

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

HOUSE

Wednesday, January 9, 1963

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Edward F. Allen of Augusta.

The journal of yesterday was read and approved.

The SPEAKER: The Chair recognizes the presence in the hall of the House of Representatives of Representative-elect Mr. Mathieson from Montville, and the Chair will appoint the gentleman from Brooks, Mr. Wood, to escort the gentleman to the office of the Governor for the purpose of taking and subscribing the oaths necessary to qualify him to enter upon the performance of his duties. The Sergeant-at-Arms will escort the gentlemen to the Governor's office.

Subsequently, the gentleman from Brooks, Mr. Wood, reported he had performed the duty with which he was charged, and that Representative-elect Mathieson had taken and subscribed the oaths necessary to qualify him to enter upon his official duties.

Whereupon, the gentleman from Montville, Mr. Mathieson, was assigned to seat number 129 amid applause of the House.

The Speaker announced the appointment of the following House Standing Committees and Joint Standing Committees:

House Standing Committees**Ways and Means**

Turner of Auburn
Minsky of Bangor
Jewell of Monticello
Drake of Bath
Crockett of Freeport
MacGregor of Eastport
Plante of Old Orchard Beach

Leave of Absence

Smith of Falmouth
Benson of Southwest Harbor
Mower of Bangor
Wight of Presque Isle
Mendes of Topsham
Ricker of Wales
Plante of Old Orchard Beach

Bills in the Third Reading

Tyndale of Kennebunkport
Cope of Portland
MacLeod of Brewer
Easton of Winterport
Anderson of Ellsworth
Denbow of Lubec
Dudley of Enfield

Engrossed Bills

Tyndale of Kennebunkport
Gifford of Manchester
Hardy of Hope
Roberts of South Berwick
Ross of Augusta
Kilroy of Portland
Pitts of Harrison

Rules and Business of the House

The Speaker Ex Officio
Earles of South Portland
Berry of Cape Elizabeth
Childs of Portland

Joint Standing Committees**Agriculture**

S - Pike of Oxford
Harrington of Penobscot
Cyr of Aroostook
H - Coulthard of Scarborough
Boothby of Livermore
Mower of Bangor
Meisner of Dover-Foxcroft
Ward of Limestone
Poirier of Van Buren
Denbow of Lubec

Appropriations and Financial Affairs

S - Edmunds of Aroostook
Campbell of Kennebec
Porteous of Cumberland
H - Smith of Falmouth
Humphrey of Augusta
Bragdon of Perham
Minsky of Bangor
Pierce of Bucksport
Jalbert of Lewiston
Edwards of Raymond

Business Legislation

S - Brown of Hancock
Johnson of Somerset
Sproul of Lincoln
H - MacLeod of Brewer
Watkins of Windham
Vaughn of Peru
Oberg of Bridgton
Scott of Wilton
Blouin of Sanford
Karkos of Lisbon

Claims

- S - Hichborn of Piscataquis
Cyr of Aroostook
Porteous of Cumberland
- H - Brewer of Bath
Lincoln of Bethel
Hutchins of Kingfield
Susi of Pittsfield
Libby of Portland
Gallant of Eagle Lake
Bourgoin of Fort Kent

Education

- S - Brooks of Cumberland
Whittaker of Penobscot
Hichborn of Piscataquis
- H - Curtis of Bowdoinham
Bradeen of Waterboro
Easton of Winterport
McGee of Auburn
Treworgy of Gorham
Levesque of Madawaska
Snow of Jonesboro

Election Laws

- S - Brooks of Cumberland
Stitham of Somerset
Farris of Kennebec
- H - Brown of Fairfield
Crockett of Freeport
Gilbert of Eddington
Harrington of Dexter
Viles of Anson
Binnette of Old Town

Health and Institutional Services

- S - Hinds of Cumberland
Whittaker of Penobscot
Couture of Androscoggin
- H - Hanson of Gardiner
Ross of Augusta
Hobbs of Alfred
Ricker of Wales
Cressey of North Berwick
Hendricks of Portland
Baldic of Waterville

Highways

- S - Cole of Waldo
Brown of Hancock
Ferguson of Oxford
- H - Turner of Auburn
Crockett of Freeport
Carter of Etna
Drake of Bath
Ross of Brownville
Nadeau of Biddeford
Dostie of Winslow

**Industrial
and Recreational Development**

- S - Lovell of York
Noyes of Franklin
Kimball of Hancock

- H - Littlefield of Hampden
Hardy of Hope
Osgood of Corinna
Norton of Caribou
Gilbert of Eddington
Kilroy of Portland
Jobin of Rumford

Inland Fisheries and Game

- S - Stiphen of Knox
Stitham of Somerset
Cyr of Aroostook
- H - Anderson of Ellsworth
Cookson of Glenburn
Benson of Southwest Harbor
Hawkes of Standish
Roberts of South Berwick
Wade of Skowhegan
Reynolds of Buxton

Judiciary

- S - Farris of Kennebec
Boardman of Washington
Campbell of Kennebec
- H - Smith of Bar Harbor
Berman of Houlton
Rust of York
Thornton of Belfast
Knight of Rockland
Pease of Wiscasset
Childs of Portland

