

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, February 26, 1963

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

Prayer by the Rev. Mr. Harland Joyce of the Nazarene Church, Bowdoinham.

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 Senate Reports of Committees Ought Not to Pass

Report of the Committee on Agriculture reporting "Ought not to pass" on Bill "An Act Providing for the Maine Apple Cider Law" (S. P. 88) (L. D. 225)

Came from the Senate read and accepted.

In the House, the Report was read and accepted in concurrence.

Tabled and Assigned

Report of the Committee on Election Laws reporting "Ought not to pass" on Bill "An Act Eliminating Straight Ticket Square from General Election Ballot" (S. P. 358) (L. D. 1024)

Came from the Senate read and accepted.

In the House, the Report was read.

(On motion of Mr. McGee of Auburn, tabled pending acceptance of Committee Report and specially assigned for Thursday, February 28.)

Report of the Committee on Inland Fisheries and Game reporting "Ought not to pass" on Resolve Providing for Repair of Dam at Chain of Ponds, Franklin County (S. P. 208) (L. D. 518)

Came from the Senate read and accepted.

In the House, the Report was read and accepted in concurrence.

Ought to Pass

Report of the Committee on Health and Institutional Services reporting "Ought to pass" on Bill "An Act relating to Fees and Ex-

ceptions under Law Regulating Nursing" (S. P. 145) (L. D. 422)

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed.

In the House, the Report was read and accepted in concurrence, the Bill read twice and tomorrow assigned.

Ought to Pass with Committee Amendment

Report of the Committee on Municipal Affairs reporting "Ought to pass" on Bill "An Act Enlarging the Territory of the Parsonsfield Kezar Falls Village Corporation" (S. P. 119) (L. D. 347)

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Senate Amendment "A".

In the House, the Report was read and accepted in concurrence and the Bill read twice.

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

SENATE AMENDMENT "A" to S. P. 119, L. D. 347, Bill, "An Act Enlarging the Territory of the Parsonsfield Kezar Falls Village Corporation."

Amend said Bill by striking out in the 19th and 20th lines the underlined word "Devereux" and inserting in place thereof the underlined word 'Devereaux'

Committee Amendment "A" was adopted in concurrence and the Bill assigned for third reading tomorrow.

Referred to 102nd Legislature

Report of the Committee on State Government on Bill "An Act Transferring Alcoholic Rehabilitation to Department of Mental Health and Corrections" (S. P. 125) (L. D. 353) reporting that it be referred to the 102nd Legislature.

Came from the Senate with the Report read and accepted.

In the House, the Report was read and accepted in concurrence.

Divided Report

Majority Report of the Committee on Inland Fisheries and Game reporting "Ought not to pass" on Resolve Providing for Stocking

Dead River Waters with Rainbow Trout (S. P. 209) (L. D. 519)

Report was signed by the following members:

Messrs. STILPHEN of Knox
STITHAM of Somerset
CYR of Aroostook
— of the Senate.

Messrs. BENSON
— of Southwest Harbor
HAWKES of Standish
ROBERTS of South Berwick
WADE of Skowhegan
ANDERSON of Ellsworth
COOKSON of Glenburn
— of the House.

Minority Report of same Committee reporting "Ought to pass" on same Resolve.

Report was signed by the following member:

Mr. REYNOLDS of Buxton
— of the House.

Came from the Senate with the Majority Report accepted.

In the House: Reports were read and the Majority "Ought not to pass" Report accepted in concurrence.

Non-Concurrent Matter

Report "A" of the Committee on Industrial and Recreational Development reporting "Ought to pass" on Bill "An Act Promoting New Industrial Plant Locations" (H. P. 279) (L. D. 373) and Report "B" reporting "Ought not to pass" on which the House accepted Report "B" on February 19.

Came from the Senate with Report "A" accepted and the Bill passed to be engrossed in non-concurrence.

In the House: On motion of Mr. Littlefield of Hampden, the House voted to adhere.

Non-Concurrent Matter

Bill "An Act relating to Incorporation of Maine Hereford Association" (H. P. 419) (L. D. 572) which was passed to be engrossed in the House on February 14.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

In the House: The House voted to recede and concur with the Senate.

Non-Concurrent Matter

Bill "An Act relating to Rate of Distribution of Pari Mutuel Pools and Unclaimed Tickets at Horse Racing" (H. P. 891) (L. D. 1413) which was referred to the Committee on Agriculture in the House on February 14.

