

# 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**

Friday, April 14, 1961

Senate called to order by the President.

Prayer by Rev. Victor P. Musk of Augusta.

On motion by Mr. Wyman of Washington,

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, April 18th, at 10 o'clock in the morning. (S. P. 518)

Which was read and passed.

Sent down for concurrence.

**Papers from the House  
Non-Concurrent**

Bill, "An Act Combining Use of State Aid and Town Road Improvement Funds." (S. P. 136) (L. D. 319)

In Senate, March 29, passed to be engrossed as amended by Senate Amendment "A". (Filing S-69)

Comes from the House Indefinitely Postponed, in non-concurrence.

In the Senate, on motion by Mr. Ferguson of Oxford, tabled pending consideration.

Mr. Lovell of York presented,  
**STATE OF MAINE  
JOINT RESOLUTION**

WHEREAS, in the State of Maine there have been over 30,000 people unemployed for a long period, and Maine is the 49th State in the United States in number of unemployed percentagewise; and

WHEREAS, the per capita income in Maine is the lowest of any State in New England; and

WHEREAS, the tax per capita is the 2nd highest in New England; and

WHEREAS, much tax money has been spent on non-income producing fields; and

WHEREAS, Maine has lost over 6,000 manufacturing jobs in the last eight years; and

WHEREAS, the textile industry employment has dropped from 27

percent to 17 percent of total manufacturing employment; and

WHEREAS, Maine is the 44th State in the United States in population increase; and

WHEREAS, in recreational development, Maine is far behind other States in their overall program; and

WHEREAS, Maine spends far too little compared to other States in publicity of the State in tourism; and

WHEREAS, Maine lags in its development of the State Park program; and

WHEREAS, Maine is backward in upgrading and developing new recreational facilities; and

WHEREAS, Maine now gets in return from tourist business \$16.00 in direct taxes for each dollar spent and \$145.00 for each dollar spent in gross business, more advertising is essential; now, therefore be it

RESOLVED, that this 100th Legislature give primary and urgent consideration to those measures now before the Legislature which will improve and expand the economy of Maine, before the Legislature considers those non-income producing measures which call for increased services and brick and mortar expenditures.

(S. P. 520)

Which was read and approved.  
Sent down for concurrence.

**House Committee Reports  
Leave to Withdraw**

The Committee on Education on Bill, "An Act to Permit the Town of Moscow to Withdraw from School Administrative District No. 13." (H. P. 469) (L. D. 669) reported that the same should be granted Leave to Withdraw, as Covered by Other Legislation.

Which report was read and accepted, in concurrence.

**Ought to Pass**

The Committee on Legal Affairs on Bill, "An Act Revising the Laws Relating to Registration of Architects." (H. P. 822) (L. D. 1137) reported that the same Ought to pass.

Which report was read and accepted in concurrence, the Bill

read once and tomorrow assigned for second reading.

The same Committee on Bill, "An Act to Incorporate the Town of Hamlin, Aroostook County." (H. P. 685) (L. D. 963) reported that the same Ought to pass.

In House, April 13, passed to be engrossed, as amended by House Amendment "A" (Filing H-184)

In Senate, Report accepted in concurrence, and the Bill read once. House Amendment "A" read and adopted in concurrence, and the Bill, as amended, tomorrow assigned for second reading.

**Ought to Pass — As Amended**

The Committee on Claims on Resolve in Favor of Stanley Megquier of Orient. (H. P. 1085) (L. D. 1495) reported that the same Ought to pass, as amended by Committee Amendment "A" and by House Amendment "A" (Filing H-181)

(In the Senate, on motion by Mr. Cole of Waldo, tabled pending acceptance of the report and especially assigned for Wed., April 19.)

**MAJORITY — Ought to Pass in New Draft, New Title  
MINORITY — Ought Not to Pass**

The Majority of the Committee on Welfare on Bill, "An Act Creating a Permanent Committee on Aging." (H. P. 64) (L. D. 106) reported that the same Ought to pass in New Draft, under New Title: An Act Continuing the Committee on Aging. (H. P. 1116) (L. D. 1538)

(Signed)  
Senators: MARDEN of Kennebec  
BATES of Penobscot  
CYR of Aroostook

Representatives:  
STORM of Sherman  
HANCOCK of Nobleboro  
HINDS of South Portland  
PHILBRICK of Augusta  
SMITH of Strong  
KILROY of Portland

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

(Signed)  
Representative:  
MALENFANT  
of Lewiston

In House, the Majority Report, Ought to pass in New Draft under New Title accepted, and the New Draft (H. P. 1116) (L. D. 1538) referred to the Committee on Appropriations and Financial Affairs.

In the Senate, referred to the Committee on Appropriations and Financial Affairs in concurrence.

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

The Majority of the Committee on State Government on Bill, "An Act Increasing Compensation for Legislators During Special Sessions." (H. P. 51) (L. D. 92) reported that the same Ought Not to pass.

(Signed)  
Senators: NOYES of Franklin  
LOVELL of York  
Representatives:  
HAUGHN of Bridgton  
DOSTIE of Lewiston

Comes from the House, indefinitely postponed.

(In the Senate, on motion by Mrs. Christie of Aroostook, tabled pending acceptance of either report and especially assigned for Tuesday next.)

