

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fourth  
Legislature*

OF THE

STATE OF MAINE

**Volume III**

June 17, 1969 to July 2, 1969

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**1st Special Session**

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Paper 1467, L. D. 1841 be indefinitely postponed. 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. If you are in favor of a roll call you will vote yes; if you are opposed you will vote no.

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

The SPEAKER: The pending question is on the motion of the gentleman from Westbrook, Mr. Carrier, that this Bill be indefinitely postponed. If you are in favor of indefinite postponement you will vote yes; if you are opposed you will vote no.

**ROLL CALL**

YEA — Allen, Baker, Barnes, Bedard, Benson, Bernier, Binnette, Birt, Boudreau, Bragdon, Brown, Buckley, Bunker, Burnham, Carrier, Carter, Casey, Chick, Clark, C. H.; Clark, H. G.; Corson, Cottrell, Couture, Crommett, Crosby, Croteau, Cummings, Curran, Curtis, Cushing, D'Alfonso, Dennett, Donaghy, Drigotas, Dudley, Durgin, Emery, Erickson, Evans, Farnham, F e c t e a u, Finemore, Fortier, M.; Fraser, Gauthier, Gilbert, Giroux, Good, Hall, Hanson, Hardy, Harriman, Haskell, Hawkens, Henley, Hichens, Huber, Immonen, Jalbert, Johnston, Kelleher, Kelley, K. F.; Kelley, R. P.; Kilroy, Lawry, Lebel, Lee, Leibowitz, Lewin, Lewis, Lincoln, Lund, MacPhail, Marquis, Marstaller, McNally, Meisner, Millett, Mills, Moreshead, Morgan, Mosher, Nadeau, Norris, Page, Payson, Porter, Pratt, Quimby, Rand, Richardson, G. A.; Richardson, H. L.; Ricker, Rideout, Rocheleau, Ross, Sahagian, Scott, C. F.; Scott, G. W.; Shaw, Sheltra, Snow, Starbird, Stillings, Susi, Thompson, Trask, White, Wight, Williams, Wood.

NAY — Berman, Bourgoin, Brennan, Coffey, Dam, Faucher, Foster, Goodwin, Heselton, Hewes, Hunter, Jameson, Jutras, LePage, Levesque, Martin, McTeague, Mitchell, Santoro, Soulas, Tanguay, Temple, Tyndale, Vincent, Wheeler.

ABSENT — Carey, Chandler, Cote, Cox, Danton, Dyar, Eustis,

Fortier, A. J.; Keyte, Laberge, McKinnon, Noyes, Ouellette, Waxman. Yes, 111; No, 25; Absent, 14.

The SPEAKER: One hundred and eleven having voted in the affirmative, and twenty-five having voted in the negative, the motion to indefinitely postpone does prevail.

The SPEAKER: The Chair recognizes the gentleman from Westbrook, Mr. Carrier.

Mr. CARRIER: Mr. Speaker, Ladies and Gentlemen of the House: As a matter of expediency I now move that we reconsider our action, and I ask all of you to vote no against my reconsideration motion. And I also ask for a roll call.

The SPEAKER: The gentleman from Westbrook, Mr. Carrier, moves the House reconsider its action whereby it indefinitely postponed this Bill, and requests a roll call. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. If you are in favor of a roll call you will vote yes; if you are opposed you will vote no.

A vote of the House was taken, and less than one fifth of the members present having expressed a desire for a roll call, a roll call was not ordered.

The SPEAKER: All in favor of reconsideration will vote yes; those opposed will vote no.

A vote of the House was taken.

20 having voted in the affirmative and 118 having voted in the negative, the motion to reconsider did not prevail.

The Chair laid before the House the following matter:

An Act Clarifying Laws Relating to the University of Maine (S. P. 632) (L. D. 1804)

which was tabled earlier in the day and later today assigned, pending passage to be enacted.

On motion of Mr. Levesque of Madawaska, the House reconsidered its action of yesterday whereby the Bill was passed to be engrossed.

The same gentleman offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-695) was read by the Clerk.

The SPEAKER: The gentleman may proceed.

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: In brief explanation as to the reason for this amendment, as you can recall several years ago a ruling was made that the ETV network in our state could not participate in any editorial or any program of politicians or people of that nature go to ETV in explanation of any part of State Government on the ETV network, because it was a state financed institution, and programming there was forbidden by a rule from the laws.

So therefore I would like to offer this amendment that people that are in government will be afforded the opportunity to participate in the ETV programs within the regulations as outlined by the Federal Communications Commission. And anything beyond that is never to be expected by any people in the State of Maine that we would want to go beyond the rulings of the Federal Communications Commission.