Came from the Senate referred to the Committee on Taxation in non-concurrence.

In the House: On motion of Mr. Coulthard of Scarborough, the House voted to adhere.

Non-Concurrent Matter

Bill "An Act Providing Funds for Treatment, Care and Rehabilitation of Alcoholics" (H. P. 937) (L. D. 1371) which was referred to the Committee on Liquor Control in the House on February 13.

Came from the Senate referred to the Committee on Health and Institutional Services in non-concurrence.

In the House: The House voted to recede and concur with the Senate.

From the Senate: The following Communication: (S. P. 506)

STATE COMMITTEE
ON TRANSPORTATION NEEDS
IN CASCO BAY

February 8, 1963

To the Members
of the 101st. Legislature:

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

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

STATE COMMITTEE
ON TRANSPORTATION NEEDS
IN CASCO BAY

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

(Signed)

RALPH D. BROOKS, Jr.

Came from the Senate read and with accompanying Report ordered placed on file.

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

Orders

On motion of Mr. Henry of North Yarmouth, it was

ORDERED, that Rev. Gladys Doughty York of the Congregational Church, North Yarmouth, be invited to officiate as Chaplain of the House on Thursday, March 21, 1963.

On motion of Mr. Dudley of Enfield, it was

ORDERED, that Rev. Albert Coffey of the Second Baptist Church, Waterville, be invited to officiate as Chaplain of the House on Tuesday, March 26, 1963.

On motion of Mr. Williams of Hodgdon, it was

ORDERED, that Rev. Dean Bembower of the Presbyterian Church, Starks, be invited to officiate as Chaplain of the House on Thursday, March 14, 1963.

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

ORDERED, that Mr. Rust of York be excused from attendance this week because of illness.

The SPEAKER: The Chair would request the Sergeant-at-Arms to escort the gentleman from Kennebunkport, Mr. Tyndale, to the rostrum to serve as Speaker pro tem.

Thereupon, Mr. Tyndale assumed the Chair as Speaker pro tem amid the applause of the House and Speaker Kennedy retired from the Hall.

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

House Reports of Committees Leave to Withdraw Covered by Other Legislation

Mr. MacGregor from the Committee on Municipal Affairs on Bill "An Act relating to Appointment of

Town Clerk by Board of Selectmen" (H. P. 385) (L. D. 584) reported Leave to Withdraw, as it is covered by other legislation.

Report was read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Anderson from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Bill "An Act relating to Number of Catch of Fish in Aroostook County" (H. P. 649) (L. D. 905)

Same gentleman from same Committee reported same on Resolve Regulating Fishing on Little Jim Pond, Franklin County (H. P. 532) (L. D. 749)

Mr. Benson from same Committee reported same on Bill "An Act Providing for Hunting Moose in Aroostook County in 1963" (H. P. 334) (L. D. 461)

Same gentleman from same Committee reported same on Resolve Regulating Ice Fishing in Sabbath Day Lake, Cumberland County (H. P. 451) (L. D. 655)

Mr. Cookson from same Committee reported same on Bill "An Act Permitting Use of Gill Nets in First Debsconeg Lake, Piscataquis County" (H. P. 641) (L. D. 897)

Mr. Hawkes from same Committee reported same on Resolve Regulating Ice Fishing in Nickerson Lake, Aroostook County (H. P. 149) (L. D. 200)

Same gentleman from same Committee reported same on Resolve Regulating Fishing in Knox County (H. P. 593) (L. D. 831)

Mr. Reynolds from same Committee reported same on Resolve Regulating Fishing in Maranacook Lake, Kennebec County (H. P. 371) (L. D. 544)

Same gentleman from same Committee reported same on Resolve Closing Outlet of Big Jim Pond, Franklin County, to all Fishing (H. P. 531) (L. D. 748)

Mr. Roberts from same Committee reported same on Resolve Regulating Ice Fishing in Certain Waters in Cumberland County (H. P. 449) (L. D. 653)

Reports were read and accepted and sent up for concurrence.

Tabled and Assigned

Mr. Roberts from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Resolve Closing Fowler Brook, Kennebec County, to all Fishing (H. P. 456) (L. D. 660)

Report was read.

(On motion of Mr. Kent of Benton, tabled pending acceptance of Committee Report and specially assigned for Tuesday, March 5.)