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

The Majority of the Committee on State Government on Bill, "An Act Increasing Compensation of Boards of Registration in Cities." (H. P. 1023) (L. D. 1424) 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 Mount Desert  
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)  
Representatives:  
HAUGHN of Bridgton  
DOSTIE of Lewiston  
NOEL of Waterville

Comes from the House passed to be engrossed, as amended by House Amendment "A" (Filing H-171)

In the Senate:

Mr. NOYES of Franklin: Mr. President, I move that we concur with the House.

Mr. EDGAR of Hancock: Mr. President, I have no particular interest in this bill but it just occurred to me that in view of the fact the Election Laws Committee has recently had a public hearing and is considering a revision of the election laws which, if passed, would do away with boards of registration, it might be well if we held this up a little bit until we find out what happens to that election law revision. For those reasons, I would move that both reports be tabled pending acceptance of either report, unassigned.

The motion prevailed and the bill was tabled pending motion by Mr. Noyes of Franklin to concur with the House.

**REPORT "A" — Ought to Pass**  
**REPORT "B" — Ought Not to Pass**

Five members of the Committee on Judiciary on Bill, "An Act Extending the Powers of the Maine-New Hampshire Interstate Bridge Authority." (H. P. 78) (L. D. 121) reported in Report "A" that the same Ought to Pass.

(Signed)

Senator: ERWIN of York

Representative:

SMITH of Bar Harbor  
 THORNTON of Belfast  
 RUST of York  
 MINSKY of Bangor

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

(Signed)

Sensors: MARDEN of Kennebec

BOARDMAN

of Washington

Representatives:

KNIGHT of Rockland  
 BEANE of Augusta  
 BERMAN of Auburn

Comes from the House, Report "A", Ought to pass, accepted and the Bill passed to be engrossed.

Mr. ERWIN of York: Mr. President and members of the Senate:

I am going to move that Senate accept Report "A" "Ought to pass," but before I do so I would like to address my remarks, as briefly as I may, to the question.

I speak to you in the name of economy and, I will confess with a slant indicated toward the area in which I live, and the plea that this particular report may receive passage.

First, let me tell you about the Maine-New Hampshire Interstate Bridge Authority. As perhaps most of you realize, this is not a private institution such as the Maine Turnpike Authority; this is another agency of the Legislature of the State of Maine just as the Highway Commission is an agency. This particular agency has a very narrow function. Its function in the past has been to enter into a compact with the State of New Hampshire to build a bridge over the Piscataqua River on the borderline between Maine and New Hampshire, extending from the town of Kittery in Maine to the city of Portsmouth in New Hampshire. The composition of the Interstate Bridge Authority is three members from each state and one member from the three on each side is the chairman of the Highway Department or Commission as the case may be. In any event, the Chairman of our own Highway Commission is a member of the Interstate Bridge Authority.

Now this Authority has built an existing toll bridge over the Piscataqua River and the bridge has been paid for out of the tolls, it has been maintained by the tolls as the bonds are being amortized and the interest charges are being paid, and a fund has been built up now of sufficient size so that within a year or two there will be enough funds producing enough revenue to maintain the bridge and the approaches forever. At that time the Interstate Bridge Authority, I believe, by law is to pass out of existence.

The Committee Report "A" recommends that the bill "Ought to pass," recommends to you that the Interstate Bridge Authority be extended, in brief, to permit the Authority to investigate the feasibility of constructing a new bridge

alongside the existing facility, to double the traffic volume at that particular point and to enter into Interstate Route 95 which comes up along the Turnpike and reaches as far as Fairfield.

This is not a question in the Senate, and I hope we do not have to debate it in the Senate as I think it was erroneously debated in the Judiciary Committee — this is not a question of which bridge is the better bridge. The Highway Department has a plan, an admittedly tentative plan, which may be several years in fruition, which calls for another type of bridge upriver, connecting the Maine and New Hampshire parts of the Interstate Highway. We are asking for the opportunity to develop an alternative plan to that one.

Now the reasons with which we are concerned may perhaps be narrow reasons in the area of York County where this bridge reaches but they are also reasons which affect the economy of Maine, because I want to emphasize again to you that this particular Interstate Bridge Authority has fulfilled its function so that it has not cost the taxpayers of the State of Maine a dime, and it proposes to do exactly the same thing: to modernize the existing bridge across the river, again without costing the taxpayers of the State of Maine a dime. Remember, please, when we talk about all of these wonderful capital improvements that we provide for all over the State of Maine it is only the first dollar that we talk about; we always seem to forget that once we build something we have to maintain it forever, and it costs money. If this particular agency is given an extension of its powers the tolls will fund the bridge, pay for the bridge and maintain it forever just as they have in the existing case.

When you come off the Turnpike you pick up Route 1 again in the Town of Kittery. I am sure that all of you who go to Boston fairly frequently know of the existence of this road. You must realize that since the Turnpike was built there are a large number of rather important businesses which have settled along this particular line of highway. They happen to be the

kind of businesses which live on the tourist and road trade; they are motels of various sizes, one big, some smaller, and gas stations of various sizes. They return to the town of Kittery, if I am not mistaken, the sum of some twenty-five or thirty thousand dollars a year in taxes. The investment in these particular businesses runs into I believe millions of dollars, at least over a million dollars — it must be very close to two million, but I am going to be conservative about it. If they do not have an opportunity to have an alternative plan developed, an alternative to the Highway Department's plan, they will be by-passed by a non-access road two miles to the west of them and they will simply wither on the vine; the town of Kittery will lose the tax revenue and the business that we talk about attracting into Maine—in this particular instance they are restaurants and tourist business and the gas stations which depend on the tourist business—they are simply going to look on some of our claims for recreation and the attraction of tourists as hollow words.

