

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, February 23, 1961

Senate called to order by the President.

Prayer by Rev. Ernest D. Smith of Strong.

On motion by Mr. Jacques of Androscoggin

Journal of yesterday read and approved.

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, February 28 at ten o'clock in the morning. (S. P. 475)

Which was read and passed. Sent down for concurrence.

**Reports of Committees
House**

Ought Not to Pass

The Committee on Health and Institutional Services on Bill, "An Act Relating to License Fees of Recreational and Eating Places." (H. P. 742) (L. D. 1029) reported that the same Ought not to pass.

On motion by Mr. Ferguson of Oxford, the report was tabled pending acceptance.

The Committee on Inland Fisheries and Game on Bill, "An Act Prohibiting Hunting Near Occupied Dwellings." (H. P. 237) (L. D. 351) reported that the same Ought not to pass.

Which reports were read and accepted in concurrence.

Recommended

The Committee on Welfare on Bill, "An Act Eliminating Residence Requirements in Public Assistance." (H. P. 564) (L. D. 761) reported that the same Ought not to pass.

The same Committee on Bill, "An Act Abolishing Residence Requirements for Old Age Assistance." (H. P. 447) (L. D. 622) reported that the same Ought not to pass.

Which reports and Bills were recommended to the Committee on Welfare, in concurrence.

The PRESIDENT: The Chair notes in the Senate balcony twenty-five students from the Jewish Community Center in Bangor, Maine, accompanied by Mr. Lincoln. It is certainly a pleasure to have these young folks with us today. We hope you enjoy your stay in the State House. I understand you visited the museum and all the places of interest. I would like to have you meet the one Senator from Penobscot who happens to be with us today, Senator Roswell Bates. (Applause)

I am sure Senator Bates will be glad to answer any questions you would like to ask him, and perhaps he can tell you some more interesting things that you can go and see.

Also in the Senate Chambers is Bruce MacDonald, son of our Secretary of State, Paul MacDonald. Bruce, will you please stand? (Applause)

We also have in the Senate Chamber the lovely wife of one of our Senators from Aroostook. I would like to have the Sergeant-at-Arms escort to the rostrum, Mrs. Cyr, wife of the Senator from Aroostook County. (Applause)

Ought to Pass

The Committee on Claims on Resolve, Refunding Motor Vehicle Fees to Certain Canadian Residents. (H. P. 466) (L. D. 666) reported that the same Ought to pass.

The Committee on Inland Fisheries and Game on Bill, "An Act Repealing the Windham Game Preserve." (H. P. 308) (L. D. 460) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Boundaries of Limington, Hollis and Waterboro Game Preserve." (H. P. 391) (L. D. 566) reported that the same Ought to pass.

The same Committee on Bill, "An Act Repealing Oosoola Stream Game Preserve." (H. P. 479) (L. D. 679) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Open Season on Deer in Vinalhaven." (H. P. 480) (L. D. 680) reported that the same Ought to pass.

The same Committee on Resolve, Regulating Fishing in Maranacook Lake, Kennebec County. (H. P. 490) (L. D. 690) reported that the same Ought to pass.

(On motion by Mr. Cyr of Aroostook, tabled pending acceptance.)

The Committee on Legal Affairs on Bill, "An Act Relating to Superintending School Committee of Town of Winslow." (H. P. 260) (L. D. 374) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to the Ogunquit Village Corporation." (H. P. 262) (L. D. 376) reported that the same Ought to pass.

The same Committee on Bill, "An Act Increasing Indebtedness of Fort Fairfield School District." (H. P. 264) (L. D. 378) reported that the same Ought to pass.

The same Committee on Bill, "An Act to Incorporate the Town of Newburgh School District." (H. P. 328) (L. D. 480) reported that the same Ought to pass.

The same Committee on Bill, "An Act Increasing Indebtedness of Town of Orono High School District." (H. P. 409) (L. D. 584) reported that the same Ought to pass.

(On motion by Mr. Bates of Penobscot, tabled pending acceptance.)

The same Committee on Bill, "An Act Amending the Charter of the City of Bangor." (H. P. 524) (L. D. 722) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Sewage Treatment Plant for City of Saco." (H. P. 508) (L. D. 783) reported that the same Ought to pass.

