

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One-Hundredth Legislature*

OF THE

STATE OF MAINE

1961

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

**SENATE**

Wednesday, January 11, 1961

Senate called to order by the President.

Prayer by Rev. Victor P. Musk of Augusta.

On motion by Mr. Boardman of Washington

Journal of yesterday Read and Approved.

**Papers from the House  
Communication from Interim Committee**

STATE OF MAINE  
Industrial Accident Commission  
Augusta

December 9, 1960

Hon. Harvey Pease, Clerk  
House of Representatives  
State House  
Augusta, Maine

Dear Mr. Pease:

Pursuant to Joint Order SP 502 relative to An Act Relating to Second Injury Fund and Vocational Rehabilitation Under Workmen's Compensation Act (SP 393) (LD 1137), the Committee has completed its study and submits herewith its report together with the proposed legislation and also report of the Secretary of the Committee covering his trip of inspection and interviews with Vocational Rehabilitation Departments of other States.

Yours very respectfully,  
(Signed) CYRIL M. JOLY  
Chairman of Committee  
(HP 125)

CMJ-aa  
Enc.

Comes from the House referred to the Committee on Labor.

In Senate, referred to the Committee on Labor in concurrence.

**Communication from the Secretary of State**

DEPARTMENT OF STATE  
State of Maine  
Augusta

January 4, 1961

To the Speaker of the  
House of Representatives of the  
One-Hundredth Legislature:

I transmit herewith a certified copy of the Joint Resolution of the

86th Congress proposing an amendment to the Constitution of the United States which would grant representation in the Electoral College to the District of Columbia.

This is accompanied by a letter from Franklin Floete, Administrator of the General Services Administration, together with five copies of the Resolution and a copy of the United States Code 106B.

(Signed) HAROLD I. GOSS  
Secretary of State

Encs. HP 126

Comes from the House Read and Ordered Placed on File

In Senate, Read and Ordered Placed on File in concurrence.

**House Papers**

Bill, An Act Relating to Certain Standards for Nursing Homes. (H. P. 13) (L. D. 32)

Which was referred to the Committee on Business Legislation in concurrence.

Bill, An Act Creating the Maine Board of Auctioneers. (H. P. 100) (L. D. 140)

Which was referred to the Committee on Legal Affairs in concurrence.

**Joint Orders**

ORDERED, the Senate concurring, that Joint Rule 1 be amended to change the name of the Joint Standing Committee on Public Health to "Health and Institutional Services." (H. P. 82)

Which was Read and Passed in concurrence.

ORDERED, the Senate concurring, that the material usually published in the "Senate and House Registers" entitled Memoranda and Suggestions be deleted. (H. P. 83)

Which was Read and Passed in concurrence.

ORDERED, the Senate concurring, that a Joint Select Committee of four (4) on the part of the House and three (3) on the part of the Senate be appointed to study the disposition of property owned

by the State of Maine formerly occupied by the Western Maine Sanatorium.

The Committee shall make a complete inventory of assets and make recommendations as to how they might best be utilized by the people of the State of Maine. If no proper use for the property can be found, the Committee will recommend measures to effect the disposal of said property, and the Committee will report such recommendations to the 100th Legislature. (H. P. 127)

Which was Read and Passed in concurrence.

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Respectfully,  
Maine State Highway  
Commission

(Signed) DAVID H. STEVENS,  
Chairman  
PERRY S. FURBUSH,  
Member  
R. LEON WILLIAMS,  
Member  
(SP 94)

Which was Read and Ordered  
Placed on File.  
Sent down for concurrence.

**Communication**

STATE HIGHWAY COMMISSION  
STATE OF MAINE  
Augusta

January 4, 1961

To the Honorable Senate and  
House of Representatives of the  
One-Hundredth Legislature:

Chapter 84, Resolves of 1959, a copy of which is attached, appropriated \$15,000 from the General Highway Fund for the purpose of obtaining the necessary information to properly describe the location by metes and bounds of a way from Ashland to the Quebec border at a point near d'Aaquan, P.Q.

Following is a description of the status of the work:

Total length of survey	—4592 Stations	87 miles
Survey (including referencing)		100% complete
Computations		100% complete
Tracing		77% complete
Description (pencil form — not typed)		100% complete
Amount of Resolve	\$15,000.00	
Expended to date	14,993.86	
Balance		6.14
Work suspended	November 1, 1960.	
Estimated amount necessary to		

**Communication from the Director of Legislative Research**

STATE OF MAINE  
Director of Legislative Research  
Augusta

January 4, 1961

To the Honorable Chester T.  
Winslow  
Secretary of the Senate  
of the 100th Legislature

In accordance with the Revised Statutes, Chapter 10, Section 27, Subsection IX, I hereby submit the report of the Director of Legislative Research.