For that reason, we ask that you buy this extension of the Interstate Bridge Authority simply as a way of giving us a change to develop an alternative to try to save some of the economic life of this area. I hope, Mr. President, that Report "A" of the Committee, "Ought to pass", will be accepted.

Thereupon, on motion by Mr. Marden of Kennebec, the bill was tabled pending motion by Senator Erwin of York to accept the Ought to Pass Report A of the Committee.

#### Senate Committee Reports Leave to Withdraw

Mr. Pike from the Committee on Towns and Counties on Bill, "An Act Providing for County Bond Issue for Jail Improvements in Kennebec County." (S. P. 308) (L. D. 896) reported that the same should be granted Leave to Withdraw.

Which report was read and accepted.

Sent down for concurrence.

**Ought Not to Pass**

Mr. Bates from the Committee on Education on Bill, "An Act Establishing Regional Technical and Vocational Centers." (S. P. 413) (L. D. 1455) reported that the same Ought not to pass.

(On motion by Mr. Farris of Kennebec, tabled pending acceptance of the report, and especially assigned for Friday next.)

The same Senator from the same Committee on Resolve, Appropriating Moneys for Vocational Educational Institute in Washington County. (S. P. 276) (L. D. 877) reported that the same Ought Not to pass.

The same Senator from the same Committee on Resolve Appropriating Moneys for Vocational and Technical Institute in Northern Maine. (S. P. 317) (L. D. 993) reported that the same Ought Not to pass.

(On motion by Mrs. Christie of Arcostook, tabled pending acceptance of the report, and especially assigned for Wednesday next.)

Mrs. Lord from the Committee on Legal Affairs on Bill, "An Act Prohibiting Unfair Photographic Sales Practices." (S. P. 432) (L. D. 1392) reported that the same Ought not to pass.

Which reports were read and accepted.

Sent down for concurrence.

**Ought to Pass — New Draft — Same Title**

Mr. Lovell from the Committee on Industrial and Recreational Development on Recommended Bill, "An Act Authorizing State Park Commission Fees for Services and Accommodations." (S. P. 83) (L. D. 184) reported that the same Ought to pass in New Draft under the same title. (S. P. 519)

Which report was accepted, the bill in new draft read once and tomorrow assigned for second reading.

**Ought to Pass — New Draft — New Title**

Mr. Bates from the Committee on Education on Resolve, Providing for a Vocational Technical Institute in

Eastern Maine. (S. P. 316) (L. D. 992) reported that the same Ought to pass in New Draft, under New Title: Resolve Appropriating Moneys for Vocational and Technical Institute in Northeastern Maine. (S. P. 516)

(On motion by Mr. Farris of Kennebec, tabled pending acceptance of the report and especially assigned for Friday next.)

**House Committee Reports  
Leave to Withdraw**

The Committee on State Government on Bill, "An Act to Exempt University of Maine from Laws Relating to Bureau of Public Improvements." (H. P. 273) (L. D. 387) reported that the same should be granted Leave to Withdraw.

Which report was read and accepted in concurrence.

**Ought Not to Pass**

The Committee on Taxation on Bill, "An Act Exempting Gas for Cooking and Heating from Sales Tax." (H. P. 945) (L. D. 1293) reported that the same Ought not to pass.

The same Committee on Bill, "An Act Providing for Gas Tax Refund for Stock Race Cars." (H. P. 1029) (L. D. 1430) reported that the same Ought Not to pass.

Which reports were read and accepted in concurrence.

The Committee on Transportation on Bill, "An Act Providing for a Two Year Motor Vehicle Operator's License." (H. P. 950) (L. D. 1298) reported that the same Ought Not to pass.

(On motion by Mr. Porteous of Cumberland, tabled pending acceptance of the report and especially assigned for Tuesday next.)

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

The Majority of the Committee on Highways on Resolve Authorizing Study of Road from Allagash Plantation to the Canadian Border. (H. P. 46) (L. D. 1032) re-

ported that the same Ought Not to pass.

(Signed)  
 Senators: COLE of Waldo  
 FERGUSON of Oxford  
 BROWN of Hancock

Representatives:  
 TURNER of Auburn  
 DENNISON  
 of East Machias  
 CARTER of Etna  
 CROCKETT of Freeport

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

(Signed)  
 Representatives:  
 PRUE of Ashland  
 PHILBRICK of Bangor  
 NADEAU of Biddeford

In House Minority Report, Ought to pass, accepted and the Bill passed to be engrossed.

In the Senate, on motion by Mr. Ferguson of Oxford, the bill was tabled pending acceptance of either report, and especially assigned for Friday next.

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

The Majority of the Committee on Labor on Bill, "An Act Relating to Costs of Witness and Attorney Fees Under Workmen's Compensation Act." (H. P. 255) (L. D. 369) reported that the same Ought Not to pass.