The Committee on State Government on Bill, "An Act Relating to Leases of Facilities for State Government." (H. P. 352) (L. D. 504) reported that the same Ought to pass.

The same Committee on Bill, "An Act to Clarify State Disbursements." (H. P. 353) (L. D. 505) reported that the same Ought to pass.

The Committee on Taxation on Bill, "An Act Relating to Sales Tax on Sales of Food Products for Immediate Consumption." (H. P. 548) (L. D. 745) reported that the same Ought to pass.

The same Committee on Bill, "An Act Revising the Law on Tax on Transient Rentals." (H. P. 551) (L. D. 748) reported that the same Ought to pass.

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

Ought to Pass — As Amended

The Committee on Claims on Resolve, in Favor of Richard S. Foster, of York. (H. P. 465) (L. D. 665) reported that the same Ought to pass, as amended by Committee Amendment "A" (Filing H-35)

(On motion by Mr. Cole of Waldo, the report was tabled pending acceptance.)

The Committee on Legal Affairs on Bill, "An Act to Grant a New Charter to the City of Hallowell." (H. P. 63) (L. D. 105) reported that the same Ought to pass as amended by Committee Amendment "A" (Filing H-37)

The same Committee on Bill, "An Act Increasing Indebtedness of Deer Isle School District." (H. P. 332) (L. D. 484) reported that the same Ought to pass as amended by Committee Amendment "A" (Filing H-38)

The same Committee on Bill, "An Act Increasing Borrowing Capacity of Newport School District." (H. P. 637) (L. D. 965) reported that the same Ought to pass as amended by Committee Amendment "A" (Filing H-36)

Which reports were read and accepted in concurrence. Committee Amendments "A" read once and tomorrow assigned for second reading.

The Committee on Inland Fisheries and Game on Bill, "An Act Relating to Trapping Season on Muskrats in Aroostook County." (H. P. 388) (L. D. 563) reported that the same Ought to pass.

In House, report read and accepted. House Amendment "A" read and adopted (Filing H-42), and the Bill passed to be engrossed.

In the Senate, report read and accepted in concurrence, House Amendment "A" read and adopted in concurrence, and the Bill read

once and tomorrow assigned for second reading.

The PRESIDENT: The Chair has been told that in the Senate Chamber is another one of our lovely wives, the wife of the Senator from Androscoggin, Senator Boisvert. Will the Sergeant-at-Arms please escort the lovely lady to the rostrum? (Applause)

I have also been told that Senator Boisvert has two daughters in the Senate Chamber. If these young ladies will stand, I am sure the Senators would like to recognize them. (Applause)

The Chair recognizes in the Senate Chamber the daughter and son of our Governor's Administrative Assistant, Janet and Steven Crocker. Would they please stand and be recognized by the Senate? (Applause)

We also have in the Senate Chamber another group of youngsters, the son and daughter of one of our Senators, the Senator from Lincoln, Senator Chase. Will these children please rise so that the Senate may recognize them? (Applause)

Senate Leave to Withdraw

Mr. Wyman from the Committee on Towns and Counties on Bill, "An Act Relating to Payment of Tax Money from Town of York to York Harbor Village Corporation." (S. P. 129) (L. D. 274) reported that the same be granted Leave to Withdraw.

Which report was read and accepted.

Sent down for concurrence.

Ought Not to Pass

Mr. Edmunds from the Committee on Labor on Bill, "An Act Relating to Minimum Wages for Summer Camp Employees and Students." (S. P. 232) (L. D. 636) reported that the same Ought not to pass.

Which report was read and accepted.

Sent down for concurrence.

Ought to Pass

Mr. Brown from the Committee on Business Legislation on Bill, "An Act Relating to Powers of

Maine Fidelity Life Insurance Company." (S. P. 278) (L. D. 879) reported that the same Ought to pass.

Mr. Mayo from the Committee on Labor on Bill, "An Act Relating to Employment of Minors in Establishments Selling Frozen Dairy Products." (S. P. 255) (L. D. 772) reported that the same Ought to pass.

Mr. Edmunds from the same Committee on Bill, "An Act Relating to Employment of Minors in Automatic Laundries." (S. P. 256) (L. D. 773) reported that the same Ought to pass.

Mr. Noyes from the Committee on State Government on Bill, "An Act Relating to Compensation of Members of Board of Registration in Medicine and Certain Fees." (S. P. 184) (L. D. 430) reported that the same Ought to pass.

