

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

Tuesday, January 15, 1963

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

Prayer by the Rev. Mr. Arthur Christopher of Augusta.

The members stood at attention during the playing of the National Anthem.

The journal of the previous session was read and approved.

Papers from the Senate

From the Senate:

The following Communication (S. P. 40)

MAINE CONSTITUTIONAL COMMISSION

January 7, 1963

To the Honorable House and Senate of the 101st Legislature
Augusta, Maine

Members:

I have the honor to transmit to you herewith the First Report of the Maine Constitutional Commission. The Commission created by act of the 100th Legislature was directed to report to the 101st Legislature.

Very truly yours,

(Signed) FRED C. SCRIBNER, Jr.
Chairman

Came from the Senate read and with accompanying report (L. D. 33) referred to the Committee on Constitutional Amendments and Legislative Reapportionment.

In the House, the Communication was read and with accompanying report referred to the Committee on Constitutional Amendments and Legislative Reapportionment in concurrence.

From the Senate: The following Communication: (S. P. 42)

STATE OF MAINE DEPARTMENT OF THE ATTORNEY GENERAL Augusta

January 2, 1963

To the Honorable Senate and House of Representatives of the One Hundred First Legislature:

Pursuant to Article V, Part Fourth, section 2 of the Constitution

of Maine, we are transmitting herewith two bonds of the Honorable Frank S. Carpenter, Treasurer of State, totaling \$500,000, one written by the Northern Insurance Company of New York in the amount of \$250,000, and one written by the Maine Bonding and Casualty Company of Portland, Maine, in the amount of \$250,000, each being dated January 2, 1963, and each payable to the State of Maine.

These bonds bear the Deputy's approval as to form.

(Signed) FRANK E. HANCOCK
Frank E. Hancock
Attorney General

Came from the Senate read and with accompanying bonds ordered placed on file with the State Auditor.

In the House, the Communication was read and with accompanying bonds ordered placed on file with the State Auditor in concurrence.

From the Senate: The following Order:

ORDERED, the House concurring, that the two bonds of the Honorable Frank S. Carpenter, Treasurer of State, totaling \$500,000, one written by the Northern Insurance Company of New York in the amount of \$250,000, and one written by the Maine Bonding and Casualty Company of Portland, Maine, in the amount of \$250,000, each payable to the State of Maine and each bearing the certificate of approval of the Deputy Attorney General, be and hereby are approved (S. P. 74)

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

From the Senate: The following Communication: (S. P. 44)

DEPARTMENT OF STATE STATE OF MAINE Augusta

January 9, 1963

To the Honorable Senate of the One Hundred and First Legislature of the State of Maine:

I have the honor to herewith transmit proposals of, "An Act to Authorize the Construction of a Causeway Connecting Cousins Island with Littlejohns Island, and a

Bridge and Causeway Connecting Littlejohns with Chebeague Island.”

This measure is in accordance with the provisions of Article IV, Section 18, Part Third of the Constitution of the State of Maine. The measure is proposed by what is purported to be approximately 42,000 signatures.

These petitions were filed on January 8, 1963.

Respectfully,

(Signed) PAUL A. MacDONALD
Secretary of State

From the Senate: The following Order:

ORDERED, the House concurring, that the communication, together with Bill, “An Act to Authorize the Construction of a Causeway Connecting Cousins Island with Littlejohns Island, and a Bridge and Causeway Connecting Littlejohns with Chebeague Island.” (I. B. 1) and accompanying petitions, be referred to the Committee on Judiciary for investigation and report as to the sufficiency of the petition with power to summon witnesses (S. P. 43)

Came from the Senate read and passed.

In the House, the Communication was read and placed on file in concurrence and the Order was read and passed in concurrence.

From the Senate:

Resolve Appropriating Moneys for Support of the Civil Air Patrol Program (S. P. 31) (L. D. 25)

Came from the Senate referred to the Committee on Appropriations and Financial Affairs.

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

From the Senate:

Resolve Providing Industrial Accident Payments to Mrs. Jeanne T. Smith of Thomaston (S. P. 32) (L. D. 26)

Came from the Senate referred to the Committee on Claims.