(Signed)  
 Senators: MAYO of Sagadahoc  
 EDMUNDS of Aroostook

Representatives:  
 HARDY of Hope  
 THAANUM of Winthrop  
 WINCHENPAW  
 of Friendship  
 HANCOCK of Nobleboro  
 BROWN  
 of South Portland

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

(Signed)  
 Senator: COUTURE  
 of Androscoggin  
 Representative:  
 JOBIN of Rumford

In House, Minority, Ought to pass Report accepted and subsequently the Bill was indefinitely postponed.

In the Senate:

Mr. MAYO of Sagadahoc: Mr. President, I move that the Senate accept the Ought Not to pass report.

Mr. LOVELL: Mr. President, I move that the bill be tabled until April 21.

Mr. MAYO: Mr. President, I ask for a division on the tabling motion.

Mr. LOVELL: Mr. President, I am tabling this bill in regard to putting on —

Mr. MAYO: Mr. President, a point of order.

Thereupon, a division of the Senate was had.

Eighteen having voted in the affirmative and six opposed, the motion to table prevailed and the bill was tabled pending motion by Mr. Mayo to accept either report and was especially assigned for April 21.

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

The Majority of the Committee on Transportation on Bill, "An Act Relating to Weight Tolerances for Motor Vehicles Carrying Firewood, Pulpwood, Logs or Bolts." (H. P. 861) (L. D. 1175) reported that the same Ought Not to pass.

(Signed)  
 Senators: COLE of Waldo  
 GILBERT of Kennebec  
 STILPHEN of Knox

Representatives:  
 BERRY of Portland  
 WHITNEY of Winn  
 DUNN of Poland  
 LINNEKIN of Limington  
 NADEAU of Lewiston

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

(Signed)  
 Representatives:  
 BUSSIÈRE of Lewiston  
 FINLEY of Washington

Comes from the House recommitted to the Committee on Transportation.



In the Senate, on motion by Mr. Stilphen of Knox, the Senate voted to recommit the bill to the Committee on Transportation in concurrence.

**Senate Committee Reports**

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Resolve, Proposing an Amendment to the Constitution to Allow the Governor by Appointment to Fill Vacancies in the Legislature. (S. P. 307) (L. D. 895) report that they are unable to agree.

Which report was read and accepted.

Sent down for concurrence.

Mr. Lovell from the Committee on Industrial and Recreational Development on Bill, "An Act to Create the Maine Recreational Facilities Authority Act." (S. P. 419) (L. D. 1358) reported that the same Ought to pass.

On motion by Mr. Lovell of York, the bill was tabled pending acceptance of the report and especially assigned for April 21.

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

The Majority of the Committee on Education on Bill, "An Act to Permit the Town of Moscow to Withdraw from School Administrative District No. 13." (S. P. 342) (L. D. 1075) reported that the same Ought Not to pass.

(Signed)

Senators: BATES of Penobscot  
BROOKS of Cumberland  
Representatives:

- HANSON of Lebanon
- HICHBORN of Medford
- CURTIS of Bowdoinham
- ESTEY of Portland
- LEVESQUE  
of Madawaska
- SIROIS of Rumford
- DURGIN of Raymond

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

(Signed)

Senator: SAMPSON of Somerset  
Mr. BATES of Penobscot: Mr. President, on the assurance of Senator Sampson of Somerset that

he did not wish to speak on this matter on the floor of the Senate, and because of the urgency of construction, I move that this Senate accept the Majority Report.

Mr. COLE of Waldo: Mr. President, due to the fact that this particular bill has some effect on bills that may be coming out of the Committee on Education later, I move that the bill be tabled.

Mr. BATES of Penobscot: Mr. President, I request a division on the tabling motion.

Mr. FARRIS of Kennebec: Mr. President, might I inquire through the Chair, if the Senator from Waldo, Senator Cole, would be willing to assign the bill to a day certain.

Mr. COLE of Waldo: Mr. President, due to the fact that the other bills from the Committee on Education are not yet reported, I would rather not especially assign this bill at this time.

A division of the Senate was had.

Fifteen having voted in the affirmative and ten opposed, the bill was tabled pending motion by Mr. Bates to accept the Majority report.

**Change of Reference**

Mr. Lovell from the Committee on Industrial and Recreational Development on Resolve, Appropriating Moneys to Provide for National Advertising for Maine's Recreational Industry. (S. P. 1) (L. D. 1) reported that the same should be referred to the Committee on Appropriations and Financial Affairs.

Which report was read and accepted.