Labor

- S - Johnson of Somerset
Hinds of Cumberland
Couture of Androscoggin
- H - Brown of South Portland
Ewer of Bangor
Mendes of Topsham
Dunn of Denmark
Gifford of Manchester
Noel of Waterville
Prince of Oakfield

Legal Affairs

- S - Atherton of Penobscot
Sproul of Lincoln
Stitham of Somerset
- H - Wellman of Bangor
Earles of South Portland
Foster of Mechanic Falls
Cope of Portland
White of Guilford
Cote of Lewiston
Boissonneau of Westbrook

Liquor Control

- S - Kimball of Hancock
Christie of Aroostook
Jacques of Androscoggin
- H - Chapman of Norway
Meisner of Dover-Foxcroft
Wade of Skowhegan

Oakes of Portland
Townsend of Baileyville
Tardiff of Lewiston
Bernard of Sanford

Natural Resources

- S - Ferguson of Oxford
Cole of Waldo
Reed of Sagadahoc
H - Williams of Hodgdon
Jewell of Monticello
Sahagian of Belgrade
Jameson of Bangor
Choate of Windsor
Burns of Westbrook
Dudley of Enfield

Public Utilities

- S - Philbrick of Penobscot
Boisvert of Androscoggin
Harrington of Penobscot
H - Tyndale of Kennebunkport
Rand of Yarmouth
Welch of Chapman
Philbrick of Augusta
Taylor of South Portland
Pitts of Harrison
Plante of Old Orchard Beach

Reference of Bills

- S - The President Ex Officio
Edmunds of Aroostook
Jacques of Androscoggin
H - The Speaker Ex Officio
Wellman of Bangor
Tyndale of Kennebunkport
Plante of Old Orchard Beach

Retirements and Pensions

- S - Sproul of Lincoln
Atherton of Penobscot
Boisvert of Androscoggin
H - Wood of Brooks
Lincoln of Bethel
Hammond of Paris
Hendsbee of Madison
Gustafson of South Portland
Prince of Oakfield
Hendricks of Portland

Sea and Shore Fisheries

- S - Cram of Cumberland
Brewster of York
Reed of Sagadahoc
H - Young of Gouldsboro
Prince of Harpswell
Maddox of Vinalhaven
Richardson of Stonington
Rankin of Southport
MacGregor of Eastport
Lowery of Brunswick

State Government

- S - Whittaker of Penobscot
Lovell of York
Christie of Aroostook
H - Dennett of Kittery
Berman of Houlton
Thaanum of Winthrop
Smith of Strong
Berry of Cape Elizabeth
Dostie of Lewiston
Cartier of Biddeford

Taxation

- S - Wyman of Washington
Brown of Hancock
Letourneau of York
H - Waterman of Auburn
Wood of Brooks
Jones of Farmington
Albair of Caribou
Brown of Fairfield
Ayoob of Fort Fairfield
Cottrell of Portland

Towns and Counties

- S - Wyman of Washington
Cram of Cumberland
Pike of Oxford
H - Shaw of Chelsea
Philbrick of Augusta
Hammond of Paris
Wight of Presque Isle
MacPhail of Owl's Head
Poirier of Lewiston
Crommett of Millinocket

Transportation

- S - Stilphen of Knox
Johnson of Somerset
Philbrick of Penobscot
H - Finley of Washington
Whitney of Winn
Linnekin of Limington
Osborn of Presque Isle
Laughton of Ripley
Davis of Calais
Bussiere of Lewiston

Veterans and Military Affairs

- S - Boardman of Washington
Cyr of Aroostook
Letourneau of York
H - Waltz of Waldoboro
Thaanum of Winthrop
Hendsbee of Madison
Cressey of North Berwick
Albair of Caribou
Bedard of Saco
O'Leary of Mexico

Welfare

- S - Harrington of Penobscot
Hinds of Cumberland
Brewster of York

H - MacLeod of Brewer
 Kent of Benton
 Waltz of Waldoboro
 Birt of East Millinocket
 Henry of North Yarmouth
 Giroux of Brunswick
 Anderson of Orono

The Speaker announced the appointment of the following members to serve on the new Joint Select Committee on Constitutional Amendments and Legislative Reapportionment:

Messrs. BERMAN of Houlton
 DENNETT of Kittery
 WATKINS of Windham
 SMITH of Strong
 VILES of Anson
 SMITH of Bar Harbor
 PEASE of Wiscasset
 PLANTE
 of Old Orchard Beach
 COTTRELL of Portland
 CARTIER of Biddeford

On motion of the gentlewoman from Falmouth, Mrs. Smith, House Rule 25 was suspended for the remainder of today's session in order to permit smoking.