In the House, referred to the Committee on Claims in concurrence.

From the Senate:

Bill “An Act relating to Number of Catch of Fish in Aroostook County” (S. P. 34) (L. D. 27)

Came from the Senate referred to the Committee on Inland Fisheries and Game.

In the House, referred to the Committee on Inland Fisheries and Game in concurrence.

From the Senate:

Bill “An Act to Clarify the Apportionment of Surveyors’ Fees in Certain Cases” (S. P. 35) (L. D. 28)

Bill “An Act Extending Time for Filing Action to Enforce Lien Claims” (S. P. 36) (L. D. 29)

Bill “An Act relating to Testamentary Additions to Trusts” (S. P. 37) (L. D. 30)

Came from the Senate referred to the Committee on Judiciary.

In the House, referred to the Committee on Judiciary in concurrence.

From the Senate:

Bill “An Act relating to Use of Credit Cards” (S. P. 38) (L. D. 31.)

Came from the Senate referred to the Committee on Legal Affairs.

In the House, referred to the Committee on Legal Affairs in concurrence.

From the Senate:

Bill “An Act Providing for a Survey of Maine’s Transportation Needs” (S. P. 7) (L. D. 16)

Came from the Senate referred to the Committee on Transportation.

In the House: On motion of Mr. Wellman of Bangor, referred to the Committee on Appropriations and Financial Affairs in non-concurrence and sent up for concurrence.

Bill “An Act relating to Inspection of Motor Vehicles” (S. P. 39) (L. D. 32)

Came from the Senate referred to the Committee on Transportation.

In the House, referred to the Committee on Transportation in concurrence.

Messages and Documents

The following Communication: (H. P. 171)

DEPARTMENT OF STATE
STATE OF MAINE

Augusta

January 9, 1963

Honorable Harvey R. Pease
Clerk of the House
State House
Augusta, Maine

Dear Mr. Pease:

I am forwarding for your consideration a Senate Concurrent Resolution number 57 from the State of Louisiana with reference to a memorial to Congress to amend the Constitution to determine whether or not prayer shall be permitted in the public schools.

Very truly yours,

(Signed) PAUL A. MacDONALD
Secretary of State

The Communication was read and with accompanying papers ordered placed on file and sent up for concurrence.

**Petitions, Bills and Resolves
Requiring Reference**

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**

Resolve Appropriating Funds for the Block House at Fort Kent (H. P. 141) (Presented by Mr. Bourgoin of Fort Kent)

(Ordered Printed)

Sent up for concurrence.

**Constitutional Amendments and
Legislative Reapportionment
Tabled and Assigned**

Resolve Proposing an Amendment to the Constitution Prohibiting the Levying of a State Tax on Incomes (H. P. 142) (Presented by Mr. Berman of Houlton)

The SPEAKER: The Chair recognizes the gentleman from Cape Elizabeth, Mr. Berry.

Mr. BERRY: Mr. Speaker and Members of the House: I have no quarrel with the content of the bill at this particular time, but I do question the expense involved in printing 1,000 copies. In the absence of the sponsor, the gentleman from Houlton, Mr. Berman, I move this

be tabled until the next legislative day.

Thereupon, the motion prevailed and the Bill was tabled pending reference and specially assigned for tomorrow.

Inland Fisheries and Game

Bill "An Act Eliminating Fee for Tagging and Marking Fisher Skins" (H. P. 143) (Presented by Mr. Oberg of Bridgton)

(Ordered Printed)

Bill "An Act relating to Nonresident Hunting License Fees" (H. P. 144) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act Reducing Fee for Tagging and Marking Beaver Skins" (H. P. 145) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act Creating the Hog Island Game Sanctuary" (H. P. 146) (Presented by Mr. Pease of Wiscasset)

(Ordered Printed)

Bill "An Act Increasing Nonresident Fishing License Fee" (H. P. 147) (Presented by Mr. Viles of Anson)

(Ordered Printed)

Bill "An Act Eliminating Zones for Deer Hunting" (H. P. 148) (Presented by same gentleman)

(Ordered Printed)