Mr. Wade from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Resolve Regulating Ice Fishing in Lovejoy Pond, Kennebec County (H. P. 212) (L. D. 281)

Same gentleman from same Committee reported same on Resolve Regulating Open Water Fishing in Certain Waters in Cumberland County (H. P. 448) (L. D. 652)

Same gentleman from same Committee reported same on Resolve Regulating Fishing in Upper Cold Stream Ponds, Penobscot County (H. P. 592) (L. D. 830)

Mr. Pease from the Committee on Judiciary reported same on Bill "An Act Providing for Civil Commitment for the Treatment of Narcotic Addicts" (H. P. 111) (L. D. 155)

Same gentleman from same Committee reported same on Bill "An Act Vesting United States Game Management Agents with Powers of Fish and Game Wardens" (H. P. 597) (L. D. 835)

Mr. Rust from same Committee reported same on Bill "An Act Creating a Second Assistant County Attorney for Penobscot County" (H. P. 58) (L. D. 81)

Mrs. Lincoln from the Committee on Retirements and Pensions reported same on Bill "An Act to Permit Employees of State of Maine to Receive Federal Social Security Benefits" (H. P. 680) (L. D. 936)

Reports were read and accepted and sent up for concurrence.

Covered by Other Legislation

Mr. Roberts from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Resolve Regulating Ice Fishing on Portage Lake, Aroostook County (H.

P. 151) (L. D. 202), as it is covered by other legislation.

Report was read and accepted and sent up for concurrence.

**Ought to Pass in New Draft
New Drafts Printed**

Mr. Pease from the Committee on Judiciary on Bill "An Act relating to False Report of Deposit of Bombs or Other Infernal Devices" (H. P. 220) (L. D. 289) reported same in a new draft (H. P. 981) (L. D. 1420) under same title and that it "Ought to pass"

Report was read and accepted, the New Draft read twice and tomorrow assigned.

Tabled and Assigned

Mr. Rust from the Committee to Judiciary on Bill "An Act relating to Escapes from Custody of Police Officers" (H. P. 467) (L. D. 671) reported same in a new draft (H. P. 982) (L. D. 1421) under same title and that it "Ought to pass"

Report was read.

(On motion of Mr. Childs of Portland, tabled pending acceptance of Committee Report and tomorrow assigned.)

Mr. Albair from the Committee on Taxation on Bill "An Act Exempting Proceeds of Pension and Profit Sharing Plans from Inheritance Tax Law" (H. P. 7) (L. D. 13) reported same in a new draft (H. P. 983) (L. D. 1422) under same title and that it "Ought to pass"

Report was read and accepted, the New Draft read twice and tomorrow assigned.

**Ought to Pass
Printed Bills**

Mr. Drake from the Committee on Highways reported "Ought to pass" on Resolve Providing Funds for Windbreaker on Bridge Between Old Town and Indian Island (H. P. 443) (L. D. 648)

Mr. Littlefield from the Committee on Industrial and Recreational Development reported same on Bill "An Act Authorizing Bureau of Public Improvements to Study Desirability of a Dam Across Taunton River" (H. P. 331) (L. D. 458)

Reports were read and accepted, the Bill read twice, the Resolve read once and tomorrow assigned.

Tabled and Assigned

Mr. Dunn from the Committee on Labor reported "Ought to pass" on Bill "An Act relating to Employment of Minors Under Eighteen Years of Age" (H. P. 377) (L. D. 552)

Report was read and accepted. (On motion of Mr. Hardy of Hope, tabled pending first reading and tomorrow assigned.)

Mr. Choate from the Committee on Municipal Affairs reported "Ought to pass" on Bill "An Act Providing for Approval of Bonds or Notes at Special Elections in City of Saco" (H. P. 474) (L. D. 677)

Mr. Dudley from same Committee reported same on Bill "An Act relating to Election of Constables in City of Portland" (H. P. 388) (L. D. 587)

Mr. Hardy from same Committee reported same on Bill "An Act Amending Charter of City of Portland Concerning Rotation on Candidates' Names on Ballots" (H. P. 481) (L. D. 684)

Mrs. Lincoln from same Committee reported same on Bill "An Act to Provide Survivor Benefits for Certain Members of the Police and Fire Department of City of Portland" (H. P. 483) (L. D. 685)

Mr. Wellman from same Committee reported same on Bill "An Act Increasing Indebtedness of Town of Fairfield School District" (H. P. 158) (L. D. 331)

Mr. Philbrick from the Committee on Public Utilities reported same on Bill "An Act Creating a Sewer District in the Town of Corinna" (H. P. 394) (L. D. 593)

Mr. Rand from same Committee reported same on Bill "An Act Increasing Territorial Limits of Presque Isle Sewer District" (H. P. 166) (L. D. 215)

Same gentleman from same Committee reported same on Bill "An Act to Incorporate the Stonington Water District" (H. P. 395) (L. D. 594)

Reports were read and accepted, the Bills read twice and tomorrow assigned.

