

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and First  
Legislature*

OF THE

STATE OF MAINE

1963

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

## SENATE

Thursday, February 21, 1963

Senate called to order by the President.

Prayer by Rev. Donald Hinckley of Pittsfield.

On motion by Mr. Noyes of Franklin, the Journal of yesterday was read and approved.

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

**Joint Order**

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, February 26th at ten o'clock in the morning. (S. P. 505)

Which was read and passed.

Sent forthwith to the House for concurrence.

The PRESIDENT: The Chair is happy to welcome to the Senate Chambers fifteen members of the Pilgrim Fellowship of the First Congregational Church of Wiscasset, accompanied by Mrs. A. Stanley Morris. They are seated in the gallery. I would like to introduce them to the members of the Senate, and to them the Senate would like to introduce their Senator, the Senator from Lincoln, Mrs. Sproul. (Applause)

The Chair would further like to call to the attention of the Senate the visit in the Senate Chamber of Mr. George R. Keller of Waterville, who is the YMCA Secretary. He is here with some Waterville area young people, including two students from Kenya in South Africa. One is a student at the Hinckley School in Somerset County and the other is a student at Waterville High School. I would like to have this group stand, and I particularly call your attention to Maina Kenyetti and Danny Nyan-gani. (Applause)

To these young people I would like to say that, believe it or not, there are people from the State of Maine in past history who have made great contributions to not only this State but to the nation. Not only was William King our first Governor a distinguished citi-

zen who, incidentally in 1820 campaigned on the platform "To Encourage New Industry to Come to Maine"; but Maine had a Vice-President, of course, by the name of Hannibal Hamlin, who served with Abraham Lincoln during the Civil War. James G. Blaine was a resident of Augusta, Maine and was Secretary of State of the United States; he was a candidate for President and again Secretary of State after that. The first Secretary of War, General Henry Knox, was a resident of the State of Maine, and Melville Weston Fuller, born here in Augusta, was Chief Justice of the United States Supreme Court.

I point these things out to you in the hope that your interest in government, as is evidenced by your visit here, may continue and that some day you may take the seat of one of the senators in this room and perhaps be one of these famous people.

I trust the Senate would forgive the Chair if I introduce to the Senate the mother of the President of the Senate and two of the four children of the President of the Senate in the rear of the chamber, Holly and Bobbie Marden and Mrs. Marden. (Applause) And with fingers crossed, the Chair would appoint Holly and Bobbie Marden as honorary pages for today.

Bill, "An Act Relating to Testamentary Additions to Trusts." (S. P. 37) (L. D. 30)

In Senate, January 30, passed to be engrossed.

Comes from the House, passed to be engrossed, as amended by House Amendment "A" in non-concurrence. (H-21)

In the Senate, on motion by Mr. Campbell of Kennebec, the Senate voted to recede and concur.

Resolve, Regulating Salmon Fishing in Tunk Lake, Hancock County and Nahmakanta Lake, Piscataquis County. (H. P. 5) (L. D. 11)

In House, January 29, passed to be engrossed.

In Senate, February 5, passed to be engrossed, as amended by Senate Amendment "A" in non-concurrence. (S-1)

Comes from the House, Senate Amendment "A" Indefinitely Postponed in non-concurrence, and the Resolve passed to be engrossed without amendment, in non-concurrence.

In the Senate, on motion by Mr. Brown of Hancock, the Senate voted to recede and concur.

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Bill, "An Act Relating to Registration of Sanitarians." (H. P. 833) (L. D. 1220)

In House, February 7, referred to Committee on State Government.

In Senate, February 14, referred to the Committee on Health and Institutional Services in non-concurrence.

Comes from the House, that body having insisted and asked for a Committee of Conference.

In the Senate, that Body voted to join in the Committee of Conference, and the President appointed as Senate conferees, Senators: Hinds of Cumberland, Whittaker of Penobscot and Couture of Androscoggin.

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DEPARTMENT OF STATE  
STATE OF MAINE  
Augusta

February 15, 1963

To David J. Kennedy,  
Speaker of the House of  
Representatives of the  
One Hundred and First Legislature;

I have the honor to herewith transmit copies of the estimates of expenses of the sixteen counties within the State for the years 1963 and 1964, the same having been filed in this office according to the provisions of Sections 13 and 14 of Chapter 89 of the Revised Statutes of 1954.

(Signed)

PAUL A. MacDONALD  
Secretary of State

(H. P. 977)

Comes from the House, read and referred to the Committee on Towns and Counties.

