

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 18, 1961

Senate called to order by the President.

Prayer by Rev. Robert L. Smith of Augusta.

On motion by Mr. Brooks of Cumberland

Journal of yesterday read and approved.

Papers from the House

Bill, "An Act Relating to Second Injury Fund and Vocational Rehabilitation under Workmen's Compensation Act." (S. P. 37) (L. D. 79)

In Senate, referred to the Committee on Legal Affairs. Comes from the House referred to the Committee on Labor in non-concurrence.

In the Senate, on motion by Mr. Mayo of Sagadahoc, the Senate voted to recede and concur.

Report of Interim Committee on the subjects of the Second Injury Fund and revisions of Workmen's Compensation Coverage Rules. (H. P. 178)

In House, referred to Committee on Labor.

In Senate, referred to the Committee on Legal Affairs, in non-concurrence.

Comes from the House, that body having insisted on its former action whereby the Report was referred to the Committee on Labor.

In the Senate, on motion by Mr. Mayo of Sagadahoc, the Senate voted to recede and concur.

Bill, "An Act Providing for Expansion of the Steam Plant at University of Maine at Orono." (H. P. 179) (L. D. 275)

Bill, "An Act Providing for Construction of a Forestry Building at University of Maine at Orono." (H. P. 180) (L. D. 276)

Bill, "An Act Providing for Enlargement of Men's Physical Education Facilities at University of Maine in Orono." (H. P. 181) (L. D. 277)

Bill, "An Act Providing for the Expansion of Water Lines at the University of Maine in Orono." (H. P. 182) (L. D. 278)

Resolve, Appropriating Moneys for Spruce Budworm Control. (H. P. 183) (L. D. 279)

Resolve, Authorizing Completion and Printing of a Digest of the Opinions of the Law Court. (H. P. 184) (L. D. 280)

Resolve, Appropriating Funds for the Perambulation of the Maine-New Hampshire Boundary Line. (H. P. 185) (L. D. 281)

Which were severally referred to the Committee on Financial Affairs in concurrence.

Bill, "An Act to Incorporate Standish Financial Corporation. (H. P. 186) (L. D. 282)

Bill, "An Act Relating to Licensing of Home Party Plan Demonstrators." (H. P. 187) (L. D. 283)

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

Resolve, to Reimburse Town of Swan's Island for Aid Extended to Leverett and Marie Carter. (H. P. 188) (L. D. 284)

Which was referred to the Committee on Claims in concurrence.

Bill, "An Act to Authorize the Municipalities of Hampden and Newburg to Form a School Administrative District." (H. P. 189) (L. D. 285)

Bill, "An Act to Authorize the Municipalities of Cumberland, North Yarmouth and Pownal to Form a School Administrative District." (H. P. 190) (L. D. 286)

Which were referred to the Committee on Education in concurrence.

Bill, "An Act Relating to Exceptions to License Requirements for Lodging Places." (H. P. 193) (L. D. 289)

Which was referred to the Committee on Health and Institutional Service in concurrence.

Bill, "An Act Relating to Maintenance of the Waldo - Hancock Bridge." (H. P. 195) (L. D. 290)

Bill, "An Act Relating to Bank Checks with Bids on Highway Construction." (H. P. 196) (L. D. 291)

Resolve, in Favor of the Town of Harmony. (H. P. 197) (L. D. 292)

Which were severally referred to the Committee on Highways in concurrence.

Bill, "An Act Relating to Open Season for Fishing During Month of October." (H. P. 192) (L. D. 287)

Resolve, Opening Spencer Bay, Moosehead Lake, to Ice Fishing. (H. P. 193) (L. D. 238)

Which were referred to the Committee on Inland Fisheries and Game in concurrence.

Bill, "An Act Increasing Debt Limit Under Small Claims Law." (H. P. 198) (L. D. 293)

Bill, "An Act Prohibiting Race or Color Disclosure in Vital Records." (H. P. 199) (L. D. 294)

Bill, "An Act Prohibiting Disclosure of Race or Color on Operators' Licenses." (H. P. 200) (L. D. 295)

Which were referred to the Committee on Judiciary in concurrence.

