

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, February 22, 1961

Senate called to order by the President.

Prayer by Rev. Victor P. Musk of Augusta.

On motion by Mr. Gilbert of Kennebec

Journal of yesterday read and approved.

Paper from the House

Report of Committee on Business Legislation on Bill, "An Act Changing Name of Portland Symphony Orchestra to Maine Symphony Orchestra." (S. P. 103) (L. D. 248)

In Senate on February 14, Bill passed to be engrossed, and sent down for concurrence.

Comes from the House Report and Bill Indefinitely Postponed in non-concurrence.

In the Senate:

Mr. PORTEOUS of Cumberland: Mr. President, I move that the Senate insist and ask for a Committee of Conference.

Mr. MARDEN of Kennebec: Mr. President, I rise to a point of order. Would a motion at this point, to indefinitely postpone or to recede and concur be in order.

The PRESIDENT: It would.

Mr. MARDEN: In that event, Mr. President, I so move.

Mr. PORTEOUS: Mr. President, I ask for a division.

Mr. PARKER of Piscataquis: Mr. President, the only reason I am rising is that I am afraid a great many of us who would vote are a bit confused as to just how we should vote if we are opposed to this bill. I would suggest that the President or Secretary explain in detail just how we should vote in order to vote correctly.

The PRESIDENT: This measure was indefinitely postponed in the House yesterday. The motion made by the Senator from Kennebec, Senator Marden, is to recede and concur with the House in indefinite postponement. If you vote in the affirmative, the bill will be indefinitely postponed.

Thereupon, a division of the Senate was had.

Seventeen having voted in the affirmative and fourteen opposed,

the motion prevailed and the Senate voted to recede and concur.

The PRESIDENT: The Chair notes in the Senate Chamber one of our good friends and a gentleman we met this morning, Abraham Vreide, Executive Director of International Christian Leadership. He is the man responsible for our wonderful Governor's Prayer Breakfast that we had this morning. Will the gentleman please rise? (Applause)

Also in the Senate Chamber is a group from Rumford Junior High School, Rumford, Maine, the Parliamentary Procedure Club. They are here with their teacher, who I presume is sponsoring the group, Mrs. Doris Holt. We hope you enjoy your stay at the State House, we hope that you will visit the museum downstairs, and we hope that some day you will be sitting here as Senators representing your county. It is a pleasure to have you with us. (Applause)

The Chair also notes in the Senate Chambers one of the Chair's close and personal friends from Bangor, a young man who was brought up in my neighborhood and who is one of the honor students in Bangor High School. It gives me great pleasure to introduce Parker Denico and his dad, Alden Denico. (Applause)

The Chair also notes in the Senate Chambers a young man, Michael King, son of our Assistant Sergeant-at-Arms and grandson of our Sergeant-at-Arms. (Applause)

**Reports of Committees
House**

Leave to Withdraw

The Committee on Inland Fisheries and Game on Bill, "An Act Relating to Hunting Moose." (H. P. 307) (L. D. 459) reported that the same be granted Leave to Withdraw.

The Committee on Judiciary on Bill, "An Act Prohibiting Race or Color Disclosure in Vital Records." (H. P. 199) (L. D. 294) reported that the same be granted Leave to Withdraw.

The Committee on Legal Affairs on Bill, "An Act Relating to Superintending School Committee for

Town of Greenville." (H. P. 152) (L. D. 215) reported that the same be granted Leave to Withdraw.

The same Committee on Bill, "An Act Relating to Appointment of the Commissioner of Public Works in Town of Kittery." (H. P. 259) (L. D. 373) reported that the same be granted Leave to Withdraw.

The Committee on State Government on Bill, "An Act Transferring Duties of Atlantic Sea Run Salmon Commission to Department of Inland Fisheries and Game." (H. P. 271) (L. D. 385) reported that the same be granted Leave to Withdraw.

Which reports were read and accepted in concurrence.

Ought Not to Pass

The Committee on Claims on Resolve, to Reimburse the Town of Rumford for Aid to Isabelle Morgan and Family. (H. P. 382) (L. D. 557) reported that the same Ought not to pass.

The same Committee on Resolve, Reimbursing Walter Bailey, Lincoln, for Injuries to Horse. (H. P. 383) (L. D. 558) reported that the same Ought not to pass.