In the Senate, referred to the Committee on Towns and Counties in concurrence.

**Communication**

State Committee on Transportation Needs in Casco Bay

February 8, 1963

To the Members  
of the 101st Legislature:

The State Committee on Transportation Needs in Casco Bay is pleased to submit herewith its report on its study and investigation of the present adequacy of public transportation in Casco Bay, and the extent to which improvements must be provided to meet the region's future transportation needs.

This report consists of a brief summary of the nature and scope of the investigation conducted, and recommendation agreed upon by the Committee.

State Committee on Transportation Needs in Casco Bay

By: Senator Ralph D. Brooks, Jr.,  
Chairman

(Signed)

RALPH D. BROOKS, Jr.

(S. P. 506)

Which was read and ordered placed on file.

Sent down for concurrence.

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**Committee Reports**

**House**

**Leave to Withdraw**

The Committee on Judiciary on Bill, "An Act Relating to Mailing Divorce Judgment When Duty to Support." (H. P. 223) (L. D. 292) reported that the same should be granted Leave to Withdraw.

**Ought Not to Pass**

The Committee on Judiciary on Bill, "An Act Relating to Recording of Notice in Foreclosure by Publication." (H. P. 231) (L. D. 294) reported that the same Ought not to pass.

The same Committee on re-committed Bill, "An Act Relating to Filing Accounts by Corporate Guardians and Compensation of Guardians under Uniform Veterans' Guardianship Act." (H. P. 109) (L. D. 153) reported that the same Ought not to pass.

Which reports were read and accepted in concurrence.

**House — Ought to Pass**

The Committee on Industrial and Recreational Development on Bill, "An Act Authorizing Bureau of Public Improvements to Study Desirability of a Dam Across Bagaduce River." (H. P. 330) (L. D. 457) reported that the same Ought to pass.

The Committee on Legal Affairs on Bill, "An Act Releasing Interest of State in Certain Land in Poland, Androscoggin County." (H. P. 601) (L. D. 836) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Issuance of Certificates of Shares." (H. P. 666) (L. D. 922) reported that the same Ought to pass.

The Committee on Public Utilities on Bill, "An Act to Increase the Borrowing Capacity of the Topsham Sewer District, to Authorize the Town to Contribute to Construction Costs and Otherwise Amend the Charter." (H. P. 303) (L. D. 396) reported that the same Ought to pass.

The same Committee on Bill, "An Act Permitting Public Utilities Commission to Extend Time for Sheets." (H. P. 391) (L. D. 590) reported that the same Ought to pass.

The same Committee on Bill, "An Act to Incorporate the South Berwick Sewer District." (H. P. 347) (L. D. 557) reported that the same Ought to pass.

The Committee on Taxation on Bill, "An Act Relating to Revocation of Sellers' Certificates Under Sales and Use Tax Law." (H. P. 351) (L. D. 505) reported that the same Ought to pass.

The same Committee on Bill, "An Act to Repeal the Dry Bean Tax." (H. P. 352) (L. D. 506) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Meaning of Letters Used in State Valuation." (H. P. 354) (L. D. 507) reported that the same Ought to pass.

The Committee on Transportation on Bill, "An Act Providing for a Two-year Motor Vehicle Operator's License." (H. P. 355) (L. D. 508) 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.

**House — Ought to Pass — As Amended**

The Committee on Health and Institutional Services on Bill, "An Act Increasing Fees and Clarifying Barber Licensing Law." (H. P. 30) (L. D. 54) reported that the same Ought to pass, as amended by Committee Amendment "A" (H-22)

On motion by Mr. Porteous of Cumberland, tabled until Tuesday next pending acceptance of the report.

The Committee on Appropriations and Financial Affairs on Bill, "An Act Appropriating Funds for State of Maine's Participation in the New York World's Fair, 1964-1965." (H. P. 356) (L. D. 530) reported that the same Ought to pass as amended by Committee Amendment "A" (H-26)

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

The Committee on Public Utilities on Bill, "An Act Amending the Charter of the Presque Isle Water District." (H. P. 67) (L. D. 91) reported that the same Ought to pass.

The Committee on Inland Fisheries and Game on Resolve, Opening Carrabassett River to Fly Fishing Only. (H. P. 289) (L. D. 383) reported that the same Ought to pass.

In Senate, reports read and accepted in concurrence, House Amendments "A" were read and adopted in concurrence, and the bill and resolve, as amended read once and tomorrow assigned for second reading.