This, I think, would be a good piece of legislation for the simple reason that right now we have invested in the University of Maine's ETV network hundreds of thousands of dollars of which the hands of these people that operate the ETV networks are relatively tied as to the availability of governmental information to the general public. And I think as members of the House of Representatives, or a governing body, you would want the people to know through the networks actually what is happening in their government. And I think with the present ruling that has been made they are hand tied into their availability of providing this service to the people.

So therefore I hope that you will support the amendment to afford the ETV people an opportunity to provide a service to the general public as far as the operation of their State Government, local government, or county government is concerned.

The SPEAKER: The Chair recognizes the gentleman from East Millinocket, Mr. Birt.

Mr. BIRT: Mr. Speaker and Ladies and Gentlemen of the House: I am sure the good gentleman from Madawaska will probably remember some of the debate as he was a member of the 100th Legislature when this legislation was adopted to allow the development of the educational TV network, that this was one of the most hardly fought over items, is the abuse that could be made in this particular relationship to people in leadership of a particular party being able to use this government sponsored and supported TV network.

Now to give you just a little tiny bit of the history of this amendment, this bill actually ended up in a Committee of Conference back a few days ago, and the Committee of Conference took out two sections. One of them, as I understand it, was this amendment here, which is now being suggested as being replaced in exactly the same language. And I think that having gone through this whole thing once before that we should not get into it again. I would hope that this amendment is not adopted.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: In further explanation to the remarks made by the gentleman from East Millinocket, Mr. Birt, in the 100th Legislature, which was ten years ago, when this was a very hot issue before the Legislature, the rules and regulations of the Federal Communications Commission were somewhat different than what they are now. They have improved because the use of ETV on a national scale, and the television network on a national scale, have been very much altered in the last ten years. And I don't think that the people that are operating the ETV network in the State of Maine would want to abuse the privilege of informing the general public in the field of government.

And it spells out in the amendment that this could not be used for advertising, or for editing on the part of the ETV people as to their feelings to the general public. This would afford them the opportunity to, if the President of the United States makes a special message to the people, that they could carry this on the networks. Presently they cannot. Or if the Governor of the State of Maine wished to address something to its constituents in his own state he could so do. Or if there was an important piece of legislation coming before the people, that they could use the facilities of ETV to explain to the people what part government is playing in its operation.

And I think this would greatly help in educating the general public as to some phases of the operation of their State Government, or even including the national government. And I think the protection in this bill here is that they would have to abide by the Federal Communications Commission's ruling.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: I sympathize with my very good friend from Madawaska, Mr. Levesque, and I can assure you that when the Conference Committee met that I was entirely willing to see the ETV included in the bill. On the other hand, the Conference Committee did meet, the Conference Committee made a decision, and I feel that now, in view of the fact that the Conference Committee has reported, the report of the Conference Committee has been accepted, that we should not now try to overthrow the Conference Committee Report.

I would therefore move that this amendment be indefinitely postponed.

The SPEAKER: The gentleman from Stonington, Mr. Richardson, moves the indefinite postponement of House Amendment "A".

Mr. Levesque of Madawaska requested a vote on the motion.

The SPEAKER: The gentleman from Stonington, Mr. Richardson,

moves that House Amendment "A" be indefinitely postponed. All in favor will vote yes; those opposed will vote no.

A vote of the House was taken. 68 having voted in the affirmative and 42 having voted in the negative, the motion to indefinitely postpone prevailed.

Thereupon, the Bill was passed to be engrossed as amended by Conference Committee Amendment "A" in concurrence, passed to be enacted, signed by the Speaker and sent to the Senate.

The Chair laid before the House the following matter:

An Act relating to Interest Earned on Investments of Special Revenue Funds (S. P. 654) (L. D. 1837) which was tabled earlier in the day and later today assigned, pending passage to be enacted.

On motion of Mr. Lewin of Augusta, the House reconsidered its action of yesterday whereby the Bill was passed to be engrossed.

The same gentleman offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-698) was read by the Clerk.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. LEWIN: Mr. Speaker and Ladies and Gentlemen of the House: I will try to be brief this afternoon. For the last several years under the present law the interest which was generated on the invested Fish and Game dedicated funds has been turned over to the General Fund. Roughly \$30,000 to \$35,000 average per year. The rate at something over five percent.

In the past the Fish and Game Department has not requested that this interest money be returned to its dedicated funds. Meanwhile the department has enjoyed space in the new office building free of rental charge, believing the interest was in lieu of rent. And now a directive has been sent out requiring departments which operate on dedicated funds to pay rent for office space. In the case of Fish and Game Department, the rent would be approximately \$23,000 annually.

One other point I would bring to your attention. It is the matter of