

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 16, 1963

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

Prayer by the Rev. Mr. Anson R. Williams of Augusta.

The journal of yesterday was read and approved.

Papers from the Senate

From the Senate:

Bill "An Act to Create Water Conservation Districts and to Expand Powers of Soil Conservation Districts" (S. P. 45) (L. D. 125)

Bill "An Act relating to Regulation of Pesticides" (S. P. 46) (L. D. 96)

Came from the Senate referred to the Committee on Agriculture.

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

From the Senate:

Bill "An Act relating to Matching State Funds with Local Chambers of Commerce to Obtain New and Aid Expansion of Present Industries" (S. P. 47) (L. D. 97)

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:

Bill "An Act Revising the Law Relating to Closing-Out Sales" (S. P. 48) (L. D. 98)

Came from the Senate referred to the Committee on Business Legislation.

In the House, referred to the Committee on Business Legislation in concurrence.

From the Senate:

Resolve in favor of Oscar Hanley of Newcastle (S. P. 49) (L. D. 99)

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 Providing a Bond Issue in the Amount of Ten Mil-

lion Dollars for a Vocational Educational Institute" (S. P. 50) (L. D. 100)

Bill "An Act relating to Issuing of Bonds by School Administrative Districts" (S. P. 51) (L. D. 101)

Bill "An Act Creating a Board of Trustees for the Maine Vocational Technical Institute" (S. P. 52) (L. D. 102)

Bill "An Act Placing Vocational Teachers in Unclassified Service" (S. P. 53) (L. D. 103)

Came from the Senate referred to the Committee on Education.

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

From the Senate:

Bill "An Act to Revise the Election Laws" (S. P. 54) (L. D. 104)

Came from the Senate referred to the Committee on Election Laws.

In the House, referred to the Committee on Election Laws in concurrence.

From the Senate:

Bill "An Act to Allocate Money from the General Highway Fund for State Aid Construction" (S. P. 55) (L. D. 105)

Bill "An Act relating to Issuance of Bonds of and Termination of Maine Turnpike Authority" (S. P. 56) (L. D. 106)

Bill "An Act relating to Construction of a Bridge to Span the Piscataqua River from Kittery, Maine to Portsmouth, New Hampshire" (S. P. 58) (L. D. 108)

Resolve Naming the Max L. Wilder Memorial Bridge at Belfast (S. P. 57) (L. D. 107)

Came from the Senate referred to the Committee on Highways.

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

From the Senate:

Bill "An Act relating to Rules and Regulations in Fishing" (S. P. 60) (L. D. 110)

Resolve Opening St. Georges and Little St. Georges Lakes, Waldo County, to Ice Fishing (S. P. 59) (L. D. 109)

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 Correct Errors and Inconsistencies in the Public Laws" (S. P. 33) (L. D. 124)

Bill "An Act relating to the Admission of Attorneys to the Bar of the State of Maine" (S. P. 62) (L. D. 112)

Resolve Providing for the Revision of the Statutes (S. P. 61) (L. D. 111)

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 Increasing Fee for Solemnization of Marriages" (S. P. 63) (L. D. 113)

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 Permitting Motels to Sell Liquor" (S. P. 64) (L. D. 114)

Came from the Senate referred to the Committee on Liquor Control.

In the House, referred to the Committee on Liquor Control in concurrence.

Tabled and Assigned

From the Senate:

Bill "An Act Creating an Allagash River Authority for State of Maine" (S. P. 65) (L. D. 115)

Came from the Senate referred to the Committee on Natural Resources.

In the House, on motion of Mr. Plante of Old Orchard Beach, tabled pending reference in concurrence and specially assigned for tomorrow.

From the Senate:

Bill "An Act relating to Distribution of Shrub Material by Forest Commissioner" (S. P. 66) (L. D. 116)

Came from the Senate referred to the Committee on Natural Resources.

In the House, referred to the Committee on Natural Resources in concurrence.

From the Senate:

Bill "An Act relating to Application of Federal Social Security to Teachers" (S. P. 67) (L. D. 117)

Came from the Senate referred to the Committee on Retirements and Pensions.

In the House, referred to the Committee on Retirements and Pensions in concurrence.

From the Senate:

Bill "An Act Creating a State Hunters' Casualty Fund" (S. P. 68) (L. D. 118)

Came from the Senate referred to the Committee on State Government.

On motion of Mr. MacLeod of Brewer, referred to the Committee on Business Legislation in non-concurrence and sent up for concurrence.

