

# 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**

Tuesday, March 12, 1963

Senate called to order by the President.

Prayer by Rev. Peter Kemper of Pittsfield.

On motion by Mr. Stitham of Somerset, the Journal of March 7 was read and approved.

**House Papers**

**Non-concurrent Matter**

Resolve, Authorizing the Maine Defense Commission to Convey Certain Land in Presque Isle. (H. P. 511) (L. D. 713)

In Senate, February 28, passed to be engrossed in concurrence.

Comes from the House, passage to be engrossed reconsidered; House Amendment "A" read and adopted, and passed to be engrossed, as amended by House Amendment "A" (H-86) in non-concurrence.

In the Senate, that Body voted to recede and concur.

Resolve, Continuing New York City Public Relations Office and Providing for Contractual Services. (S. P. 293) (L. D. 866)

In Senate, February 27, passed to be engrossed.

Comes from the House, indefinitely postponed in non-concurrence.

In the Senate, indefinitely postponed in concurrence.

**Joint Order — House**

ORDERED, the Senate concurring, that on behalf of the people of the State of Maine a formal protest be made to Senator Muskie and Senator Margaret Chase Smith, Congressmen McIntire and Tupper, the protest being made against the transferring of Internal Revenue personnel and services from the State of Maine to the Commonwealth of Massachusetts. This protest is based on the economic loss to our State as a whole and discrimination against the people of the State of Maine in the services performed. (H. P. 1003)

Comes from the House read and passed.

In the Senate, on motion by Mr. Porteous of Cumberland, tabled pending passage and assigned for later in today's session.

**Conference Committee Report**

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill, "An Act Relating to Registration of Sanitarians." (H. P. 833) (L. D. 1220) report that the House recede from its action whereby the Bill was referred to the Committee on State Government and refer the Bill to the Committee on Legal Affairs; that the Senate recede from its action whereby the Bill was referred to the Committee on Health and Institutional Services and Concur with the House in referring the Bill to the Committee on Legal Affairs.

Comes from the House report read and accepted.

In Senate, Report read and accepted in concurrence.

**Bills for reference**

Bill, "An Act Increasing Salary of Mayor, Providing Compensation of Councilmen and Providing Initiative and Referendum for City of Gardiner." (H. P. 997) (L. D. 1345)

Referred to the Committee on Municipal Affairs in concurrence.

Bill, "An Act to Extend the Charter of the Eliot Water District." (H. P. 998) (L. D. 1446)

Referred to the Committee on Public Utilities in concurrence.

**Communication**

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
Office of the Clerk  
Augusta

March 7, 1963

Hon. Chester T. Winslow  
Secretary of the Senate  
101st Legislature

Sir:

The House today has voted to insist and join with a Committee of Conference and the Speaker of the House has appointed the following Conferees on the part of the House on the disagreeing actions of the two branches of the Legislature on:

Bill, "An Act Creating a Bureau of Corrections within Department of Mental Health and Corrections" (S. P. 124) (L. D. 351)

Messrs: DENNETT of Kittery

RUST of York  
 THAAANUM of Winthrop  
 Respectfully,  
 HARVEY R. PEASE  
 Clerk of the House

HRP-sr

Which was read and ordered placed on file.

**Communication**

President of the Senate  
 Senate Chamber  
 Augusta, Maine

Dear Senator Marden:

In order not to impede the progress of this Legislature and my work on the Committee on Inland Fisheries and Game, I respectfully tender my resignation as Chairman and member of the Committee on Transportation. Thank you for the opportunity to have served.

Yours truly,

(Signed)

CARL M. STILPHEN  
 Senator — Knox County

Which was read and placed on file.

The President appointed the Senator from Somerset, Senator Johnson to replace Senator Stilphen of Knox; and to replace Senator Johnson of Somerset, the President appointed Senator Ferguson of Oxford.

**Committee Reports — House  
 Referred to the 102nd Legislature**

The Committee on Judiciary on Bill, "An Act Providing for Western Hancock District Court to be Held at Bucksport." (H. P. 656) (L. D. 912) reported that the same be referred to the 102nd Legislature.

Which report was read and accepted in concurrence.

**Leave to Withdraw**

The Committee on Judiciary on Bill, "An Act Relating to Eminent Domain Under Maine Housing Authorities Act." (H. P. 595) (L. D. 833) reported that the same should be granted Leave to Withdraw.