**Second Readers**

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

**House**

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

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

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

Bill, "An Act Relating to Disposition of Income from Out of State Children at Governor Baxter State School for the Deaf." (H. P. 450) (L. D. 650)

Bill, "An Act Relating to Superintending School Committee of Town of Mechanic Falls." (H. P. 513) (L. D. 711)

Bill, "An Act to Grant a New Charter to the Town of Old Orchard Beach." (H. P. 604) (L. D. 863)

Bill, "An Act Relating to Examination of Alleged Insane Criminals before Municipal Courts." (H. P. 1089) (L. D. 1500)

Bill, "An Act Creating the Richmond Utilities District." (H. P. 1107) (L. D. 1523)

Bill, "An Act Relating to Expanding Aroostook County Funds for Maine Potato Blossom Festival." (H. P. 1109) (L. D. 1524)

Resolve, Authorizing State Highway Commission to Study Need and Cost of a Bridge Across the Androscoggin River. (H. P. 1111) (L. D. 1526)

Bill, "An Act Relating to Payments to County Law Libraries." (H. P. 1112) (L. D. 1527)

Bill, "An Act Relating to Power of The Universalist Church of Maine to Hold Property." (H. P. 1113) (L. D. 1531)

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

#### House — As Amended

Bill, "An Act to Incorporate Barings, Washington County, into an Organized Plantation." (H. P. 280) (L. D. 394) amended by Com. Amend. "A" (Filing H-166)

Bill, "An Act Relating to Nursing Home in Town of Mars Hill." (H. P. 411) (L. D. 586) amended by Com. Amend. "A" (Filing H-169)

Bill, "An Act Revising Statutes Regulating Branching and Consolidations by Banks." (H. P. 459) (L. D. 659) amended by House Amend. "A" (Filing H-170)

Resolve, in Favor of James E. Woods of Calais. (H. P. 462) (L. D. 662) amended by Com. Amend. "A" (Filing 131)

Bill, "An Act Changing Fort Kent State Normal School to Fort Kent State Teachers' College." (H.

P. 586) (L. D. 807) amended by Com. Amend. "A" (Filing H-163)

Bill, "An Act Relating to Tuition for Pupils Attending Secondary School Outside of Residence." (H. P. 800) (L. D. 1114) amended by Com. Amend. "A" (Filing H-149) and House Amend. "A" (Filing H-174)

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

#### Senate

Resolve Proposing an Amendment to the Constitution Pledging Credit of State for Guaranteed Loans for Recreational Purposes (S. P. 515) (L. D. 1535)

Which was read a second time.

Mr. FARRIS of Kennebec: Mr. President, might I inquire as to the date that Senator Lovell tabled L. D. 1358.

The PRESIDENT: It was assigned for one week from today, April 21.

Thereupon, on motion by Mr. Farris of Kennebec, the bill was tabled pending passage to be engrossed.

#### As Amended

Bill, "An Act to Clarify the Liquor Laws" (S. P. 353) (L. D. 1086) amended by Com. Amend. A (Filing S-92) Senate Amend. A (Filing S-98) Senate Amend. B (Filing S-103)

Which was read a second time.

Mr. NOYES of Franklin: Mr. President, was that not tabled at the last legislative day?

The PRESIDENT: The Chair would state that it was not.

Thereupon, on motion by Mr. Noyes of Franklin, the bill was laid upon the table pending passage to be engrossed, and was especially assigned for Tuesday next.

#### Enactors

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

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

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

Bill, "An Act Revising the Charter of the City of Ellsworth." (H. P. 325) (L. D. 477)

Bill, "An Act Permitting Erection of Flags in Cemeteries to Honor Deceased Veterans." (H. P. 446) (L. D. 621)

Bill, "An Act to Annex Certain Islands to Town of Danforth." (H. P. 619) (L. D. 836)

Bill, "An Act to Authorize the Municipalities of Cushing, Friendship, St. George or Warren to Form a School Administrative District." (H. P. 668) (L. D. 946)

Bill, "An Act Increasing Renewal Fee of Certificate of Registration for Barbers and Operators of Hairdressing and Beauty Culture." (H. P. 740) (L. D. 1027)

(On motion by Mrs. Lord of Cumberland, tabled pending passage to be enacted.)

Bill, "An Act Relating to School Construction Aid in School Administrative Districts." (H. P. 797) (L. D. 1111)

Bill, "An Act Relating to Eminent Domain Under Slum Clearance and Redevelopment Authority Law." (H. P. 815) (L. D. 1130)

Bill, "An Act to Regulate Credit Life and Credit Accident and Health Insurance." (H. P. 870) (L. D. 1205)

Bill, "An Act Relating to Time When Inheritance Taxes are Payable." (H. P. 890) (L. D. 1224)

Bill, "An Act Defining Registered Mail in Requirements for Notice." (H. P. 994) (L. D. 1381)

Bill, "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)

Bill, "An Act Relating to Prices of Milk Sold by Producers to Dealers by Bulk Tank." (H. P. 1102) (L. D. 1515)

Bill, "An Act Relating to Open Season for Trout in Oxford and York Counties." (S. P. 107) (L. D. 252)

Bill, "An Act Relating to Transfer of County Jail Prisoners." (S. P. 197) (L. D. 530)

Bill, "An Act Relating to Driving Deer by More Than Six Persons." (S. P. 287) (L. D. 888)

Bill, "An Act Increasing Limits of Industrial Mortgage Insurance Under Maine Industrial Building Act." (S. P. 358) (L. D. 1091)

(On motion by Mr. Carpenter of Somerset, tabled pending passage to be enacted.)

Bill, "An Act Defining Mother, Father and Parent Under Maine State Retirement Law." (S. P. 382) (L. D. 1192)

(On motion by Mr. Ferguson of Oxford, tabled pending passage to be enacted and especially assigned for April 19.)