Since a new revision of the public laws of Maine was enacted by the 99th Legislature, it is suggested that any criticisms of the 1954 Revision, whether constructive or otherwise, be forwarded to the Director for aid in planning future revisions.

In order to facilitate the work of the Legislature, this office sent letters to each administrative department and each member of the present Legislature urging the use of the available facilities of the office in the preparation of bills to be introduced. Over 450 acts and resolves were drafted before the Legislature was convened and it is hoped that such cooperation may be continued and extended in the future.

The members of the Legislature are reminded that the Senate and House rules provide that the members who present bills, resolves and petitions must sign them.

Several revision bills will be introduced for the consideration of the 100th Legislature, including one

which will completely revise the sections of the Revised Statutes so that they conform to the Maine rules of civil procedure.

In order to continue and promote uniformity of procedure, to avoid confusion and to permit an orderly transition from revision to revision, all bills, before presentation to the Legislature, should be checked by the office of the Director. The cooperation of the members of the 100th Legislature in this respect is earnestly requested.

Respectfully,

(Signed) SAMUEL H. SLOSBERG  
Director

Which was Read and Ordered  
Placed on File.

**Communication**

Maine State Library  
Augusta

To the Senate and House  
of Representatives

In accordance with the provisions of Chapter 42, Section 14, of the Revised Statutes, the report of the Maine State Library for the period July 1, 1958, to June 30, 1960, is herewith submitted.

(Signed) RUTH A HAZELTON  
Librarian (SP 87)

Which was Read and Ordered  
Placed on File.

Sent down for concurrence.

**Communication**

STATE OF MAINE  
Office of the Governor  
Augusta

January 4, 1961

To the President of the Senate  
and the Speaker of the House of  
Representatives  
100th Legislature, State of Maine  
Augusta, Maine.

Dear Sirs:

I transmit herewith the Report of the Committee on Children and Youth.

Sincerely,

(Signed) JOHN H. REED  
Governor

JHR:ilw  
enc. (3)

(SP 88)

Which was Read and Ordered  
Placed on File.

Sent down for concurrence.

**Communication**

MAINE PORT AUTHORITY  
Maine State Pier  
Portland Maine

December 16, 1960

Mr. Chester Winslow, Secretary  
Maine Senate  
State House  
Augusta, Maine

Ref: Legislative Document No.  
1448, H.P. 1027, Chapter 218, P.S.  
Laws of 1959. Council Order 646,  
November 28, 1960.

Dear Sir:

Above reference directs the Maine Port Authority to report to the One-Hundredth State of Maine Legislature on "An Act Appropriating Moneys to the Maine Port Authority for a Survey at Long Island Plantation."

By this letter, with enclosures, we are making available to the One-Hundredth Legislature a preliminary report.

A copy of this report has also been forwarded to Mr. Harvey Pease, Clerk, House of Representatives.

A final report will be prepared and submitted, during the early part of the One-Hundredth Legislative Session.

A copy of the report has also been sent to the Governor.

Sincerely yours,

MAINE PORT AUTHORITY  
(Signed) EDWARD LANGLOIS  
General Manager

Enclosures:

1. Economic Study of Long Island Plantation.
2. Engineering Studies of Long Island Plantation:
  - a. Borings
  - b. Scheme 1
  - c. Scheme 2
  - d. Scheme 3
3. Copy of Charter Agreement between the Maine Port Authority and Island Transportation Co.
4. Preliminary Report.

Which was Read and Placed on  
File.

### Senate Papers Judiciary

Mr. Marden of Kennebec presented Bill, An Act Providing for Appointment of Clerks of Courts by Chief Justice of Supreme Judicial Court. (S. P. 89)

The same Senator presented Bill, An Act Relating to Order of Divorce Concerning Minor Children. (S. P. 95)

Which were referred to the Committee on Judiciary and ordered printed.

Sent down for concurrence.

### Legal Affairs

Mr. Farris of Kennebec presented Bill, An Act Revising Laws Relating to Boilers and Unfired Steam Pressure Vessels. (S. P. 90)

The same Senator presented Bill, An Act Relating to Inspection and Exemptions in Boilers and Unfired Steam Pressure Vessels Law.