Ought to Pass with Committee Amendment

Mr. Benson from the Committee on Inland Fisheries and Game on Resolve Regulating Fishing in Pleasant Pond, Island Falls and Township 4 Range 3, Aroostook County (H. P. 536) (L. D. 753) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

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

COMMITTEE AMENDMENT "A" to H. P. 536, L. D. 753, Resolve Regulating Fishing in Pleasant Pond, Island Falls and Township 4 Range 3, Aroostook County.

Amend said Resolve by adding at the end, before the period, the following punctuation and words, 'said hooks to be not less than 6 inches apart'

Committee Amendment "A" was adopted and the Resolve assigned for second reading tomorrow.

The SPEAKER pro tem: The Chair would like to interrupt at this time to recognize the presence in the gallery of the eighth grade of Kingfield Junior High School, twenty-two pupils, accompanied by their teacher, Mr. Bean. We wish to extend a warm welcome from the House to these distinguished visitors, and we trust that it will be informative, educational and pleasurable. (Applause)

Mr. Cookson from the Committee on Inland Fisheries and Game on Bill "An Act relating to Size of Salmon Taken from Waters of Aroostook County" (H. P. 281) (L. D. 375) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 281, L. D. 375, Bill, "An Act Relating to Size of Salmon taken from Waters of Aroostook County."

Amend said Bill by striking out all of that part designated subsection "L." of section 1 and inserting in place thereof the following:

I. A salmon or togue less than 14 inches in length except that the length limit on salmon taken from any of the waters in Aroostook County shall be 12 inches;

Further amend said Bill by striking out all of section 2 and inserting in place thereof the following:

'Sec. 2. Limitation. This act pertaining to the length limit on salmon in Aroostook County shall remain in effect only until October 1, 1965.'

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Mr. Cookson from the Committee on Inland Fisheries and Game on Resolve Regulating Bass Fishing in Jones Pond, Hancock County (H. P. 594) (L. D. 832) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

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

COMMITTEE AMENDMENT "A" to H. P. 594, L. D. 832, Resolve, Regulating Bass Fishing in Jones Pond, Hancock County.

Amend said Resolve, in the Title, by striking out the word "Bass"

Further amend said Resolve by striking out, in the headnote, the underlined words "Bass fishing" and inserting in place thereof the underlined word 'Fishing'

Further amend said Resolve, in the 3rd line, by striking out the words "bass fishing for" and inserting in place thereof the words 'fishing for all species except salmon, trout and togue during'

Committee Amendment "A" was adopted and the Resolve assigned for second reading tomorrow.

Mr. Wade from the Committee on Inland Fisheries and Game on Resolve Regulating Fishing in Certain Waters of Aroostook County (H. P. 453) (L. D. 657) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

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

COMMITTEE AMENDMENT "A" to H. P. 453, L. D. 657, Resolve, Regulating Fishing in Certain Waters of Aroostook County.

Amend said Resolve in the title by striking out the word "County" and inserting in place the following comma and words ' , Penobscot and Piscataquis Counties'

Further amend said Resolve by striking out in the headnote the word "County" and inserting in place thereof the following comma and words ' , Penobscot and Piscataquis Counties'

Further amend said Resolve by striking out all of the 3rd, 4th, 5th, 6th, 7th and 8th lines and inserting in place thereof the following:

'the following waters to ice fishing under the general laws from February 1st to March 31st of each year,

Aroostook County:

Eagle Lake, Wallagrass, Eagle Lake, T16, R5, T16 R6

St. Froid Lake, Winterville, T14 R7

Long Lake, St. Agatha, T17 R3, T17 R4

First Musquacook Lake, T11 R11, T12 R11

Second Musquacook Lake, T11 R11 Portage Lake, Portage Lake

Big Machias Lake, T12 R8

Nickerson Lake, New Limerick and Linneus

Penobscot County:
Millimagassett Lake, T7, R8, W. E. L. S.

