Chair.

Mr. Quinn of Bangor was granted unanimous consent to address the House.

Mr. QUINN: Thank you Mr. Speaker and Members of the House: I wish to thank my good close associate here, the Honorable Gerald Robertson for the very fine and kind words that he gave to the Members of the House, and I want to agree with him fully that the young lady that became Mrs. Quinn some forty-three years ago has been all he has said. I've been very fortunate. (Applause)

Passed to Be Enacted Emergency Measure

An Act to Allocate Moneys for the Administrative Expenses of the State Liquor Commission for the Fiscal Years Ending June 30, 1968 and June 30, 1969 (H. P. 82) (L. D. 112)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 120 voted in favor of same and one against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent forthwith to the Senate.

Bond Issue

An Act to Authorize Bond Issue in Amount of Three Hundred and Fifty Thousand Dollars for Construction of a Regional Care Facility for the Severely Mentally Retarded at Bangor (S. P. 371) (L. D. 984)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. In accordance with the provisions of Section 14 of Article IX of the Constitution a two-thirds vote of the House being necessary, a total was taken.

122 voted in favor of same and none against, and accordingly the Bill was passed to be enacted,

signed by the Speaker and sent forthwith to the Senate.

Enactor Amended

An Act relating to Method of Fixing Salaries of Certain State Officials (S. P. 697) (L. D. 1733)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker, I move the rules be suspended.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, moves the rules be suspended for the purpose of reconsideration.

The Chair recognizes the gentleman from Sanford, Mr. Nadeau.

Mr. NADEAU: Mr. Speaker, I—

The SPEAKER: It is not debatable, the Chair would advise the gentleman. Does the gentleman request a vote on the motion to suspend the rules?

Mr. NADEAU: Yes.

The SPEAKER: A vote has been requested. All those in favor of the rules being suspended will vote yes, those opposed will vote no, and the Chair opens the vote.

A vote of the House was taken.

103 having voted in the affirmative and 12 in the negative, 103 being more than two-thirds, the motion to suspend the rules did prevail.

Thereupon, on further motion of Mr. Jalbert of Lewiston, the House voted to reconsider its action whereby the Bill was passed to be engrossed on June 21, on a viva voce vote.

Mr. Jalbert of Lewiston offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 697, L. D. 1733, Bill, "An Act Relating to Method of Fixing Salaries of Certain State Officials."

Amend said Bill in section 3 by striking out the underlined figure "\$13,052" and inserting in place thereof the underlined figure '\$13,728'

The SPEAKER: The pending question is the adoption of House

Amendment "A" and the Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker and Members of the House: This matter was brought to my attention earlier this morning and I am not taking issue with the method of fixing of salaries of certain individuals, nor am I taking issue with the bill itself other than the fact that upon checking out concerning the Director of the Aeronautics Commission his salary is pegged at \$13,052 per year. I consulted with the Controller's Office who informs me that there is an error—that the Director of the Aeronautics Commission's salary is at the figure of \$13,728. That being so, this would not only change the method of fixing his salary from the Commission itself to the Governor and Council, which I don't take issue with one way or another, but it would lower this gentleman's salary from its present rate of \$13,728 to \$13,052. I have checked this out with the Speaker, with the leaders of both parties and the Chairman of the State Government Committee who agreed with me, and that's my only interest in the matter—of the fact that, I mean I don't think we should lower anybody's salary from its present rate, I think we should leave it dormant and that's what this amendment does.

The SPEAKER: The Chair recognizes the gentleman from Kingman Township, Mr. Starbird.

Mr. STARBIRD: Mr. Speaker and Members of the House: Now that the matter has been explained, I won't oppose the amendment. The intent of this bill was that the salaries that are listed in there were to be what they are getting now, their present salaries, and if there was an error made and he was getting more, I will not oppose it. At first I thought that this amendment would have raised it from his present salary. I thank the gentleman from Lewiston.