From the Senate:

Bill "An Act Authorizing Maine Forestry Department to Accept Federal Funds" (S. P. 69) (L. D. 119)

Bill "An Act Increasing Salary of Members of the Legislature" (S. P. 70) (L. D. 120)

Came from the Senate referred to the Committee on State Government.

In the House, referred to the Committee on State Government in concurrence.

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

From the Senate:

Bill "An Act Reducing Sales Tax on Machinery for New and Expanded Industry" (S. P. 71) (L. D. 121)

Bill "An Act relating to Length of Residence for Property Tax Exemptions for Veterans" (S. P. 72) (L. D. 122)

Came from the Senate referred to the Committee on Taxation.

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

From the Senate:

Bill "An Act Increasing Salaries of County Officials of Hancock County" (S. P. 73) (L. D. 123)

Came from the Senate referred to the Committee on Towns and Counties.

In the House, referred to the Committee on Towns and Counties in 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:

Agriculture

Bill "An Act Clarifying the Maine Milk Law" (H. P. 172) (Presented by Mr. Boothby of Livermore)

(Ordered Printed)

Sent up for concurrence.

Appropriations and Financial Affairs

Bill "An Act Appropriating Funds for Renovation of Buildings and Purchase of Equipment at Northeastern Maine Vocational Institute" (H. P. 173) (Presented by Mr. Bragdon of Perham)

(Ordered Printed)

Bill "An Act Appropriating Funds for Employment of Necessary Staff and Other Operating Expenses at Northeastern Maine Vocational Institute" (H. P. 174) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act Directing a Study of Liquor Laws by Legislative Research Committee" (H. P. 175) (Presented by Mr. Minsky of Bangor)

(Ordered Printed)

Bill "An Act relating to Allocation of Moneys from Eastport-Perry Causeway for Recreational Development of Bog Lake" (H. P. 176) (Presented by Mr. Snow of Jonesboro)

(Ordered Printed)

Resolve Providing Funds for Public Landing at Islesford, Hancock County (H. P. 177) (Presented by Mr. Benson of Southwest Harbor)

(Ordered Printed)

Resolve Providing for Purchase of Three Hundred Copies of "Historic

Hallowell" (H. P. 178) (Presented by Mr. Gifford of Manchester)

(Ordered Printed)

Resolve Appropriating Funds for Use of Capitol Park Snow Dump (H. P. 179) (Presented by Mr. Humphrey of Augusta)

(Ordered Printed)

Resolve Appropriating Funds to Construct Warehouse in Eastport (H. P. 180) (Presented by Mr. MacGregor of Eastport)

(Ordered Printed)

Resolve Appropriating Funds for Development of Owl's Head Light-house Area (H. P. 181) (Presented by Mr. MacPhail of Owl's Head)

(Ordered Printed)

Resolve Appropriating Money for Preparation of Court Rules of Criminal Procedure (H. P. 182) (Presented by Mr. Minsky of Bangor)

(Ordered Printed)

Resolve Authorizing Completion and Printing of a Digest of the Opinions of the Law Court (H. P. 183) (Presented by same gentleman)

(Ordered Printed)

Resolve to Purchase Fifty Copies of "The History of Augusta" (H. P. 184) (Presented by Mr. Ross of Augusta)

(Ordered Printed)

Sent up for concurrence.

Business Legislation

Bill "An Act to Incorporate the Public Finance Corporation of Belfast" (H. P. 185) (Presented by Mr. Humphrey of Augusta)

(Ordered Printed)

Bill "An Act to Incorporate the Public Finance Corporation of Biddeford" (H. P. 186) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act to Incorporate the Public Finance Corporation of Ellsworth" (H. P. 187) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act to Incorporate the Public Finance Corporation of Houlton" (H. P. 188) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act to Incorporate the Public Finance Corporation of Lincoln, Me." (H. P. 189) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act to Incorporate the Public Finance Corporation of Portland No. 2" (H. P. 190) (Presented by same gentleman)
(Ordered Printed)

Bill "An Act to Incorporate the Public Finance Corporation of Northern Maine" (H. P. 191) (Presented by same gentleman)
(Ordered Printed)

Sent up for concurrence.