Resolve Regulating Ice Fishing in Nickerson Lake, Aroostook County (H. P. 149) (Presented by Mr. Berman of Houlton)

(Ordered Printed)

Resolve relating to Ice Fishing and Night Fishing on Indian Pond, Somerset and Piscataquis Counties (H. P. 150) (Presented by Mr. Viles of Anson)

(Ordered Printed)

Resolve Regulating Ice Fishing on Portage Lake, Aroostook County (H. P. 151) (Presented by Mr. Welch of Chapman)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act relating to Report of Bureau of Social Welfare in Child Custody Cases" (H. P. 152) (Presented by Mr. Brown of South Portland)

(Ordered Printed)

Bill "An Act relating to Reciprocity under Financial Responsibility Law" (H. P. 153) (Presented by Mr. Davis of Calais)

(Ordered Printed)

Bill "An Act Providing for Equitable Relief for Purchasers of Real Estate from Municipalities" (H. P. 154) (Presented by Mr. Smith of Bar Harbor)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act relating to Removal of Paupers to Town of Settlement" (H. P. 155) (Presented by Mr. Brown of Fairfield)

(Ordered Printed)

Bill "An Act relating to the Beginning of Standard Time" (H. P. 156) (Presented by Mr. Oberg of Bridgton)

(Ordered Printed)

Bill "An Act Providing for Registration of Land Surveyors" (H. P. 157) (Presented by Mr. Young of Gouldsboro)

(Ordered Printed)

Sent up for concurrence.

Municipal Affairs

Tabled and Assigned

Bill "An Act Increasing Indebtedness of Town of Fairfield School District" (H. P. 158) (Presented by Mr. Brown of Fairfield)

(On motion of Mr. Brown of Fairfield, tabled pending reference to Committee and specially assigned for tomorrow.)

Bill "An Act relating to Clerk of Overseers of Poor of Fairfield" (H. P. 159) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act to Incorporate the Town of Winterport School District" (H. P. 160) (Presented by Mr. Easton of Winterport)

(Ordered Printed)

Bill "An Act Providing for a Council-Manager Form of Government for Town of Gorham" (H. P. 161) (Presented by Mr. Treworgy of Gorham)

(Ordered Printed)

Sent up for concurrence.

Natural Resources

Bill "An Act relating to Payments by Baxter State Park Au-

thority to Maine Forestry District" (H. P. 162) (Presented by Mrs. Smith of Falmouth)

(Ordered Printed)

Bill "An Act Repealing Law Allocating Moneys from Organized Township's Fund for Managing Public Reserved Lots in Plantations" (H. P. 163) (Presented by Mr. Viles of Anson)

(Ordered Printed)

Bill "An Act Authorizing Forest Commissioner to Permit and Regulate Dredging in Great Ponds" (H. P. 164) (Presented by Mr. Waterman of Auburn)

(Ordered Printed)

Resolve Changing Name of Adams Pond to Adams Lake (H. P. 165) (Presented by Mr. Oberg of Bridgton)

(Ordered Printed)

Sent up for concurrence.

Public Utilities

Bill "An Act Increasing Territorial Limits of Presque Isle Sewer District" (H. P. 166) (Presented by Mr. Osborn of Presque Isle)

(Ordered Printed)

Sent up for concurrence.

State Government

Bill "An Act Increasing Compensation of Public Members of Standardization Committee" (H. P. 167) (Presented by Mr. Wellman of Bangor)

(Ordered Printed)

Sent up for concurrence.

Taxation

Bill "An Act relating to Exemption of Veteran's Property from Taxation" (H. P. 168) (Presented by Mr. Easton of Winterport)

(Ordered Printed)

Sent up for concurrence.

Towns and Counties

Bill "An Act Increasing Salaries of Jury Commissioners of Lincoln County" (H. P. 169) (Presented by Mr. Pease of Wiscasset)

(Ordered Printed)

Sent up for concurrence.

Transportation

Bill "An Act relating to Instruction Permits and Fees for Examination to Operate a Motor Vehicle"

(H. P. 170) (Presented by Mr. Finley of Washington)
(Ordered Printed)
Sent up for concurrence.

