

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, April 5, 1961

Senate called to order by the President.

Prayer by Father Crosier of Lewiston

On motion by Mr. Marden of Kennebec,

Journal of yesterday read and approved.

The PRESIDENT: The Chair notices in the Senate Chamber one of our Republican State Committeemen from Penobscot County. He is one of my great friends and I would like to introduce Forrest Mooers of Old Town, Maine. (Applause)

**Papers from the House
Non-Concurrent Matters
Indefinitely Postponed**

Joint Order Recalling S. P. 331, L. D. 1006, Bill, "An Act Increasing Salary of the Adjutant General," from the Legislative Files to the Senate. (S. P. 506)

In Senate, March 31, read and passed.

In House, April 4, Indefinitely Postponed in non-concurrence.

In the Senate, on motion by Mr. Brooks of Cumberland, the Senate voted to recede and concur.

Orders

On motion by Mr. Cyr of Aroostook, out of order and under suspension of the rules,

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 One Hundred Dollars each, as balance due on their compensation.

(S. P. 508)

Which was read and passed.

Sent down for concurrence.

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

ORDERED that the Secretary of the Senate purchase 2500 copies of the pamphlet entitled "How a Bill Becomes a Law in Maine" pre-

pared by The League of Women Voters and be it further

ORDERED that the Secretary of the Senate purchase 2500 copies of the folder entitled "This is Your Legislature" from The League of Women Voters in Maine, for the use of the legislature.

Which was read and passed.

Conference Committee Report

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill, "An Act Repealing the Tax on Quahogs." (S. P. 236) (L. D. 640) reported that the Committee is unable to agree.

Which report was read and accepted.

Sent down for concurrence.

**House Committee Reports
Leave to Withdraw**

The Committee on Labor on Bill, "An Act Relating to Powers of Commissioner of Labor and Industry Under Minimum Wage Law." (H. P. 403) (L. D. 578) reported that the same should be granted Leave to Withdraw, Covered by Other Legislation.

The Committee on Towns and Counties on Bill, "An Act Increasing Salary of County Attorney of York County." (H. P. 913) (L. D. 1247) reported that the same should be granted Leave to Withdraw.

The same Committee on Bill, "An Act to Change the Name of Stockton Springs to Stockton." (H. P. 366) (L. D. 518) reported that the same should be granted Leave to Withdraw

Ought Not to Pass

The Committee on Labor on Bill, "An Act Amending the Minimum Wage Law." (H. P. 116) (L. D. 156) reported that the same Ought not to pass, Covered by other Legislation.

The same Committee on Bill, "An Act Relating to Experience Rating Record of Employers Under Employment Security Law." (H. P. 894) (L. D. 1228) reported that the same Ought not to pass.

The same Committee on Bill, "An Act Relating to Compensation for Total Incapacity Under Workmen's Compensation Law." (H.

P. 893) (L. D. 1227) reported that the same Ought not to pass.

The Committee on Legal Affairs on Bill, "An Act to Provide for Training of Plumbers." (H. P. 519) (L. D. 717) reported that the same Ought not to pass.

Which reports were read and accepted in concurrence.

The PRESIDENT: The Chair would like to ask the group in the balcony if they are from Dexter, Maine? The Chair received notice that the class in American Government from Dexter would visit with us with their teacher, Hector Herbert. It certainly is a pleasure to have you with us today and we hope that you enjoy your stay and that it is educational. We would like to have you visit the museum while you are here. We hope that some day you will take your place in either one of the two Branches of the Legislature, representing the place from which you come. At this time, the Chair will introduce the Senators from your County of Penobscot. Senator Bates, Senator Stanley; and I represent Penobscot County too. It is nice to have you with us.

Ought to Pass

The Committee on Education on Bill, "An Act Relating to Transfer of Duties of School District Commission to State Board of Education." (H. P. 801) (L. D. 1115) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to School Construction Aid in School Administrative Districts." (H. P. 797) (L. D. 1111) reported that the same Ought to pass.

The Committee on Health and Institutional Services on Bill, "An Act Increasing Renewal Fees of Certificate of Registration for Barbers and Operators of Hairdressing and Beauty Culture." (H. P. 740) (L. D. 1027) reported that the same Ought to pass.

The Committee on Judiciary on Bill, "An Act Relating to Time When Inheritance Taxes are Payable." (H. P. 890) (L. D. 1224) reported that the same Ought to pass.

The same Committee on Bill, "An Act Defining Registered Mail in Requirements for Notice." (H. P. 994) (L. D. 1381) reported that the same Ought to pass.

The Committee on Legal Affairs on Bill, "An Act Revising the Charter of the City of Ellsworth." (H. P. 325) (L. D. 477) reported that the same Ought to pass.

The same Committee on Bill, "An Act to Annex Certain Islands to Town of Danforth." (H. P. 619) (L. D. 836) reported that the same Ought to pass.

The Committee on Retirements and Pensions on Bill, "An Act Relating to Disability Retirement Allowance Under State Retirement System." (H. P. 701) (L. D. 979) reported that the same Ought to pass.

The Committee on Veterans & Military Affairs on Bill, "An Act Relating to the Use of Armories for Military Purposes." (H. P. 283) (L. D. 397) reported that the same Ought to pass.

The Committee on Veterans and Military Affairs on Bill, "An Act Permitting Erection of Flags in Cemeteries to Honor Deceased Veterans." (H. P. 446) (L. D. 621) reported that the same Ought to pass.

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

Recommended

The Committee on Judiciary on Bill, "An Act Relating to Powers of Arrest by Inland Fish and Game Wardens." (H. P. 491) (L. D. 691) reported that the same Ought to pass.

In House, April 4, recommended to Committee on Judiciary.