Bill, "An Act Relating to Unauthorized Insurers False Advertising Process Act." (S. P. 406) (L. D. 1348)

Bill, "An Act to Eliminate Intangibles from Property Taxation." (S. P. 500) (L. D. 1507)

Which bills were severally passed to be enacted.

Resolve Regulating Bag Limit of Salmon and Trout in Sebago Lake, Cumberland County. (H. P. 94) (L. D. 134)

Resolve Regulating Smelt Fishing in Crooked River, Cumberland County. (H. P. 95) (L. D. 135)

Resolve Regulating Fishing in Certain Waters in Hancock County. (H. P. 310) (L. D. 462)

Resolve Regulating Fishing in Certain Waters in Penobscot County. (H. P. 394) (L. D. 569)

Resolve Regulating Fishing in Certain Waters in Penobscot County. (H. P. 598) (L. D. 865)

Resolve Regulating Fishing in Certain Waters in Androscoggin County. (H. P. 810) (L. D. 1124)

Resolve Regulating Fishing in Cupsuptic River, Oxford County. (S. P. 288) (L. D. 889)

Which resolves were finally passed.

### Emergency

Bill, "An Act Revising the Law on Tax on Transient Rentals." (H. P. 551) (L. D. 748)

Which Bill, being an emergency measure, and having received the affirmative vote of 27 members of the Senate, was passed to be enacted.

### Orders of the Day

The President laid before the Senate the 1st item tabled for yes-

terday but not acted upon, (H. P. 809) (L. D. 1123) House Report, Ought not to pass from the Committee on Inland Fisheries and Game on bill, "An Act to Field Trials for Beagle Hounds," tabled on April 11 by Senator Carpenter of Somerset pending acceptance of the report, and on further motion by the same Senator, the bill was retabled and especially assigned for Tuesday next.

The President laid before the Senate the 2nd item tabled for yesterday but not acted upon, (H. P. 834) (L. D. 1149) House Report, Ought not to pass, from the Committee on Public Utilities on Bill, "An Act Relating to Motor Carriers Operating as School Buses," tabled on April 11 by Senator Cole of Waldo pending acceptance of the report.

Mr. COLE of Waldo: Mr. President, I wish to apologize but the inquiry I have made of the Highway Safety Committee has not been received and I would appreciate retabling this bill until April 19.

The motion to retable and especially assign for April 19 prevailed.

The President laid before the Senate the 3rd item tabled for yesterday but not acted upon (S. P. 238) (L. D. 642) Resolve Proposing an Amendment to the Constitution Relating to Residence Requirements to Vote for President and Vice-President, tabled on April 11 by Senator Ferguson of Oxford pending assignment for second reading.

Mr. FERGUSON of Oxford: Mr. President and members of the Senate, I hate to take exception to my good friend, the Senator from Cumberland, Senator Porteous, but I do not believe that this is good legislation. Many other states have a system of absentee ballots and I am very much afraid that under his amendment we will have a great deal of double-voting, not only in the State of Maine but all over the United States. I had occasion to talk to a man who was in the City of Chicago at the last presidential election. During our conversation he told me that he voted seven times under seven different names in the City of

Chicago. I am very much afraid of this sort of thing. I know that we have a great number of people here on military installations. I certainly hope that the Senate will go along with me this morning in the indefinite postponement of this bill.

Mr. PORTEOUS of Cumberland: Mr. President and members of the Senate: When this vote is taken I move it be taken by a division and I would like to speak to the bill.

You have all had the explanation sheet that I passed around and I was very careful in preparing this. I sent it to the Secretary of State first so that it would be hundred per cent correct. I am sure that you read this statement in the first place, but it is probably no longer on your desks and I would like to run through it briefly at this time.

After last November's election, there were numerous articles in the Press expressing concern for the ten to fifteen million people who were disenfranchised by reason of moving from one state to another.

The Secretaries of State of the fifty states will take up this problem at their next annual convention. It is hoped that they will arrive at some uniform agreement whereby certificates of registration may be honored from state to state. Thus many voters will be able to vote if they have moved and obtained such a certificate.

L. D. 642 provides for an amendment to the Constitution to enable the 101st Legislature to enact suitable legislation to bring this about with the recommendations of the Secretaries of State. This may mean no change from our six months' residence requirement, but it will enable us to change if we see fit to do so.

If L. D. 642 is not passed, Maine will not be able to make such an adjustment for the election of 1964.

The Secretary of State assures me that supervision of such special ballots will not be much of a problem for his department. He supports L. D. 642 as the right move to make at this time. L. D. 642 does not bind the State of Maine in any way to decisions of the Secretaries of State's confer-

ence. It merely leaves the door open for the 101st Legislature to make such changes as are necessary to help restore the franchise to many loyal citizens.

As far as the military are concerned, most states are very careful to be sure that the military have absentee ballots and they presumably would vote in their own states, because it would be a disadvantage for them to vote just for President and Vice-President up here when they could be voting for congressmen and senators and their local candidates back home, so I am sure they would not substitute this ballot for the ballot of their home area.

Now I learned something from my good colleague, Senator Pike, and I was to be a little light on these things, so I will wind up by saying: If in Chicago there is somebody who has voted seven times, presumably of the opposite political persuasion which I am, I think we might very well do something here to insure that somebody here might vote eight times, but I am sure it wont do that. So, Mr. President, I move for a division on his motion for indefinite postponement.

