

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fourth  
Legislature*

OF THE

STATE OF MAINE

1969

KENNEBEC JOURNAL  
AUGUSTA, MAINE

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

Mr. RICHARDSON: Mr. Speaker, I move that this lie on the table until Wednesday, April 16.

The SPEAKER: Does the gentleman object to this matter being tabled unassigned?

Mr. RICHARDSON: Yes, Mr. Speaker, I do. I would prefer that it be tabled until Wednesday, April 16.

Thereupon, the matter was tabled pending acceptance of the Committee Report and specially assigned for Wednesday, April 16.

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

An Act to Appropriate Moneys for the Expenditure of State Government for the Fiscal Year Ending June 30, 1969 (S. P. 219) (L. D. 660)

Tabled — April 9, by Mr. Richardson of Cumberland.

Pending — Passage to be enacted.

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure a two-thirds vote of all the members elected to the House being necessary, a total was taken. 117 voted in favor of same and 13 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

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

HOUSE REPORT — "Ought not to pass" — Committee on Towns and Counties on Bill "An Act to Place Full-Time Deputy Sheriffs under the Personnel Law" (H. P. 530) (L. D. 701)

Tabled — April 9, by Mr. Porter of Lincoln.

Pending — Acceptance.

On motion of Mr. Henley of Norway, tabled pending acceptance of Committee Report and specially assigned for Wednesday, April 16.

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

An Act relating to Licensing of Ambulance Service, Vehicles and

Personnel (S. P. 263) (L. D. 867)

Tabled—April 9, by Mr. Martin of Eagle Lake.

Pending—Motion of Mr. Birt of East Millinocket to Indefinitely Postpone.

Mr. Birt of East Millinocket withdrew his motion to indefinitely postpone.

On motion of the same gentleman, under suspension of the rules, the House reconsidered its action of March 25 whereby the Bill was passed to be engrossed as amended by Committee Amendment "A".

On further motion of the same gentleman, the Bill was recommitted to the Committee on Health and Institutional Services in non-concurrence and sent up for concurrence.

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

Resolve Proposing an Amendment to the Constitution Repealing the Provisions which Establish the Treasurer of State as a Constitutional Officer (H. P. 14) (L. D. 14) (In House, finally passed) (In Senate, indefinitely postponed)

Tabled—April 10, by Mr. Shaw of Chelsea.

Pending—Motion of Mr. Sahagian of Belgrade to Insist.

The SPEAKER: The Chair recognizes the gentleman from Belgrade, Mr. Sahagian.

Mr. SAHAGIAN: Mr. Speaker and Ladies and Gentlemen of the House: I wish to repeat a small portion of the statement that I made before the House yesterday morning. I am still convinced that this is a good bill and will accomplish just what I have described earlier. However, we have got to have courage as Legislators this session more than ever before. We have got to act responsibly. We cannot afford to continue practices of the past. Instead, we have got to initiate improved practices and laws for the future. So therefore, I now move that we insist.

The SPEAKER: The Chair recognizes the gentleman from Lubec, Mr. Donaghy.

Mr. DONAGHY: Mr. Speaker and Members of the House: A

matter of parliamentary procedure.

The SPEAKER: The gentleman may pose his inquiry.

Mr. DONAGHY: What is the procedure to recede and concur?

The SPEAKER: The gentleman's motion would be in order if he makes it. It has high priority.

Mr. DONAGHY: I so move.

The SPEAKER: The gentleman from Lubec, Mr. Donaghy, now moves that the House recede and concur.

The Chair recognizes the gentleman from Belgrade, Mr. Sahagian.

Mr. SAHAGIAN: Mr. Speaker, I request a division by the yeas and nays.

The SPEAKER: The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I strongly object to the motion to recede and concur where this document has been killed in the other branch. It is my sincere feeling this morning that this is a very good piece of legislation and I would think if we really want to tell it as it is, and the gentleman from Bath, this morning, Mr. Ross, is sincere in his proposal that we should have some reforms, that have been on the books for so many years, has been adopted by both political philosophies in the State of Maine, that we should have some governmental reforms. And I think probably the members of this House should vote against the motion to recede and concur and insist on the prior action taken by this House, if this is what we actually want to do this morning.

The SPEAKER: The Chair recognizes the gentleman from Chelsea, Mr. Shaw.

Mr. SHAW: Mr. Speaker and Ladies and Gentlemen of the House: I don't today agree with my friend from Belgrade. I think that this office is a check of balance. As my memory is longer than some others in the House, I can remember when we had a State Controller who was running around Augusta with a quarter of a million dollars worth of State

funds in a handbag getting ready to head for the South Seas, and I agree that we should vote to recede and concur on this bill.

The SPEAKER: The Chair recognizes the gentleman from Lubec, Mr. Donaghy.

Mr. DONAGHY: Mr. Speaker and Members of the House: In the interest of good government, my motion has been made. We have heard this morning about the big black book which actually was done away with by subsequent legislation, even before that 102nd Legislature came into being.