In the Senate, that Body voted to recommit the bill to the Committee on Judiciary in concurrence.

Ought to Pass — As Amended— Bill Indefinitely Postponed

The Committee on Inland Fisheries and Game on Resolve, Regulating Fishing in Certain Waters in Washington County. (H. P. 395) (L. D. 570) reported that the same Ought to pass, as amended by Committee Amendment "A" (Filing H-141)

In House, Report read and accepted, and subsequently the Bill was indefinitely postponed.

(In the Senate, on motion by Mr. Carpenter of Somerset, tabled pending acceptance of the report.)

Ought to Pass — As Amended

The Committee on Education on Bill, "An Act to Authorize the Municipalities of Thomaston, Cushing, Friendship, St. George, or Warren to Form a School Administrative District." (H. P. 668) (L. D. 946) reported that the same Ought to pass as amended by Committee Amendment "A" (Filing H-150)

The Committee on Inland Fisheries and Game on Bill, "An Act Relating to Open Season for Fishing on Brooks and Streams in Cumberland County." (H. P. 238) (L. D. 352) reported that the same Ought to pass as amended by Committee Amendment "A" (Filing H-143)

Ought to Pass, As Amended

The Committee on Inland Fisheries and Game on Resolve, Regulating Bag Limit of Salmon, Trout and Bass in Sebago Lake, Cumberland County. (H. P. 94) (L. D. 134) reported that the same Ought to pass, as amended by Committee Amendment "A" (Filing H-138)

The same Committee on Resolve, Regulating Fishing in Certain Waters in Hancock County. (H. P. 310) (L. D. 462) reported that the same Ought to pass, as amended by Committee Amendment "A" (Filing H-139)

The same Committee on Resolve, Regulating Fishing in Certain Waters in Penobscot County. (H. P. 394) (L. D. 569) reported that the same Ought to pass, as amended by Committee Amendment "A" (Filing H-140)

The same Committee on Resolve, Regulating Fishing in Certain Waters in Penobscot County. (H. P. 598) (L. D. 865) reported that the same Ought to pass as amended by Committee Amendment "A" (Filing H-137)

Ought to Pass — As Amended

The same Committee on Resolve, Regulating Fishing in Certain Waters in Androscoggin County. (H. P. 810) (L. D. 1124) reported that

the same Ought to pass as amended by Committee Amendment "A" (Filing H-142)

The Committee on Judiciary on Bill, "An Act Relating to Power of Municipal Court to Order Sentences Served Concurrently or Consecutively." (H. P. 813) (L. D. 1128) reported that the same Ought to pass as amended by Committee Amendment "A" (Filing H-144)

(On motion by Mr. Marden of Kennebec, tabled pending second reading, and especially assigned for Tuesday next.)

The same Committee on Bill, "An Act Relating to Eminent Domain Under Slum Clearance and Redevelopment Authority Law." (H. P. 815) (L. D. 1130) reported that the same Ought to pass as amended by Committee Amendment "A" (Filing H-148)

Which reports were read and accepted in concurrence, and the Bills and Resolves read once. Committee Amendments "A" were read and accepted in concurrence, and the Bills and Resolves read once. Committee Amendments "A" were read and adopted in concurrence, and the Bills and Resolves, as amended, tomorrow assigned for second reading.

The PRESIDENT: The Chair recognizes in the Senate Chamber a congenial friend, the House Majority Leader and I think he has some friends with him. We would like to have you introduce them.

Representative BAXTER: Thank you, Mr. President. This young man is my son, Randy, and his two friends are Kenton Wright and Robert McMann, and all are from Pittsfield.

Ought to Pass — New Draft

The Committee on Agriculture on Recommended Bill, "An Act Relating to Prices of Milk Sold by Producers to Dealers by Bulk Tank." (H. P. 787) (L. D. 1102) reported that the same Ought to pass in New Draft under the same Title (H. P. 1102) (L. D. 1515)

The Committee on Inland Fisheries and Game on Bill, "An Act Relating to Trapping Season on Muskrats in Washington County." (H. P. 392) (L. D. 567) reported that the same Ought to pass in

New Draft Under New Title: "An Act Relating to Trapping Season on Muskrats in Washington County and by Members of Penobscot Tribe of Indians." (H. P. 1101) (L. D. 1514)

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

The Committee on Public Utilities on Bill, "An Act to Create the Fort Kent Sewerage District." (H. P. 528) (L. D. 726) reported that the same Ought to pass in New Draft under New Title of: "An Act to Create the Fort Kent Sewerage and Water District." (H. P. 1072) (L. D. 1477)

Comes from the House recommitted to the Committee on Public Utilities.

In the Senate, recommitted to the Committee on Public Utilities in concurrence.

MAJORITY — Ought to Pass
MINORITY — Ought Not to Pass

The Majority of the Committee on Business Legislation on Bill, "An Act to Regulate Credit Life and Credit Accident and Health Insurance." (H. P. 870) (L. D. 1205) reported that the same Ought to pass.

(Signed)

Senators: BROWN of Hancock
CHASE of Lincoln

Representatives:

EDWARDS
of Stockton Springs
JOHNSON of Smithfield
CHOATE of Hallowell
MORSE of Oakland
HUGHES of St. Albans
BERNARD of Sanford
SHEPARD of Stonington

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

(Signed)

Senator: PORTEOUS
of Cumberland

Comes from the House, passed to be engrossed as amended by House Amendment "C" (Filing H-151)

In the Senate, on motion by Mr. Brown of Hancock, the Majority Ought to Pass Report was accepted in concurrence, the bill read once, House Amendment C read and adopted in concurrence, and the bill as amended was tomorrow assigned for second reading.