Mr. Wyman from the Committee on Towns and Counties on Bill, "An Act Relating to Completion of the York River Project in York." (S. P. 265) (L. D. 782) reported that the same Ought to pass.

Mr. STILPHEN from the Committee on Transportation on Bill, "An Act Relating to Operation of Vehicle Loaned by a Dealer or Holder of a Transit Registration Certificate." (S. P. 213) (L. D. 546) reported that the same Ought to pass.

The same Senator from the same Committee on Bill, "An Act Relating to Temporary Motor Vehicle Number Plates for Non-resident Members of Armed Services." (S. P. 388) (L. D. 1198) reported that the same Ought to pass.

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

Ought to Pass — As Amended

Mr. Stilphen from the Committee on Inland Fisheries and Game on Resolve, Regulating Fishing in Dodge Pond, Franklin County. (S. P. 166) (L. D. 412) reported that the same Ought to pass as amended by Committee Amendment "A" (Filing S-25)

Which report was read and accepted, and the Bill read once. Committee Amendment "A" was read and adopted. and the Bill,

as amended, tomorrow assigned for second reading.

MAJORITY — Ought Not to Pass
MINORITY — Ought to Pass

The Majority of the Committee on Labor on Bill, "An Act Relating to Dependency Allowance Under Employment Security Law." (S. P. 115) (L. D. 260) reported that the same Ought not to pass.

(Signed)

Senators: MAYO of Sagadahoc
EDMUNDS of Aroostook

Representatives:

BROWN
of South Portland
JOBIN of Rumford
BOISSONNEAU
of Westbrook
THAANUM of Winthrop
HANCOCK of Nobleboro
WINCHENPAW
HARDY of Hope
of Friendship
HARDY of Hope

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

(Signed)

Senator: COUTURE
of Androscoggin

On motion by Senator Mayo of Sagadahoc, the majority "Ought not to pass" report of the committee was accepted.

Sent down for concurrence.

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

Bill, "An Act Increasing Temporary Loans for Cumberland County." (H. P. 365) (L. D. 517)

Bill, "An Act to Incorporate the "Consolidated Finance Co." (H. P. 575) (L. D. 795)

Bill, "An Act to Incorporate the Economy Loan Corporation." (H. P. 576) (L. D. 796)

Bill, "An Act Relating to Expending Aroostook County Funds for Ricker College." (H. P. 640) (L. D. 857)

Bill, "An Act Relating to Income in Aid to the Blind." (H. P. 720) (L. D. 919)

Resolve, to Increase Retirement Benefit for Chaplain T. Greene of Princeton. (H. P. 632) (L. D. 849)

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

House — As Amended

Bill, "An Act Relating to Annual Meeting of Bayville Village Corporation." (H. P. 49) (L. D. 90)

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

Senate

Bill, "An Act Relating to State Humane Agents." (S. P. 132) (L. D. 315)

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

Sent down for concurrence.

Enactors

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

Bill, "An Act to Clarify Eminent Domain Appeal Procedure in the Bowdoinham Water District Charter." (H. P. 30) (L. D. 64)

Bill, "An Act Relating to Facsimile Signature of Forest Commissioner." (H. P. 77) (L. D. 119)

Bill, "An Act Relating to Closed Time on Deer in Long Island Plantation." (H. P. 138) (L. D. 201)

Bill, "An Act Increasing Indebtedness of Limestone Water and Sewer District." (H. P. 161) (L. D. 224)

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

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

Bill, "An Act Relating to Source of Supply for Hampden Water District." (H. P. 336) (L. D. 488)

Bill, "An Act Relating to Lien Notices and Time of Annual Meeting of Kennebunk Sewer District." (H. P. 337) (L. D. 489)

Bill, "An Act Relating to Allowance to Distributors for Gasoline Losses." (H. P. 361) (L. D. 513)

Bill, "An Act Relating to Unlawful Use of Motor Vehicle Operators' Licenses." (H. P. 399) (L. D. 574)

Bill, "An Act to Amend the Charter of the Kennebec Water District." (H. P. 417) (L. D. 592)

Bill, "An Act to Increase Service Area and Borrowing Capacity of East Boothbay Water District." (H. P. 624) (L. D. 841)

Bill, "An Act Increasing Borrowing Capacity of Mars Hill Utility District." (H. P. 625) (L. D. 842)

Bill, "An Act Relating to Depositing Refuse." (H. P. 952) (L. D. 1255)

Bill, "An Act Relating to Prohibited Implements in Hunting Wild Birds or Animals." (S. P. 32) (L. D. 57)

Bill, "An Act to Extend the Charter of the R. and T. Cement Railroad Company." (S. P. 202) (L. D. 535)

Which Bills were severally passed to be enacted, and having been signed by the President, were by the Secretary presented to the Governor for his approval.

