

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

Tuesday, April 8, 1969

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

Prayer by the Rev. Mr. Robert Vangel of Kennebunkport.

The members stood at attention during the playing of the National Anthem by the York 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.

Reports of Committees

Ought to Pass

Tabled and Assigned

Report of the Committee on Health and Institutional Services reporting "Ought to pass" on Bill "An Act Revising the Laws Relating to the Practice of Dentistry" (S. P. 264) (L. D. 868)

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed.

In the House, the Report was read.

(On motion of Mr. Noyes of Limestone, tabled pending acceptance of Report in concurrence and specially assigned for Thursday, April 10.)

Non-Concurrent Matter

Bill "An Act Repealing the Bounty on Bobcat" (H. P. 34) (L. D. 35) on which the House accepted Report "B" reporting "Ought not to pass" of the Committee on Inland Fisheries and Game on April 2.

Came from the Senate with Report "A" reporting "Ought to pass" accepted and the Bill passed to be engrossed in non-concurrence.

In the House:

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

Mr. LEWIN: Mr. Speaker, I would move that we recede and concur.

The SPEAKER: The gentleman from Augusta, Mr. Lewin, moves that the House recede from its

former action and concur with the Senate.

The Chair recognizes the gentleman from Lincoln, Mr. Porter.

Mr. PORTER: Mr. Speaker and Members of the House: I hope that the House will vote against this motion this morning, because if we accept that motion it means the removal of the bounty on bobcats. I hope that we will defeat that so that I can make a motion to insist.

The SPEAKER: Is the House ready for the question? The pending question is on the motion of the gentleman from Augusta, Mr. Lewin, that the House recede from its former action and concur with the Senate. All those in favor will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

67 having voted in the affirmative and 51 having voted in the negative, the motion did prevail. Thereupon, the Bill was read twice.

Mr. Dudley of Enfield then requested that the Bill be tabled for tomorrow.

The SPEAKER: Does the gentleman object to assigning this for its third reading tomorrow and it can be disposed of at that time?

Mr. DUDLEY: No.

Thereupon, the Bill was assigned for third reading tomorrow.

Non-Concurrent Matter

Tabled and Assigned

Bill "An Act relating to Sunday Sale of Liquor" (H. P. 289) (L. D. 365) which was passed to be engrossed in the House on March 26.

Came from the Senate passed to be engrossed as amended by Senate Amendment "B" in non-concurrence.

In the House: On motion of Mr. Richardson of Cumberland, tabled pending further consideration and specially assigned for tomorrow.

Non-Concurrent Matter

Resolve Proposing an Amendment to the Constitution Regulating the Size of the House of Representatives (H. P. 356) (L. D. 464) which was indefinitely postponed in the House on March 5.

Came from the Senate passed to be engrossed in non-concurrence.

In the House:

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

Mr. DENNETT: Mr. Speaker, I move that the House recede and concur.

The SPEAKER: The gentleman from Kittery, Mr. Dennett, moves that the House recede from its former action and concur with the Senate.

The Chair recognizes the gentleman from Bath, Mr. Ross.

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: In opposition to this motion, this is the third debate we have had this year on a bill to cut down the size of the House of Representatives. Strange things parade under the guise of progress. I am sure that the proponents were motivated by good intentions but I feel that they were a bit misguided. I can think of no better time to debate this measure of changing the make-up of the House than on Welcome Back Day because I am confident that the majority of our illustrious alumni and especially the former Speakers would share my views.

They look back with nostalgia on the experiences here in the House. They were honored and proud to have been a member and they remember with fondness the lasting friendships from small towns and large towns throughout the state. Had the membership been reduced by one third they would not have met a great many of these persons and probably some of the most able ones. But even more important they remember the dignity, decorum and orderliness of this House. They remember with pride that once they were a member of one of the best run Houses of Representatives in this country.