**House — Ought to Pass — New Draft**

The Committee on Inland Fisheries and Game on Resolve, Regulating Fishing in Hatcase Pond in Penobscot County. (H. P. 457) (L. D. 661) reported that the same

Ought to pass in New Draft under title of "Resolve Regulating Fishing in Hatcase Pond in Penobscot and Hancock Counties." (H. P. 976) (L. D. 1348)

Which report was read and accepted in concurrence, and the Resolve in New Draft read once and tomorrow assigned for second reading.

Senate — Referred to the 102nd Legislature.

Mr. Whittaker from the Committee on State Government on Bill, "An Act Transferring Alcoholic Rehabilitation to Department of Mental Health and Corrections" (S. P. 125) (L. D. 353) reported that the same should be referred to the 102nd Legislature.

Mr. WHITTAKER of Penobscot: Mr. President, I would like to make a brief explanation for the Committee of its action on this bill.

The PRESIDENT: The Senator may proceed.

Mr. WHITTAKER: Mr. President and members of the Senate: When this bill was heard before the State Government Committee testimony was given by officials of the Department of Mental Health and Corrections that they were not prepared at this time to take on the responsibilities suggested in this bill but that they would very likely be so prepared in two years, therefore the committee was reluctant to issue an "Ought to pass" report but at the same time it was reluctant to issue an "Ought not to pass" report and took the action indicated here. I therefore move the adoption of the committee action.

The motion prevailed and the report was read and accepted.

Sent down for concurrence.

Senate — Ought Not to Pass

Mr. Cyr from the Committee on Agriculture on Bill, "An Act Providing for the Maine Apple Cider Law." (S. P. 88) (L. D. 225) reported that the same Ought not to pass.

Mr. Stitham from the Committee on Election Laws on Bill, "An Act Eliminating Straight Ticket Square from General Election Ballot." (S. P. 358) (L. D. 1024) reported that the same Ought not to pass.

Mr. Stilphen from the Committee on Inland Fisheries and Game on Resolve, Providing for Repair of Dam at Chain of Ponds, Franklin County. (S. P. 208) (L. D. 518) reported that the same Ought not to pass.

Which reports were read and accepted.

Sent down for concurrence.

Mr. Stitham from the Committee on Inland Fisheries and Game on Resolve, Regulating Fishing in Certain Waters of Somerset and Kennebec Counties. (S. P. 207) (L. D. 517) reported that the same Ought to pass.

Mrs. Christie from the Committee on State Government on Bill, "An Act Relating to Salaries Paid by the State to Minister of the Gospel." (S. P. 156) (L. D. 432) reported that the same Ought to pass.

Mr. Wyman from the Committee on Towns and Counties on Bill, "An Act Providing County Funds for Insurance for Firemen." (S. P. 163) (L. D. 440) reported that the same Ought to pass.

Mr. Cram from the same Committee on Bill, "An Act Relating to Rental of Space in County Buildings by State Departments." (S. P. 377) (L. D. 1043) reported that the same Ought to pass.

Which reports were read and accepted, the bills and resolve read once and tomorrow assigned for second reading.

Sent down for concurrence.

Senate — Ought to Pass, As Amended

Mr. Hichborn from the Committee on Claims on Resolve, in Favor of Oscar Hanley of Newcastle. (S. P. 49) (L. D. 99) reported that the same Ought to pass as amended by Committee Amendment "A" (S-22).

Mr. Campbell from the Committee on Judiciary on Bill, "An Act Relating to Age in Criminal Offenses." (S. P. 79) (L. D. 187) reported that the same Ought to pass as amended by Committee Amendment "A" (S-20)

Mr. Boardman from the Committee on Judiciary on Resolve, Authorizing Anthony M. Look and the A. M. Look Canning Company to

**Sue the State of Maine.** (S. P. 248) (L. D. 622) reported that the same Ought to pass as amended by Committee Amendment "A" (S-19)

Mr. Pike from the Committee on Towns and Counties on Bill, "An Act Relating to Municipal Revenue Bonds." (S. P. 340) (L. D. 1005) reported that the same Ought to pass as amended by Committee Amendment "A" (S-23)

Which reports were read and accepted, Committee Amendments "A" were read and adopted, and the bills and resolves read once and tomorrow assigned for second reading.

**Majority — Ought to Pass  
Minority — Ought Not to Pass**

The Majority of the Committee on Business Legislation on Bill, "An Act Relating to Investment of Municipal Funds." (S. P. 308) (L. D. 974) reported that the same Ought to pass.

