

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

Thursday, January 19, 1961

Senate called to order by the President.

Prayer by Capt. A. E. Milley of Augusta.

On motion by Mr. Brown of Hancock, Journal of yesterday read and approved.

Joint Order

On motion by Mr. Noyes of Franklin, out of order and under suspension of the rules,

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, January 24, at ten o'clock in the morning. (216)

Which was read and passed.
Sent down for concurrence.

Bill, "An Act Revising the Maine Milk Law." (H. P. 219) (L. D. 334)

Bill, "An Act Revising the Maine Economic Poisons Law." (H. P. 220) (L. D. 335)

Which were referred to the Committee on Agriculture in concurrence.

Bill, "An Act Relating to Killing Deer Which Damage Crops and Orchards." (H. P. 239) (L. D. 353)

(On motion by Mr. Parker of Piscataquis, referred to the Committee on Agriculture in non-concurrence.)

Sent down for concurrence.

Bill, "An Act Relating to the Harbor Project in the Town of Wells." (H. P. 221) (L. D. 336)

Bill, "An Act Providing for Construction of a Women's Physical Education Building at University of Maine at Orono." (H. P. 222) (L. D. 337)

Bill, "An Act Providing for the Construction of an Engineering Building at the University of Maine in Orono." (H. P. 223) (L. D. 338)

Bill, "An Act Providing Equipment for the College of Education Building at University of Maine in Orono." (H. P. 225) (L. D. 339)

Bill, "An Act to Construct Wing on Stevens Hall, North, at the University of Maine in Orono." (H. P. 226) (L. D. 340)

Resolve, Appropriating Funds for Advisory Committee on Education." (H. P. 227) (L. D. 341)

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

Bill, "An Act Relating to Location of Office of Maine Indemnity Company." (H. P. 228) (L. D. 342)

Bill, "An Act Relating to Name and Powers of Augusta Mutual Plate Glass and Insurance Company." (H. P. 229) (L. D. 343)

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

Resolve, Authorizing John W. McGuire to Bring Action Against the State of Maine. (H. P. 230) (L. D. 344)

Resolve, in Favor of Town of Lyman for Certain Erroneous Tuition Payment. (H. P. 231) (L. D. 345)

Resolve, to Reimburse Edward M. Healy for Repairs to Androscoggin Lake Dam. (H. P. 232) (L. D. 346)

Resolve, in Favor of Myron Reynolds of Brooks. (H. P. 233) (L. D. 347)

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

Bill, "An Act Relating to Snow Removal and Maintenance of Certain Portions of Controlled Access Highways." (H. P. 234) (L. D. 348)

Resolve, Designating Bridge at North Rumford as "Howe Bridge." (H. P. 235) (L. D. 349)

Which were referred to the Committee on Highways in concurrence.

Bill, "An Act Repealing Salmon Pond Game Preserve." (H. P. 236) (L. D. 350)

Bill, "An Act Prohibiting Hunting Near Occupied Dwellings." (H. P. 237) (L. D. 351)

Bill, "An Act Relating to Open Season for Fishing on Brooks and Streams in Cumberland County." (H. P. 238) (L. D. 352)

Resolve, Regulating Fishing in North Inlet, First Roach Pond, Piscataquis County. (H. P. 240) (L. D. 354)

Bill, "An Act Relating to Employment of Minors Under 18 Years of Age." (H. P. 254) (L. D. 368)

Bill, "An Act Relating to Costs of Witness and Attorney Fees Under Workmen's Compensation Act." (H. P. 255) (L. D. 369)

Which were referred to the Committee on Labor in concurrence.

Bill, "An Act Relating to Unprotected Wells." (H. P. 256) (L. D. 370)

Bill, "An Act to Increase Borrowing Capacity of City of Calais School District." (H. P. 257) (L. D. 371)

Bill, "An Act Relating to Municipal Regulation of Sub-divisions of Land." (H. P. 258) (L. D. 372)

Bill, "An Act Relating to Appointment of the Commissioner of Public Works in Town of Kittery." (H. P. 259) (L. D. 373)

Bill, "An Act Relating to Superintending School Committee of Town of Winslow." (H. P. 260) (L. D. 374)

Bill, "An Act Relating to Police Power Ordinances for Ogunquit Village Corporation." (H. P. 261) (L. D. 375)

Bill, "An Act Relating to the Ogunquit Village Corporation." (H. P. 262) (L. D. 376)

Bill, "An Act Relating to Appointment of Town Clerk of Town of Wells." (H. P. 263) (L. D. 377)

Bill, "An Act Increasing Indebtedness of Fort Fairfield School District." (H. P. 264) (L. D. 378)

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

Bill, "An Act Amending the Christmas Tree Law." (H. P. 265) (L. D. 379)

Which was referred to the Committee on Natural Resources in concurrence.