The SPEAKER: The pending question is the adoption of House Amendment "A". Is this the pleasure of the House?

The motion prevailed.

Is it now the pleasure of the House this Bill be passed to be engrossed in non-concurrence?

The Chair recognizes the gentleman from Eagle Lake, Mr. Martin.

Mr. MARTIN: Mr. Speaker and Members of the House: I now move that this bill and all its accompanying papers be indefinitely postponed.

The SPEAKER: The gentleman from Eagle Lake, Mr. Martin, now moves that this Bill and all its papers be indefinitely postponed.

Mr. Snowe of Auburn requested a division.

The SPEAKER: The Chair recognizes the gentleman from Eagle Lake, Mr. Martin.

Mr. MARTIN: Mr. Speaker and Members of the House: If you will take a look at L. D. 1733, you will find that it was a Report "A" from the State Government Committee. You will also note that there was also Report "B", it was a five to five report, the other report being "ought not to pass." I signed the "ought not to pass" report primarily because it was my opinion that these positions should remain within the prerogative of the Governor and the Executive Council. The positions that we are discussing include the Commissioner of Finance and Administration, the Aeronautical Commissioner, the Bank Commissioner, the Commissioner of Economic Development, the Commissioner of Sea and Shore Fisheries, the Commissioner of Health and Welfare and the Commissioner of Mental Health and Corrections. All of these positions, at times, require that the Governor and Council pay a salary to attract an individual into the State that will be willing to come to the State of Maine.

Obviously as you well realize, the Legislature does not meet constantly, unless we decide not to go home today, and we are not in a position to set the salary in case the need arises. It locks the salary at that level and it cannot be changed. Certainly the Governor and Council will keep the wishes of the Legislature in mind when they raise these salaries. I am sure they would not raise them merely for the sake of giving them a raise.

There is also the question of merit increases which must be given and I am sure that you will well realize that these areas are sensitive areas to the government of the State of Maine, and I would certainly hope that you would vote for my motion to indefinitely postpone this bill.

The SPEAKER: The Chair recognizes the gentleman from Kittery, Mr. Dennett.

Mr. DENNETT: Mr. Speaker and Members of the House: I rise in opposition to the motion made by the gentleman from Engle Lake, Mr. Martin. I think, first, that this is a sad time to move the indefinite postponement of a bill such as this. What Mr. Martin states is very true, this bill came out of the Committee on State Government with a divided report. It was accepted in this House and rejected in the other body. As a result of the Committee of Conference, the Conferees have already submitted their report to the House and they unanimously agreed that this bill should have a passage.

Now, I believe we have worked for years on this bill endeavoring to get something through that ultimately would stabilize salaries of department heads et cetera within the State of Maine. Now, what has happened over the years? The Legislature has set the salaries of certain department heads. No sooner it seems had the Legislature adjourned but the Governor and Council, who had under their jurisdiction certain other department heads, would immediately raise those under their jurisdiction. The net result, there was always a gap existing between these certain State officials, and many of them having virtually the same duties and departments no larger or no more complex than those under the jurisdiction of the Legislature. The result over the years has been bad feelings and the Legislature has constantly been forced to bring up salaries to meet those of comparable positions that were under the control of the Governor and Council. I truly think, I honestly believe, that if this Legislature has done one good thing this session they have made a just and honest effort to rectify this wrong that has

existed for years. I sincerely hope that you will vote down this motion that we might proceed with this bill and somewhere along the line get on an even keel. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Kingman Township, Mr. Starbird.

Mr. STARBIRD: Mr. Speaker and Members of the House: I wish to concur heartily with the gentleman from Kittery, Mr. Dennett. The Conferees did work hard on this matter and the two Conference Committees, the one concerning this bill and the one concerning the salary pay bill, met jointly for the simple fact that the bills concerned roughly the same material and we thought that in doing this we could possibly better come to a compromise agreement on some of the salaries that were in the jurisdiction of the Legislature already. We did this. Part of the compromise that we arrived at after something like an hour and a half to two hours discussion, was the fact that this bill was adopted as it now reads with the exception of Mr. Jalbert's amendment offered this morning, which we now agree on also.