Bill, "An Act Relating to Workmen's Compensation Insurance." (H. P. 201) (L. D. 296)

Which was referred to the Committee on Labor in concurrence.

Bill, "An Act Relating to Political Registration of Members of City of Lewiston Boards and Commissions." (H. P. 202) (L. D. 297)

Bill, "An Act to Repeal the Charter of the Cousins and Littlejohns Islands Village Corporation." (H. P. 203) (L. D. 298)

Bill, "An Act Relating to Number of Members and Terms of Office of Boards and Commissions of City of Lewiston." (H. P. 204) (L. D. 299)

Which were severally referred to the Committee on Legal Affairs in concurrence.

Bill, "An Act to Amend and Repeal Certain Private and Special Laws Relating to Sea and Shore Fisheries." (H. P. 205) (L. D. 300)

Bill, "An Act to Prohibit the Taking of Lobsters and Crabs During the Hours of Darkness." (H. P. 206) (L. D. 301)

Bill, "An Act to Correct Errors and Omissions in Sea and Shore Fisheries Public Laws." (H. P. 207) (L. D. 302)

Which were referred to the Committee on Sea and Shore Fisheries in concurrence.

Bill, "An Act Relating to Officers of the Legislature." (H. P. 208) (L. D. 303)

Resolve, Proposing an Amendment to the Constitution Providing for Annual Legislative Sessions." (H. P. 209) (L. D. 304)

Which were referred to the Committee on State Government in concurrence.

Bill, "An Act to Change the Date of Election of Town Meeting Members in the Town of Caribou." (H. P. 210) (L. D. 305)

Bill, "An Act Relating to Rental for Brewer Municipal Court." (H. P. 211) (L. D. 306)

Bill, "An Act Increasing Salaries of County Commissioners of York County." (H. P. 212) (L. D. 307)

Bill, "An Act Increasing Salary of Register of Deeds of York County." (H. P. 213) (L. D. 308)

Bill, "An Act Increasing Salary of County Treasurer of York County." (H. P. 214) (L. D. 309)

Bill, "An Act Increasing Salaries of County Officials of Franklin County." (H. P. 215) (L. D. 310)

Bill, "An Act Relating to Sick Pay for County Clerical Help." (H. P. 216) (L. D. 311)

Which were severally referred to the Committee on Towns and Counties in concurrence.

Bill, "An Act Relating to Initial Motor Vehicle Number Plates." (H. P. 217) (L. D. 312)

Bill, "An Act Relating to Exemption from Laws Regulating Motor Trucks for Hire." (H. P. 218) (L. D. 313)

Which were referred to the Committee on Transportation in concurrence.

Communication

STATE OF MAINE
HOUSE OF REPRESENTATIVES
Office of the Clerk
Augusta

January 17, 1961

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

Sir:

The Speaker of the House today appointed the following members of the House to the Joint Select Committee to study the disposition of property owned by the State of Maine, formerly occupied by the Western Maine Sanatorium.

Mr. WHITMAN of Woodstock
Mr. GILL of South Portland

Mr. BRADEEN of Waterboro
Mr. MAXWELL of Jay

Respectfully,
HARVEY R. PEASE
Clerk of the House

HRP-ELF

Which was read and ordered placed on file.

Communication

STATE OF MAINE
TREASURY DEPARTMENT

Augusta, Maine
June 30, 1960

To the Honorable Senate and House of Representatives:

Pursuant to the Constitution of the State of Maine, I have the honor to submit herewith the biennial report of the financial transactions of the Treasury Department of the State of Maine for the two years ended June 30, 1960.

Most respectfully submitted,
FRANK S. CARPENTER
Treasurer of State

(S. P. 190)

Which communication and the accompanying report were read and accepted and ordered placed on file.