Papers from the Senate

From the Senate: The following Orders:

ORDERED, the House concurring, that there be paid to John S. Nelson, Representative of the Penobscot Tribe of Indians, and to Joseph A. Nicholas, Representative of the Passamaquoddy Tribe of Indians, on account of compensation, the sum of one hundred dollars, plus mileage (S. P. 29)

ORDERED, the House concurring, that there be paid to the members of the Senate and House as advances on account of compensation established by statute, the amount of one hundred and sixty dollars (\$160) fortnightly, according to lists certified to the State Controller by the Secretary of the Senate and Clerk of the House, respectively; and that the final payrolls bear the approval of the Joint Standing Committee on Appropriations and Financial Affairs (S. P. 30)

ORDERED, the House concurring, that there be created a Joint Select Committee on Municipal Affairs, consisting of 3 members on the part

of the Senate, to be appointed by the President of the Senate and 7 members on the part of the House, to be appointed by the Speaker of the House (S. P. 41)

Came from the Senate read and passed.

In the House, the Orders were read and passed in concurrence.

**Petitions, Bills and Resolves
 Requiring Reference**

The following 13 Bills and Resolves were received from the Clerk of the House of the 100th Legislature under the provisions of Joint Rule 19A and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

Appropriations and Financial Affairs

Resolve relating to Treatment of a Portion of New Meadows Lake to Eliminate Aquatic Growth (H. P. 11) (L. D. 21) (Presented by Mr. Brewer of Bath)

Sent up for concurrence.

Business Legislation

Bill "An Act relating to Investments in Securities of Regulated Investment Companies" (H. P. 6) (L. D. 12) (Presented by Mr. Wellman of Bangor)

Sent up for concurrence.

**Joint Select Committee on
 Constitutional Amendments and
 Legislative Reapportionment**

Resolve Proposing an Amendment to the Constitution Changing the Date of the General Election (H. P. 2) (L. D. 8) (Presented by Mr. Sahagian of Belgrade)

Sent up for concurrence.

Inland Fisheries and Game

Resolve Regulating Salmon Fishing in Tunk Lake, Hancock County and Nahmakanta Lake, Piscataquis County (H. P. 5) (L. D. 11) (Presented by Mr. Anderson of Ellsworth)

Sent up for concurrence.

Judiciary

Bill "An Act relating to Powers of Enforcement by Inland Fish and Game Wardens" (H. P. 3) (L. D. 23) (Presented by Mr. Sahagian of Belgrade)

Bill "An Act relating to Time of Filing Changes in Certificate of Organization of Corporations" (H. P. 10) (L. D. 17) (Presented by Mr. Smith of Bar Harbor)
Sent up for concurrence.

Labor

Bill "An Act Repealing Certain Portions of the Employment Security Law" (H. P. 1) (L. D. 7) (Presented by Mr. Curtis of Bowdoinham)
Sent up for concurrence.

Legal Affairs

Bill "An Act relating to Amount of Property Held by Old Folks Home at Bath" (H. P. 12) (L. D. 22) (Presented by Mr. Brewer of Bath)
Sent up for concurrence.

Retirements and Pensions

Resolve Increasing Retirement Benefit for Georgia Dinsmore of Bath (H. P. 14) (L. D. 10) (Presented by Mr. Brewer of Bath)
Sent up for concurrence.

State Government

Bill "An Act Repealing Publication of Summary of State Controller's Financial Report" (H. P. 9) (L. D. 15) (Presented by Mr. Wellman of Bangor)
Sent up for concurrence.

Taxation

Bill "An Act Exempting Proceeds of Pension and Profit Sharing Plans from Inheritance Tax Law" (H. P. 7) (L. D. 13) (Presented by Mr. Wellman of Bangor)

Bill "An Act relating to Reimbursement by State to Colleges for Property Taxes" (H. P. 8) (L. D. 14) (Presented by same gentleman)
Sent up for concurrence.

Transportation

Bill "An Act Providing for Safety Seat Belts for Motor Vehicles" (H. P. 13) (L. D. 9) (Presented by Mr. Brewer of Bath)
Sent up for concurrence.

The following Bills and Resolves were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

Appropriations and Financial Affairs

Bill "An Act Providing for Emergency Exit Lights and Signs for State House and Office Building" (H. P. 16) (Presented by Mr. Pierce of Bucksport)

(Ordered Printed)

Bill "An Act Providing for Repair and Maintenance of State-owned Dam on Dead River, Androscoggin County" (H. P. 17) (Presented by Mr. Thaanum of Winthrop)

(Ordered Printed)

Bill "An Act Appropriating Funds to Aid in Dredging the Kennebunk River Harbor" (H. P. 18) (Presented by Mr. Tyndale of Kennebunkport)

(Ordered Printed)

Bill "An Act Appropriating Monies to Provide for Longevity Pay for State Employees" (H. P. 19) (Presented by Mr. Wellman of Bangor)

(Ordered Printed)

Sent up for concurrence.

Claims

Resolve in favor of Fred Salem of Millinocket (H. P. 20) (Presented by Mr. Crommett of Millinocket)

(Ordered Printed)

Resolve in favor of Earle M. Hinkley of Gardiner (H. P. 21) (Presented by Mr. Hanson of Gardiner)

(Ordered Printed)

Sent up for concurrence.

Joint Select Committee on Constitutional Amendments and Legislative Reapportionment Tabled and Assigned

Resolve Proposing an Amendment to the Constitution Repealing Limitation of Number of Representatives from One City (H. P. 22) (Presented by Mrs. Hendricks of Portland)

(On motion of Mr. Childs of Portland, tabled pending reference and specially assigned for Tuesday, January 15.)