REPORT "A" — Ought to Pass
As Amended by Com. Amend. "A"
REPORT "B" — Ought not to Pass

Five members of the Committee on Inland Fisheries and Game on Resolve, Regulating Smelt Fishing in Crooked River, Cumberland County. (H. P. 95) (L. D. 135) reported in Report "A" that the same Ought to pass as amended by Committee Amendment "A" (Filing H-146)

(Signed)

Representatives:

WADE of Skowhegan
MERRILL of Stetson
HANSON of Bradford
DODGE of Guilford
WALLS of Millinocket

Five members of the same Committee on the same subject matter reported, in Report "B", that the same Ought not to pass.

(Signed)

Senators: STILPHEN of Knox
CARPENTER

of Somerset

CYR of Aroostook

Representatives:

ANDERSON of Ellsworth
MOORE of Casco

Comes from the House passed to be engrossed as amended by Committee Amendment "A".

In the Senate:

Mr. CARPENTER of Somerset: Mr. President, I move acceptance of the Ought not to Pass report.

Mr. DAVIS of Cumberland: Mr. President and members of the Senate: This river is about fifteen miles from where I reside so I am quite familiar with the situation and what this bill does. It permits it to be open for smelt fishing from the banks only. This is quite a good sized river. One can't wade out or use boats to clean out the smelt population and I have been advised that smelts are the most vicious fish we have so far as cleaning out the small fry and fish

eggs. I am also informed that a great many people in Cumberland County desire that this be opened and I hope that the motion of the Senator from Somerset, Senator Carpenter, will not prevail, and when the vote is taken I ask for a division.

Mr. CARPENTER of Somerset: Mr. President, I have no particular qualms over this bill. It was the feeling of the committee that the salmon in Sebago Lake are coming back and it was felt that to have this closed would provide them with more food. That was the only reason. Sebago has of course been known for many years as one of the good salmon lakes of the state and I believe this would be a good bill to kill.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Somerset, Senator Carpenter, that the Senate accept Report B, Ought not to pass. A division has been requested.

A division of the Senate was had.

Six having voted in the affirmative and twenty-two opposed, the motion did not prevail.

Thereupon, on motion by Mr. Davis of Cumberland, Report B was accepted, the bill read once, Committee Amendment A read and adopted, and the bill as amended tomorrow assigned for second reading.

**Senate Committee Reports
Leave to Withdraw**

Mr. Edgar from the Committee on Taxation on Bill, "An Act Relating to Refund of State Excise Tax on Malt Beverages Sold to Government Instrumentalities." (S. P. 363) (L. D. 1096) reported that the same should be granted Leave to Withdraw.

Ought Not to Pass

Mr. Noyes from the Committee on State Government on Resolve, Proposing an Amendment to the Constitution to Provide for Election of Members of Executive Council. (S. P. 303) (L. D. 891) reported that the same Ought not to pass.

(On motion by Mr. Carpenter of Somerset, tabled pending acceptance of the report.)

Which reports were read and accepted.

Sent down for concurrence.

Ought to Pass

Mr. Lovell from the same Committee on Resolve, Proposing an Amendment to the Constitution Authorizing the Construction of Industrial Buildings. (S. P. 362) (L. D. 1095) reported that the same Ought to pass.

Which report was read and accepted, the Bill read once and tomorrow assigned for Second Reading.

Ought to Pass — As Amended

Mr. Marden from the Committee on Retirements and Pensions on Bill, "An Act Relating to Disability Benefits Under Maine State Retirement System." (S. P. 203) (L. D. 536) reported that the same Ought to pass as amended by Committee Amendment "A" (Filing S-88)

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 to Pass
MINORITY — Ought Not to Pass**

The Majority of the Committee on Taxation on Bill, "An Act Exempting the Grange from Property Taxes." (S. P. 446) (L. D. 1312) reported that the same Ought to pass.

(Signed)

Senators: EDGAR of Hancock
WYMAN of Washington
PORTEOUS of Cumberland

Representatives:
BRADEEN of Waterboro
MAXWELL of Jay
ALBAIR of Caribou
WHEATON of Princeton
LETOURNEAU of Sanford

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

(Signed)

Representatives:
BAXTER of Pittsfield
WATERMAN of Auburn

On motion by Mr. Wyman of Washington, the Majority Ought to pass report was accepted and the bill read once.

Thereupon, on motion by Mr. Mayo of Sagadahoc, the bill was tabled pending assignment for second reading and was especially assigned for Friday, April 14.

Second Readers

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

House

Resolve, Regulating Fishing in Maranacook Lake, Kennebec County. (H. P. 490) (L. D. 690)

Bill, "An Act Authorizing State of Maine to Convey Knox Arboretum, Knox County." (H. P. 779) (L. D. 1061)

Bill, "An Act Relating to Confidential Records in Insurance Department." (H. P. 942) (L. D. 1290)

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

House — As Amended

Bill, "An Act Prohibiting Stocking Certain Waters with Fish." (H. P. 877) (L. D. 1212) amended by Committee Amend. "A" (Filing H-113)

Bill, "An Act Relating to Registration of Motorized Invalid Chairs." (H. P. 1097) (L. D. 1510) amended by House Amendment "A" (Filing H-147)

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

Senate

Bill, "An Act Modifying the Notice Required on Finance Board Budget Recommendations to City Council of Lewiston." (S. P. 294) (L. D. 905)

Bill, "An Act Providing for Three Medical Examiners for Franklin County." (S. P. 188) (L. D. 434)

Which Bills were read a second time and passed to be engrossed. Sent down for concurrence.

Senate — As Amended

Bill, "An Act Relating to Passage of Ordinances by Lewiston City Council." (S. P. 329) (L. D.

1004) amended by Committee Amendment "A" (Filing S-84)

Bill, "An Act Relating to Control of Missiles and Rockets." (S. P. 430) (L. D. 1390) amended by Committee Amendment "A" (Filing S-85)

Which Bills were read a second time and passed to be engrossed, as amended.