On motion by Mr. Parker of Piscataquis, the Senate voted to reconsider its action whereby Bill "An Act Relating to Depositing Refuse" (H. P. 952) (L. D. 1255) was passed to be enacted; and on further motion by the same Senator the bill was tabled pending passage to be enacted.

Resolve, Designating Howard Cushman Brook, Aroostook County. (H. P. 415) (L. D. 590)

Resolve, in Favor of Charles A. Dean Memorial Hospital of Greenville. (H. P. 130) (L. D. 193)

(On motion by Mr. Davis of Cumberland, the resolve was placed on the Special Appropriations table pending final passage.)

Resolve, to Reimburse the Town of Limestone for 1958 Connor Poll Taxes Paid the State. (H. P. 132) (L. D. 195)

(On motion by Mr. Davis of Cumberland, the resolve was placed on the Special Appropriations table pending final passage.)

Resolve, Regulating Fishing in Big Wadleigh Pond, Piscataquis County. (H. P. 144) (L. D. 207)

Resolve, Closing Hay Pond, Penobscot County, to Ice Fishing. (H. P. 149) (L. D. 212)

Resolve, Designating Certain Waters in Porter as "Black Lake." (H. P. 335) (L. D. 487)

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) (L. D. 188)

Which Resolves were finally passed, and having been signed by the President, were by the Secretary presented to the Governor for his approval.

Emergency

Bill, "An Act to Create a School Administrative District in the Town of Lubec." (H. P. 301) (L. D. 453)

Which Bill, being an emergency measure, and having received the affirmative vote of 30 members of the Senate, was passed to be enacted.

Emergency

Bill, "An Act Relating to Water Supply and Indebtedness of South Berwick Water District." (H. P. 529) (L. D. 727)

Which Bill, being an emergency measure, and having received the affirmative vote of 30 members of the Senate, was passed to be enacted.

Emergency

Bill, "An Act to Incorporate the Jay Village Water District." (H. P. 623) (L. D. 840)

Which Bill, being an emergency measure, and having received the affirmative vote of 30 members of the Senate, was passed to be enacted.

Emergency

Bill, "An Act to Incorporate the Town of Bucksport School District." (H. P. 117) (L. D. 157)

Which bill, being an emergency measure, and having received the affirmative vote of 30 members of the Senate, was passed to be enacted.

Emergency

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 bill, being an emergency measure, and having received the affirmative vote of 30 members of the Senate, was passed to be enacted.

Orders of the Day

The PRESIDENT: The Chair lays before the Senate the first tabled and specially assigned matter, (S. P. 333) (L. D. 1008) Bill, "An Act Relating to Resident County Commissioner of Aroostook County," which was tabled on February 21, 1961 by Mr. Edmunds of Aroostook pending adoption of Committee Amendment "A".

On motion by Mr. Edmunds of Aroostook, Committee Amendment "A" was indefinitely postponed.

The same Senator then presented Senate Amendment "A" and moved its adoption.

Senate Amendment "A" was read and adopted and the bill was assigned for second reading on the next legislative day.

The PRESIDENT: The Chair lays before the Senate the second tabled and specially assigned matter (S. P. 18) (L. D. 18) Bill, "An Act Relating to Deduction of Sentence in County Jails," which was tabled on February 22, 1961 by Mr. Couture of Androscoggin, pending passage to be engrossed.

On motion by Mr. Couture of Androscoggin, the bill was passed to be engrossed.

Sent down for concurrence.

Mr. NOYES of Franklin: Mr. President, may I inquire if H. P. 302, L. D. 454 is in the possession of the Senate?

The PRESIDENT: It is, having been held at the request of the Senator from Franklin, Senator Noyes.

