

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One-Hundredth Legislature*

OF THE

STATE OF MAINE

VOLUME II

MAY 12 - JUNE 17, 1961

and

SPECIAL SESSION

NOV. 27 - DEC. 2, 1961

DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

**SENATE**

Monday, November 27, 1961

In compliance with a Proclamation of His Excellency GOVERNOR JOHN H. REED the Senators convened in the Senate Chamber at four o'clock in the afternoon, Eastern Standard Time, and were called to order by the President.

Prayer by the Rev. John Brett Fort of Bangor.

The Secretary read the Proclamation:

WHEREAS, it appears advisable that the Legislature of this State should meet in special session for the following purposes:

To consider legislation for the appropriation of funds for the educational foundation program;

To consider legislation to revise Chapter 81 of the Resolves of 1961 entitled, Resolve, to Apportion One Hundred and Fifty-one Representatives Among the Several Counties, Cities, Towns, Plantations and Classes in the State of Maine;

To consider legislation to provide for the creation of an educational television network in the State of Maine;

To consider any other legislation to promote the general welfare of the State.

NOW, THEREFORE, I, JOHN H. REED, Governor of the State of Maine, by virtue of the power vested in me as Governor, convene the Legislature of this State, hereby requiring the Senators and Representatives to assemble in their respective chambers at the Capitol at Augusta on Monday, the twenty-seventh day of November 1961 at four o'clock in the afternoon in order to receive such communication as may then be made to them and to consider and determine on such measures as in their judgment will best promote the welfare of the State.

Given at the office of the Governor at Augusta and sealed with the Great Seal of the State of Maine, this thirtieth day of October in the year of our Lord One Thousand (Seal) Nine Hundred and Sixty-one, and of the Independence of the United

States of America, the One Hundred and Eighty-sixth.

JOHN H. REED  
Governor

PAUL A. MacDONALD  
Secretary of State

A true copy  
Attest: JOSEPH T. EDGAR  
Deputy Secretary of State

Which was read and ordered placed on file.

**Communication from the Secretary of State.**

STATE OF MAINE  
AUGUSTA  
DEPARTMENT OF STATE  
AUGUSTA

November 27, 1961

To Chester T. Winslow  
Secretary of the Senate of the One-Hundredth Legislature:

In compliance with Section 1 of Chapter 10 of the Revised Statutes of 1954, notification is hereby given of a vacancy in the County of Hancock created by the resignation of Joseph T. Edgar of Bar Harbor, a copy of his resignation being submitted herewith.

Respectfully,  
PAUL A. MacDONALD  
Secretary of State

Which was read and ordered placed on file.

**Communication from the Secretary of State.**

STATE OF MAINE  
OFFICE OF THE SECRETARY  
OF STATE

To Chester T. Winslow,  
Secretary of the Senate of the One-Hundredth Legislature:

In compliance with Section 1 of Chapter 10 of the Revised Statutes, I hereby certify that on October 10, 1961, a special election was held in the County of Hancock for the purpose of filling a vacancy caused by the resignation of Joseph T. Edgar of Bar Harbor. The vote was duly canvassed by the Governor and Council and John B. Ells of Bar Harbor received 1,759 votes; Frank H. Dunbar of Bucksport received 582 votes; John B. Ells, having received a plurality of the votes cast, appears to

have been elected a Senator from the County of Hancock.

IN WITNESS WHEREOF, I have caused the Seal of the State to be hereto affixed this twenty-seventh day of November in the year of our Lord one thousand nine hundred and sixty-one and of the Independence of the United States the one hundred and eighty-sixth.

PAUL A. MacDONALD

(Seal)

Secretary of State

The President appointed Senator Brown of Hancock to escort newly elected Senator Ells of Hancock to the Council Chamber to subscribe to the oath of office before the Governor and Council.

Subsequently Senator Ells of Hancock was escorted to his chair in the Senate Chambers, having subscribed to the oath of office before the Governor and Council.

The roll being called, the following Senators responded to their names: Boardman, Boisvert, Brewster, Brooks, Brown, Carpenter, Chase, Christie, Cole, Couture, Cyr, Davis, Edmunds, Ells, Erwin, Farris, Ferguson, Gilbert, Hillman, Jacques, Lord, Lovell, Marden, Mayo, Noyes, Parker, Pike, Porteous, Sampson, Stanley, Stilphen, Wyman.