The same Committee on Resolve, in favor of Arnold Tobin of Temple. (H. P. 381) (L. D. 556) reported that the same Ought not to pass.

The Committee on Inland Fisheries and Game on Resolve, Opening Aroostook River to Ice Fishing. (H. P. 243) (L. D. 357) reported that the same Ought not to pass.

The same Committee on Bill, "An Act Repealing Salmon Pond Game Preserve. (H. P. 236) (L. D. 350) reported that the same Ought not to pass.

The same Committee on Bill, "An Act Repealing Part of Moosehead Lake Game Preserve." (H. P. 386) (L. D. 561) reported that the same Ought not to pass.

The same Committee on Bill, "An Act Increasing Bounty on Bobcat." (H. P. 750) (L. D. 1036) reported that the same Ought not to pass.

The same Committee on Bill, "An Act Relating to Trapping Season on Raccoons at Night." (H. P.

390) (L. D. 565) reported that the same Ought not to pass.

The same Committee on Resolve, Regulating Fishing in Madawaska Lake, Aroostook County. (H. P. 482) (L. D. 682) reported that the same Ought not to pass.

The same Committee on Resolve, Regulating Ice Fishing on Rowe Lake, Aroostook County. (H. P. 484) (L. D. 684) reported that the same Ought not to pass.

The Committee on Judiciary on Bill, "An Act Prohibiting Dogs from Roaming at Large." (H. P. 677) (L. D. 955) reported that the same Ought not to pass.

The Committee on State Government on Bill, "An Act Relating to Determination of Salaries of Certain State Officials." (H. P. 351) (L. D. 503) reported that the same Ought not to pass.

The same Committee on Resolve, Proposing an Amendment to the Constitution to Require a Roll Call Vote Upon all Bills on Final Passage. (H. P. 357) (L. D. 509) reported that the same Ought not to pass.

Which reports were read and accepted in concurrence.

The Committee on Claims on Resolve in Favor of St. Andres Hospital of Biddeford. (H. P. 467) (L. D. 667) reported that the same be referred to the Committee on Appropriations and Financial Affairs.

In House, report read and accepted.

In Senate, report read and accepted in concurrence, and the Resolve referred to the Committee on Appropriations and Financial Affairs.

The Committee on State Government on Bill, "An Act Increasing Salary of County Attorney of Lincoln County." (H. P. 121) (L. D. 161) reported that the same be referred to the Committee on Towns and Counties.

In House, report read and accepted.

In Senate, report read and accepted in concurrence, and the Bill referred to the Committee on Towns and Counties.

House — Ought to Pass

The Committee on Business Legislation on Bill, "An Act to Incorporate

porate the Economy Loan Corporation." (H. P. 576) (L. D. 796) reported that the same Ought to pass.

The same Committee on Bill, "An Act to Incorporate the "Consolidated Finance Co." (H. P. 575) (L. D. 795) reported that the same Ought to pass.

The Committee on Retirements and Pensions on Resolve to Increase Retirement Benefit for Chaplain T. Greene of Princeton. (H. P. 632) (L. D. 849) reported that the same Ought to pass.

The Committee on Towns and Counties on Bill, "An Act Increasing Temporary Loans for Cumberland County." (H. P. 365) (L. D. 517) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Expending Aroostook County Funds for Ricker College." (H. P. 640) (L. D. 857) reported that the same Ought to pass.

The Committee on Welfare on Bill, "An Act Relating to Income in Aid to the Blind." (H. P. 720) (L. D. 919) reported that the same Ought to Pass.

Which reports were read and accepted in concurrence, the Bills and Resolve read once and tomorrow assigned for second reading.

House — Ought to Pass — As Amended

The Committee on Legal Affairs on Bill, "An Act Relating to Annual Meeting of Bayville Village Corporation." (H. P. 49) (L. D. 90) reported that the same Ought to pass with Committee Amendment "A" (Filing H-7).

Which report was read and accepted in concurrence, and the Bill read once. Committee Amendment "A" read and adopted in concurrence, and the Bill tomorrow assigned for second reading.

The Committee on Business Legislation on Bill, "An Act Providing an Advisory Committee for Security Dealers." (H. P. 458) (L. D. 658) reported that the same Ought to pass as Amended by Committee Amendment "A".