Sent down for concurrence.

Enactors

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

Bill, "An Act Relating to Construction of Drains and Sewers in City of Portland." (H. P. 523) (L. D. 721)

Bill, "An Act Relating to Short Term Permits for Certain Farm Trucks." (H. P. 917) (L. D. 1251)

Bill, "An Act to Repeal the Acts Creating the Oxford Village Corporation." (S. P. 143) (L. D. 326)

Bill, "An Act Relating to License Fees by Boxing Commission." (S. P. 175) (L. D. 421)

Bill, "An Act Revising the Savings and Loan Laws." (S. P. 404) (L. D. 1386)

(On motion by Mr. Brown of Hancock, tabled pending enactment, and especially assigned for Wednesday, April 12)

Which Bills were severally passed to be enacted.

Emergency

Bill, "An Act Relating to Fraternal Benefit Societies." (S. P. 394) (L. D. 1260)

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

On motion by Mr. Brown of Hancock, the Senate voted to take from the table the 29th tabled and unassigned item (H. P. 477) (L. D. 677) House Reports from the Committee on Highways on Bill, "An Act Eliminating the Tolls from Deer Isle-Sedgwick Bridge", Majority Report, Ought not to pass; Minority Report, Ought to pass; tabled by that Senator on March 17 pending motion by Senator Cole of

Waldo to accept the Majority Ought not to pass report.

Mr. BROWN of Washington: This bill would eliminate the tolls on the Stonington-Deer Isle Bridge. I would like to explain the situation, if I may.

The Deer Isle-Stonington Bridge District was organized in 1937 and the bonds were issued for a period of thirty years to mature in 1967. This bridge was opened to traffic in 1939. The citizens of Deer Isle and Stonington paid tolls of one dollar plus passenger fee for ten years. In 1949 the tolls were reduced to 75 cents each way and the passenger toll dropped. Trucks pay according to their gross weight. Passenger rates are now 55 cents a single trip. Commutation books are now issued for ten round trips for \$7.25.

Last year 118,687 cars crossed this bridge with a total income of \$56,000. Even after all costs of collection and retirement of bond principal and interest, the surplus last year was over \$8000, making a surplus as of July 1st last year of \$77,346. It is reasonable to expect a surplus of \$85,846 by July 1st this year.

What the people of Stonington and Deer Isle are asking is only for \$17,000 a year for the next six years to retire the balance of these bonds and interest over and above their accumulated surplus.

I would like to point out to this honorable body that there are over 1200 registered automobiles on this island and the amount of \$80,000 was paid to the State in gas taxes last year.

If we believe in the economic growth of our State and its various areas, and if we wish to promote growth and help the economy of a particular area, this is one place to do so.

Mr. President, I hope the motion of Senator Cole to accept the majority report does not prevail and when the vote is taken I request a division.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Waldo, Senator Cole, that the Senate accept the majority "Ought not to pass" report of the committee.

Mr. COLE of Waldo: Mr. President, it is with some hesitation that I rise in opposition to the comments of the Senator from Hancock, Senator Brown. This bill was sponsored by a very fine person, and I would like to say that without doubt it was one of the best presentations before the Committee on Highways.

It is true that the figures that Senator Brown has given you are correct. We have outstanding at this time \$177,000 worth of bonds. We have \$19,120 of interest which should be added to it. It is also true that we do have an accrued surplus of \$77,346, leaving a balance of \$85,846.

I question whether it is good business practice to eliminate tolls from a bridge that is paying its way and which within three years will be toll-free.

Now it is true that in 1949 tolls were reduced from \$1.00 to 75 cents and in 1953 from 75 cents to 65 cents and in 1955 from 65 cents to 55 cents. As most of you know, the tolls are governed by the Highway Commission. It was our thought in the committee — a majority, I might say — that perhaps a further reduction would be in order, so the committee recommended to the Highway Commission a reduction of ten per cent. This was rejected. I presume the thinking was that if we can't get elimination we do not want anything.

Now six years ago I remember down in the Town of Westport in the County of Lincoln the State did take over the remaining bonds on that particular bridge because it was not paying its way, the bonds were in default and, under the set-up, the County of Lincoln was responsible for its share because of a previous amendment changing the set-up so that it would come under the town-county-state bridge act, which would in turn leave the County of Lincoln liable for some of these bonds.

This particular bridge was one of those that had the same arguments advanced that we hear now-adays; that this bridge would build up the economy of the little island. This failed to materialize, and consequently the tolls did not take

care of even the toll-keepers, so it was thought wise in the opinion of the Highway Committee at that time to abolish the tolls and take over the bonds.

However, this is a different picture entirely. The operation is paying, as the good Senator from Hancock, Senator Brown says; it has a profit of approximately \$8000 a year. Now the question is: Shall we eliminate the tolls and force the Highway Commission to redeem these bonds out of current construction funds? To me, it would seem like a bad precedent to set.

Now it is true, as the good Senator said, that the bond issue for the bridge was \$490,000. I wondered why we could build a bridge such as this for such a small amount, so I checked further and I found that was only about half of the actual cost. The State of Maine did furnish part of this \$490,000; the sum of \$145,000 was taken out of the State of Maine contingent fund. There was also a Federal P.W.A. grant of \$315,000, which was to help defray the cost of construction, so, as I said before, the original bond issue was only practically half of the original cost.

Now with only three years more to go the sponsor of this bill is asking for elimination of tolls entirely.