So, therefore, if this bill is rejected it tips the scales too far in the other way. I agree with Mr. Dennett's statements wholeheartedly. It puts all of the salaries under one umbrella; it gives us the power to change them if we wish or keep them the same if we wish. I think it is a good bill and I urge that you vote for its passage.

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

Mr. PHILBROOK: Mr. Speaker and Members of the House: This Legislature has been most responsive to the pay needs of those under its jurisdiction. If you study pay bill 1731, the Conference Committee Amendment, you will find that we are most generous and fair with Judges and others in the matter of pay increases. I call for your support in bringing the pay determination of these nine officials back to the Legislature.

The SPEAKER: The Chair recognizes the gentlewoman from Orono, Mrs. Cornell.

Mrs. CORNELL: Mr. Speaker and Members of the House: I would rise in support of Mr. Martin's motion, I also signed the Part "B" Report. I did not like the Conference Committee settlement of it and I do not think that we have been particularly generous in salaries, I was against also what we did in that matter. I think the Governor and Council are well qualified to set the salary to retain the men that they want to retain to do these positions well.

The SPEAKER: The Chair recognizes the gentleman from Sanford, Mr. Nadeau.

Mr. NADEAU: Mr. Speaker and Members of the House: I rise in support of Mr. Dennett. I think they had a fair hearing on these. I think this is one good bill that we can all agree on, members of both parties, and as was noted in 1731, let's just take one point, ladies and gentlemen. Did you notice the fat salaries that were going to be given? And these were proposed by one man. Now, you can imagine now, all they have is seven backs to scratch, whereas if we vote against indefinite postponement of this bill, they'll have to lobby each and every one of us and they don't dare being seen in the hallway any more — at least some seem to have disappeared, even from the balcony. (laughter) However, I feel that this is a good and a fair bill and because they'll have to lobby all and each and every one of us, which they shouldn't take time to do — they may attempt to do it, I feel that we should definitely vote against indefinite postponement.

The SPEAKER: Is the House ready for the question? The pending question is the motion of the gentleman from Eagle Lake, Mr. Martin, that L. D. 1733, Senate Paper 697, An Act relating to Method of Fixing Salaries of Certain State Officials, be indefinitely postponed. All those in favor of indefinite postponement will vote yes and those opposed will vote no, and the Chair opens the vote.

A vote of the House was taken.

30 having voted in the affirmative and 98 having voted in the negative, the motion to indefinitely postpone did not prevail.

Thereupon, the Bill was passed to be engrossed as amended by House Amendment "A" in non-concurrence and by unanimous consent, sent forthwith to the Senate.

An Act Providing for Action in Aid to Dependent Children Cases Involving Fraud (H. P. 672) (L. D. 944)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent forthwith to the Senate.

House at Ease

Called to order by the Speaker.

On motion of Mr. Richardson of Cumberland,

Recessed until two o'clock this afternoon.

After Recess 2:00 P. M.

Called to order by Speaker Kennedy.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Lewin.

Mr. LEWIN: Mr. Speaker, I request permission to approach the rostrum.

The SPEAKER: The gentleman may approach the rostrum.

The Chair grants permission to the gentleman from Augusta, Mr. Lewin, to be stationed at the Clerk's podium.

Mr. LEWIN: Mr. Speaker, Ladies and Gentlemen of the House: I have a very enjoyable task to perform this afternoon. These last six months have been very meaningful to me as I believe they have been to you. We have rubbed elbows with several grand people from all over our State and many new friendships have been formed I am sure. We hope that these friendships will continue in the months to come.

As we approach the end of the session today, the Members of the House feel that appreciation should be expressed for the fine work accomplished by our friends and to share, if we may, in the giving of a few gifts to deserving people.