In House on February 21, adoption of Committee Amendment "A" (Filing H-33) reconsidered and indefinitely postponed. House Amend-

ment "A" adopted and the Bill passed to be engrossed as amended by House Amendment "A" (Filing H-40).

In the Senate, the report was read and accepted, the bill read once and House Amendment A read; on motion by Mr. Brown of Hancock, the bill was laid upon the table pending adoption of House Amendment A and was especially assigned for Tuesday next.

MAJORITY — Ought to Pass As Amended

MINORITY — Ought Not to Pass

The Majority of the Committee on Inland Fisheries and Game on Bill, "An Act Providing for Bounty on Bears." (H. P. 17) (L. D. 36) reported that the same Ought to pass as amended with Committee Amendment "A" (Filing H-23)

(Signed)
Senators: CYR of Aroostook
Representatives:

- MOORE of Casco
- DODGE of Guilford
- HANSON of Bradford
- WADE of Skowhegan
- WALES of Millinocket
- MERRILL of Stetson

The Minority of the same Committee on the same subject matter reported that the same Ought not to pass.

Senator: STILPHEN of Knox

Comes from the House, Indefinitely Postponed.

In the Senate, on motion by Mr. Cyr of Aroostook, the bill was laid upon the table pending acceptance of either report.

MAJORITY — Ought Not to Pass
MINORITY — Ought to Pass

The Majority of the Committee on State Government on Resolve, Proposing an Amendment to the Constitution to Eliminate the Office of Treasurer of State. (H. P. 356) (L. D. 508) reported that the same Ought not to pass.
(Signed)

Senators: NOYES of Franklin
CHRISTIE of Aroostook
LOVELL of York

Representatives:
DENNETT of Kittery
KIMBALL of Mt. Desert
HAUGHN of Bridgton

WHITMAN

of Woodstock
BEARCE of Bucksport

The Minority of the same Committee on the same subject matter reported that the same Ought to pass.

(Signed)

Representative:

DOSTIE of Lewiston
NOEL of Waterville

In House, Majority Ought not to pass report accepted.

In the Senate, on motion by Mr. Noyes of Franklin, the Majority Ought not to pass report was accepted in concurrence.

Senate

Ought Not to Pass

Mr. Brooks from the Committee on Election Laws on Bill, "An Act to Hold the Primary Election on the Second Tuesday after Labor Day." (S. P. 371) (L. D. 1182) reported that the same Ought not to pass.

The same Senator from the same Committee on Bill, "An Act to Abolish the Straight Party Ballot in the Election Laws." (S. P. 372) (L. D. 1183) reported that the same Ought not to pass.

Which reports were read and accepted.

Sent down for concurrence.

Ought to Pass

Mr. Pike from the Committee on Agriculture on Bill, "An Act Relating to State Humane Agents." (S. P. 132) (L. D. 315) reported that the same Ought to pass.

Which report was read and accepted, the Bill read once and tomorrow assigned for second reading.

**MAJORITY — Ought Not to Pass
MINORITY — Ought to Pass**

The Majority of the Committee on Inland Fisheries and Game on Bill, "An Act Relating to Free Fishing Licenses for Certain Veterans." (S. P. 164) (L. D. 410) reported that the same Ought not to pass.

(Signed)

Senators: CARPENTER

of Somerset
STILPHEN of Knox
CYR of Aroostook

Representatives:

ANDERSON of Ellsworth
MOORE of Casco
DODGE of Guilford
HANSON of Bradford
WADE of Skowhegan
MERRILL of Stetson

The Minority of the same Committee on the same subject matter reported that the same Ought to pass.

(Signed)

Representative:

WALLS of Millinocket

On motion by Mr. Carpenter of Somerset, the Majority Ought Not to Pass report was accepted.

Sent down for concurrence.

**MAJORITY — Ought Not to Pass
MINORITY — Ought to Pass**

The Majority of the Committee on Inland Fisheries and Game on Bill, "An Act Repealing Bounty on Bobcat, Loupcervier and Canada Lynx." (S. P. 226) (L. D. 631) reported that the same Ought not to pass.