I would also like to add to that that the State of Maine has added further to this problem. Since 1949 the State, through a resolve introduced at that time or just before—the maintenance was transferred to the State of Maine Highway Department and since that time the State has expended for maintenance \$84,103.14. These figures include painting the bridge, extensive repair work to concrete piers and so forth, so the State of Maine has contributed quite substantially to this bridge, and the majority of the committee feel that since this bridge is paying its way and since the highway funds are not substantial, that the elimination of tolls at this time would be a step in the wrong direction. So I hope, Mr. President, that the motion before the Senate does not prevail.

Mr. EDGAR of Hancock: Mr. President and members of the Senate: I rise very strongly in support of my colleague from Hancock County, Senator Brown and equally strongly in opposition to the motion of the Senator from Waldo, Senator Cole. By way of justification of this proposal, there are just a few facts I would like to call to the attention of the Senate.

I do not remember the exact number of toll bridges now existing in the State of Maine. After this proposal I have had people say to me, "If we were to remove the tolls entirely from the Deer Isle bridge what would be to prevent the people involved in the other toll bridges from expecting their tolls to be removed too?" I would like to point out these facts:

No. 1. With the exception of the Deer Isle toll bridge every other toll bridge in the State of Maine is accompanied by an alternate route by which persons may avoid the toll on the toll bridge and not be compelled to use that bridge because of it being the only route they can take. In the case of Deer Isle there is no alternate route; the bridge goes to what you might call a captive town and people must cross the bridge or swim, and it is a long, cold swim.

I would like to draw just one or two comparisons to illustrate the reasonableness of this request.

As you all know, the State is subsidizing island ferries which now involve four islands. Last year the subsidy was to the tune of \$236,000 plus. The point I would like to bring out is this: The entire total population of these four islands is less than the population of Deer Isle alone. The State is investing \$236,000 a year to serve a total population of less than the population of Deer Isle alone, which is asking only to be relieved of \$17,000 for each of the next six years.

In conclusion, there is one other little interesting factor I would like to mention. Whereas the people of Deer Isle are requesting relief to the extent of \$17,000 a year the cost of collecting the tolls on the bridge is \$18,000 a year, so some-

where along the line there is going to be a saving of \$1000 a year.

I hope that the motion of the Senator from Waldo, Senator Cole, does not prevail.

Mr. COLE of Waldo: Mr. President, I agree with the Senator from Hancock, Senator Edgar, in regard to the ferries, and I believe I stood here and said those very same things at the time, but to no avail. However, in regard to other bridges, certainly he missed the bridge at Jonesport-Beales Island. That is a one-way affair too. The income last year was \$56,000, according to the sheet that was distributed to our desks. It is true toll collections were \$18,000. To my way of figuring, that leaves a \$38,000 profit. Are we to give that up completely? Once again, I would say, in my humble opinion, that this is setting a very bad precedent. Thank you.

Mr. EDGAR of Hancock: Mr. President, my apologies to the Senator and to the Senate for misinforming them. I did overlook the Jonesport-Beals Island bridge and I am glad that he reminded me of it. The population of Beals Island is approximately 600 people. The population of Deer Isle is 2500 plus. Last year the State of Maine invested \$65,000 in the Beals Island bridge serving a population of 600 people. \$65,000 in one year, and the people of Deer Isle are asking for \$17,000 with at least four times the population.

Mr. PARKER of Piscataquis: Mr. President, I had no idea that I would enter into this discussion but I do want to support the motion of the Senator from Waldo, Senator Cole, because I believe he is on firm ground. If I lived in the Deer Isle area I have no doubt but what I would be very glad to be relieved of the cost of getting to and from the island, but I believe most of us in this Body are fair minded. We realize that when this bridge was constructed, it was at the recommendation and, I might say a tremendous amount of lobbying by the residents of that island that they wanted the bridge, they expected to pay for it in tolls and why we as a Body, just because the tolls will in the next few years, eliminate the bonds, why

we should at this time step in and try to bail them out, I just cannot see that kind of philosophy. Probably if I lived on the island I might be glad to have it done, but this is not anything that is going to work any hardship on them and for my part, I think the bill and recommendation and the motion by the Senator from Waldo, Senator Cole should prevail.

The PRESIDENT: The question is on the motion of the Senator from Waldo, Senator Cole, that the Senate accept the Majority Ought not to pass report, and a division has been requested.

A division of the Senate was had.

Eleven having voted in the affirmative and nineteen opposed, the motion did not prevail.

On motion by Mr. Brown of Hancock, the Ought to pass report was accepted, the bill read once and tomorrow assigned for second reading.

The PRESIDENT: The Chair recognizes in the Senate Chamber two distinguished guests, members of the Republican State Committee, and the Chair would like to introduce Marie McLaughlin and Vice Chairman Ellen Thomas. Will these two ladies please rise so that the Senate may recognize them. (Applause)

On motion by Mr. Noyes of Franklin, the Senate voted to take from the table the 1st tabled and unassigned item (S. P. 42) (L. D. 102) Senate Report, Ought to Pass, from the Committee on Industrial and Recreational Development on Bill, "An Act Authorizing Municipal Construction of Industrial Building"; tabled by that Senator on January 25 pending acceptance of the report.

Mr. NOYES of Franklin: Mr. President, I move the acceptance of the Ought to Pass report of the committee. This bill was held for the simple reason that a Constitutional companion bill was going through, and on Page 5, Item 7-31 is the companion bill which was reported out by the Committee on State Government, Ought to Pass, and which we passed this morning. I now move the acceptance of the committee report on this bill.

Mr. FARRIS of Kennebec: Mr. President, I did not quite follow the entire reason but do I understand that this ties in with the other bill which is for a Constitutional amendment?

The PRESIDENT: The Senator from Kennebec, Senator Farris has posed a question through the Chair, and the Senator from Franklin, Senator Noyes, may answer if he wishes.