On motion by Mr. Noyes of Franklin, the Senate voted to reconsider its action whereby (H. P. 302) (L. D. 454) Bill, "An Act Dividing Township of Freeman, Franklin County, for Voting Purposes" was passed to be engrossed on February 22nd.

On further motion by the same Senator the bill was tabled pending passage to be engrossed.

On motion by Mr. Edgar of Hancock, the Senate voted to take from the table the 25th tabled and unassigned matter, (H. P. 476) (L. D. 676) Bill, "An Act Relating to Student Rates for Ferry Service for North Haven, Vinalhaven, Islesboro and Swan's Island," which was tabled on February 21st by that Senator pending passage to be engrossed.

The same Senator offered Senate Amendment "A" and moved its adoption.

Senate Amendment "A" was read and adopted and the bill was passed to be engrossed as amended in nonconcurrence.

Sent down for concurrence.

On motion by Mr. Mayo of Sagadahoc, the Senate voted to take from the table the 12th tabled and unassigned matter. (H. P. 50) (L. D. 91) Resolve, Loaning to City of Hallowell the Replaced Furniture of the Executive Council Chambers, which was tabled by that Senator on February 9th pending final passage.

Mr. MAYO: Mr. President, I now move that this resolve be finally passed.

On motion by Mr. Noyes of Franklin, the resolve was tabled and specially assigned for the next legislative day.

On motion by Mr. Edmunds of Aroostook, the Senate voted to take from the table the 8th tabled and unassigned matter (H. P. 788) (L. D. 1266) Bill, "An Act Repealing Appropriation for Tuberculosis Hospital Building at Community General Hospital in Fort Fairfield," which was tabled by that Senator on February 9th pending reference to a committee; and on further motion by the same Senator the bill was referred to the Committee on Appropriations and Financial Affairs in concurrence.

On motion by Mr. Gilbert of Kennebec, the Senate voted to take from the table the 28th tabled and unassigned matter (H. P. 527) (L. D. 725) House Report, "Ought to pass with Committee Amendment 'A' from the Committee on Public Utilities on Bill, "An Act to In-

corporate the Castine Water District," which was tabled by that Senator on February 21st pending acceptance of report.

On further motion by the same Senator, the report of the committee was accepted and the bill was given its first reading. Committee Amendment "A" was read and adopted.

The same Senator presented Senate Amendment "A" and moved its adoption.

Senate Amendment "A" was read and adopted and the bill was assigned for second reading on the next legislative day.

On motion by Mr. Couture of Androscoggin, the Senate voted to take from the table the 14th tabled and unassigned matter (H. P. 1040) (L. D. 1141) Bill, "An Act Increasing Certain Fees to Register of Deeds," which was tabled on February 14th by that Senator pending reference; and on further motion by the same Senator the bill was referred to the Committee on Towns and Counties in concurrence.

On motion by Mr. Couture of Androscoggin, the Senate voted to take from the table the 17th tabled and unassigned matter, (H. P. 1043) (L. D. 1444) Bill, "An Act Increasing Salaries of Androscoggin County Officials," which was tabled on February 14th by that Senator pending reference; and on further motion by the same Senator the bill was referred to the Committee on Towns and Counties in concurrence.

Mr. Couture of Androscoggin was granted unanimous consent to address the Senate.

Mr. COUTURE: Mr. President and members of the Senate, the Democratic steering committee met and asked me if it would be possible to put some material on the desks of the Senators.

The PRESIDENT: The request of the Senator from Androscoggin, Senator Couture is that the steering committee of the Democratic Party have permission to put some material on the desks of the Senators. The Chair hears no objection and the Senator may do that.

On motion by Mr. Bates of Penobscot, the Senate voted to take from the table the 10th tabled and unassigned matter, (S. P. 84) (L. D. 183) Senate Report "Ought to pass" from the Committee on Welfare on Bill "An Act Providing State Aid to Towns for Care of Poor Persons," which was tabled by that Senator on February 9th pending acceptance of report.

On further motion by the same Senator, the "Ought to pass" report of the Committee was accepted.

The same Senator then presented Senate Amendment "A" and moved its adoption.

Senate Amendment "A" was read and adopted, and the bill was assigned for second reading on the next legislative day.

On motion by Mr. Noyes of Franklin, adjourned until 10:00 A. M. next Tuesday.