Sent down for concurrence.

Senate Papers

Appropriations and Financial Affairs

Mr. Davis of Cumberland presented Bill, "An Act to Appropriate Moneys for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1962 and June 30, 1963." (S. P. 152)

Mr. Edgar of Hancock presented Bill, "An Act Providing for Construction of Campus Roads and Parking Areas, Phase 1, at the University of Maine in Orono." S. P. 153)

The same Senator presented Bill, "An Act Providing for the Expansion of Sewer Facilities at the University of Maine in Orono." (S. P. 154)

Mr. Porteous of Cumberland presented Bill, "An Act Providing for Construction of a Classroom, Laboratory and Office Building at the University of Maine in Portland." (S. P. 155)

Which were severally referred to the Committee on Appropriations and Financial Affairs and ordered printed.

Sent down for concurrence.

Business Legislation

Mr. Davis of Cumberland presented Bill, "An Act Relating to Nonforfeiture Benefits and Valuation Standards for Life Insurance Policies." (S. P. 156)

The same Senator presented Bill, "An Act Relating to Rate of Premiums for Group Life Insurance." (S. P. 157)

Mr. Brooks of Cumberland presented Bill, "An Act to Amend the Charter of the Union Mutual Life Insurance Company." (S. P. 158)

Mr. Porteous of Cumberland presented Bill, "An Act to Incorporate General Discount Corporation (Maine)." (S. P. 159)

Mr. Marden of Kennebec presented Bill, "An Act to Clarify the Laws of the Real Estate Commission." (S. P. 160)

Which were severally referred to the Committee on Business Legislation and ordered printed.

Sent down for concurrence.

Education

Mr. Davis of Cumberland presented Bill, "An Act Merging Portland University with the University of Maine." (S. P. 161)

Which was referred to the Committee on Education, and ordered printed.

Sent down for concurrence.

Highways

Mr. Cole of Waldo presented Bill, "An Act to Authorize the Issuance of Bonds in the Amount of Six Million Dollars on Behalf of the State of Maine to Build State Highways." (S. P. 162)

Which was referred to the Committee on Highways, and ordered printed.

Sent down for concurrence.

Industrial and Recreational Development

Mr. Gilbert of Kennebec presented Bill, "An Act Relating to Purchase of Land by Municipalities for Industrial Parks." (S. P. 163)

Which was referred to the Committee on Industrial and Recreational Development, and ordered printed.

Sent down for concurrence.

Inland Fisheries and Game

Mr. Gilbert of Kennebec presented Bill, "An Act Relating to Free Fishing Licenses for Certain Veterans." (S. P. 164)

Mr. Carpenter of Somerset presented Bill, "An Act Relating to Retirement of Chief Warden of Inland Fisheries and Game." (S. P. 165)

Mr. Noyes of Franklin presented Resolve, Regulating Fishing in Dodge Pond, Franklin County. (S. P. 166)

The same Senator presented Resolve, Regulating Fishing in Long Pond, Franklin County. (S. P. 167)

The same Senator presented Resolve, Relating to Stocking of Rangeley Lake with Togue. (S. P. 168)

Which were severally referred to the Committee on Inland Fisheries and Game, and ordered printed.

Sent down for concurrence.

Judiciary

Mr. Marden of Kennebec presented Bill, "An Act Relating to Fee of Outside Attorneys to Practice in Maine." (S. P. 169)

The same Senator presented Bill, "An Act Relating to Appointment of Examiners of Insane Convicts." (S. P. 170)

The same Senator presented Bill, "An Act Relating to Remedy of Coram Nobis." (S. P. 171)

Mr. Farris of Kennebec presented Bill, "An Act Relating to Control of Structures Near Airports." (S. P. 172)

(On motion by Mr. Farris of Kennebec, tabled pending reference and especially assigned for later today.)

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

Sent down for concurrence.