Education

Bill "An Act relating to Accreditation of Secondary Schools" (H. P. 23) (Presented by Mr. Easton of Winterport)

(Ordered Printed)

Bill "An Act relating to Certificates for Teaching" (H. P. 24) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act Repealing Supplemental State Aid for Reorganized School Districts" (H. P. 25) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Attendance and Tuition at Approved Secondary Schools" (H. P. 26) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act to Reconstitute School Administrative District No. 1" (H. P. 27) (Presented by Mr. Osborn of Presque Isle)

(Ordered Printed)

Bill "An Act relating to Authorization of Husson College to Confer Degrees" (H. P. 28) (Presented by Mr. Wellman of Bangor)

(Ordered Printed)

Sent up for concurrence.

Election Laws

Bill "An Act Permitting Separate Ballot Boxes for Votes on Constitutional Amendments and Referendums" (H. P. 29) (Presented by Mr. Bussiere of Lewiston)

(Ordered Printed)

Sent up for concurrence.

Health and Institutional Services

Bill "An Act Increasing Fees and Clarifying Barber Licensing Law" (H. P. 30) (Presented by Mr. Hanson of Gardiner)

(Ordered Printed)

Bill "An Act relating to Definition of Narcotic Drug and Exemptions" (H. P. 31) (Presented by Mr. Pierce of Bucksport)

(Ordered Printed)

Sent up for concurrence.

Industrial and Recreational Development

Bill "An Act Providing for Public Facilities for Boats" (H. P. 32) (Presented by Mr. Jobin of Rumford)

(Ordered Printed)

Sent up for concurrence.

Inland Fisheries and Game

Bill "An Act Providing a State-wide Limit on Certain Fish" (H. P. 33) (Presented by Mr. Anderson of Ellsworth)

(Ordered Printed)

Sent up for concurrence.

Tabled and Assigned

Bill "An Act Classifying Card Brook in Ellsworth" (H. P. 34) (Presented by Mr. Anderson of Ellsworth)

(On motion of Mr. Wellman of Bangor, tabled pending reference and specially assigned for Tuesday, January 15.)

Bill "An Act Providing for Life Preservers for Boats for Hire" (H. P. 35) (Presented by Mr. Berman of Houlton)

(Ordered Printed)

Bill "An Act relating to Number of Catch of Fish in Certain Waters in Aroostook County" (H. P. 36) (Presented by Mr. Gallant of Eagle Lake)

(Ordered Printed)

Bill "An Act relating to Method of Taking Smelts in Fish River Chain of Lakes, Aroostook County" (H. P. 37) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act Providing for Transportation of Deer by Maine Members of Armed Forces" (H. P. 38) (Presented by Mr. Karkos of Lisbon)

(Ordered Printed)

Bill "An Act Providing for State-wide Open Deer Season in Month of November" (H. P. 39) (Presented by Mr. Ross of Browville)

(Ordered Printed)

Bill "An Act relating to Fee for Tags in Registering Deer" (H. P. 40) (Presented by Mr. Rust of York)

(Ordered Printed)

Bill "An Act Providing Free Hunting and Fishing Licenses for Disabled Veterans" (H. P. 41) (Presented by Mr. Tyndale of Kennebunkport)

(Ordered Printed)

Bill "An Act Providing Free Hunting and Fishing Licenses for Persons Over Sixty-Five Years of Age" (H. P. 42) (Presented by same gentleman)

(Ordered Printed)

Resolve Regulating Taking of Smelts from Mud Lake, Aroostook County (H. P. 43) (Presented by Mr. Ayoob of Fort Fairfield by request)

(Ordered Printed)

Resolve Regulating Ice Fishing on Drew Lake, Aroostook County (H. P. 44) (Presented by Mr. Berman of Houlton)

(Ordered Printed)

Resolve Regulating Bag Limit of Trout in Aroostook County (H. P. 45) (Presented by same gentleman)

(Ordered Printed)

Resolve Regulating Fishing in Sebago Lake and Tributaries (H. P. 46) (Presented by Mr. Edwards of Raymond)

(Ordered Printed)

Resolve Providing Funds for Conservation Education (H. P. 47) (Presented by Mr. Hammond of Paris)

(Ordered Printed)

Resolve Regulating Fishing on Tim Pond and Mud Pond, Franklin County (H. P. 48) (Presented by Mr. Hutchins of Kingfield)

(Ordered Printed)

Resolve relating to Black Bass Fishing in Certain Kennebec County Waters (H. P. 49) (Presented by Mr. Thaanum of Winthrop)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act relating to Penalty for Operation of Motor Vehicles by Unlicensed Persons" (H. P. 50) (Presented by Mr. Minsky of Bangor)

(800 copies Ordered Printed)

Bill "An Act Designating Saco as the Seat of the District Court for Eastern York" (H. P. 51) (Presented by Mr. Bedard of Saco)

(Ordered Printed)

Bill "An Act Providing for Holding District Court for Western Aroostook at Fort Kent" (H. P. 52) (Presented by Mr. Bourgoin of Fort Kent)