32 Senators having answered to the roll call, the Secretary declared that a quorum was present.

On motion by Mr. Noyes of Franklin,

ORDERED, that a message be conveyed to the House of Representatives informing that body that a quorum of Senators is present for the consideration of such business as may come before the Senate;

Which was read and passed, and Mr. Noyes of Franklin conveyed the message.

Subsequently, a message was received from the House of Representatives through Representative Whitman of Woodstock, informing the Senate that a quorum is present for the consideration of such business as may come before the House.

On motion by Mr. Cole of Waldo, ORDERED, that a message be sent to His Excellency the Gov-

ernor, informing him that in obedience to his Proclamation a quorum of Senators is assembled in the Senate Chamber for the consideration of such business as may come before the Senate.

Which was read and passed.

The President appointed Senators:

COLE of Waldo  
WYMAN of Washington  
COUTURE of Androscoggin

to convey the message.

The Committee retired and subsequently reported that they had delivered the message with which they were charged.

On motion by Mr. Ells of Hancock,

ORDERED, that a message be sent to the House of Representatives proposing a Joint Convention to be held forthwith in the Hall of the House of Representatives for the purpose of extending an invitation to the Governor to attend the Convention and present such communication as he may be pleased to make.

Which was read and passed.

The Secretary conveyed the message.

Subsequently a message was received from the House of Representatives through Mr. Pease, its Clerk, concurring in the foregoing proposition for a Joint Convention.

The Senate then proceeded to the House of Representatives where a Convention was formed.

(For proceedings of Joint Convention, see House Report.)

#### In Senate

The Senate was called to order by the President.

On motion by Mr. Noyes of Franklin, out of order.

ORDERED, the House concurring, that unless received by unanimous consent in both branches, the only bills and resolves to be considered at this Special Session, shall be those designated Legislative Documents Nos. 1640 to 1701, inclusive.

This order shall not apply to such bills or resolves as are intended only to facilitate the business of the Special Session. (S. P. 621)

Which was read and passed.  
Sent down for concurrence.

**Senate Papers**

Mr. Parker of Piscataquis presented Bill, "An Act Repealing Powers of State Humane Agents to Issue Warrants in Dog Licensing Law (S. P. 603) (L. D. 1634)

Which was referred to the Committee on Agriculture. Sent down for concurrence.

Mr. Brooks of Cumberland presented, bill "An Act for the Support of Cancer Clinic Services." (S. P. 613) (L. D. 1690)

Mr. Davis of Cumberland presented Resolve, Appropriating Funds for Repairs to Foundations, Columns and Walls in the North Wing of the Capitol Building. (S. P. 604) (L. D. 1644)

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

Sent down for concurrence.

The PRESIDENT: The Chair notes in the Senate gallery a very distinguished member of this body at one time and now elevated to the position of Deputy Secretary of State. I wonder if the Hon. "Joe" Edgar would step out so we can give him a hand please. (Applause)

It is certainly a pleasure to have you with us, Mr. Secretary, and I hope you will come back again.

Mr. Porteous of Cumberland presented Resolve, to Reimburse Ernest Herrick of New Gloucester for Damage to House and Interior. (S. P. 618) (L. D. 1699)

Which was referred to the Committee on Claims.

Sent down for concurrence.

Mr. Bates of Penobscot presented Bill, "An Act Relating to Educational Foundation Program Allowance." (S. P. 600) (L. D. 1640)

Mrs. Lord of Cumberland presented Bill, "An Act to Provide Funds to Establish a School of Practical Nursing to be Located in Southern Maine." (S. P. 610) (L. D. 1681)

Which were referred to the Committee on Education.

Sent down for concurrence.

Mr. Erwin of York presented Bill, "An Act to Clarify the Election

Laws." (S. P. 617) (L. D. 1694)

Which was referred to the Committee on Election Laws.

Sent down for concurrence.

Mr. Stilphen of Knox presented Resolve, Providing for Emergency Renovation of Existing Facilities at the Maine State Prison. (S. P. 606) (L. D. 1677)

Which was referred to the Committee on Health and Institutional Services.