(Signed)

Senator: CYR of Aroostook

Representatives:

HANSON of Bradford
WADE of Skowhegan
ANDERSON of Ellsworth
DODGE of Guilford
WELLS of Millinocket

The Minority of the same Committee on the same subject matter reported that the same Ought to pass.

(Signed)

Senators: STILPHEN of Knox
CARPENTER

of Somerset

Representative:

MERRILL of Stetson

On motion by Mr. Parker of Piscataquis, the bill was tabled pending acceptance of either report.

Second Readers

The Committee on Bills in the Second Reading reported the following Bills:

House

Bill, "An Act Relating to Trapping Beaver in Organized and Unorganized Territory." (H. P. 92) (L. D. 132)

Bill, "An Act Dividing Township of Freeman, Franklin County, for Voting Purposes." (H. P. 302) (L. D. 454)

Bill, "An Act Regulating the Taking of Alewives in Dyer River, Lincoln County." (H. P. 309) (L. D. 461)

Bill, "An Act Relating to Taking Quahogs in Maquoit Bay, Cumberland County." (H. P. 343) (L. D. 495)

Bill, "An Act Closing Casco Bay and Adjacent Waters to the Use of Otter Trawls." (H. P. 345) (L. D. 497)

Bill, "An Act Relating to Digging of Clams in Town of Deer Isle from June to September." (H. P. 348) (L. D. 500)

Bill, "An Act Relating to Digging of Clams in Deer Isle and Stonington, Hancock County." (H. P. 349) (L. D. 501)

Bill, "An Act Relating to Taking of Smelts in Addison, Columbia Falls, Harrington, Cherryfield, Milbridge and Steuben." (H. P. 420) (L. D. 595)

Bill, "An Act Relating to Motor Vehicle Operators' Licenses for Members of the Armed Forces." (H. P. 437) (L. D. 612)

Bill, "An Act Relating to Duplicate Motor Vehicle Operators' Licenses." (H. P. 439) (L. D. 614)

Bill, "An Act Relating to Reciprocity for Non-residents in Motor Vehicle Laws." (H. P. 440) (L. D. 615)

Bill, "An Act Relating to Temporary Driver's Permit." (H. P. 441) (L. D. 616)

Bill, "An Act Relating to Definition of Motorcycle." (H. P. 443) (L. D. 618)

Bill, "An Act Relating to Registration of Motor Vehicles." (H. P. 445) (L. D. 620)

Bill, "An Act to Simplify Exemption of Veteran's Property from Taxation." (H. P. 549) (L. D. 746)

(On motion by Mr. Ferguson of Oxford, tabled pending passage to be engrossed.)

Bill, "An Act Relating to Charges and Real Estate Liens by Westbrook Sewerage District." (H. P. 620) (L. D. 837)

Bill, "An Act Relating to Taking Smelts in East Machias River by Gill Nets." (H. P. 633) (L. D. 850)

Which were read a second time and passed to be engrossed in concurrence.

House — As Amended

Bill, "An Act Regulating the Maximum Size of Otter Trawlers in Casco Bay and Adjacent Waters." (H. P. 344) (L. D. 496)

Bill, "An Act Regulating Size of Otter Trawls and Other Trawls in Casco Bay and Adjacent Waters." (H. P. 346) (L. D. 498)

Which were read a second time and passed to be engrossed as amended in concurrence.

Senate

Bill, "An Act Authorizing Construction and Maintenance of a Wharf in Sebago Lake at Standish by Virgule A. Chick." (S. P. 179) (L. D. 425)

Bill, "An Act Relating to Motor Vehicle Excise Tax." (S. P. 263) (L. D. 780)

Resolve, Regulating Fishing in Parmachenee Lake, Parmachenee and Lynchtown, Oxford County. (S. P. 227) (L. D. 632)

Which were severally read a second time and passed to be engrossed.

Sent down for concurrence.

Senate — As Amended

Bill, "An Act Relating to Record of Facts Used to Impose Sentence on Persons Convicted." (S. P. 67) (L. D. 167)

Bill, "An Act Increasing Compensation of and Revising Fee Schedules of Court Reporters." (S. P. 183) (L. D. 429)

(Which was read a second time; Mr. Noyes of Franklin presented Senate Amendment A and moved its adoption and on motion by Mr. Marden of Kennebec, the bill was tabled pending motion by Mr. Noyes to adopt Senate Amendment A.)