On this matter of the treasurer, we have had an example very recently of what happens when the corner office wants to make a job for the good and true. We have an example in the Fish and Game Department, we also have an example in our Indian Affairs Department; and we don't need any more in the Finance Department, we already have one.

The SPEAKER: The Chair recognizes the gentleman from Manchester, Mr. Rideout.

Mr. RIDEOUT: Mr. Speaker and Members of the House: I stand in support of the gentleman from Belgrade, Mr. Sahagian. We had this bill in State Government. It seems to me that if we are ever going to make some changes we have got to start somewhere, and this seems like an awfully good place to start.

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

Mr. STARBIRD: Mr. Speaker and Members of the House: I agree with Mr. Rideout and Mr. Sahagian. We passed this bill by 103 votes, I believe, some few weeks ago. I believe we should do the same today by an even bigger margin. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Belgrade, Mr. Sahagian.

Mr. SAHAGIAN: Mr. Speaker, a question of the gentleman, Mr. Starbird, I don't know where he is from. He said 83, it was 103.

The SPEAKER: Is the House ready for the question? The pending question, the question of priority, is that the House recede

and concur. The yeas and nays have been requested. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All of those desiring a roll call will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken and more than one fifth having expressed the desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is on the motion of the gentleman from Lubec, Mr. Donaghy, that the House recede from its former action and concur with the Senate in the indefinite postponement of Resolve Proposing an Amendment to the Constitution Repealing the Provisions which Establish the Treasurer of State as a Constitutional Officer, House Paper 14, L. D. 14. If you are in favor of receding and concurring you will vote yes: If you are opposed you will vote no. The Chair opens the vote.

#### ROLL CALL

YEA — Baker, Bragdon, Buckley, Clark, H. G.; Cummings, Curtis, Cushing, Donaghy, Dyar, Evans, Farnham, Foster, Gilbert, Hanson, Hardy, Henley, Immonen, Kelley, K. F.; Kelley, R. P.; Lewis, Lincoln, Marsteller, McNally, Meisner, Millett, Moreshead, Mosher, Page, Porter, Rand, Scott, G. W.; Shaw, White, Wight, Williams, Wood.

NAY — Barnes, Bedard, Benson, Berman, Bernier, Binnette, Birt, Boudreau, Bourgoin, Brennan, Brown, Bunker, Burnham, Carey, Carter, Casey, Chandler, Chick, Clark, C. H.; Coffey, Corson, Cote, Cottrell, Couture, Cox, Crosby, Croteau, Dam, Drigotas, Dudley, Emery, Erickson, Eustis, Faucher, Fecteau, Finemore, Fortier, A. J.; Fortier, M.; Fraser, Gauthier, Giroux, Good, Hall, Haskell, Hawkins, Heselton, Hewes, Hichens, Huber, Hunter, Jameson, Johnston, Kelleher, Keyte, Kilroy, Laberge, Lawry, Lebel, Lee, Leibowitz, LePage, Levesque, Lewin, Lund, MacPhail, Martin, McTeague, Mills, Morgan, Nadeau, Norris, Noyes, Ouellette, Payson, Pratt, Quimby, Richardson, G. A.; Richardson, H.

L.; Rideout, Rocheleau, Ross, Sahagian, Santoro, Scott, C. F.; Sheltra, Snow, Soulas, Starbird, Stillings, Susi, Temple, Thompson, Tyndale, Vincent, Watson, Waxman, Wheeler.

ABSENT — Allen, Carrier, Crommett, Curran, D'Alfonso, Danton, Dennett, Durgin, Harriman, Jalbert, Jutras, Marquis, McKinnon, Mitchell, Tanguay, Trask.

Yes, 36; No, 97; Absent, 16.

The SPEAKER: Thirty-six having voted in the affirmative and ninety-seven in the negative, the motion does not prevail.

Thereupon, on motion of Mr. Sahagian of Belgrade, the House voted to insist.

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

HOUSE REPORT — "Ought not to pass"—Committee on Inland Fisheries and Game on Inland Fisheries and Game on Bill "An Act Providing for Adequate Fishways in Dams and other Obstructions" (H. P. 857) (L. D. 1099)

Tabled — April 10, by Mr. Carter of Winslow.

Pending—Acceptance.

The SPEAKER: The Chair recognizes the gentleman from Winslow, Mr. Carter.

Mr. CARTER: Mr. Speaker and Members of the House: I move that we substitute the Bill for the Report, and I would speak on my motion if I may.

The SPEAKER: The gentleman from Winslow, Mr. Carter, moves that the House substitute the Bill for the "Ought not to pass" Report. The gentleman may proceed.

Mr. CARTER: Mr. Speaker and Ladies and Gentlemen of the House: The reason that I make that motion is that I would like to introduce House Amendment "A" which has filing number H-167 which is now on your desk.

Those of you who served in the 102nd Legislature might recall the compromise bill, reported out by the Fish and Game Committee, that was finally enacted into law as Sub-section 2201 of Title 21. This compromise bill, for all intents and purposes, would serve to eliminate barriers to anadromous fish, such as Atlantic salmon, sea trout, better known as rainbow trout,