(Ordered Printed)

Bill "An Act Providing for Review of Laws of Forestry Department" (H. P. 53) (Presented by Mrs. Lincoln of Bethel)

(Ordered Printed)

Bill "An Act relating to Mandatory Jail Sentence in Night Hunting Cases" (H. P. 54) (Presented by Mr. O'Leary of Mexico by request)

(Ordered Printed)

Bill "An Act Providing Access Ways to Great Ponds" (H. P. 55) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Mortgages" (H. P. 56) (Presented by Mr. Rust of York)

(Ordered Printed)

Bill "An Act relating to Proceedings in Adoption of Children" (H. P. 57) (Presented by Mr. Tyndale of Kennebunkport)

(Ordered Printed)

Bill "An Act Creating a Second Assistant County Attorney for Penobscot County" (H. P. 58) (Presented by Mr. Wellman of Bangor)

(Ordered Printed)

Sent up for concurrence.

Labor

Bill "An Act Increasing the Rate of Minimum Wages and Otherwise Revising the Minimum Wage Law" (H. P. 59) (Presented by Mr. Taylor of South Portland)

(850 copies Ordered Printed)

Bill "An Act relating to Petition for Review of Incapacity under Workmen's Compensation Act" (H. P. 60) (Presented by Mr. Tyndale of Kennebunkport)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act Requiring Safeguards for Public Beaches" (H. P. 61) (Presented by Mr. Berman of Houlton)

(Ordered Printed)

Bill "An Act Regulating Location of Automobile Junk Yards" (H. P. 62) (Presented by Mrs. Kilroy of Portland)

(Ordered Printed)

Bill "An Act relating to Purchase of Lands by Atlantic Sea Run Salmon Commission" (H. P. 63) (Presented by Mr. Minsky of Bangor)

(Ordered Printed)

Sent up for concurrence.

Liquor Control

Bill "An Act relating to Local Option Question on Sale of Malt Beverages in Hotels and Clubs Only" (H. P. 64) (Presented by Mr. Berman of Houlton)

(Ordered Printed)

Bill "An Act relating to Sale of Beverages in Returnable Bottles" (H. P. 65) (Presented by Mr. Osgood of Corinna by request)

(Ordered Printed)

Sent up for concurrence.

Natural Resources

Bill "An Act Prohibiting Use of Pesticides Near Waters of the State" (H. P. 66) (Presented by Mr. Berman of Houlton)
(Ordered Printed)
Sent up for concurrence.

Public Utilities

Bill "An Act Amending the Charter of the Presque Isle Water District" (H. P. 67) (Presented by Mr. Osborn of Presque Isle)
(Ordered Printed)

Bill "An Act to Amend the Charter of the Jay Village Water District" (H. P. 68) (Presented by Mr. Scott of Wilton)
(Ordered Printed)
Sent up for concurrence.

Sea and Shore Fisheries

Bill "An Act relating to Taking of Alewives in Town of Blue Hill" (H. P. 69) (Presented by Mr. Anderson of Ellsworth)
(Ordered Printed)

Bill "An Act relating to the Use of Purse, Drag or Stop Seines in Part of Damariscotta River" (H. P. 70) (Presented by Mr. Rankin of Southport)
(Ordered Printed)
Sent up for concurrence.

Taxation

Bill "An Act Levying a Head Tax on Inhabitants of Maine" (H. P. 71) (Presented by Mr. Hobbs of Alfred)
(Ordered Printed)
Sent up for concurrence.

Towns and Counties

Bill "An Act relating to Expending Aroostook County Funds for Maine Potato Blossom Festival" (H. P. 72) (Presented by Mr. Ayoob of Fort Fairfield)
(Ordered Printed)

Bill "An Act Providing for Fire Protection for Certain Townships in Franklin County" (H. P. 73) (Presented by Mr. Hutchins of Kingfield)
(Ordered Printed)

Bill "An Act Providing for Public Dumps for Jerusalem and Crocker-town, Franklin County" (H. P. 74) (Presented by same gentleman)
(Ordered Printed)

Bill "An Act relating to Use of Town Highway Equipment on Private Ways" (H. P. 75) (Presented by Mr. Watkins of Windham)
(Ordered Printed)

Bill "An Act Increasing Salaries of County Attorney and Assistant County Attorney of Penobscot County" (H. P. 76) (Presented by Mr. Wellman of Bangor)
(Ordered Printed)
Sent up for concurrence.

Transportation

Bill "An Act Providing for Driver Education for All New Applicants for Operators' Licenses" (H. P. 77) (Presented by Mrs. Hendricks of Portland)
(Ordered Printed)

Bill "An Act Providing Special License Plates for United States Postmasters" (H. P. 78) (Presented by Mr. Tyndale of Kennebunkport)
(Ordered Printed)
Sent up for concurrence.

Judiciary

Bill "An Act Establishing the Uniform Commercial Code" (H. P. 79) (Presented by Mr. Smith of Bar Harbor)
(1,000 copies Ordered Printed)
Sent up for concurrence.