Claims

Resolve Reimbursing Town of Medway for Certain Pauper Relief (H. P. 192) (Presented by Mr. Birt of East Millinocket)
(Ordered Printed)

Resolve to Reimburse Town of Woolwich for Loss of Tax Revenue of Property Owned by State (H. P. 194) (Presented by Mr. Mendes of Topsham)
(Ordered Printed)

Resolve to Reimburse City of Bangor for Support of Theresa Valencourt (H. P. 193) (Presented by Mr. Minsky of Bangor)
(Ordered Printed)

Resolve Granting World War I Bonus to Albert C. Lorentzen of Portland (H. P. 195) (Presented by Mrs. Oakes of Portland)
(Ordered Printed)

Resolve to Reimburse Town of Atkinson for Pauper Support of George E. Ellis (H. P. 196) (Presented by Mr. Ross of Brownville)
(Ordered Printed)

Resolve to Reimburse Town of Brownville for Freight Charges on Surplus Foods Distributed to Unorganized Territory (H. P. 197) (Presented by same gentleman)
(Ordered Printed)

Resolve in favor of Carroll Beal of Skowhegan (H. P. 198) (Presented by Mr. Wade of Skowhegan)
(Ordered Printed)
Sent up for concurrence.

Constitutional Amendments and Legislative Reapportionment

Resolve Proposing an Amendment to the Constitution Increasing Limitation of Number of Representatives from One City from Seven to Twelve (H. P. 199) (Presented by Mr. Childs of Portland)
(Ordered Printed)
Sent up for concurrence.

Education

Bill "An Act to Reconstitute School Administrative District No. 23" (H. P. 200) (Presented by Mr. Carter of Etna)

(Ordered Printed)

Bill "An Act to Authorize the Municipalities of Bradford, Corinth, Exeter, Hudson and Kenduskeag to Form a School Administrative District" (H. P. 201) (Presented by Mr. Cookson of Glenburn)

(Ordered Printed)

Bill "An Act relating to Tuition for Pupils Attending Secondary School Outside of Residence" (H. P. 202) (Presented by Mr. Kent of Benton)

(Ordered Printed)

Bill "An Act to Reconstitute School Administrative District No. 22" (H. P. 203) (Presented by Mr. Littlefield of Hampden)

(Ordered Printed)

Bill "An Act relating to Admission to Kindergarten and Grade One in the Public Schools" (H. P. 204) (Presented by Mr. Tyndale of Kennebunkport)

(Ordered Printed)

Bill "An Act to Reconstitute School Administrative District No. 21" (H. P. 205) (Presented by Mrs. Vaughn of Peru)

(Ordered Printed)

Sent up for concurrence.

Election Laws

Bill "An Act to Provide Aid to Blind Persons in Voting" (H. P. 206) (Presented by Mrs. Hendricks of Portland)

(Ordered Printed)

Sent up for concurrence.

Highways

Resolve in favor of Town of Pembroke, Washington County (H. P. 207) (Presented by Mr. MacGregor of Eastport)

(Ordered Printed)

Sent up for concurrence.

Inland Fisheries and Game

Bill "An Act Designating Mount Desert Island as Game Management Area" (H. P. 208) (Presented by Mr. Benson of Southwest Harbor)

(Ordered Printed)

Resolve Regulating Ice Fishing in Mill Privilege Lake, Carroll and T. 5, R. 1, Penobscot County (H. P.

209) (Presented by Mr. Brewer of Bath)

(Ordered Printed)

Resolve Regulating Fishing in Katahdin Lake, Penobscot County (H. P. 210) (Presented by Mr. Crommett of Millinocket)

(Ordered Printed)

Resolve Regulating Fishing in Fifth Debsconeag Lake, Piscataquis County (H. P. 211) (Presented by same gentleman)

(Ordered Printed)

Resolve Regulating Ice Fishing in Lovejoy Pond, Kennebec County (H. P. 212) (Presented by Mr. Kent of Benton by request)

(Ordered Printed)

Resolve Regulating Fishing in Certain Waters in Piscataquis County (H. P. 213) (Presented by Mr. Wade of Skowhegan)

(Ordered Printed)

Resolve Regulating Fishing in the West Branch of the Penobscot River, Piscataquis County (H. P. 214) (Presented by same gentleman)

(Ordered Printed)

Resolve Regulating Fishing in Moosehead Lake, Somerset and Piscataquis Counties (H. P. 215) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act Prohibiting Bribery in Professional and Amateur Contest" (H. P. 216) (Presented by Mr. Brewer of Bath)

(Ordered Printed)

Bill "An Act relating to Power of Arrest by Chief Forest Fire Wardens" (H. P. 217) (Presented by Mr. Childs of Portland)

(Ordered Printed)

Bill "An Act relating to Restricting Certain Trustee Process Until After Judgment" (H. P. 218) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Recording of Notice in Foreclosure by Publication" (H. P. 231) (Presented by Mr. Cote of Lewiston)

(Ordered Printed)

Bill "An Act relating to Prohibition Against Loitering on Private Property or Peeking Therein" (H. P. 219) (Presented by Mr. Gifford of Manchester)

(Ordered Printed)