Resolve, Closing South Brook, Piscataquis County, to All Fishing. (H. P. 241) (L. D. 355)

Resolve, Regulating Fishing in Moose River, Somerset County. (H. P. 242) (L. D. 356)

Resolve, Opening Aroostook River to Ice Fishing. (H. P. 243) (L. D. 357)

Resolve, Closing Hayden Brook, Somerset County, to All Fishing. (H. P. 244) (L. D. 358)

Resolve, Regulating Fishing in Bugeye Pond, Franklin County. (H. P. 245) (L. D. 359)

Resolve, Regulating Fishing in Little Jim Pond, Franklin County. (H. P. 246) (L. D. 360)

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

Bill, "An Act Relating to Municipal Ordinance Enactment Procedure." (H. P. 247) (L. D. 361)

Bill, "An Act Relating to First Baptist Church of Kittery Point." (H. P. 248) (L. D. 362)

Bill, "An Act Relating to Destroying Timber, etc. on Land of Another." (H. P. 249) (L. D. 363)

Bill, "An Act Relating to Qualifications of Licensed Private Detectives." (H. P. 250) (L. D. 364)

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

Bill, "An Act Relating to the Control of Malfunctioning Disposal System." (H. P. 251) (L. D. 365)

Bill, "An Act Defining Residence of Military Personnel for Mortgage Purposes." (H. P. 252) (L. D. 366)

Bill, "An Act Relating to Recording of Conditional Sales." (H. P. 253) (L. D. 367)

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

Resolve, Providing for State Pension for Clyde P. Walker of Stratton. (H. P. 266) (L. D. 380)

Resolve, Increasing Pension of Maurice Albert of Madawaska. (H. P. 267) (L. D. 381)

Resolve, Changing Survivor Payments to Mrs. Anita K. Lyons of Bangor, as Guardian for Minors. (H. P. 268) (L. D. 382)

Which were severally referred to the Committee on Retirements and Pensions in concurrence.

Bill, "An Act Increasing Lobster and Crab Fishing License Fee." (H. P. 269) (L. D. 383)

Bill, "An Act Relating to Lobster and Crab Fishing License Fees." (H. P. 270) (L. D. 384)

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

Bill, "An Act Transferring Duties of Atlantic Sea Run Salmon Commission to Department of Inland

Fisheries and Game." (H. P. 271) (L. D. 385)

Bill, "An Act to Provide for Additional Group Life Insurance Coverage for State Employees and Teachers." (H. P. 272) (L. D. 386)

Bill, "An Act to Exempt University of Maine from Laws Relating to Bureau of Public Improvements." (H. P. 273) (L. D. 387)

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

Bill, "An Act Relating to Salaries of Certain Officers of Cumberland County." (H. P. 274) (L. D. 388)

Bill, "An Act Relating to Fees of Deputy Sheriffs for Court Attendance." (H. P. 275) (L. D. 389)

Bill, "An Act Increasing Salary of Sheriff of York County." (H. P. 276) (L. D. 390)

Bill, "An Act Relating to Rental of Space in County Buildings by State Departments." (H. P. 277) (L. D. 391)

Bill, "An Act Relating to Expending Aroostook County Funds for Maine Potato Blossom Festival." (H. P. 278) (L. D. 392)

Bill, "An Act Relating to Allowance for Uniforms of the Police Department of the City of Lewiston." (H. P. 279) (L. D. 393)

(On motion by Mr. Wyman of Washington, tabled pending reference; and especially assigned for later today.)

Bill, "An Act to Incorporate Barling, Washington County, into an Organized Plantation." (H. P. 280) (L. D. 394)

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

Bill, "An Act Relating to Registration of Saddlemount Motor Vehicles." (H. P. 281) (L. D. 395)

Bill, "An Act Relating to Spot or Auxiliary Lights on Motor Vehicles and Lights on Snow Removal Equipment." (H. P. 282) (L. D. 396)

Which were referred to the Committee on Transportation in concurrence.