In one of the debates I mentioned that I thought that we had a very manageable House the way it is now. I later read in a newspaper that one of our colleagues, who was an opponent of the bill then but is now a proponent, said that we did indeed have a manageable House in the sense that it was easily manipulated by out-

side persons or groups. I am confident that this gentleman said this in jest because this certainly is not so. I read that another gentleman said that we had one of the largest, most inexperienced and lowest Houses in the country. Of course, I am sure that this man was well intentioned but he certainly was uninformed. We have the second smallest House in New England. We certainly have as much experience in this House of Representatives as any of them and I have no idea what he meant by saying that we had one of the lowest Houses.

I can only reiterate, I am proud and have always been proud to be a member of this body. I admire the entire membership of the House. I think that it functions properly and gives true representation and if we cut it down we would be taking government away from the people. So I certainly hope that the House today votes against the motion, and I request a division.

The SPEAKER: The Chair recognizes the gentlewoman from York, Mrs. Brown.

Mrs. BROWN: Mr. Speaker, Members of the House: I have listened to this debate on reducing the number of the members for some weeks now. I cannot buy the arguments that because of modern means of transportation, the car, the telephone and so forth, that our burdens are less than those Legislators who came and spent the winter at the Augusta House and seldom saw their constituents. We are much more at the beck and call of our constituents. The demands just because of this easy communication are even greater instead of less.

I should also like to point out that percentage - wise we have been lowering our numbers. I would like to read to you some statistics. In 1820 with a population of 298,269 people we had a representation of 141 members. By 1842 the size had risen to the top limit of 200. A Constitutional amendment setting 151 became operative with the fall election of 1842. In 1843 with a population of 501,793 we were 151 members.

Today we are nearly a million in population and we have 151 members.

I also think, as Representative Ross has said, that here again we are looking at something that is removing politics further and further from the people. I urge you vote against the motion of my neighbor Representative, Mr. William Dennett.

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

Mr. LEVESQUE: Mr. Speaker, may I request that this lie upon the table until the next legislative day pending the motion to recede and concur.

Thereupon, Mr. Ross of Bath asked for a vote on the motion.

The SPEAKER: A vote has been requested on the tabling motion. All of those in favor of this matter being tabled until the next legislative day will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

37 having voted in the affirmative and 93 having voted in the negative, the motion did not prevail.

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

Mr. JALBERT: Mr. Speaker, I move the previous question.

The SPEAKER: For the Chair to entertain the motion for the previous question it must have the expressed desire of one third of the members present and voting. All of those desiring the previous question will vote yes and those opposed will vote no. The Chair opens the vote.

A vote of the House was taken and more than one third having expressed a desire the Chair was authorized to entertain the motion for the previous question.

The SPEAKER: The question before the House now is, shall the main question be put now, which is debatable for five minutes by any one member. All of those in favor of the main question being put now will say yes; those opposed will say no.

A viva voce vote being taken, the main question was ordered.

The SPEAKER: The main question is on the motion of the gentleman

from Kittery, Mr. Dennett, that the House recede from its former action and concur with the Senate. It is no longer debatable.

The Chair recognizes the gentleman from Rockland, Mr. Huber.

Mr. HUBER: Mr. Speaker, may I ask that the pending question be taken by roll call.

The SPEAKER: A roll call has 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 Kittery, Mr. Dennett, that the House recede from its former action and concur with the Senate on Resolve Proposing an Amendment to the Constitution Regulating the Size of the House of Representatives, House Paper 356, L. D. 464. All those in favor of receding and concurring will vote yes; those opposed will vote no. The Chair opens the vote.

ROLL CALL

YEA—Bernier, Bourgoin, Carter, Chandler, Clark, C. H.; Corson, Crommett, D'Alfonso, Dennett, Drigotas, Farnham, Fecteau, Fortier, A. J.; Fortier, M.; Fraser, Giroux, Hewes, Huber, Kelley, K. F.; Levesque, Lund, Martin, McKinnon, McTeague, Mitchell, Richardson, H. L.; Rideout, Rocheleau, Starbird, Susi, Vincent, Watson, Waxman.