The PRESIDENT: The question is on the motion of Senator Ferguson of Oxford to indefinitely postpone.

A division of the Senate was had.

Two having voted in the affirmative and twenty-five opposed, the motion did not prevail.

Thereupon, on motion by Mr. Porteous of Cumberland, the bill was tomorrow assigned for second reading.

The President laid before the Senate the 4th item tabled for yesterday and not acted upon, (H. P. 9) (L. D. 28) House Report, Ought not to pass, from the Committee on Taxation on Bill, "An Act Relating to Taxation of Goats," tabled on April 12 by Senator Sampson of Somerset pending consideration.

Mr. CARPENTER of Somerset: Mr. President, in view of the absence of Senator Sampson and also the absence of the Chairman of the Taxation Committee, I move that this bill be retabled and especially assigned for Tuesday next.

The motion to table and assign for Tuesday next prevailed.

The President laid before the Senate the 5th item tabled and assigned for yesterday but not acted upon (S. P. 512) (L. D. 1529) Resolve Proposing an Amendment to the Constitution Exempting Certain Industrial Property from Taxation tabled on April 12 by Senator Wyman of Washington pending passage to be engrossed.

Mr. EDGAR of Hancock: Mr. President, I have no idea what Senator Wyman's interests may be on this bill but in his absence I move that it be retabled and especially assigned for Tuesday next.

The PRESIDENT: The Chair notes that Senator Wyman is now at his desk.

Mr. EDGAR of Hancock: Mr. President, since my motion has not been acted upon, I shall withdraw it.

Thereupon, Mr. Wyman of Washington presented Senate Amendment A and moved its adoption.

The Secretary read Senate Amendment A.

Which was adopted.

Mr. PORTEOUS of Cumberland: Mr. President and members of the Senate: I am prompted to speak on this bill because of the nature of its wording and because I do not believe it is good legislation. I hate to oppose my good friend and colleague, the Senator from Washington, Senator Wyman, but I feel that this exemption, which is not to be confused with Senator Lovell's bill which is for an exemption of the use tax so that when a new industry or an existing industry wishes to purchase a large amount of machinery that they get hit immediately by a large use tax — I believe there is a move to amend that, to change that legislation, and rather than to exempt them completely the move is now to extend the payment of those taxes over a period of perhaps five years so that the industry does not get hit immediately. However, this bill permits a locality, a town or city, to exempt an industry moving in here from the property tax for ten years. This is a common practice in the South but in the best of the areas of the

South they have not done it or have dropped this practice.

People I have spoken to who are very vitally interested in attracting industry into Maine and who have worked along that line feel that this kind of legislation attracts industry that is not desirable for the State because they feel that this kind of industry is not likely to stand on its own two feet in other ways other than this property tax exemption, and that they might come here and locate for ten years in one locality and then move on, either within the state or to another state and get another tax exemption for another ten years or more, thereby cheating the town and the state. The intent of getting industry in here I certainly agree with, but the actual practice of exempting new industry from the property tax to attract them into the state is very poor practice. Mr. President, I move for a division when the vote is taken.

The PRESIDENT: Does the Senator make a motion?

Mr. NOYES of Franklin: Mr. President, I move that the Senate recess for three minutes.

The motion prevailed.

(Recess)

#### After Recess

The Senate was called to order by the President.

Mr. PORTEOUS of Cumberland: Mr. President, on L. D. 1529, I now move indefinite postponement.

Thereupon, on motion by Mr. Noyes of Franklin, the resolve was laid upon the table pending motion by Mr. Porteous of Cumberland to indefinitely postpone; and the bill was especially assigned for Tuesday next.

The President laid before the Senate the 6th item tabled and especially assigned for yesterday but not acted upon (H. P. 921) (L. D. 1269) bill, "An Act Defining Contract of Life Insurance," tabled on April 12 by Senator Christie of Aroostook pending enactment; and that Senator yielded to Senator Edmunds of Aroostook who moved that the bill be enacted.

The motion prevailed and the bill was passed to be enacted.

On motion by Mr. Farris of Kennebec, the Senate voted to take from the table the 66th tabled and unassigned matter (H. P. 826) (L. D. 1141) Bill, "An Act Relating to Holding of Property by Nonprofit Corporations Operating Educational Television or Radio Stations," which was tabled on April 12th by that Senator pending adoption and reproduction of Senate Amendment "A".

Mr. FARRIS: Mr. President and members of the Senate: I spoke upon this measure earlier in the week and explained the effect of the amendment and I believe everybody recalls the discussion at that time. For the information of the Senators, the filing number of the amendment is S-111, and at this time I will move the adoption of Senate Amendment "A".

On motion by Mr. Farris, Senate Amendment "A" was adopted and the bill assigned for second reading on the next legislative day.