Bill, "An Act Relating to the Use of Armories for Military Purposes." (H. P. 283) (L. D. 397)

Which was referred to the Committee on Veterans and Military Affairs in concurrence.

House Committee Reports Ought Not to Pass

The Committee on Election Laws on Bill, "An Act Changing the Date of the Primary Election." (H. P. 70) (L. D. 112) reported that the same Ought Not to Pass.

Which report was read and accepted in concurrence.

Communication

STATE OF MAINE
Department of Health and Welfare
Augusta

January 17, 1961

Honorable Harvey R. Pease, Clerk
House of Representatives
State House
Augusta, Maine.

Dear Sir:

This is to inform you and to certify to you that the following Indians were properly elected to serve as Representatives at the One-Hundredth Legislature:

Penobscot Tribe:

John S. Nelson
(Election date: September 5, 1960)

Passamaquoddy Tribe:

George Stevens, Jr.
(Election date: November 1, 1960)

Respectfully,

(Signed) DEAN FISHER, M.D.
Commissioner

In House, read and placed on file and sent up for concurrence.

In Senate, read and placed on file in concurrence.

Senate Papers Appropriations and Financial Affairs

Mr. Davis of Cumberland presented Bill, "An Act Providing Expanded Community Mental Health Services." (S. P. 191)

Which was referred to the Committee on Appropriations and Financial Affairs, and ordered printed.

Sent down for concurrence.

Education

Mr. Ferguson of Oxford presented Bill, "An Act Relating to Attending School in Administrative Units in Another State." (S. P. 192)

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

Sent down for concurrence.

Inland Fisheries and Game

Mr. Stilphen of Knox presented Bill, "An Act Relating to Open Season on Black Bass Fishing." (S. P. 193)

Which was referred to the Committee on Inland Fisheries and Game and ordered printed.

Sent down for concurrence.

Judiciary

Mrs. Lord of Cumberland presented Bill, "An Act Relating to Trustees of and Investments by Odd Fellows' Home of Maine." (S. P. 194)

Mr. Cole of Waldo presented Bill, "An Act Relating to Certificate of Secretary of State as Evidence in Motor Vehicle Cases." (S. P. 195)

The same Senator presented Bill, "An Act Repealing the Tri-State Authority for Collective Construction and Operation of Institutions in Maine, New Hampshire and Vermont." (S. P. 196)

Mr. Stilphen of Knox presented Bill, "An Act Relating to Transfer of County Jail prisoners." (S. P. 197)

Mr. Cole of Waldo presented Bill, "An Act Providing for a Compact with New England States for Confinement, Treatment and Rehabilitation of Offenders." (S. P. 198)

The same Senator presented Bill, "An Act Repealing Provision of Financial Responsibility Law Concerning Accident by Non-licensed Driver." (S. P. 199)

Mrs. Christie of Aroostook presented Bill, "An Act Relating to Hospitalization of Persons Suffering from Excessive Use of Alcohol." (S. P. 200)

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

Sent down for concurrence.

Natural Resources

Mr. Ferguson of Oxford presented Bill, "An Act Relating to Work on Shade and Ornamental Trees." (S. P. 201)

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

Sent down for concurrence.

Public Utilities

Mr. Stilphen of Knox presented Bill, "An Act to Extend the Charter of the R. and T. Cement Railroad Company." (S. P. 202)

Which was referred to the Committee on Public Utilities and ordered printed.

Sent down for concurrence.

Retirements and Pensions

Mr. Marden of Kennebec presented Bill, "An Act Relating to Disability Benefits Under Maine State Retirement System." (S. P. 203)

The same Senator presented Bill, "An Act Relating to State Retirement Benefits for Teachers." (S. P. 204)

The same Senator presented Bill, "An Act Relating to Amount of State Retirement Benefits for Teachers." (S. P. 205)

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

Sent down for concurrence.

State Government

Mr. Lovell of York presented Resolve, Proposing an Amendment to the Constitution Changing the Tenure of Office of Sheriff to Four-year Terms. (S. P. 206)

Which was referred to the Committee on State Government and ordered printed.

Sent down for concurrence.