NAY—Barnes, Bedard, Benson, Binnette, Birt, Boudreau, Bragdon, Brown, Buckley, Bunker, Burnham, Carey, Carrier, Casey, Chick, Clark, H. G.; Coffey, Cote, Cottrell, Couture, Cox, Crosby, Croteau, Cummings, Curtis, Cushing, Dam, Donaghy, Dudley, Durgin, Dyar, Emery, Erickson, Eustis, Evans, Faucher, Finemore, Foster, Gauthier, Gilbert, Good, Hall, Hanson, Hardy, Haskell, Hawkins, Hunter, Immonen, Jalbert, Jameson, Johnston, Jutras, Kelleher, Kelley, R. P.; Keyte, Kilroy, Laberge, Lawry, Lebel, Lee, Leibowitz, LePage, Lewin, Lewis, Lincoln, MacPhail,

Marquis, Marsteller, Meisner, Millett, Mills, Moreshead, Morgan, Mosher, Nadeau, Norris, Noyes, Ouellette, Page, Payson, Porter, Pratt, Quimby, Richardson, G. A.; Ross, Sahagian, Scott, C. F.; Shaw, Snow, Soulas, Stillings, Temple, Thompson, Trask, Tyndale, Wheeler, Williams, Wood.

ABSENT—Allen, Baker, Berman, Brennan, Curran, Danton, Harri-man, Henley, Heselton, Hichens, McNally, Rand, Santoro, Scott, G. W.; Sheltra, Tanguay, White, Wight.

Yes, 33; No, 98; Absent, 18.

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

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

Mr. RICHARDSON: Mr. Speaker, I move that the House insist and join in a Committee of Conference.

Thereupon, Mr. Ross of Bath requested a vote on the motion to insist.

The SPEAKER: The gentleman from Bath, Mr. Ross, requests a vote on the motion to insist.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: In defense of my motion that the House insist on its former action and request a Committee of Conference, I think that we should take this opportunity to re-examine the question of reduction of the size of the House. As one of those who voted against this L. D. when it first came before the House, I believe now that the matter deserves our consideration. It's perfectly consistent with good legislative procedure to insist and join in a Committee of Conference on legislation such as this, to give those who wish to re-examine this matter an opportunity to do so.

Therefore I hope that you will vote in favor of my motion to insist and join in a Committee of Conference and, Mr. Speaker, when the vote is taken I request that it be by the yeas and nays.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. Ross.

Mr. ROSS: Mr. Speaker and Members of the House: In opposition to the motion of the gentleman from Cumberland, Mr. Richardson, he said that we should give this our careful consideration. It appears to me that for several weeks we have given it our most careful consideration. We have voted overwhelmingly twice against it and I say that nothing would be gained in keeping this measure alive and I still hope on the yeas and nays that you vote against the Majority Floor Leader's motion.

The SPEAKER: The pending question is the motion of the gentleman from Cumberland, Mr. Richardson that the House insist and request a Committee of Conference.

The Chair recognizes the gentleman from Southwest Harbor, Mr. Benson.

Mr. BENSON: Mr. Speaker and Members of the House: Just so there can be no mistake about whether this is a party issue or not, I would like to differ with my good friend from Cumberland, Mr. Richardson. I would like to address myself for just a moment if I might to the Representatives from the smaller communities of our State. I think that if you will think carefully about what we are doing you will realize that a reduction in the number of the Representatives would be playing once again into the hands of the urban areas. Now I like very much my friends from the urban areas but not at the expense of my good friends from the rural areas. So I think that 151 although it is not a magic number is a good number and I urge you to vote against the motion to insist.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I don't know if this carries any label whatsoever this morning. I'd hate to think that the gentleman from Bath, Mr. Ross, would have any political implication in reducing the number of the House, coming from either a rural or urban area. And I have no idea in the world what my able assistant would have to say regarding this matter here this morning because

I fail to have his vote of approval this morning. But I certainly don't think that we ought to go back to the 1800's and try to conduct twentieth century business in the manner of the 1800's so that's why I would certainly hope that you would keep this document alive this morning and join in a Committee of Conference and see what the outcome will be.

