

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

One Hundred and Seventh Legislature

(First Special Session)

OF THE

STATE OF MAINE

1976

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Monday, February 9, 1976

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

Prayer by the Reverend Donald Henderson of Camden.

The members stood at attention during the playing of the National Anthem by the Winthrop High School Band.

The journal of the previous session was read and approved.

Papers from the Senate

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

Non-Concurrent Matter

Bill "An Act Relating to Movement of Overwide Farm Equipment" (H. P. 1857) (L. D. 2025) which was passed to be engrossed in the House on February 4, 1976.

Came from the Senate passed to be engrossed as amended by Senate Amendment 'A' (S-397) in non-concurrence.

In the House: On motion of Mr. Carter of Winslow, the House voted to recede and concur.

Non-Concurrent Matter

Bill "An Act Concerning the Geologist and Soil Scientist Certification Act" (H. P. 1993) (L. D. 2182) which was referred to the Committee on State Government in the House on February 5.

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

In the House:

Mrs. Clark of Freeport moved that the House recede and concur.

The SPEAKER: The Chair recognizes the gentleman from Gorham, Mr. Quinn.

Mr. QUINN: Mr. Speaker, Ladies and Gentlemen of the House: I maintain the position I did the other day. This bill is essentially one that is concerned with the design of government. A very similar bill appeared before the State Government Committee — almost identical, in fact, in previous years and has been dealt with. The Reference of Bills Committee recommended that it go to the State Government Committee. This House itself, the other day, voted that it go to State Government Committee, and I would urge you, therefore, to vote against the motion to recede and concur in order that we may insist.

The SPEAKER: The Chair recognizes the gentlewoman from Freeport, Mrs. Clark.

Mrs. CLARK: Mr. Speaker, Men and Women of the House: It does seem that there is some disagreement between the chambers as to where this bill would be most appropriately and properly referred. I would simply remind you that in the 106th Legislature the Committee on Business Legislation dealt with an identical bill, submitted by the sponsor, the Honorable gentleman from Wayne, Mr. Ault, who at that time presented this bill to the Committee on Business Legislation.

While I will abide by the will of this body, I do ask your support in my motion to recede and concur.

The SPEAKER: The Chair recognizes the gentlewoman from Waterville, Mrs. Kany.

Mrs. KANY: Mr. Speaker and Members of the House: As a member of the State Government Committee, I hope you will go

along with Representative Clark. Personally, I don't want to see this bill come before our committee.

The SPEAKER: The Chair will order a vote. The pending question is on the motion of the gentlewoman from Freeport, Mrs. Clark, that the House recede and concur. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

73 having voted in the affirmative and 30 in the negative, the motion did prevail.

Orders

Mr. Mulkern of Portland presented the following Joint Order and moved its passage: (H. P. 2015) (Cosponsors: Mr. Snow of Falmouth, Mr. Talbot of Portland)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of Sergeant Alphonse Gendrolis of Falmouth, Maine for his Heroic Actions in the Fire at the Cumberland County Jail

We the Members of the House of Representatives and Senate do hereby Order that our congratulations and acknowledgement be extended; and further

Order and direct, while duly assembled in session at the Capitol in Augusta, under the Constitution and Laws of the State of Maine, that this official expression of pride be sent forthwith on behalf of the Legislature and the people of the State of Maine.

The Order was read and passed and sent up for concurrence.

Mr. Mulkern of Portland presented the following Joint Order and moved its passage: (H. P. 2016) (Cosponsors: Mr. Snow of Falmouth, Mr. Talbot of Portland)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of Deputy Sheriffs John Leighton and Conrad Lagrange of the York County Sheriff's Department for their Heroic Actions in the Fire at the Cumberland County Jail

We the Members of the House of Representatives and Senate do hereby Order that our congratulations and acknowledgement be extended; and further

Order and direct, while duly assembled in session at the Capitol in Augusta, under the Constitution and Laws of the State of Maine, that this official expression of pride be sent forthwith on behalf of the Legislature and the people of the State of Maine.

The Order was read and passed and sent up for concurrence.

Mr. Mulkern of Portland presented the following Joint Order and moved its passage: (H. P. 2017) (Cosponsors: Mr. Snow of Falmouth, Mr. Talbot of Portland)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of Deputy Sheriffs Wallace Nichols, Donald Copp, and Evelyn Sargent of the Cumberland County Sheriff's Department for their Heroic Actions in the Fire at the Cumberland County Jail

We the Members of the House of Representatives and Senate do hereby Order that our congratulations and acknowledgement be extended; and further

Order and direct, while duly assembled in session at the Capitol in Augusta, under the Constitution and Laws of the State of Maine, that this official expression of pride

be sent forthwith on behalf of the Legislature and the people of the State of Maine.

The Order was read.

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

Mr. MULKERN: Mr. Speaker, Ladies and Gentlemen of the House: I thank you very much for bearing with me today. The purpose of these three joint orders is to give deserved legislative recognition to those persons whose heroic actions and quick thinking helped to avert a much larger tragedy than occurred in the early Saturday morning blaze that destroyed part of the Cumberland County Jail and resulted in the tragic loss of one inmate.

About 2:00 A.M., Saturday, January 31, Sergeant Alphonse Gendrolis of Falmouth, Maine, was returning from a basement dressing room when he smelled smoke and spotted it pouring from the padded cell of Michael Fillmore. He yelled for assistance to three other guards and pulled in the first fire alarm. Gendrolis and Deputy Leighton of the York County Sheriff's Deputy tried to pull Fillmore from the cell but were repelled by the intense heat.

Deputy Conrad LaGrange of York County and Wallace Nichols of Cumberland County raced to the cell blocks on the first and second floors through intense choking smoke. On the first floor, LaGrange lined up the inmates and holding onto each other, they broke through the smoke to an area separated from the main cell block. Wallace Nichols also lined up cell mates on the second floor and led them out of the building.

The matters were additionally complicated because the blaze melted the jail's main power line, knocking out electricity and telephone circuits, and forcing guards to manually open the electrically operated cell doors to free the inmates.

I, again, commend all of these individuals for their outstanding job and move passage of this order.

Thereupon, the Joint Order received passage and was sent up for concurrence.

Mr. Bagley of Winthrop presented the following Joint Order and moved its passage: (H. P. 2019)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of Kris Stred of Winthrop State Finalist in the Lincoln-Douglas Debate Sponsored by the Bicentennial Youth Debates

We the Members of the House of Representatives and Senate do hereby Order that our congratulations and acknowledgement be extended; and further

Order and direct, while duly assembled in session at the Capitol in Augusta, under the Constitution and Laws of the State of Maine, that this official expression of pride be sent forthwith on behalf of the Legislature and the people of the State of Maine.

The Order was read and passed and sent up for concurrence.

Mr. Lynch of Livermore Falls was granted unanimous consent to address the House.

Mr. LYNCH: Mr. Speaker, Ladies and Gentlemen of the House: We will be acting on education bills within the next few minutes. We are planning to accept the committee report and table until