Towns and Counties

Mr. Chase of Lincoln presented Bill, "An Act Increasing Salaries of Certain Officers of Lincoln County." (S. P. 207)

Mr. Carpenter of Somerset presented Bill, "An Act Increasing Salary and Expenses of Judge of Western Somerset Municipal Court." (S. P. 208)

Mr. Boardman of Washington presented Bill, "An Act Authorizing Washington County to Construct an Addition to County Court House." (S. P. 209)

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

Sent down for concurrence.

Transportation

Mr. Ferguson of Oxford presented Bill, "An Act Relating to Weight of Certain Commercial Vehicles." (S. P. 210)

Mr. Stilphen of Knox presented Bill, "An Act Relating to Fees for Replacement Motor Vehicle License Plates and Inserts." (S. P. 211)

The same Senator presented Bill, "An Act Relating to Renewal Motor Vehicle Instruction Permits." (S. P. 212)

Mr. Gilbert of Kennebec presented Bill, "An Act Relating to Operation of Vehicles Loaned by a Dealer or Holder of a Transit Registration Certificate." (S. P. 213)

The same Senator presented Bill, "An Act Relating to Furnishing List of Recipients of Aid to the Blind for Motor Vehicle Purposes" (S. P. 214)

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

Sent down for concurrence.

Welfare

Mr. Carpenter of Somerset presented Bill, "An Act Relating to the Interstate Compact on Placement of Children." (S. P. 215)

Which was referred to the Committee on Welfare and ordered printed.

Sent down for concurrence.

Order

On motion by Mr. Cyr of Aroostook

ORDERED, the House concurring that there be paid to John S. Nelson, Representative of the Penobscot Tribe of Indians and George Stevens, Jr., Representative of the Passamaquoddy Tribe of Indians on account of compensation, the sum of \$100 each, plus mileage (S. P. 217)

Which was read and passed.

Sent down for concurrence.

Senate Committee Reports Ought to Pass

Mr. Boisvert from the Committee on Public Utilities on Bill, "An Act to Enlarge the Powers and Purposes of Rangeley Power Company." reported that the same Ought to Pass.

Mr. Gilbert from the Same Committee on Bill, "An Act Relating to Capital Stock of Maine Public Service Company." reported that the same Ought to Pass.

Which reports were read and accepted, the bills read once and tomorrow assigned for second reading.

Orders of the Day

The PRESIDENT: The Chair would like to take this opportunity to recognize in the balcony, a group of students from Porter High School in Kezar Falls. The group is studying Problems in Democracy. They are accompanied by Reverend Roy Lea, Mr. Willard Champion, Mr. Owen Stacy and Mr. Harry True, Instructor.

The Chair would like to take this opportunity to welcome you here. We hope that you will enjoy your visit to the State House and to our new Senate Chambers. Perhaps some day some of you will be sitting in the Chairs that encircle this Chamber, and doing your part to further good government in the State of Maine.

It is nice to have you with us.

On motion by Mr. Farris of Kennebec, the Senate voted to take from the table bill, "An Act Relating to Qualifications of Licensed Private Detectives" (H. P. 250) (L. D. 364) tabled by that Senator earlier in today's session pending reference; and on further motion by the same Senator, the bill was referred to the Committee on Legal Affairs in non-concurrence.

Sent down for concurrence.

On motion by Mr. Wyman of Washington, the Senate voted to take from the table Bill, "An Act Relating to Allowance for Uniforms of the Police Department of the City of Lewiston" (H. P. 279) (L. D. 393) tabled by that Senator earlier in today's session pending reference.

Mr. WYMAN of Washington: Mr. President and members of the Senate, this is a bill which customarily would be referred to the Committee on Towns and Counties as bills of this type have been in the past. In this instance, however, the Chairman of the Committee on Le-

gal Affairs, is preparing to have a day when he will try to hear all of the Lewiston bills, and I think it would be helpful to the people of Lewiston to hear all the bills at the same time. Therefore I move that this bill be referred to the Committee on Legal Affairs in non-concurrence.

The motion prevailed and the bill was so referred in non-concurrence.

Sent down for concurrence.

The PRESIDENT: At this time, the Chair will appoint a member

to the Maine School Building Authority, the tenure of office of Senator Dow of Lincoln, having expired. The Chair will appoint Senator Bates of Penobscot, Chairman of the Education Committee.

The Adjournment Order having been returned from the House, read and passed in concurrence, the Senate

Adjourned until Tuesday next at ten o'clock in the morning.