I see definite merit in this type of legislation, so I hope the members of the House this morning will see fit to go along with the motion to insist and join a Committee of Conference.

The SPEAKER: The Chair recognizes the gentleman from Hodgdon, Mr. Williams.

Mr. WILLIAMS: I represent one of these districts that in my estimation is plenty large enough. Right now I have sixteen towns plus ten more unorganized and wild townships. That district is approximately the size of the State of Rhode Island. And if you want to add more to it you are going to have quite a district. I think there are several here that are just as large.

The SPEAKER: The Chair recognizes the gentleman from Hope, Mr. Hardy.

Mr. HARDY: Mr. Speaker, Ladies and Gentlemen of the House: I have served on several Committees of Conference over the years and I would point out to the membership of this House that on occasion some things that might surprise them would come out of Committee of Conference and I would urge them not to get involved in this one.

The SPEAKER: Is the House ready for the question? The pending question is on the motion of the gentleman from Cumberland, Mr. Richardson, that the House insist on its former action and request a Committee of Conference. This is a motion of high priority and the yeas and nays have been requested. All of those who desire a roll call will vote yes; those opposed will vote no, and 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 Cumberland, Mr. Richardson, that the House insist and request a Committee of Conference. All in favor will vote yes; those opposed will vote no. The Chair opens the vote.

ROLL CALL

YEA — Barnes, Bernier, Bourgoin, Carter, Chandler, Clark, C. H.; Corson, Crommett, Cummings, D'Alfonso, Dennett, Dudley, Farnham, Fecteau, Fortier, A. J.; Fraser, Giroux, Hewes, Huber, Levesque, Lund, Martin, McTeague, Mitchell, Richardson, H. L.; Rideout, Rocheleau, Starbird, Susi, Vincent, Watson, Waxman.

NAY—Bedard, Benson, Binnette, Birt, Boudreau, Bragdon, Brown, Buckley, Bunker, Burnham, Carey, Carrier, Casey, Chick, Clark, H. G.; Coffey, Cote, Cottrell, Couture, Cox, Crosby, Croteau, Curtis, Cushing, Dam, Donaghy, Drigotas, Durgin, Dyar, Emery, Erickson, Eustis, Evans, Finemore, Foster, Gauthier, Gilbert, Good, Hall, Hanson, Hardy, Haskell, Hawkens, Hunter, Immonen, Jalbert, Jameson, Johnston, Jutras, Kelleher, Kelley, K. F.; Kelley, R. P.; Keyte, Kilroy, Laberge, Lawry, Lebel, Lee, Leibowitz, LePage, Lewin, Lewis, Lincoln, MacPhail, Marquis, Marsteller, McKinnon, Meisner, Millett, Mills, Moreshead, Morgan, Mosher, Nadeau, Norris, Ouellette, Page, Payson, Porter, Pratt, Quimby, Rand, Richardson, G. A.; Ross, Sahagian, Scott, C. F.; Shaw, Snow, Soulas, Stillings, Temple, Thompson, Trask, Tynedale, Wheeler, Williams, Wood.

ABSENT—Allen, Baker, Berman, Brennan, Curran, Danton, Faucher, Fortier, M.; Harriman, Henley, Heselton, Hichens, McNally, Noyes, Santoro, Scott, G. W.; Sheltra, Tanguay, White, Wight.

Yes, 32; No, 97; Absent, 20.

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

Whereupon, on motion of Mr. Ross of Bath, the House voted to adhere.