Mr. NOYES of Franklin: Mr. President, there were two bills; one, because it required a constitutional change and therefore would have to go to the people, was handled by the Committee on State Government. The second bill, the one I am talking about now, is the bill which sets up the mechanics for the operation.

The PRESIDENT: Does that answer your question, Senator Farris?

Mr. FARRIS: Mr. President, might I again inquire if the Attorney General's office has passed upon this as proper to be enacted at this time?

Mr. NOYES: Mr. President, as a matter of fact, that was one of the reasons it was tabled; and it has been cleared by the Attorney General's Department.

Thereupon, the motion prevailed, the ought to pass report was accepted, the bill read once and tomorrow assigned for second reading.

On motion by Mr. Stilphen of Knox, the Senate voted to take from the table the 47th tabled item (H. P. 169) (L. D. 232) House Report Ought to pass in new draft under the same title (H. P. 723) (L. D. 790) from the Committee on Towns and Counties on Bill, "An Act Relating to Uniforms for Deputy Sheriffs", tabled by that Senator on March 23 pending acceptance of the report; and that Senator yielded to the Senator from Washington, Senator Wyman.

Mr. WYMAN: Mr. President and members of the Senate: While I do feel strongly on this bill which came from the other body indefinitely postponed I do think that the members of the Senate are entitled to the thinking of your Committee on Towns and Counties when they

reported this bill out in a new draft.

The original bill provided that deputy sheriffs should have uniforms whenever the Sheriff deemed it necessary and there was no limit on the number of uniforms. After hearing the bill, it was thought in the committee that they did not want to see the Sheriff's department expend money unnecessarily. It did come out in a New Draft and I will read the New Draft, which is very short.

"He (the Sheriff) may require any of said full-time deputies and court officials to wear a uniform as prescribed by the Maine Sheriffs' Association, to identify themselves as officers of the law. Upon approval by the County Commissioners, uniforms required by this section shall be furnished by the county."

Our feeling in the committee was that it did not look well to see an officer of the law dressed up in any kind of clothes or in old clothes, and in the case where the sheriff had a full-time deputy—and there are not too many—that it was in order for these deputies to have uniforms with the approval of the County Commissioners, and for that reason we reported the bill out in this draft. I now move that the Senate accept the unanimous "Ought to pass" report of the committee.

The motion prevailed and the ought to pass report of the committee was accepted in nonconcurrency, the bill read once and tomorrow assigned for second reading.

On motion by Mr. Mayo of Sagadahoc, the Senate voted to take from the table the 15th tabled and unassigned item (H. P. 808) (L. D. 1122) House Report, ought to pass as amended by Committee Amendment A from the Committee on Highways on Resolve, Designating the Augusta-Waterville Portion of the Interstate System in Maine as Clinton A. Clauson Memorial Highway, tabled by that Senator on March 8 pending acceptance of the report; and that Senator yielded to the Senator from Waldo, Senator Cole.

Mr. COLE of Waldo: Mr. President and members of the Senate:

I would like to convey to the Senate the position of the Highway Committee in reporting out this bill ought to pass. We in the committee thought that this was a good gesture to recognize a very popular former governor. However, since that time there have been some objections to it and I recognize that fact. I believe that there will be an amendment offered later by Senator Mayo and I am strictly in accord with it because it does honor this same Governor for whom I had a lot of respect. I also would like to state that our present governor has conferred with the family of the deceased Governor Clauson and they are happy with this amendment. I would also like to say that the Highway Commission has not taken any step whatever in it. They were requested to help in drawing up the amendment which they have done. I now yield to Senator Mayo of Sagadahoc.

On motion by Mr. Mayo of Sagadahoc, the committee report was accepted, the bill read once, Committee Amendment A read and adopted and Mr. Mayo presented Senate Amendment A and moved its adoption.

The Secretary read Senate Amendment A.

Mr. FARRIS of Kennebec: Mr. President, just a point of information. Are we naming bridges to be built or bridges already in existence?

The PRESIDENT: The Senator from Kennebec, Senator Farris, addresses a question through the Chair to the Senator from Sagadahoc, Senator Mayo, and the Senator may answer if he chooses.

Mr. MAYO of Sagadahoc: Mr. President, we are naming bridges that are now in the process of being built — not being built at the present moment, but they will be built and, as I understand, completed by 1963.

Mr. FARRIS: As I understand that amendment—is it tied in just to the Interstate Highway and not to the present bridges that are in Fairfield?

The PRESIDENT: Does the Senator from Sagadahoc, Senator Mayo, wish to answer?

Mr. MAYO: Mr. President, for the information of Senator Farris,

the Interstate Highway at the present time ends at the intersection of the Fairfield-Skowhegan road, and there are two bridges, with eastbound and westbound lanes, to be completed across the Kennebec River before the Interstate Highway can continue on to Bangor or Newport, one of the future sections of this highway; and not to cause a lot of problems and a lot of trouble is the reason I have been working on this bill to have these two bridges named for the late Governor Clinton Clauson.

The PRESIDENT: The Chair would like to inform the Senator from Kennebec, Senator Farris, that we in Penobscot County would like to have these bridges as quickly as possible.

Mr. EDGAR of Hancock: Mr. President, perhaps this question is rooted in confusion, but did the Senate not just adopt Committee Amendment "A" or House Amendment "A", whichever it is?

The PRESIDENT: Committee Amendment "A".

Mr. EDGAR: And now we have adopted Senator Mayo's amendment. Are the two not in conflict in any way?

The PRESIDENT: The Senator from Hancock, Senator Edgar, directs a question through the Chair to the Senator from Sagadahoc, Senator Mayo.

Mr. MAYO of Sagadahoc: Mr. President, I think that is a very good question of Senator Edgar's. This amendment was drawn up by the Highway Commissioner and presented to Mr. Slocberg, and his understanding is that my amendment will supersede any previous amendment and changes the bill over. This is my understanding, Senator Edgar.