The Committee on Retirements and Pensions on Bill, "An Act Relating to Retirement Allowance of Policemen and Firemen under State Retirement System." (H. P.

612) (L. D. 847) reported that the same should be granted Leave to Withdraw.

Which reports were read and accepted in concurrence.

**Ought to Pass**

The Committee on Claims on Resolve, in Favor of Town of Burlington for Winter Road Maintenance. (H. P. 270) (L. D. 364) reported that the same Ought to pass.

The Committee on Inland Fisheries and Game on Bill, "An Act Relating to Seine or Bag Net of Bait Dealers Under Fish and Game Law." (H. P. 647) (L. D. 903) reported that the same Ought to pass.

The same Committee on Bill, "An Act Changing Old Orchard Beach Bird Sanctuary to Ocean Park Game Preserve and Bird Sanctuary." (H. P. 648) (L. D. 904) 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.

**Ought to Pass — As Amended**

The Committee on Health and Institutional Services on Bill, "An Act Relating to Certificate of Registration to Practice Barbering." (H. P. 730) (L. D. 1059) reported that the same Ought to pass as amended by Committee Amendment "A" (H-83)

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

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

The Committee on Inland Fisheries and Game on Bill, "An Act Relating to Hunting of Skunks and Raccoons at Night." (H. P. 651) (L. D. 907) reported that the same Ought to pass in New Draft, under title: "An Act Relating to Hunting of Skunks and Raccoons in the Day-time." (H. P. 999) (L. D. 1442)

Which report was read and accepted in Concurrence; the Bill read once in New Draft and tomorrow assigned for second reading.

**Report A — Ought to Pass**  
**Report B — Ought Not to Pass**

Five members of the Committee on State Government on Bill, "An Act Relating to Location of Office of Board of Harbor Commissioners for the Harbor of Portland." (H. P. 502) (L. D. 704) reported in Report A that the same Ought to pass.

(Signed)

Senators:

WHITTAKER of Penobscot  
 CHRISTIE of Aroostook

Representatives:

BERMAN of Houlton  
 SMITH of Strong  
 CARTIER of Biddeford

Five members of the same Com- reported in Report B that the same Ought not to pass.

(Signed)

Senator:

LOVELL of York

Representatives:

BERRY of Cape Elizabeth  
 THAANUM of Winthrop  
 DENNETT of Kittery  
 DOSTIE of Lewiston

Comes from the House, Report A — Ought to pass read and accepted.

In the Senate, on motion by Mr. Brooks of Cumberland, tabled pending acceptance of either report and especially assigned for Tuesday next.

**Committee Reports — Senate**

**Ought Not to Pass**

Mr. Porteous from the Committee on Constitutional Amendments and Legislative Reapportionment on Resolve, Proposing an Amendment to the Constitution to Elect the Attorney General by the People. (S. P. 244) (L. D. 618) reported that the same Ought not to pass.

Mr. Stitham from the Committee on Legal Affairs on Bill, "An Act Permitting Hearing Testimony in Liquor Hearings as to Statements by Minors." (S. P. 326) (L. D. 992) reported that the same Ought not to pass.

Which reports were read and accepted.

Sent down for concurrence.

Mr. Ferguson from the Committee on Natural Resources on Bill, "An Act to Prevent Pollution of the Waters of Floods Pond and Burnt Pond." (S. P. 250) (L. D. 624)

Which report was read and accepted, the Bill read once and tomorrow assigned for second reading.

**Minority — Ought to Pass**

The Majority of the Committee on Liquor Control on Bill, "An Act Relating to Definition of Hotel Under Liquor Law." (S. P. 479) (L. D. 1331) reported that the same Ought not to pass.

(Signed)

Senators:

KIMBALL of Hancock  
 CHRISTIE of Aroostook

Representatives:

MEISNER  
 of Dover-Foxcroft  
 OAKES of Portland  
 WADE of Skowhegan  
 CHAPMAN of Norway

The Minority of the same Com- mittee on the same subject matter reported that the same Ought to pass.

(Signed)

Senator:

JACQUES of Androscoggin

Representatives:

TOWNSEND of Baileyville  
 BERNARD of Sanford

Mrs. CHRISTIE of Aroostook: Mr. President, I move acceptance of the Majority Ought Not to Pass report.