Sent down for concurrence.

Mr. Cole of Waldo presented Bill, "An Act Providing for Demolition of Morse Bridge in the City of Bangor." (S. P. 605) (L. D. 1645)

Which was referred to the Committee on Highways.

Sent down for concurrence.

Mr. Lovell of York presented Bill, "An Act to Provide Aid to Maine Industries to Obtain Government Contracts." (S. P. 601) (L. D. 1641)

Which was referred to the Committee on Industrial and Recreational Development.

Sent down for concurrence.

Mr. Marden of Kennebec presented Bill, "An Act Ceding Concurrent Jurisdiction to the United States of America Over Certain Lands in the Town of Cutler." (S. P. 608) (L. D. 1679)

The same Senator presented Bill, "An Act to Revise the Laws Relating to Commitment of the Mentally Ill." (S. P. 609) (L. D. 1680)

Mr. Erwin of York presented Bill, "An Act to Correct Errors and Inconsistencies in the Public Laws." (S. P. 615) (L. D. 1692)

Which were severally referred to the Committee on Judiciary.

Sent down for concurrence.

Mr. Marden of Kennebec presented Bill, "An Act Increasing Power to Hold and Purchase Property by City of Waterville." (S. P. 607) (L. D. 1678)

Mr. Lovell of York presented Bill, "An Act to Amend the Charter of the City of Saco." (S. P. 620) (L. D. 1701)

Which were referred to the Committee on Legal Affairs.

Sent down for concurrence.

On motion by Mr. Noyes of Franklin, all bills and orders were ordered sent forthwith to the House, and all bills were ordered printed.

Mr. Ferguson of Oxford presented Bill, "An Act Providing for Additional Funds for State Grants to Municipalities for Sewage Treatment Works" (S. P. 602) (L. D. 1642)

Which was referred to the Committee on Natural Resources.

Sent down for concurrence.

Mr. Brooks of Cumberland presented Bill, "An Act Creating a State Committee on Transportation Needs in Casco Bay." (S. P. 611) (L. D. 1382)

Mr. Edmunds of Aroostook presented Bill, "An Act Relating to Transportation to Islands in Casco Bay." (S. P. 619) (L. D. 1700)

Which were referred to the Committee on Public Utilities.

Sent down for concurrence.

Mr. Stanley of Penobscot presented Resolve, Dividing the State of Maine into Councillor Districts. (S. P. 614) (L. D. 1691)

Which was referred to the Committee on Reapportionment.

Sent down for concurrence.

Mr. Erwin of York presented Bill, "An Act Increasing the Number of Justices of the Superior Court." (S. P. 616) (L. D. 1693)

Which was referred to the Committee on State Government.

Sent down for concurrence.

Mr. Brooks of Cumberland presented Bill, "An Act to Provide Funds to Carry Out the Law Which Created Liens on Real Property of Beneficiaries of Public Assistance." (S. P. 612) (L. D. 1603)

Which was referred to the Committee on Welfare.

Sent down for concurrence.

#### Orders

On motion by Mr. Davis of Cumberland,

ORDERED, that the Secretary of the Senate be authorized to make appointments to fill vacancies in the Senate office staff.

Which was read and passed.

On motion by Mr. Stanley of Penobscot,

ORDERED, the House concurring, that three hundred fifty copies of the Legislative Record for this Special Session convened on November 27, 1961, be printed and bound, one copy each for the members and officers of the Senate and House of Representatives, the remainder to be deposited in the State Library for exchange and Library purposes; and be it further

ORDERED, that three hundred fifty copies of the Legislative Record be printed in pamphlet form for distribution from day to day to members of the Legislature and the Departments, under the direction of the Document Clerk. (S. P. 622)

Which was read and passed.

Sent down for concurrence.

On motion by Mr. Jacques of Androscoggin,

ORDERED, the House concurring, that free telephone service be provided for each member and officer of the Senate and House to the number of twenty-five calls of reasonable duration from Augusta to points within the limits of the State of Maine, and that each member and officer of the Senate and House be provided with a card to be certified by the Secretary of the Senate and the Clerk of the House, respectively; the cost of this service to be paid to the New England Telephone and Telegraph Company; at regular tariff rates; and be it further

ORDERED, that free telegraph service be provided to the number of ten messages of reasonable length from Augusta to points within the limits of the State of Maine, and that each member and officer of the Senate and House be provided with a card to be certified by the Secretary of the Senate and Clerk of the House; the cost of this service to be paid to Western Union Telegraph Company at regular tariff rates. (S. P. 623)

Which was read and passed.