Legal Affairs

Mr. Ferguson of Oxford presented Bill, "An Act to Amend the Workmen's Compensation Act." (S. P. 173)

(On motion by Mr. Mayo of Sagadahoc, tabled pending reference, and especially assigned for later today.)

Mr. Marden of Kennebec presented Bill, "An Act Relating to the Public Debt Amortization Fund in the City of Waterville." (S. P. 174)

The same Senator presented Bill, "An Act Relating to License Fees by Boxing Commission." (S. P. 175)

Mr. Brooks of Cumberland presented Bill, "An Act Relating to Appointment of Commissioners Under Maine Housing Authorities Act." (S. P. 176)

Which were severally referred to the Committee on Legal Affairs, and ordered printed.

Sent down for concurrence.

Liquor Control

Mr. Lovell of York presented Bill, "An Act Permitting Bars in Hotels and Class A Restaurants." (S. P. 177)

The same Senator presented Bill, "An Act Relating to Business Hours of State Liquor Stores." (S. P. 178)

Which were referred to the Committee on Liquor Control and ordered printed.

Sent down for concurrence.

Natural Resources

Mr. Brooks of Cumberland presented Bill, "An Act Authorizing Construction and Maintenance of a Wharf in Sebago Lake at Standish by Virgule A. Chick." (S. P. 179)

Mr. Lovell of York presented Bill, "An Act to Provide for Industrial Waste Elimination Research Program." (S. P. 180)

Mr. Noyes of Franklin presented Resolve, Providing for Publication of Information on the Public Lots by Forestry Department. (S. P. 181)

Which were severally reported to the Committee on Natural Resources and ordered printed.

Sent down for concurrence.

State Government

Mr. Davis of Cumberland presented Bill, "An Act Relating to Transfer of Certain Land by State to City of Portland." (S. P. 182)

Mr. Marden of Kennebec presented Bill, "An Act Increasing Compensation of and Revising Fee

Schedules of Court Reporters." (S. P. 183)

The same Senator presented Bill, "An Act Relating to Compensation of Members of Board of Registration in Medicine and Certain Fees." (S. P. 184)

Mr. Davis of Cumberland presented Bill, "An Act Relating to Transfer of Portland Municipal Airport by City of Portland to State of Maine." (S. P. 185)

Which were severally referred to the Committee on State Government, and ordered printed.

Sent down for concurrence.

Taxation

Mr. Lovell of York presented Bill, "An Act to Exempt Industrial Waste Disposal Plants from Property Tax." (S. P. 186)

Which was referred to the Committee on Taxation, and ordered printed.

Sent down for concurrence.

Towns and Counties

Mr. Marden of Kennebec presented Bill, "An Act Increasing Salaries of Judge and Recorder of Waterville Municipal Court." (S. P. 187)

Mr. Noyes of Franklin presented Bill, "An Act Providing for Three Medical Examiners for Franklin County." (S. P. 188)

Which were referred to the Committee on Towns and Counties, and ordered printed.

Sent down for concurrence.

Committee Report

Mr. Pierce, former Senator from Hancock, reported for the Interim Committee on Study of the Need for a Third Correctional Institution, as follows:

To the Honorable Senate and House of Representatives:

Pursuant to Joint Order, S. P. 548, I have the honor to submit herewith the Report of the Joint Interim Committee relating to the Study of the Need for A Third Correctional Institution.

Most respectfully submitted,

FRANK M. PIERCE
Chairman.

(S. P. 189)

Which Report was accepted and ordered placed on file.

Sent down for concurrence.

Mr. Lovell of York was granted unanimous consent to address the Senate.

Mr. LOVELL: Mr. President and members of the Senate: Tomorrow at 9:30 is the first hearing on bills before the Committee on Industrial and Recreational Development. This committee is a new committee and can well mean a great deal to the economy of the State of Maine. I will not go into Dr. Sly's report because I think most everyone is familiar with it to the extent that we are the second highest state in New England in per capita taxes, 9.3 per cent of our income being paid in taxes to local and state government and that our per capita income is the lowest in New England, \$1663 a year, as Dr. Sly's report states.