Thereupon, on motion by Mr. Lovell of York, the bill and accompanying papers were laid upon the table pending Mrs. Christie's motion, and the bill was especially assigned for Wednesday next.

**Second Readers**

**House**

Bill, "An Act to Authorize the Municipalities of Eagle Lake, Fort Kent, New Canada Plantation, St. Francis Plantation and Wallagrass Plantation to Suspend the Operation of Community School District No. 1 and Reorganize as a School Administrative District." (H. P. 327) (L. D. 454)

Bill, "An Act Providing for Rental Fees to Convert Subdivisions of

State with the State Police Teletypewriter System." (H. P. 579) (L. D. 817)

Bill, "An Act Relating to Registrar of Voters of Town of Rumford Holding Other Town Offices." (H. P. 386) (L. D. 585)

Bill, "An Act Relating to Purchase of Equipment and Vehicles by City of South Portland." (H. P. 476) (L. D. 679)

Bill, "An Act Repealing Law Relating to Appointment of Members of Police Force of the City of Brewer." (H. P. 484) (L. D. 686)

Bill, "An Act Amending the Charter of the City of Portland Concerning Election Districts." (H. P. 541) (L. D. 758)

Bill, "An Act Relating to Licenses for Discharge into Classified Waters." (H. P. 241) (L. D. 309)

Resolve, to Repeal Certain Special Resolve Pensions. (H. P. 397) (L. D. 596)

Bill, "An Act Regulating Taking of Smelts in Town of Surry." (H. P. 554) (L. D. 769)

Bill, "An Act Relating to Closed Season for Scallops." (H. P. 681) (L. D. 937)

Bill, "An Act Relating to License Plates for Disabled or Paraplegic Veterans." (H. P. 995) (L. D. 1436)

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

Bill, "An Act Relating to Licenses for Slaughterhouses." (H. P. 317) (L. D. 444) (H-43)

Bill, "An Act to Incorporate the West Paris Water District." (H-79) (H. P. 392) (L. D. 591)

Resolve, Regulating Fishing in Certain Waters in Washington County. (H-76) (H. P. 591) (L. D. 829)

Bill, "An Act Relating to the Duties of Department of Labor and Industry Regarding Industrial Safety." (H-52) (H. P. 503) (L. D. 705)

Resolve, Closing Fowler Brook, Kennebec County, to all Fishing. (H. P. 456) (L. D. 660)

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

Bill, "An Act Relating to Non-Forfeiture Benefits and Valuation Standards for Life Insurance Policies." (S. P. 448) (L. D. 1277)

Bill, "An Act Relating to Definition of Alien Under Fish and Game Laws." (S. P. 315) (L. D. 981)

Bill, "An Act Increasing Aides-de-Camp to Governor." (S. P. 336) (L. D. 1001)

Bill, "An Act Revising the Highway Safety Committee." (S. P. 371) (L. D. 1037)

(Which was read a second time; Mr. Campbell of Kennebec presented Senate Amendment A and moved its adoption. Senate Amendment A was read and adopted and the bill as amended was passed to be engrossed.)

Bill, "An Act Relating to Bids of Prime Contractor for State Public Improvements." (S. P. 372) (L. D. 1038)

Bill, "An Act to Provide for Special Deputy Clerks of Courts." (S. P. 403) (L. D. 1106)

(Which was read a second time, and on motion by Mr. Brown of Hancock was tabled pending passage to be engrossed.)

Bill, "An Act Relating to Jurisdiction of Juvenile Courts in Certain Motor Vehicle Violations." (S. P. 107) (L. D. 335)

Bill, "An Act Relating to Driving a Motor Vehicle While License Suspended or Revoked." (S. P. 534) (L. D. 1453)

(Which was read a second time, and on motion by Mr. Whittaker of Penobscot was tabled pending passage to be engrossed and was especially assigned for Tuesday, March 19.)

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

Sent down for concurrence.

#### As Amended

Bill, "An Act Revising Laws Relating to Benefits for State Employees While in the Armed Forces." (S. P. 78) (L. D. 186)

Resolve, Regulating Fishing in Certain Waters in York County. (S. P. 524) (L. D. 1439)

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

Sent down for concurrence.