Sent down for concurrence.

On motion by Mr. Gilbert of Kennebec

ORDERED, the House concurring, that the Secretary of the Sen-

ate and the Clerk of the House be directed to furnish to each member and officer of the Senate and House, a copy of the State newspaper each morning during the present Special Session of the Legislature. (S. P. 624)

Which was read and passed.  
Sent down for concurrence.

On motion by Mr. Parker of Piscataquis

ORDERED, the House concurring, that the Secretary of the Senate and the Clerk of the House, respectively, be authorized to furnish wrappers and postage stamps for each member and officer of the Senate and House, not exceeding \$4.00 in amount each, for the purpose of distributing the various reports of the Departments of State and other public documents such as they may desire to mail to the citizens of the State. (S. P. 625)

Which was read and passed.  
Sent down for concurrence.

On motion by Mr. Porteous of Cumberland

ORDERED, that three thousand (3,000) copies of the Governor's Message be printed.

Which was read and passed.

On motion by Mr. Sampson of Somerset

ORDERED, the House concurring, that there be paid to the Officers of the Senate and House of Representatives for salaries for this Special Session, the amounts included in weekly lists certified to the State Controller by the Secretary of the Senate and Clerk of the House, respectively, subject to the approval of the Committee on Appropriations and Financial Affairs. (S. P. 626)

Which was read and passed.

At this point, the President named Senate members to committee vacancies caused by the resignation of former Senator Joseph T. Edgar of Hancock County:

Senator John B. Ells of Hancock to the Committee on Taxation.

Senator William F. Boardman of Washington as Chairman of the Committee on Election Laws.

Pursuant to the Revised election law enacted by the 100th Legisla-

ture, which provides for the creation of a Campaign Reports Committee, the President nominated Senator L. Robert Porteous, Jr. of Cumberland and Senator Romeo T. Boisvert of Androscoggin as members of this committee.

**Papers from the House — Out of Order**

Bill, "An Act Granting Courts Power to Issue Injunctions to Enforce Milk Commission Law." (H. P. 1221) (L. D. 1674)

Which was referred to the Committee on Agriculture, in concurrence.

Bill, "An Act Appropriating Monies for Office of Director of Legislative Research." (H. P. 1194) (L. D. 1647)

Bill, "An Act Providing for the Construction of an Emergency Operating Center for State Government in Farmington." (H. P. 1219) (L. D. 1672)

Bill, "An Act to Provide Funds for the Support of Cardiac and Related Services." (H. P. 1197) (L. D. 1650)

Bill, "An Act Providing Funds to Complete the Harbor Project in the Town of Wells." (H. P. 1211) (L. D. 1664)

Bill, "An Act Appropriating Funds to Aid Towns to Control Dutch Elm Disease." (H. P. 1229) (L. D. 1689)

Bill, "An Act to Authorize the Employment of Additional Personnel at the Maine Vocational Technical Institute." (H. P. 1198) (L. D. 1651)

Bill, "An Act Providing for the Construction of an Emergency Operating Center for State Government." (H. P. 1226) (L. D. 1686)

Bill, "An Act Providing for Construction of an Educational Television Network for the State of Maine and the Issuance of not Exceeding One Million Five Hundred Thousand Dollars of State of Maine Bonds for the Financing Thereof." (H. P. 1233) (L. D. 1698)

Resolve in favor of School Administrative District No. 14, Danforth-Western, for School Construction Aid. (H. P. 1231) (L. D. 1696)

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

Resolve in favor of Ross Sinclair of New Gloucester. (H. P. 1199) (L. D. 1652)

Which was referred to the Committee on Claims, in concurrence.

Resolve to Correct Inconsistencies in the Apportionment of Representatives to the Legislature. (H. P. 1193) (L. D. 1646)

Which was referred to the Committee on Constitutional State Reapportionment and Congressional Redistricting, in concurrence.