Orders

On motion of Mr. Knight of Rockland, it was
ORDERED, that use of the hall of the House be granted to the Maine State Bar Association on Thursday afternoon, January 17, 1963.

House Report of Committee on Elections

Mr. Smith from the House Committee on Elections on the return of votes cast for Representatives to the Legislature in the several cities, towns and plantations in the State of Maine at the General Election held on November 6, 1962 reported a Resolution and that it be adopted.

HOUSE RESOLUTION

RESOLVED: That the several persons named in the list dated January 2, 1963 of Representatives-elect to the 101st Legislature certified by Paul A. MacDonald, Secretary of State, are hereby declared legally

elected Representatives to the 101st Legislature.

The Report was read and accepted and the Resolution read and adopted.

Orders of the Day

Mr. Crockett of Freeport was granted unanimous consent to briefly address the House.

Mr. CROCKETT: Mr. Speaker and Members of the House: Occasionally one passes the Great Divide whose memory merits a moment here, and such, I believe, was my predecessor in this seat: The Honorable Levi T. Patterson of the seaside town where Maine was made a State. Representing the two towns of Freeport and Pownal, Mr. Patterson served eight terms in this House; regularly relinquishing his seat voluntarily to allow Pownal a chance, and then returning in two years to pick up where he left off.

Long before my residency in Freeport, and even before the residency of very many others, the Pattersons were a strong community influence. Succeeding his father, Eben, with a finger and a word-of-advice in almost every project, Levi brought a most native judgment to bear, and has left Freeport a long legacy of deeds beyond enumeration now. Although one must classify him as a true conservative of down-east ruggedness, he was very early prophetic of our most modern efforts — for he helped organize a Freeport Realty Company which sought out and brought in new industry long before any of us thought of the state agencies now in existence. Freeport was always busy in days when other towns were not. While elder members of this House may remember him as the senior and routine adjourner of this body, his balance-sheet must include that he was a baseball player of big-league style, a team-mate and neighbor of the Hall of Fame's "Colby" Jack Coombs; and while Coombs had once struck out 24 batters in a regulation nine-inning game, Levi was never able to strike out more than 22.

Levi Patterson was certainly one of the most colorful individuals ever to serve in this House; a

sturdy man of strong convictions and loyalties who gave to his family, his town, his societies and his state with equal attention and care. He was the senior statesman of my district, and symbolized to me the proper bestowal of a man's devotion to the marriage of private and public affairs. His routine obituary in the press could not include the details of a well-lived life, or the measure of his sedate, dignified, old-time Republican incumbency in this chamber.

Thank you, Mr. Speaker, for this moment to memorialize my friend.

Mr. Humphrey of Augusta was granted unanimous consent to briefly address the House.

Mr. HUMPHREY: Mr. Speaker and Ladies and Gentlemen of the House: I know that you are all saddened to learn of the tragedy in the family of Representative Esther Shaw, and I am sure that each and every member of the House extends their heartfelt sympathy to Mrs. Shaw and members of her family. Thank you.

Mr. Anderson of Ellsworth was granted unanimous consent to briefly address the House.

Mr. ANDERSON: Mr. Speaker, Ladies and Gentlemen of the House:

First let me say a word to the freshman legislators. As a member of the 100th Legislature I was as green as they came. I had to ask questions, many questions. I found the veteran legislators most cooperative, ready and willing to supply the answers.

I still have much to learn. You don't pick it all up in one session. What I do know I will be most happy to share with my freshmen colleagues.

I think it will not be amiss, that I can safely say that other veteran legislators will be glad to answer any questions in parliamentary procedure — the gentleman from Milbridge, Mr. Kennedy, your Speaker; the gentleman from Lewiston, Mr. Jalbert; the gentleman from Bucksport, Mr. Pierce; and the Honorable Harvey Pease, Clerk of the House.

It is hard to believe that two years have elapsed since many of us met here as members of the

100th Legislature. In that stormy session we made many important decisions. Some of them good — some not so good.

True to our democratic form of government, wise or unwise, the majority adopted these measures and we must go along with them, which is as it should be.

We not only have to finance the programs that confront us in the 101st Legislature, but how to finance the programs we acquired in ill considered moments in the 100th Legislature.

The pollution program we are committed to will be, in dollars and cents, breathtaking over the years. Not that I am opposed to this. To grow we must have clean waters, but the cost will be staggering.

The district court system will cost much more than we thought. In my opinion the counties will suffer a big financial loss in current revenues. In spite of the heavy price tag, it is consoling to know that justice will be upgraded.

The cost of setting up and maintaining ETV, which I am definitely opposed to — I think it is a useless medium of education — will far exceed the figures presented to us in the 100th Legislature. To my way of thinking this will be just another piece of over stuffed state machinery that will produce nothing.

In the 100th Legislature we defeated a bill which would have put us in the banking business. A few legislators, though they tried hard, were unable to keep us out of the real estate and TV business.

One of the selling points that bought ETV is the million dollar subsidy from the federal government. This must be matched dollar for dollar by the state.

We are letting ourselves in for a lot of headaches by accepting matching funds for this, that and the other. It's like a man buying something he doesn't need because it's a bargain. This is economy in reverse.