On motion by Mr. Bates of Penobscot, the Senate voted to take from the table the 14th tabled and unassigned matter (H. P. 865) (L. D. 1200) Bill, "An Act Revising the Laws Relating to Veterinarians" tabled on March 10 by Senator Bates of Penobscot pending passage to be engrossed; and on further motion by the same Senator, Committee Amendment A was indefinitely postponed, Senate Amendment A was read and adopted and the bill as amended was passed to be engrossed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Bates of Penobscot, the Senate voted to take from the table the 46th tabled item (H. P. 563) (L. D. 760) House Reports from the Committee on Transportation on Bill, "An Act Relating to Mandatory Fines on Axle Weights of Commercial Vehicles"; Report A, Ought to Pass; Report B, Ought not to pass, tabled on March 29 by Senator Bates of Penobscot pending acceptance of either report; and that Senator yielded to Senator Noyes of Franklin.

On motion by Mr. Noyes of Franklin, the bill was retabled and especially assigned for Wednesday next.

On motion by Mr. Noyes of Franklin, the Senate voted to take from the table the 70th tabled item (H. P. 729) (L. D. 1017) Bill, "An Act to Incorporate the Domestic Finance Corporation of Kennebunk", tabled on April 13 pending consideration; and on further motion by the same Senator, the Senate voted to recede and concur.

On motion by Mr. Noyes of Franklin, the Senate voted to take from the table the 58th tabled item (S. P. 491) (L. D. 1486) Resolve Providing for Publication of Information on the Public Lots by Forestry Department, tabled on April 4 by Senator Noyes of Franklin pending final passage; and on further motion by Mr. Noyes of Franklin, the rules were suspended and the Senate voted to reconsider its action whereby the resolve was passed to be engrossed, and the same Senator presented Senate Amendment A.

The Secretary read Senate Amendment A.

Mr. CYR of Aroostook: Mr. President, this bill first came out of the Natural Resources Committee with a unanimous "Ought not to pass" report and it was then re-committed to the same committee. Now the committee passed it with the stipulation that the money would be taken from the interest on the unorganized lots, forestry lots. Now due to the fact that this amendment reverses the action of the committee, I am pretty sure that the committee possibly might have a different report to present. Consequently, if I am not out of order, I would like to have this legislative document re-committed to the Committee on Natural Resources.

On motion by Mr. Cyr of Aroostook, the bill was re-committed to the Committee on Natural Resources.

Sent down for concurrence.

On motion by Mrs. Christie of Aroostook, the Senate voted to take from the table the 20th tabled item

(H. P. 897) (L. D. 1231) House Reports from the Committee on Liquor Control on Bill, "An Act Relating to Definition of Public Place in Law Regulating Drinking in Public Places, Majority Report, Ought not to pass; Minority report, Ought to pass; tabled on March 15 by Senator Christie of Aroostook pending that Senator's motion for acceptance of the Minority Ought to pass report; and that Senator moved the pending question.

Mr. MAYO of Sagadahoc: Mr. President and members of the Senate: I have debated this bill just before it was tabled. I think I tried to explain to the Senate just what the passage of this bill would mean to our tourist trade, our hunting and fishing trade and the various places which do now allow drinking in restaurants. There are many places in the State that can not have a license and yet they do allow a person to bring in a so-called bottle and order set-ups and have a drink before they eat. Also, there are many places that cater to parties and conventions who do not have a liquor license and under this present law the patrons are allowed to have drinks served from their own bottle at these conventions or parties. It will work a great hardship on the hunting and fishing camps in the north woods, because in those remote places a person who is there for a week or two is allowed to bring his bottle into the drinking room of the hunting or fishing camp and have ice or a set-up served to him. If this bill is passed this process will be outlawed.

I certainly hope that the motion of the Senator from Aroostook, Senator Christie, does not prevail and I will ask for a division on the motion.

Mr. NOYES of Franklin: Mr. President, as far as Franklin County is concerned this bill will affect sporting camps and other camps such as housekeeping camps which have central lodges, and the property valuation involved in Franklin County is over four and a half million dollars. That is all I wish to say on the matter.

Mr. CARPENTER of Somerset: Mr. President, having been on the committee for several terms I believe this same bill has been before us many times before. I feel it is an extremely poor bill. I believe that under the present rules and regulations of the Liquor Commission everything is going along fine, so I certainly hope that the motion of the Senator from Aroostook, Senator Christie, does not prevail.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Aroostook, Senator Christie, that the Senate accept the "Ought to pass" report of the committee in concurrence. A division has been requested. All those in favor of the motion of the Senator from Aroostook, Senator Christie will stand in their places until counted.

A division was had.

6 having voted in the affirmative and 22 in the negative, the motion did not prevail.

Thereupon the "Ought not to pass" report of the committee was accepted in concurrence.

On motion by Mr. Parker of Piscataquis, the Senate voted to take

from the table the 3rd tabled and unassigned matter (H. P. 951) (L. D. 1254) Resolve, in Favor of John W. McGuire, of Houlton. New Draft of (H. P. 230) (L. D. 344) tabled on February 9th by that Senator pending assignment for second reading.

Mr. PARKER: Mr. President, having cleared this amendment that I am about to offer on this resolve with the other members of the Committee on Claims where this was heard and they all agreeing with me that this amendment is in order, I will offer Senate Amendment "A".

The PRESIDENT: The Chair will inform the Senator from Piscataquis, Senator Parker, that under the new rules the amendment will have to lie on the table until it is reproduced.

Thereupon the bill was retabled unassigned pending reproduction and adoption of Senate Amendment "A".

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On motion by Mr. Noyes of Franklin,

Adjourned until 10:00 A.M. next Tuesday.