Bill, "An Act Relating to Deduction of Sentence in County Jails." (S. P. 18) (L. D. 18)

(On motion by Mr. Couture of Androscoggin, tabled pending passage to be engrossed and especially assigned for tomorrow.)

Which was severally read a second time and passed to be engrossed as amended.

Sent down for concurrence.

Senate — New Draft — Same Title

Bill, "An Act Relating to Use of Motor Vehicles Without Authority in any Place." (S. P. 465) (L. D. 1464) New Draft of S. P. 138, L. D. 321 — same title.

Which was read a second time and passed to be engrossed in New Draft.

Sent down for concurrence.

Enactors

The Committee on Engrossed Bills reported as truly and strictly engrossed, the following Bills and Resolves:

Bill, "An Act Permitting Absentee Ballots for Election of Town Officials." (S. P. 65) (L. D. 165)

Bill, "An Act Relating to Selection of Public Reserved Lots." (S. P. 75) (L. D. 175)

Bill, "An Act to Correct Inconsistencies and Inequities in the Maine State Retirement System Law." (S. P. 122) (L. D. 267)

Bill, "An Act Relating to Sewage Pollution Surveys." (S. P. 144) (L. D. 327)

(On motion by Mr. Davis of Cumberland, placed on the Special Appropriations Table)

Bill, "An Act Exempting State Police Motor Vehicles from Registration." (S. P. 150) (L. D. 333)

Which Bills were severally passed to be enacted.

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

(On motion by Mr. Davis of Cumberland, placed on the Special Appropriations Table)

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

(On motion by Mr. Davis of Cumberland, placed on the Special Appropriations Table.)

Resolve, Prohibiting Live Fish as Bait in Certain Waters. (S. P. 26) (L. D. 51)

Resolve, Regulating Salmon Fishing in Sebec Lake, Piscataquis County. (S. P. 71) (L. D. 171)

Resolve, Regulating Ice Fishing in Spring Lake, T3 R4 Somerset County. (S. P. 110) (L. D. 255)

Resolve, Designating Bridge over Outlet Stream, Oxford Village, as Ralph E. Edwards Bridge. (S. P. 137) (L. D. 320)

Which Resolves were finally passed.

Emergency

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

Which Bill, being an emergency measure, and having received the affirmative vote of 31 members of the Senate, was passed to be enacted.

The PRESIDENT: The Chair notes in the balcony a group of students from the 7th and 8th grades, Garland Grammar School, under the supervision of Mr. Aaron Varney, Principal. It is a pleasure to have you young folks with us; we hope that you will enjoy your stay in the State House and that you will visit the museum downstairs. The three Senators from Penobscot County will be pleased to try to make your visit here most enjoyable. I would like to introduce them: Senator Bates and Senator Stanley from Penobscot County, and "Yours truly." (Applause)

The Chair also notes in the Senate Chamber one of our former Senators from York County and a former President of the Senate. It gives me great pleasure to ask the Sergeant-at-Arms to escort to the rostrum Hon. George Varney, former Senator and President of the Senate.

The Hon. George Varney was escorted to the rostrum by the Sergeant-at-Arms amid the applause of the Senate, the members rising.

Orders of the Day

The President laid before the Senate the first tabled and today assigned item (H. P. 1058) (L. D. 1319) bill, "An Act Relating to Signals at Railroad Crossings."; tabled on February 16 by the Senator from Hancock, Senator Brown pending passage to be engrossed; and on further motion by the same Senator, the bill was passed to be engrossed in concurrence.

On motion by Mr. Noyes of Franklin, the Senate voted to take

from the table the 27th tabled and unassigned item (S. P. 181) (L. D. 427) Senate Report, Ought not to pass, from the Committee on Natural Resources on Resolve, Providing for Publication of Information on the Public Lots by Forestry Department; tabled by that Senator on February 21 pending acceptance of the report.

Mr. NOYES of Franklin: Mr. President, I have talked with the Senate Chairman on the Commit-

tee, Senator Cyr, and with the approval of the committee, I now move that this bill be recommitted to the Committee on Natural Resources.

The motion prevailed.

Sent down for concurrence.

On motion by Mr. Noyes of Franklin

Adjourned until tomorrow afternoon at two o'clock.