Which were referred to the Committee on Legal Affairs and ordered printed. (S. P. 91)

Sent down for concurrence.

### Natural Resources

Mr. Ferguson of Oxford presented Resolve, Authorizing the State Tax Assessor to Convey by Sale, the Interest of the State in Certain Lands in the Unorganized Territory. (S. P. 92)

Which was referred to the Committee on Natural Resources and ordered printed.

Sent down for concurrence.

### Health and Institutional Services

Mrs. Lord of Cumberland presented Bill, An Act Relating to Permits for Applicants to Practice Barbering. (S. P. 93)

Which was referred to the Committee on Health and Institutional Services and ordered printed.

Sent down for concurrence.

On motion by Mr. Pike of Oxford ORDERED, that the Secretary of the Senate be authorized to invite clergymen who may be requested by any member of the Senate to act as Chaplains.

Which was Read and Passed.

### Senate Committee Report

Mr. Noyes of Franklin, from the Committee on Senatorial Vote for the political years 1961 and 1962 reported that the complete tabulation of the Senatorial Vote is too bulky for the files, and that the same be placed on file in the office of the Secretary of State for inspection and examination by the Senators.

Which report was Read and Accepted.

Ordered Placed on File.

On motion by Mr. Noyes of Franklin

Recessed to the sound of the gong.

### After Recess

The Senate was called to order by the President.

At this point, the President appointed as Senate members on the Committee on Constitutional State Reapportionment and Congressional Redistricting,

Senators:

STANLEY of Penobscot  
DAVIS of Cumberland  
WYMAN of Washington  
NOYES of Franklin  
JACQUES of Androscoggin

As Senate members on the Committee on Industrial and Recreational Development, the President appointed,

Senators:

LOVELL of York  
NOYES of Franklin  
JACQUES of Androscoggin

The PRESIDENT: According to our rules, there are four members on the Committee on Bills in the Second Reading. Three members have already been appointed. As the fourth member, the Chair will appoint the Senator from Hancock, Senator Brown.

Thereupon, the appointments were confirmed by the Senate.

### Orders of the Day

The President laid before the Senate, the first tabled and today assigned item, bill, "An Act Authorizing State Park Commission Fees for Services and Accommodations." (S. P. 33) tabled on January

10 by the Senator from Franklin, Senator Noyes, pending reference; and on further motion by the same Senator, the bill was referred to the Committee on Industrial and Recreational Development and sent down for concurrence.

The President laid before the Senate the 2nd tabled and today assigned item, bill, "An Act Exempting Certain Machinery from Sales and Use Tax." (S. P. 14) (L. D. 14) tabled on January 10 by the Senator from Franklin, Senator Noyes, pending reference; and that Senator moved that the bill be referred to the Committee on Industrial and Recreational Development.

Mr. FARRIS of Kennebec: Mr. President, I rise merely to a point of information. I note that this is "An Act Exempting Certain Machinery from Sales and Use Tax." Is it the intention of the motion to send this to the Committee on Industrial and Recreational Development?

The PRESIDENT: That is the motion.

The motion prevailed and the bill was referred to the Committee on Industrial and Recreational Development and sent down for concurrence.

The President laid before the Senate, the 3rd tabled and today assigned item, bill, "An Act Repealing Commissioner of Mental Health and Corrections' Authority to Inspect County Jails," (S. P. 39) (L. D. 81) tabled on January 10 by the Senator from Franklin, Senator Noyes, pending reference; and on further motion by the same Senator, the bill was referred to the Committee on Health and Institutional Services and sent down for concurrence.

The President laid before the Senate, the 4th tabled and today assigned item, bill, "An Act Authorizing Municipal Construction of Industrial Buildings." (S. P. 42) (L. D. 102) tabled on January 10 by the Senator from Franklin, Senator Noyes, pending reference; and on further motion by the same Senator, the bill was referred to the Committee on Industrial and Rec-

reational Development and sent down for concurrence.

The President laid before the Senate the 5th tabled and today assigned item, "Resolve Appropriating Moneys to Provide for National Advertising for Maine's Recreational Industry." (S. P. 1) (L. D. 1) tabled on January 10 by the Senator from Franklin, Senator Noyes, pending reference; and on further motion by the same Senator the resolve was referred to the Committee on Industrial and Recreational Development, and sent down for concurrence.