Orders

On motion of Mr. Plante of Old Orchard Beach, it was
ORDERED, that Mr. Dennett of Kittery be excused from attendance this week because of illness.

Orders of the Day

The Chair laid before the House the first tabled and today assigned matter:

Bill "An Act Classifying Card Brook in Ellsworth." (H. P. 34) (The Committee on Reference of Bills suggested Com. on Inland Fisheries and Game).

Tabled — January 9, by Mr. Wellman of Bangor.

Pending — Reference.

On motion of Mr. Wellman of Bangor, referred to the Committee on Natural Resources, ordered printed and sent up for concurrence.

The Chair laid before the House the second tabled and today assigned matter:

Resolve, Proposing an Amendment to the Constitution Repealing Limitation of Number of Representatives from One City. (H. P. 22) (The Committee on Reference of Bills suggested Com. on Constitutional Amendments and Legislative Reapportionment.)

Tabled — January 9, by Mr. Childs of Portland.

Pending — Reference.

On motion of Mr. Childs of Portland, referred to the Committee on Constitutional Amendments and Legislative Reapportionment, ordered printed and sent up for concurrence.

On motion of Mr. Bragdon of Perham, the House voted to take from the table the second tabled and unassigned matter:

Bill "An Act relating to Appropriation of State Board of Arbitration and Conciliation." (H. P. 129) The Committee on Reference of Bills suggested committee on State Government.

Tabled — January 10, by Mr. Bragdon of Perham.

Pending — Reference.

On further motion of the same gentleman, referred to the Committee on State Government, ordered printed and sent up for concurrence.

On motion of Mr. Wellman of Bangor, the House voted to take from the table the first tabled and unassigned matter:

Bill "An Act Providing Access Roads to Recreational Areas." (S. P. 1) (L. D. 1) — In Senate referred to Committee on Highways.

Tabled — January 10, by Mr. Wellman of Bangor.

Pending — Reference.

On further motion of the same gentleman, referred to the Committee on Highways in concurrence.

Mrs. Shaw of Chelsea was granted unanimous consent to address the House briefly.

Mrs. SHAW: Mr. Speaker and Fellow House Members: I want to express my deep appreciation for all the prayers and words of comfort that I have received during the past week as the result of the accident which hospitalized my husband and took the life of his mother. We appreciated the floral tribute sent by the House of Representatives.

I also want to tell you that we are very happy that my husband is progressing very well and although it will mean several months hospitalization for him, he is not hurt internally and his brain matter was not affected any, so that he is coming along fine. If we can just get him back on his feet, that is the big part of it. But we want to thank each and every one of you, and he sent his regards to all of you. Thank you.

Mr. Wellman of Bangor was granted unanimous consent to address the House briefly.

Mr. WELLMAN: Mr. Speaker, on the second page of your blue sheet of notices you will notice in the fourth item that the honorable Clerk of this House will give his famous lecture of indoctrination and advice and other assorted kind words to new and old members of this body. I urge particularly that perhaps the new members will get more out of it than some of the old members.

Perhaps we can all learn a little something new. I hope you will make an effort to attend this little course. Thank you.

The SPEAKER: Pursuant to Joint Order passed in the House on January 9, the Chair will now appoint the members on the part of the House on the Committee on Municipal Affairs:

MacGREGOR of Eastport
WELLMAN of Bangor
HARDY of Hope
CHOATE of Windsor
LINCOLN of Bethel
KILROY of Portland
DUDLEY of Enfield

Mr. Williams of Hodgdon was granted unanimous consent to address the House briefly.

Mr. WILLIAMS: Mr. Speaker, I don't like to jump the gun on our good Clerk, but I notice on the blue sheet that there is one error on the second page there. Natural Resources will meet in the Senate Chamber at 1:00 instead of 1:30.

The CLERK: The deadline on blue sheet notices is usually about ten minutes past the convening hour. Sometimes the blue sheet is held later than that when it is apparent that the session will continue more than thirty minutes.

On motion of Mr. Knight of Rockland,

Adjourned until ten o'clock tomorrow morning.