Mr. EDGAR: Then I have this question, if I may through the Chair, to Senator Mayo. Wouldn't it be a cleaner operation if we were to reconsider and kill the first amendment so there would be no doubt.

The PRESIDENT: The Senator from Sagadahoc, Senator Mayo may answer.

Mr. MAYO: I would approve of any parliamentary procedure which would make this a clean bill and get the desired results.

Mr. PORTEOUS of Cumberland: Mr. President, I was at the hearing and the reason this House amendment was put on at the suggestion of the Highway Commissioner was to have a beginning and an end point, and I think it will apply whether this is called the Clinton A. Clauson Highway or the Brian Jewett Highway. The previous bill and this bill had not said where this particular highway was to begin and left it indefinite. This spells out exactly where it begins and exactly where it ends.

Mr. EDGAR of Hancock: Mr. President, I get the point that Senator Porteous is making, but if this highway is to be called the Brian Jewett Highway there is no beginning and end point other than the two extremes of the highway. There is no need to define the beginning and end points between Augusta and Waterville if the whole highway is to be called the Brian Jewett Highway.

Thereupon, on motion by Mr. Mayo of Sagadahoc, the Senate voted to reconsider its action taken earlier in today's session whereby Committee Amendment A was adopted; and on further motion by Mr. Mayo of Sagadahoc, Committee Amendment A was indefinitely postponed and Senate Amendment A was adopted and the bill was tomorrow assigned for second reading.

The PRESIDENT: The Chair recognizes in the Senate Chamber the presence of a former Senator from Aroostook County, Senator Good. It is a pleasure to have you with us, Senator Good. I will ask the Sergeant-at-Arms to escort former Senator Good to the rostrum. (Applause)

The PRESIDENT: Would the Senator care to say a word?

Mr. GOOD: Mr. President, I served here about two years in this noble body and I appreciated it a great deal. I learned things here I will never forget, and I was disappointed lots of times in things I wanted to go my way, especially when I had the cigarette tax. I think I was the first man who introduced the cigarette tax. They told me when I was in the House, "If you try to put the cigarette

tax through they will kill you." I said, "Well, I am going to try it anyhow." One man said, "It is no use to try it because we will all defeat you." Well, you remember when they voted I carried it in the House with 153, I think it was, in favor of it. Then I said, "I'm going to put an emergency clause on it." He said, "That won't be any use; they will kill it as soon as it reaches the public." When they voted I had 115 in favor. You see I had to have a two-thirds majority. It came to the Senate and they deadlocked it, and George Barnes was good enough to put it on the table and we had a conference and I picked up votes enough that night to win it and so I went out with a victory. Thank you very much for the pleasure of speaking to you at this time. (Applause)

The PRESIDENT: It is nice to have you with us, Mr. Good.

On motion by Mr. Farris of Kennebec, the Senate voted to take from the table the 48th tabled and unassigned item (S. P. 348) (L. D. 1081) Senate Report, Ought to Pass as amended by Committee Amendment A from the Committee on Judiciary on Bill, "An Act Declaring Uncovered Excavations to be Nuisances."; tabled on March 28 by Senator Farris of Kennebec pending acceptance of the report; and on further motion by the same Senator, the ought to pass report was accepted, the bill read once; Committee Amendment A read and adopted, and the bill tomorrow assigned for second reading.

On motion by Mr. Farris of Kennebec, the Senate voted to reconsider its former action taken earlier in today's session whereby it passed to be engrossed Item 7-9, Bill, "An Act Relating to Control of Missiles and Rockets." (S. P. 430) (L. D. 1390)

Mr. FARRIS of Kennebec: Mr. President, I move that this item be tabled and I think I probably should explain why.

Under the definition of missile or rocket in the original bill it just states it means any thing or object capable of being thrown, hurled or projected into the air above the ground. All I could think

of was baseballs and so forth. So the committee, in its wisdom added an amendment; "Projected into the air above the ground by explosive or propellant," and it has now been brought to my attention that when you go back to the definition of a propellant it means any solid, liquid or gaseous substance capable of any chemical reaction releasing energy or pressure, and we might find it necessary for Ambassador Williams, for example, to come to our Maine Aeronautical Commission to get a license to keep selling these spray tooth-pastes. I think this bill should lie upon the table until we can correct what could be a very bad situation.

Mr. EDGAR of Hancock: Mr. President, I request a division.

A division of the Senate was had.

Twenty-two having voted in the affirmative and five opposed, the motion to table prevailed.

On motion by Mr. Cyr of Aroostook, the Senate voted to take from the table the 8th tabled and unassigned item (H. P. 17) (L. D. 36) House Reports from the Committee on Inland Fisheries and Game on Bill, "An Act Providing for Bounty on Bears"; Majority Report Ought to pass as amended with Committee Amendment A; Minority report, Ought Not to pass; tabled by that Senator on February 22 pending acceptance of either report.

Mr. CYR of Aroostook: Mr. President, I would like to move that we accept the majority report "Ought to pass" and in support of my motion I would like to say a few words.

First of all, I would like to explain a little bit some of the clauses in the bill. To begin with, with the amendment that was brought in the bounty would only be paid for the months of May to September, thereby eliminating the months during the hunting season. The objection that some have to this bill is that during the hunting season if a hunter goes after a deer and finds a bear that he will be paid a bounty that he is really not entitled to. That was one of the reasons why we amended the bill to cover only the

months of May to September. Also, to prevent certain abuses, the whole skin of the bear has to be presented within seventy-two hours to the treasurer of the town or to the game warden of that area, at which time the warden or the treasurer of the town will split the right ear of the bear lengthwise, thereby making it impossible to claim the bounty twice on the same animal.