The various bills that I have introduced on industrial development and on recreational development, for example on tourism and recreational development, these bills that have been introduced are patterned after the laws of the six states in the United States that do the most tourist business; it being my feeling that if Maine wants to be progressive and wants to increase its tourist business greatly, that we must follow successful states. So the various bills I have introduced on liquor and various other items are for the increase of our tourist business, which can well double and increase our direct taxes. As one of our department heads stated last year, our direct taxes from the tourist was some six million dollars on liquor, sales tax, gas tax and cigarette tax.

On industrial development, after careful study of the successful states in the United States, after personal studies of countries of Europe, including England, France, Ireland and Scotland, Italy and Germany, I have introduced bills patterned after these countries, with the exception of laws which they have in Europe which include a great deal of grants. I have not introduced any bills on grants with the exception of one bill on the corporation which will match funds

of communities in the building of industrial sites and industrial parks with matching funds as is done in the State of Connecticut.

In addition, I have also studied what countries in Africa have done by personal visit through my experience with the Department of Commerce.

I feel that these bills should go before the Senate and the State of Maine because it is the salvation of the State to increase our economy, and, at the same time, in increasing our economy, getting more jobs, getting more payrolls and broadening our tax base, which Dr. Sly says we must do, and, on the other hand, as we increase our number of jobs and increase our tourist business, we can then keep our children from leaving the State of Maine and seeking jobs elsewhere in the United States. If we can keep them here we can increase our population. Our population increase in the last ten years has been only a little over six per cent whereas the national average was seventeen per cent. Certainly with increase in our population we can broaden our tax base so that we will not have need for an increase in taxes in this coming biennium if we increase our income by passing bills and laws that will go all out to give the tools to the State of Maine and its various departments to increase industrial development and tourism. I thank you, Mr. President.

The PRESIDENT: I am sure the Senate is pleased to hear the remarks of the Senator.

Orders of the Day

Mr. WYMAN of Washington: Mr. President, I would ask if Legislative Document 235, bill, "An Act Increasing Payments to Waldco County Law Library" is in the possession of the Senate?

The PRESIDENT: The Chair would state that it is, having been held at the request of the Senator from Washington, Senator Wyman.

Thereupon, on further motion by the same Senator, the Senate voted to reconsider its former action whereby the bill was referred to the Committee on Towns and Counties; and on further motion by the same Senator, the bill was laid

upon the table pending reference to a committee.

On motion by Mr. Wyman of Washington, the Senate voted to take from the table bill, "An Act Relating to Compensation of Medical Examiners for View Without Autopsy." (H. P. 162) (L. D. 225) tabled by that Senator on January 17 pending reference to a committee; and on further motion by the same Senator, the bill was referred to the Committee on Towns and Counties in non-concurrence.

Sent down for concurrence.

On motion by Mr. Farris of Kennebec, the Senate voted to take from the table bill, "An Act Relating to Control of Structures Near Airports" (S. P. 172) tabled by that Senator earlier in today's session pending reference to a committee; and on further motion by the same Senator, the bill was referred to the Committee on Legal Affairs and ordered printed.

Sent down for concurrence.

On motion by Mr. Mayo of Sagadahoc, the Senate voted to take from the table bill, "An Act to Amend the Workmen's Compensation Act." (S. P. 173) tabled by that Senator earlier in today's session pending reference to a committee; and on further motion by the same Senator, the bill was referred to the Committee on Labor and ordered printed.

Sent down for concurrence.

The PRESIDENT: At this time the Chair will appoint the members from the Senate on the Joint Select Committee to Study Disposition of Property owned by the State of Maine. The Chair will appoint.

Senators:

CHASE of Lincoln
STANLEY of Penobscot
BOISVERT

of Androscoggin

On motion by Mr. Noyes of Franklin

Adjourned until tomorrow afternoon at two o'clock.