(Signed)  
Senators:

- BROWN of Hancock
- SPROUL of Lincoln
- JOHNSON of Somerset

Representatives:

- MacLEOD of Brewer
- WATKINS of South Windham
- SCOTT of Wilton
- VAUGHN of Peru
- OBERG of Bridgton
- BLOUIN of Sanford

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

(Signed)  
Representatives:

- KARKOS of Lisbon

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

**Majority — Ought to Pass  
Minority — Ought Not to Pass**

The Majority of the Committee on Inland Fisheries and Game on Bill, "An Act Providing for Stocking Dead River Waters with Rainbow Trout." (S. P. 209) (L. D. 519) re-

ported that the same Ought not to pass.

(Signed)  
Senators:

- STILPHEN of Knox
- STITHAM of Somerset
- CYR of Aroostook

Representatives:

- BENSON of Southwest Harbor
- HAWKES of Sebago Lake
- ROBERTS of So. Berwick
- WADE of Skowhegan
- ANDERSON of Ellsworth
- COOKSON of Glenburn

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

(Signed)  
Representative:

- REYNOLDS of Buxton

On motion by Mr. Stilphen of Knox, the Majority Ought Not to pass report was accepted.

Sent down for concurrence.

**Passed to Be Engrossed**

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

**House**

Bill, "An Act Promoting New Industrial Plant Locations." (H. P. 279) (L. D. 373)

Which was read a second time and passed to be engrossed in non-concurrence.

Sent down for concurrence.

Bill, "An Act Relating to Property Tax Appeals." (H. P. 353) (L. D. 604)

Bill, "An Act Prohibiting Anchored Boats in Earley Salmon Pool, Piscataquis County." (H. P. 445) (L. D. 650)

Resolve, Regulating Fishing in Moosehead Lake, Somerset and Piscataquis Counties. (H. P. 215) (L. D. 284)

Resolve, Regulating Fishing on Part of Roach River, Piscataquis County. (H. P. 375) (L. D. 548)

Resolve, Regulating Fishing on Part of Kennebec River, Piscataquis County and Somerset County. (H. P. 376) (L. D. 549)

Resolve, Regulating Fishing in Middle Branch Pond, Piscataquis County. (H. P. 458) (L. D. 662)

Resolve, Regulating Fishing in Dow Pond, Piscataquis County. (H. P. 459) (L. D. 663)

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

#### House — As Amended

Bill, "An Act Relating to Incorporation of Maine Hereford Association." (H. P. 419) (L. D. 572)

Bill, "An Act Relating to Method of Taking Smelts in Fish River Chain of Lakes, Aroostook County." (H. P. 37) (L. D. 60)

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

Bill, "An Act Enlarging the Territory of the Parsonsfield Kezar Falls Village Corporation." (S. P. 119) (L. D. 347)

On motion by Mr. Campbell of Kennebec, the bill was read a second time; the same Senator then presented Senate Amendment A and moved its adoption. Which amendment was adopted and the bill as amended was passed to be engrossed and sent down for concurrence.

Bill, "An Act Relating to Fees and Exceptions Under Law Regulating Nursing." (S. P. 145) (L. D. 322)

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

Sent down for concurrence.

The PRESIDENT: The Chair is happy to recognize in the Senate gallery a group of boys and girls, the Methodist Youth Fellowship from the United Methodist Church of Readfield, accompanied by their pastor, Reverend Peter Bridge and their advisors, Mrs. Henry Potter and Mrs. Albert Bishop. They are the guests today of Representative Thaanum of Winthrop. I would like to introduce to them the senators from their county, Kennebec County, Senator Campbell and Senator Farris. It is nice to see you people here. (Applause)

#### Enactors

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

Bill, "An Act Relating to Penalties for Burglary and Larceny." (S. P. 108) (L. D. 336)

Bill, "An Act Relating to Support of Patients at State Institutions." (S. P. 123) (L. D. 352)

Bill, "An Act to Incorporate the Seaboard Finance Company of Pine Tree." (S. P. 138) (L. D. 415)

(On motion by Mr. Porteous of Cumberland, tabled pending enactment.)

Bill, "An Act to Incorporate the Seaboard Finance Company." (S. P. 139) (L. D. 416)

(On motion by Mr. Porteous of Cumberland, tabled pending enactment.)

Bill, "An Act Relating to Use of Service Facilities by Banks." (S. P. 140) (L. D. 417)

Bill, "An Act Providing for Transportation of Deer by Maine Members of Armed Forces." (H. P. 38) (L. D. 61)

(On motion by Mr. Stitham of Somerset, tabled pending enactment.)