The President laid before the Senate the 6th tabled and today assigned item, "Resolve Appropriating Money to Promote and Advertise Maine's Ski Business." (S. P. 2) (L. D. 2) tabled on January 10 by the Senator from Franklin, Senator Noyes, pending reference and on further motion by the same Senator, the resolve was referred to the Committee on Industrial and Recreational Development and sent down for concurrence.

The President laid before the Senate, the 7th tabled and especially assigned item, Senate Order Relative to Senate Rule No. 11A (Amendments), tabled on January 10 by the Senator from Sagadahoc, Senator Mayo, pending passage; and that Senator presented Senate Amendment A and moved its adoption.

The Secretary read Senate Amendment A.

Senate Amendment A was adopted and on motion by Mr. Noyes of Franklin, the Senate Order and all accompanying papers were referred to the Committee on State Government.

The President laid before the Senate the 8th tabled and today assigned item, Senate Order Relative to Joint Rule No. 23 (Joint Standing Committee on Rules and Business) tabled on January 10 by the Senator from Penobscot, Senator Bates, pending passage; and that Senator presented Senate Amendment A and moved its adoption.

Which amendment was adopted without reading.

On motion by Mr. Noyes of Franklin, the Senate Order and all accompanying papers were referred to the Committee on State Government.

The President laid before the Senate the 9th tabled and today assigned item, Senate Order Relative to Joint Rules Amendments to No. 1, 10, 11 tabled on January 10 by the Senator from Penobscot, Senator Bates, pending passage; and that Senator presented Senate Amendment A and moved its adoption.

The Secretary read the amendment.

Which amendment was adopted.

On motion by Mr. Noyes of Franklin, the Senate Order and all accompanying papers were referred to the Committee on State Government.

The President laid before the Senate the 10th tabled and today assigned item, Senate Order Relative to Senate Rules: New No. 22A and Revised No. 33, tabled on January 10 by the Senator from Penobscot, Senator Bates, pending passage; and that Senator presented Senate Amendment A and moved its adoption.

The Secretary read Senate Amendment A.

Which amendment was adopted.

On motion by Mr. Noyes of Franklin, the Senate Order and all accompanying papers were referred to the Committee on State Government.

Mr. Stilphen of Knox was granted unanimous consent to address the Senate.

Mr. STILPHEN: Mr. President, as a member of the Legislative Research Committee, I would like at this time to bring to your attention the publication of the biographical sketches being distributed by the Kennebec Journal. As you all know, a special committee has been established by the Legislative Research Committee to carry out plans for the celebration of the 100th Maine Legislature, and in-

cluded in the plans is this biographical sketch which is dedicated to this occasion, and each of you this morning will find upon your desks a copy through the courtesy of the committee, printed from funds made available thereto. You will note in this booklet certain information relative to the celebration, which will come officially on March 15th, the birthday of our State. The members of our subcommittee will follow the memorable occasion and wish the 100th Maine Legislature success.

The PRESIDENT: Thank you, Senator Stilphen.

I want to take this opportunity to thank the Senator from Penobscot, Senator Bates, for the terrific amount of work he has done in preparing these changes in the rules of procedure which we have spent quite some time in discussing. The committee did a tremendous job.

Mr. BATES of Penobscot: Thank you, Mr. President, for your kind words. It was not an individual effort by any means; it was a group effort by former State legislators, present State legislators, former presiding officers, administrative officials connected with the Legislature and many other persons. We do appreciate the effort you people have made to try to come to some decision in regard to our report.

The PRESIDENT: Thank you, Senator Bates.

The Chair notes in the Senate Chamber the presence of one of our former Senators who was Chairman of the Centennial Committee, and the Chair would request the Sergeant-at-Arms to escort Senator Arthur Charles to the rostrum.

(Ex-Senator Arthur Charles was thereupon escorted to the rostrum amid the applause of the Senate, the members rising)

The PRESIDENT: Senator Charles has spent many hours and days in preparing for our Centennial Celebration. I think the Senate would like to have a word from our former Senator.

Ex-Senator CHARLES: Mr. President and members of the Senate: It is quite an honor and a pleasure,



I assure you, for me to be with you, and I want to congratulate you on your excellent accommodations which you have and which we did not enjoy in previous sessions. I notice you are all very comfortable and I hope you will

remain that way for the rest of the session. Thank you. (Applause)

On motion by Mr. Noyes of Franklin,

Adjourned until ten o'clock tomorrow morning.