Remember this. The federal government has no free goods. What the government gives to the people it must first take from the people.

Big business and little business made this country. If the federal government and the state govern-

ments continue to needle free enterprise they will destroy the structure that our forefathers built with sweat and tears.

Aside from the commitments of the 100th Legislature, we hear the clamorings of many state departments for more money from the legislature now convened. Health and Welfare; Parks; Mental Institutions; Education; Vocational Training, etc. And to top it all the Department of Economic Development wants more money. Frankly, I think this department is way overstaffed along with many others.

How shall we pay for all this? And so taxation again rears its ugly head. There are three ways to raise the needed finances, and of course a combination of the three. Broaden the base by removing present exemptions. Increase the present sales tax. Saddle the taxpayers with a state income tax. I am emphatically opposed to an income tax.

In the 100th Legislature, we had it crammed down our throats that if we didn't increase the sales tax it would jeopardize the proper functioning of state government. We didn't increase it and got by very nicely. In spite of a bad season, weather-wise, we acquired a sizeable budget surplus.

Perhaps if we do some chopping, take first thing first on a pay as we go basis, we may still get by without an increase in sales tax.

I'm not too keen about bond issues. We are already paying close to two million dollars interest annually on our bond indebtedness. If we keep this up I shudder to think of the load posterity will have to shoulder.

Getting back to education and ETV. (Maybe I'm a poor loser.) There are other areas far more worthy than this costly, experimental, mechanical phase of education. I'd liked to have seen this expenditure for ETV used for expansion of vocational schools and to provide trade schools.

We are knee deep in the electronic age. New industries moving into Maine must have technically trained men in this field. Its our job to supply them through well equipped, efficiently staffed, vocational schools.

I am disturbed that no provision in our vocational program is made

for dropouts. Many of our youth lose interest in books, but can be quick in picking up a trade — some of the lesser skills, plumbing, electrical work, welding, automobile mechanics. Are we going to throw these young people out on the streets to get into trouble?

With no provision made for these dropouts, the only solution to this grave problem is to hire competent teachers in the lower grades who will create and hold the interest of all the pupils.

Maybe I'll be typed as rebellious by some departments for my frank remarks, but in the words of that immortal Statesman, Thomas Jefferson, and I quote — "A little rebellion now and then is a necessary medicine for the sound health of government."

Let's look well about us before we buy any issues with a price tag. Maybe we can avoid an increase in sales tax without jeopardizing the welfare of our peoples.

Mr. Speaker and Ladies and Gentlemen of the House, My thanks for your indulgence.

The SPEAKER: The Chair would call the attention of the members of the House to carefully inspect your seating arrangement, the chart that is on your desk, and if there are any errors or inconsistencies, report them immediately to the Clerk in order that they may be corrected. The seating arrangement, the chart on your desk, please go over it as to spelling or any errors as to the number of your seat.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Childs.

Mr. CHILDS: Mr. Speaker, may I inquire from the Clerk if he has in his possession a Joint Order which was passed yesterday in relation to the publication of the state employees salaries?

The SPEAKER: The paper is in the possession of the House.

Mr. CHILDS: Mr. Speaker and Members of the House: I realize that many of you, and particularly new members, are not familiar with this particular order. It passed here yesterday as the possibility of being a routine matter. I can assure you that it is not one. As far as

I am concerned, it is an ugly monster, and I believe that you people should hear just what the merits of this are and then make your decision whether you believe it should receive passage. Therefore, in order that the matter may be thoroughly discussed, I move that we hereby reconsider our action as of yesterday whereby this order received passage.

The SPEAKER: The gentleman from Portland, Mr. Childs, moves that the House reconsider its action of yesterday whereby it passed this Joint Order. I will read the Order. "ORDERED, The Senate concurring, that the State Controller supply for use of the Legislature 200 copies of a list of State Employees with their salaries as of December 31, 1962; and be it further ORDERED, that said lists be distributed, one to each member of the Senate, House of Representatives and the Executive Council; 2 to the Executive; one to the Secretary of the Senate; one to the Clerk of the House; and the balance to the State Librarian for exchange purposes."

The question before the House is for reconsideration.

The Chair recognizes the gentleman from Bucksport, Mr. Pierce.

Mr. PIERCE: Mr. Speaker, the gentleman from Portland, Mr. Childs, has referred to this as not being a routine order. I assure you, Mr. Speaker, that it is a routine order. When I first started here twenty-two years ago, it was at that time a routine order and had been introduced for many years.

However, back in 1941 it was customary for all departmental heads to hire their own employes and establish their own salaries. There was no board or bureau of personnel at that time. That is, any departmental head could hire anybody upon his wishes and pay whichever salary he desired. At that time, there was considerable jealousy among the various employes as to how much their co-workers received. However, since the instigation or since the start of Personnel, all state employes are well aware of the salaries received by their co-workers. They all know; everybody knows, except we Legislators whose duty it will be to pass and vote

with intelligence upon the salary matters of all these employees, and there will be many matters coming before us.