Now it has been said that the bounty does not solve any of the problems and that it is expensive. If we go back to the figures of the Department of Agriculture we find for the year 1954-55, which was the highest bounty ever paid, it was \$16,000. 1955-56, now those were two heavy-kill years. The bounty dropped in 1956-57 way down to \$8000. If we follow the same years on the claims, the costs on the claims, we find that in 1955-56 the claims paid by the department were \$5141. Now the next year it dropped to \$2595. After the bounty was taken off we find that the claims jump back to \$6000 and it has been leveled off at something around \$5000.

We are also told that since the bounty has been taken off in 1957 that the bear population is on the increase. This is possibly not reflected in the claims paid. Now the reason for this, they tell us, is that for the past two years we have had an abundance of wild fruit and berries in the forests and consequently in the years that we have an abundance of wild food we find that the damage caused by bears is light during those years: However, if we take the increase, the comment we have from all around that the population of bear is on the increase and if we should have a year of poor wild berry crops we wonder just what would happen to the livestock and the sheep on the neighboring farms.

The damage claims paid do not reflect all the cost. To begin with, if a sheep farmer loses some of his sheep to the bears most of the time they will tell us that the bear pick on the lambs, on the young ones. Now if a sheep farmer is building a flock of sheep it takes him two, three or four years be-

fore he can really reap the crop from that flock, and if the bear pick out some of his best lambs his program is retarded or delayed by that number of years.

Also, there are no figures available anywhere as to the crop damage, the damage to oat fields and grain fields.

My attention was brought to the fact that bears also do a lot of damage to trees in the forest. I have here two letters to Mr. Rex Gilpatrick from the International Paper Company, showing some of the damages that are caused by bears in the forest. I read:

"There is enclosed the information regarding bear damage to spruce and fir in Northern Maine which you requested. The attached study took place in 1955 which happened to fall on a year when there was excessive damage by bear in the Clayton Lake area. For some reason which we cannot explain, the damage is not constant each year and on certain years there is much more damage than in other years. I have been asking this same question of Game Biologists for several years but no one seems to have the answer. I might mention that they experience this same type of bear damage out on the West Coast and I happened to read an article regarding it about two years ago in an Outdoor Magazine."

Now this report shows that their survey of estimated loss on five of the townships on which they made the report of between thirteen and fourteen thousand cords of wood. Now if we take just the cost of stumpage at six dollars a cord it would be fourteen thousand times six, which would give us \$84,000 as the damage caused by bear.

Now the bounty, as some of you probably do not know, is not paid by the Fish & Game Department, it is paid from the dog licenses, and that is one of the reasons for the objection, and I can see their reason. I do not blame them in one way, but on the other hand I think when I get through here you will find out that it wouldn't make too much difference.

Last year the dog licenses brought in \$120,000. \$23,000 was

charged to administration. I am just giving you the rough figures here. \$17,000 for boarding of stray and abandoned dogs. \$18,000 for porcupine bounty. \$9000 for poultry claims. \$15,000 for livestock claims. Now that left an unexpended balance of \$36,000 which was paid back to the communities, to towns, on the number of licenses that they had issued, which means that a community would probably be getting back maybe \$25 or \$30 on this unclaimed tax money. Now certainly I am sure that there is no community in the State of Maine that would deny the protection that the bounty has given to the sheep farmers and the livestock farmers, the protection from the bear damage.

At the hearing we had many testimonies in favor of putting back the bounty. We had people representing the Sheep Rangers Association, people representing the Livestock Association, from the Maine Grange, and all those people testified in favor of putting back the bear bounty, and certainly I believe that the testimony of those people should be honored. As far as they are concerned, they are helpless. The remark was made that if there is a bear that does damage in their area why don't they go after it? Well, most of the farmers are the same way I am: If they saw a bear they would run for cover, and that is just about the situation in most cases. They also tell us: Why not make it a sporting event and have the sportsmen take care of it? Well, we also found out at the hearing that there are not too many sportsmen that go after bears. Not only that, but the animal we are talking about is a very cunning animal and a very dangerous and deadly animal, consequently if you have a killer bear in the area after he has done his kill the next day or two days after he may be fifty miles away. You don't know just where he is. They tell me that bear-hunting is a specialty in itself. I don't know; I never hunted, but I can see where it might be. It is for that reason that we believe that we should try to keep the population down as much as possible. We know that

the bear bounty will never eliminate the bear, and I do not believe that we are completely in favor of eliminating the bear. There is a certain amount of sportsmen who like bear-hunting and they should not be deprived of that privilege, but they have all the chance in the world to do the hunting, and with this bill here, which I believe is good legislation, they can still do their hunting; if they prefer to hunt bear in the fall instead of deer they can do their hunting during that time. Not only that, but I would say that if you have a sportsman who likes to go hunting just for the sake of the bear and the bounty would deprive him of that privilege, let him kill the bear and collect the bounty and give it to his favorite charity.

Thereupon, on motion by Mr. Carpenter of Somerset, the bill was tabled pending motion by Mr. Cyr of Arcostook to accept the Majority Ought to Pass report, and was

especially assigned for Friday, April 14.

The PRESIDENT: We have in the Senate gallery twenty-six students from Strong High School accompanied by their teacher, Mr. Davidson, and four parents. It is certainly a pleasure to have such a large group visit the Senate chambers. We are pleased that you came and hope that your stay is a pleasant one as you visit the legislative halls of the State. Will you please rise so that the Senate may recognize you? For your information, the Senator from your County is Senator Sheldon Noyes from Rangeley. I am sure that he will be pleased to answer any questions you may have, or take you on a tour of the building. (Applause)

On motion by Mr. Noyes of Franklin

Adjourned until Friday morning at nine-thirty o'clock.