Bill, "An Act to Authorize the Towns of Greenville and Shirley to Form a School Administrative District." (H. P. 1217) (L. D. 1670)

Bill, "An Act to Authorize the Municipalities of Carmel and Levant to Form a School Administrative District." (H. P. 1201) (L. D. 1654)

Bill, "An Act to Authorize the Municipalities of Patten, Sherman, Stacyville and Mt. Chase to Form a School Administrative District." (H. P. 1202) (L. D. 1655)

Bill, "An Act to Authorize the Towns of Oakland and Sidney to Form a School Administrative District." (H. P. 1213) (L. D. 1666)

Bill, "An Act to Authorize the Municipalities of Deer Isle and Stonington to Form a School Administrative District." (H. P. 1203) (L. D. 1656)

Which were referred to the Committee on Education, in concurrence.

Bill, "An Act to Repeal the Law Establishing Ferry Service Between Vinalhaven and North Haven." (H. P. 1208) (L. D. 1661)

Which was referred to the Committee on Highways, in concurrence.

Bill, "An Act Relating to Town of Bucksport School District." (H. P. 1205) (L. D. 1658)

Bill, "An Act Amending the Charter of the Calais School District." (H. P. 1222) (L. D. 1675)

Bill, "An Act Amending the Charter of the City of Brewer High School District." (H. P. 1204) (L. D. 1657)

Bill, "An Act to Create the Biddeford Parking District." (H. P. 1214) (L. D. 1667)

Bill, "An Act to Amend the Charter of York Beach Village Corporation." (H. P. 1224) (L. D. 1684)

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

Bill, "An Act relating to Capital Stock of Fort Kent Water Company." (H. P. 1218) (L. D. 1671)

Bill, "An Act to Increase the Borrowing Capacity of East Boothbay Water District." (H. P. 1206) (L. D. 1659)

Which were referred to the Committee on Public Utilities, in concurrence.

Bill, "An Act relating to State Retirement Benefits for Certain Teachers." (H. P. 1212) (L. D. 1665)

Resolve in favor of Martha Moroy of Shirley Mills. (H. P. 1220) (L. D. 1673)

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

Bill, "An Act to Extend the Sardine Canning Season." (H. P. 1195) (L. D. 1648)

Bill, "An Act Extending the Sardine Canning Season for Two Years." (H. P. 1227) (L. D. 1687)

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

Bill, "An Act Repealing Emergency Interim Judicial Succession." (H. P. 1232) (L. D. 1697)

Bill, "An Act to Provide for a Legislative Finance Officer." (H. P. 1215) (L. D. 1668)

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

Bill, "An Act Exempting Fallout Shelters from Real Estate Taxation." (H. P. 1216) (L. D. 1669)

Bill, "An Act to Provide a Reporting System for Payment of Malt Liquor Excise Taxes." (H. P. 1230) (L. D. 1695)

Bill, "An Act to Exempt Fallout Shelters from Taxation." (H. P. 1196) (L. D. 1649)

Which were referred to the Committee on Taxation, in concurrence.

Bill, "An Act relating to the Economic Development of Washing-



ton County." (H. P. 1223) (L. D. 1676)

Bill, "An Act relating to Salary of Register of Deeds of Franklin County." (H. P. 1225) (L. D. 1685)

Bill, "An Act relating to Advertising and Promotion in Aroostook County." (H. P. 1200) (L. D. 1653)

Bill, "An Act to Divide the Town of Enfield, Penobscot County, into Two Communities." (H. P. 1207) (L. D. 1660)

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

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Bill, "An Act relating to Gross Weight and Width of Trucks Hauling Construction Materials." (H. P. 1209) (L. D. 1662)

Which was referred to the Committee on Transportation, in concurrence.

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Bill, "An Act Repealing Law Creating a Lien on Real Property of Beneficiaries of Public Assistance." (H. P. 1210) (L. D. 1663)

Bill, "An Act relating to the Control of Sources of Ionizing Radiation." (H. P. 1228) (L. D. 1688)

Which were referred to the Committee on Welfare, in concurrence.

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On motion by Mr. Mayo of Franklin,

Adjourned until tomorrow noon at 12.