Bill, "An Act Relating to Appropriation of State Board of Arbitration and Conciliation." (H. P. 129) (L. D. 222)

Bill, "An Act Increasing Compensation of Public Members of Standardization Committee." (H. P. 167) (L. D. 216)

(On motion by Mr. Edmunds of Aroostook, placed on the Special Appropriations Table pending enactment.)

Bill, "An Act Relating to Bribery in Professional and Amateur Contests." (H. P. 216) (L. D. 285)

Bill, "An Act to Repeal the Prohibition Against Use of Seines in Part of Casco Bay." (H. P. 248) (L. D. 316)

Bill, "An Act to Incorporate Maine Hospital Association, Inc." (H. P. 267) (L. D. 361)

Bill, "An Act to Correct Errors and Omissions in the Public Laws Relating to Sea and Shore Fisheries." (H. P. 308) (L. D. 401)

(On motion by Mr. Wyman of Washington, tabled pending enactment.)

Bill, "An Act Repealing Law Permitting Trapping of Eels in Bagaduce River." (H. P. 310) (L. D. 403)



Bill, "An Act to Incorporate the Northern Mortgage Corporation." (H. P. 325) (L. D. 452)

Bill, "An Act Relating to Disposition of Security Under Financial Responsibility Law." (H. P. 381) (L. D. 550)

(On motion by Mr. Campbell of Kennebec, tabled pending enactment.)

Resolve, Authorizing Gardiner Savings Institution to Bring Civil Action Against the State of Maine. (H. P. 225) (L. D. 295)

Which bills were passed to be enacted and resolve was finally passed.

**Emergency**

Bill, "An Act Providing for a Continuance of the Constitutional Commission." (S. P. 83) (L. D. 190)

On motion by Mr. Edmunds of Aroostook, placed on the Special Appropriations Table pending enactment.

**Emergency**

Bill, "An Act Increasing Number of Superintending School Committee of Town of Milo." (S. P. 249) (L. D. 623)

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

**Emergency**

Bill, "An Act to Clarify the Procedure for the Dissolution of School Administrative Districts." (S. P. 347) (L. D. 777)

Which bill, being an emergency measure, and having received the affirmative vote of 32 members of the Senate, was passed to be enacted.

**Emergency**

Bill, "An Act Relating to Publishing of Regulations Closing Contaminated Shores, Waters or Flats." (H. P. 307) (L. D. 400)

Which bill, being an emergency measure, and having received the affirmative vote of 32 members of the Senate, was passed to be enacted.

**Orders of the Day**

The President laid before the Senate the first tabled and unassigned

matter (H. P. 891) (L. D. 1413) Bill, "An Act Relating to Rate of Distribution of Pari Mutuel Pools and Unclaimed Tickets at Horse Racing," which was tabled on February 20th by Senator Edmunds of Aroostook, pending reference.

On motion by Mr. Edmunds the bill was referred to the Joint Standing Committee on Taxation in non-concurrence.

Sent down for concurrence.

Mr. EDMUNDS of Aroostook: Mr. President, I would inquire if S. P. 937, L. D. 1371, "An Act providing funds for treatment, care and rehabilitation of Alcoholics is in the possession of the Senate?

The PRESIDENT: The Chair will reply to the Senator that it is, having been so requested by the Senator from Aroostook, Senator Edmunds.

Mr. Edmunds then moved reconsideration of the action of the Senate whereby the bill was referred to the Joint Standing Committee on Appropriations and Financial Affairs. The motion prevailed, and on further motion by the same Senator the bill was referred to the Joint Standing Committee on Health and Institutional Services.

Mr. Edmunds of Aroostook presented the following order and moved its passage:

ORDERED, the House concurring, that H. P. 153, L. D. 204, "An Act Relating to Reciprocity under Financial Responsibility Law be recalled from the Governor to the Senate.

The order was read and passed.

Subsequently the foregoing order was returned to the Senate having been read and passed in concurrence by the House.

Thereupon, H. P. 153, L. D. 204, "An Act Relating to Reciprocity under Financial Responsibility Law" having been recalled from the Governor to the Senate, on motion by Mr. Edmunds of Aroostook, the Senate voted to reconsider its former action whereby the bill was passed to be enacted; and to further reconsider its action whereby the bill was passed to be engrossed.

On further motion by the same Senator, the bill was laid upon the table unassigned, pending passage to be engrossed.

On motion by Mr. Edmunds of Aroostook

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