Bill "An Act relating to False Report of Deposit of Bombs or Other Infernal Devices" (H. P. 220) (Presented by Mr. Knight of Rockland)

(Ordered Printed)

Bill "An Act relating to Probation of Persons by Court" (H. P. 221) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Forgery of Motor Vehicle Registration Certificates, Inspection Stickers and Operator's Licenses" (H. P. 222) (Presented by Mr. Minsky of Bangor)

(Ordered Printed)

Bill "An Act relating to Mailing Divorce Judgment When Duty to Support" (H. P. 223) (Presented by Mr. Pease of Wiscasset)

(Ordered Printed)

Bill "An Act Prohibiting the Transfer of Registration of Vehicles to Defeat Purpose of Financial Responsibility Law" (H. P. 224) (Presented by Mr. Tyndale of Kennebunkport)

(Ordered Printed)

Resolve Authorizing Gardiner Savings Institution to Bring Civil Action Against the State of Maine (H. P. 225) (Presented by Mr. Hanson of Gardiner)

(Ordered Printed)

Resolve Authorizing George W. Carson, Jr. and Marion P. Carson to Bring Action Against the State of Maine (H. P. 226) (Presented by Mr. Treworgy of Gorham)

(Ordered Printed)

Sent up for concurrence.

Labor

Bill "An Act relating to Minimum Wages for Firemen" (H. P. 227) (Presented by Mr. Plante of Old Orchard Beach)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act relating to Directors and Trustees of The King's Academy" (H. P. 228) (Presented by Mr. Childs of Portland)

(Ordered Printed)

Bill "An Act Authorizing Transfer of Property and Assets of the Trustees of East Corinth Academy" (H. P. 229) (Presented by Mr. Cookson of Glenburn)

(Ordered Printed)

Bill "An Act Requiring Registers of Deeds to Record from Originals Only" (H. P. 230) (Presented by Mr. Cote of Lewiston)
(Ordered Printed)

Bill "An Act Revising Laws Relating to Boilers and Unfired Steam Pressure Vessels" (H. P. 232) (Presented by Mr. Hawkes of Standish)
(Ordered Printed)

Bill "An Act relating to Inspection and Exemptions in Boilers and Unfired Steam Pressure Vessels Law" (H. P. 233) (Presented by same gentleman)
(Ordered Printed)

Bill "An Act Increasing Amount of Wages Exempt from Trustee Process" (H. P. 234) (Presented by Mr. Hendsbee of Madison)
(Ordered Printed)

Bill "An Act relating to Misappropriation of Funds Paid to Contractor for Building Purposes" (H. P. 235) (Presented by Mr. Knight of Rockland)
(Ordered Printed)

Bill "An Act Revising the Maine Mechanic's Lien Law" (H. P. 236) (Presented by same gentleman)
(Ordered Printed)
Sent up for concurrence.

Liquor Control

Bill "An Act relating to Taxes on Spirituous and Vinous Liquors Sold to Certain Instrumentalities" (H. P. 237) (Presented by Mr. Philbrick of Augusta)
(Ordered Printed)
Sent up for concurrence.

Municipal Affairs

Bill "An Act relating to Organization of Police Department of City of Lewiston" (H. P. 238) (Presented by Mr. Cote of Lewiston)
(Ordered Printed)

Bill "An Act Increasing the Indebtedness of the Town of Machias School District by Fifty Thousand Dollars" (H. P. 239) (Presented by Mr. Snow of Jonesboro)
(Ordered Printed)
Sent up for concurrence.

Natural Resources

Bill "An Act relating to Work on Shade and Ornamental Trees" (H. P. 240) (Presented by Mr. Jameson of Bangor)
(Ordered Printed)

Bill "An Act relating to Licenses for Discharge into Classified Waters" (H. P. 241) (Presented by Mr. Williams of Hodgdon)
(Ordered Printed)

Bill "An Act Classifying Certain Tidewaters in Lincoln County" (H. P. 242) (Presented by same gentleman)
(Ordered Printed)

Resolve Authorizing the State Tax Assessor to Convey by Sale the Interest of the State in Certain Lands in the Unorganized Territory (H. P. 243) (Presented by Mr. Choate of Windsor)
(Ordered Printed)
Sent up for concurrence.

Public Utilities

Bill "An Act Increasing Compensation of Trustees of Gray Water District" (H. P. 244) (Presented by Mr. Edwards of Raymond)
(Ordered Printed)

Bill "An Act relating to Appointment of Directors of Eastport Public Landing Authority" (H. P. 245) (Presented by Mr. MacGregor of Eastport)
(Ordered Printed)
Sent up for concurrence.