There is another matter which I would like to call to your attention, Mr. Speaker. The last session of the Legislature adopted in the bill sponsored by the Committee on Appropriations and Financial Affairs the line budgeted items of personal services. The Appropriations Committee started it last session, adopted unanimously by both bodies, that with the amounts appropriated for personal services were also the number of employees that should be included under those personal services. However, certain of us had been informed that immediately after the adjournment of the Legislature certain departments did, contrary to the wishes of that Legislature, did employ additional employees under the so-called contractual services. That was contrary to the wishes of the Legislators. In order to put a stop to that in the future, we must know with intelligence how much these various employees are now receiving, in order that we may determine how many are under contractual services. We must vote with intelligence. The only way we can possibly vote with intelligence is to have the publication of this book and because of new methods and systems and methods of controls in the financial office, the book is already under preparation and with very minor additional work upon the various departments. I sincerely hope the motion of the gentleman from Portland, Mr. Childs, to reconsider this action is defeated, and when the vote is taken I ask for a division.

The SPEAKER: The Chair recognizes the gentlewoman from Falmouth, Mrs. Smith.

Mrs. SMITH: Mr. Speaker, I too hope that the motion of the gentleman from Portland, Mr. Childs, will be defeated. In all of my terms in the House, each time we have had a list of these salaries. I feel that they should be in our possession.

The SPEAKER: The Chair recognizes the gentleman from Houlton, Mr. Berman.

Mr. BERMAN: Mr. Speaker, I agree with the gentlewoman from Falmouth, Mrs. Smith. I believe in full disclosure of these salaries as a proper procedure in state government. Why try to hide these salaries from the honorable members of this House? This House is going to have to pass on the appropriations for state government for the next two years, and I think it is only fair that the members of this House should know the salaries which the state employees are presently receiving.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Childs.

Mr. CHILDS: Mr. Speaker, I can assure you that it is not my intention to keep from the members of this House what the salaries of the state employees are. If the salaries of state employees want to be broken down in categories, I would have no objection to that. What I object to is that this particular book which is known as the "snoop book," always has been known as the "snoop book." It isn't something that only the members of this Legislature have, there are two hundred copies printed. Two weeks after the copies are printed they are all over the place like match books. They are reproduced and even sold to state employees. I don't think it is any particular interest to us to know what maybe Sue Brown makes as a clerk down in the State Highway Department. It doesn't make any difference to us what a secretary to a department head makes. I believe that people are entitled to a right of privacy and I certainly think that state employees demand our respect.

There are times of course when we cannot give them monies that they are entitled to, but I do believe we can give them our respect, and I certainly do not think that their wages should be common knowledge to everybody. If anybody wants to find out what one particular state employee makes, all he has to do is go to the Controller's office and he can get that information. At the present time, to my knowledge, there is no particular bill before us as far as a raise for the state employees is concerned, and I can assure you if there was a bill of that effect before us, that

this "snoop book" which is before you would be of no help whatsoever.

Now you talk about it as of very minute cost. It is probably true you could have the whole thing printed for \$1,000. That \$1,000 could take care of maybe an ADC case; it could take care of an Aid to the Aged. If it had any merit at all, I would certainly go along with it, but I do not think printing the individual names of the state employees and their salaries and making it common knowledge to everybody in the state is of any value to us or any interest. I therefore hope that my motion to reconsider will pass.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. McGee.

Mr. MCGEE: Mr. Speaker, as a new member here, I would desire the information that we would get in that report, and I think it would be good for the other new members, and I hope that this motion to reconsider will be defeated.

The SPEAKER: The question before the House is the motion of the gentleman from Portland, Mr. Childs, that the House reconsider its action whereby House Paper 15 was passed. A division has been requested. All those in favor of the motion to reconsider will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Eight having voted in the affirmative and one hundred thirty having voted in the negative, the motion did not prevail.

On motion of Mr. Wellman of Bangor, the House voted to take from the table the first tabled and unassigned matter, Senate Joint Order relative to Legislative Record, Senate Paper 13, tabled on January 2 by that gentleman pending passage in concurrence.

Mr. Wellman of Bangor then offered House Amendment "A" and moved its adoption.

House Amendment "A" was read by the Clerk as follows:

HOUSE AMENDMENT "A" to Senate Joint Order S. P. 13, re: "Legislative Record."

Amend said Order by striking out all of the second paragraph thereof.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker, point of information, has the order itself been reproduced? If it has not, I would like to have this tabled until the order is reproduced.

The SPEAKER: The Clerk will read the order.

Whereupon, Senate Joint Order, Senate Paper 13, was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker, it is not my intent to hold anything up, but if we are going to keep a complete record of what goes, we certainly have got to have the order itself for our record; we have got just the amendment. I would therefore ask if the gentleman from Bangor, Mr. Wellman, would not table this until tomorrow pending the reproduction of the original order itself; then we will go along and vote on the order and then the amendment. I am just going along with what I was taught by the good Clerk, Mr. Speaker. Mr. Speaker, I will table the order until tomorrow morning.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, moves that the order be tabled pending the adoption of House Amendment "A" and that the order be reproduced. Is this the pleasure of the House?

The motion prevailed.

On motion of Mr. Cope of Portland,

Adjourned until ten o'clock tomorrow morning.