#### Enactors

The Committee on Engrossed Bills reported as truly and strictly en-

**grossed the following Bills and Resolves:**

Bill, "An Act Increasing Indebtedness of Town of Fairfield School District." (H. P. 158) (L. D. 331)

Bill, "An Act Relating to Election of Constables in City of Portland." (H. P. 388) (L. D. 587)

Resolve, Authorizing A m a n d a Moreau to Bring Action Against the State of Maine. (H. P. 112) (L. D. 156)

Which bills were passed to be enacted and the Resolve finally passed.

#### Emergency

Bill, "An Act to Incorporate the Town of Winterport School District." (H. P. 160) (L. D. 210)

Which received the affirmative vote of 32 members.

#### Emergency

Bill, "An Act Increasing Number of Superintending School Committee of Town of Baileyville." (H. P. 986) (L. D. 1428)

(On motion by Mr. Boardman of Washington, tabled pending passage to be enacted.)

Which bills, being emergency measures, and having received the affirmative votes as indicated, were passed to be enacted.

#### Orders of the Day

The President laid before the Senate the 1st tabled and today assigned item (H. P. 557) (L. D. 772) Bill, "An Act Relating to Expending Aroostook County Funds for Ricker College"; tabled on March 7 by Senator Christie of Aroostook pending passage to be engrossed.

The same Senator presented Senate Amendment A (S-52) and moved its adoption.

Which amendment was read and adopted and the bill as amended was passed to be engrossed in non-concurrence.

Sent down for concurrence.

The President laid before the Senate the 2nd tabled and today assigned item Joint Order relative to Internal Revenue Service (H. P. 1003) tabled earlier in today's session by the Senator from Cumber-

land, Senator Porteous pending passage.

Mr. PORTEOUS of Cumberland: Mr. President, I would like to say on this order that the simple wording of this, in the fourth line: "That a formal protest be made against transferring Internal Revenue personnel and services from the State of Maine to the Commonwealth of Massachusetts," and then going on: "This protest is based on the economic loss to our State as a whole and discrimination against the people of the State of Maine in the services performed," that it is not perhaps worded as well as it might be. The factors here are more than economic. As we all know, to travel to Boston to get the answers we find from time to time necessary from the Internal Revenue Service would be a financial and time-consuming hardship to people in this area. Augusta, with its central location is a proven central area easily accessible to people from all over the State. I would appreciate it if the President of the Senate would in some way appoint a committee to better word this so we would not be assuming a posture of protesting what appears to be, on the surface, a move to economize on the part of the Internal Revenue Service. I do not think we look too good when it comes to just automatically protesting any removal of any service here in the State. I think our protest could be much stronger on the basis of service to an area of activity which is extremely important to people in this State, with the complicated rules and regulations of the Internal Revenue Service, and I would appreciate it if the President would take such action.

On motion by Mr. Edmunds of Aroostook, the order was tabled and specially assigned for Thursday, March 14th.

On motion by Mr. Campbell of Kennebec, the Senate voted to take from the table the first tabled and unassigned matter, (S. P. 48) (L. D. 98) Senate Report, "Ought to pass" from the Committee on Business Legislation on Bill, "An Act Revising the Law Relating to Closing-Out Sales," which was tabled on

January 29th by that Senator pending acceptance of report, and on further motion by the same Senator the "Ought to pass" report of the Committee was accepted. The same Senator then presented Senate Amendment "A" and moved its adoption. Senate Amendment "A" was read and adopted and the bill as amended was assigned for second reading on the next legislative day.

On motion by Mr. Hinds of Cumberland, the Senate voted to take from the table the 16th tabled item (H. P. 877) (L. D. 1262) Bill, "An Act Relating to Certificate of Public Necessity for Transporting Freight for Hire as a Common Carrier"; tabled on February 14 by Senator Hinds of Cumberland pending reference; and that Senator moved the pending question.

Thereupon, on motion by Mr. Edmunds of Aroostook, the bill was laid upon the table pending motion by Mr. Hinds of Cumberland.

On motion by Mr. Wyman of Washington, the Senate voted to take from the table the 35th tabled item (H. P. 5) (L. D. 11) Resolve Regulating Salmon Fishing in Tunk Lake, Hancock County and Nahmakanta Lake, Piscataquis County; tabled by that Senator on February 28 pending final passage and on further motion by the same Senator, the resolve was finally passed.

On motion by Mr. Edmunds of Aroostook

Adjourned until tomorrow morning at ten o'clock.