Retirements and Pensions

Bill "An Act to Increase the Pensions of Certain Retired Teachers" (H. P. 246) (Presented by Mr. Tynedale of Kennebunkport)
(Ordered Printed)

Bill "An Act relating to Disability Retirement for State Employees" (H. P. 247) (Presented by same gentleman)
(Ordered Printed)
Sent up for concurrence.

Sea and Shore Fisheries

Bill "An Act to Repeal the Prohibition Against Use of Seines in Part of Casco Bay" (H. P. 248) (Presented by Mr. Prince of Harpswell)
(Ordered Printed)

Bill "An Act relating to Taking of Smelts from Chandler River, Washington County" (H. P. 249) (Presented by Mr. Snow of Jonesboro)
(Ordered Printed)
Sent up for concurrence.

State Government

Bill "An Act relating to Requirements, Appointment and Term of Adjutant General" (H. P. 250) (Presented by Mr. Gilbert of Eddington) (Ordered Printed)

Bill "An Act Increasing Travel Allowance for Members of the Legislature" (H. P. 251) (Presented by Mr. Smith of Strong) (Ordered Printed)

Bill "An Act relating to Publications Printed or Published by the State" (H. P. 252) (Presented by Mr. Wellman of Bangor) (Ordered Printed)

Bill "An Act Removing Exemption of State Board of Education from Authority of State Purchasing Agent" (H. P. 253) (Presented by same gentleman) (Ordered Printed)
Sent up for concurrence.

Taxation

Bill "An Act Exempting Certain Fraternal Associations from Property Taxation" (H. P. 254) (Presented by Mr. Cartier of Biddeford) (Ordered Printed)

Bill "An Act relating to Definition of Domestic Fowl for Tax Purposes" (H. P. 255) (Presented by Mr. Edwards of Raymond) (Ordered Printed)

Bill "An Act Exempting Water Sold for Human Consumption from Sales Tax" (H. P. 256) (Presented by Mr. Knight of Rockland by request) (Ordered Printed)

Bill "An Act Increasing Excise Tax on House Trailers" (H. P. 257) (Presented by Mr. MacLeod of Brewer) (Ordered Printed)
Sent up for concurrence.

Towns and Counties

Bill "An Act to Authorize Town of Woodville to Pay for Power Line" (H. P. 258) (Presented by Mr. Birt of East Millinocket) (Ordered Printed)

Bill "An Act Increasing Compensation of Full-time Deputy Sheriffs" (H. P. 259) (Presented by Mr. Choate of Windsor) (Ordered Printed)

Bill "An Act Increasing Temporary Loans of Washington County"

(H. P. 260) (Presented by Mr. MacGregor of Eastport) (Ordered Printed)
Sent up for concurrence.

Orders

On motion of Mr. Benson of Southwest Harbor, it was

ORDERED, that Mr. Denbow of Lubec be excused from attendance for the remainder of the week because of illness.

Orders of the Day

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

Resolve, Proposing an Amendment to the Constitution Prohibiting the Levying of a State Tax on Incomes. (H. P. 142) (The Committee on Reference of Bills suggested Com. on Constitutional Amendments and Legislative Reapportionment.)

Tabled — January 15, by Mr. Berry of Cape Elizabeth.
Pending — Reference.

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

Mr. BERRY: Mr. Speaker and Members of the House: I have discussed this matter with the gentleman from Houlton, Mr. Berman, who is the sponsor, and I find that the document consists of only one page and the cost of printing 500 extra copies is negligible. Therefore, I move the bill be referred to the Committee on Constitutional Amendments and Legislative Reapportionment, that 1,000 copies be printed and sent up for concurrence.

Thereupon, the motion prevailed, 1,000 copies ordered printed and sent up for concurrence.

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

Bill "An Act Increasing Indebtedness of Town of Fairfield School District." (H. P. 158) (The Committee on Reference of Bills suggested the Com. on Municipal Affairs.)

Tabled — January 15, by Mr. Brown of Fairfield.
Pending — Reference.

On motion of Mr. Brown of Fairfield, referred to the Committee on

Legal Affairs, ordered printed and sent up for concurrence.

Mr. Chapman of Norway was granted unanimous consent to address the House briefly.

Mr. CHAPMAN: Mr. Speaker, if I remember, several days ago we passed an order relative to Rule 25 to be in effect the entire session

rather than from day to day. If that was to apply, it would eliminate the ladies from day to day recommending the abolishing of Rule 25.

On motion of Mr. O'Leary of Mexico,

Adjourned until twelve o'clock tomorrow noon.