Piscataquis County:
Mooseleuk Lake, T10 R9

Millinocket Lake, T8, R9, T7 R9

Big Pleasant Lake, T9 R11, T10 R11

Spider Lake, T9 R11, T9 R12'

Committee Amendment "A" was adopted and the Resolve assigned for second reading tomorrow.

Mr. Pease from the Committee on Judiciary on Resolve Authorizing Amanda Moreau to Bring Action Against the State of Maine (H. P. 112) (L. D. 156) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

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

COMMITTEE AMENDMENT "A" to H. P. 112, L. D. 156 — Resolve, Authorizing Amanda Moreau to Bring Action Against the State of Maine.

Amend said Resolve by striking out in the 24th line the words "first day of April, 1963" and inserting in place thereof the words "effective date of this resolve"

Further amend said Resolve by deleting the emergency preamble.

Further amend said Resolve by deleting the emergency clause.

Committee Amendment "A" was adopted and the Resolve assigned for second reading tomorrow.

Mr. Prince from the Committee on Labor on Bill "An Act Revising the Maine Voluntary Apprenticeship Law" (H. P. 340) (L. D. 497) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 340, L. D. 497, Bill, "An Act Revising the Maine Voluntary Apprenticeship Law."

Amend said Bill in that part designated "Sec. 149." of section 2 by striking out all of the underlined 4th sentence which reads as follows:

"The State Apprenticeship Council shall advise the Governor of impending appointments and shall refer to him for consideration no less than 3 persons who might be considered for each vacancy."

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Mr. Pitts from the Committee on Public Utilities on Bill "An Act Increasing Indebtedness of Mexico Sewer District" (H. P. 393) (L. D. 592) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 393, L. D. 592, Bill, "An Act Increasing Indebtedness of Mexico Sewer District."

Amend said Bill by striking out the underlined figure "\$300,000" in the 10th line and inserting in place thereof the underlined figure '\$600,000'

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Mr. Hammond from the Committee on Retirements and Pensions on Resolve Correcting Designation of Beneficiary of Mary M. Hanks under Maine State Retirement System (H. P. 500) (L. D. 702) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

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

COMMITTEE AMENDMENT "A" to H. P. 500, L. D. 702, Resolve, Correcting Designation of Beneficiary of Mary M. Hanks Under Maine State Retirement System.

Amend said Resolve by striking out in the 2nd line the words "husband and"

Committee Amendment "A" was adopted and the Resolve assigned for second reading tomorrow.

Mr. Birt from the Committee on Welfare on Bill "An Act Increasing Funeral Allowance in Public Assistance Cases" (H. P. 560) (L. D. 775) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 560, L. D. 775, Bill, "An Act Increasing Funeral Allowance in Public Assistance Cases."

Amend said Bill in that part designated "Sec. 291." of section 1 by striking out in the 2nd line the underlined figure "\$225" and inserting in place thereof the underlined figure '\$200';

Further amend said Bill in that part designated "Sec. 315." of section 2 by striking out in the 2nd line the underlined figure "\$225" and inserting in place thereof the following underlined figure '\$200';

Further amend said Bill in that part designated "Sec. 319-N." of sec-

tion 3 by striking out in the 2nd line the underlined figure “\$225” and inserting in place thereof the following underlined figure ‘\$200’.

Further amend said Bill by adding at the end the following new section:

‘Sec. 4. Appropriation. There is appropriated from the General Fund to the Department of Health and Welfare the sum of \$33,000 for the fiscal year ending June 30, 1964 and the sum of \$33,000 for the fiscal year ending June 30, 1965 to carry out the purposes of this act.’

Committee Amendment “A” was adopted and the Bill assigned for third reading tomorrow.

Divided Report

Majority Report of the Committee on Judiciary reporting “Ought not to pass” on Bill ‘An Act relating to Restricting Certain Trustee Process until after Judgment’ (H. P. 218) (L. D. 287)

Report was signed by the following members:

- Messrs. FARRIS of Kennebec
- BOARDMAN of Washington
- CAMPBELL of Kennebec
- of the Senate.
- Messrs. PEASE of Wiscasset
- BERMAN of Houlton
- SMITH of Bar Harbor
- THORNTON of Belfast
- KNIGHT of Rockland
- RUST of York
- of the House.

Minority Report of same Committee reporting “Ought to pass” on same Bill.

Report was signed by the following member:

- Mr. CHILDS of Portland
- of the House.

Reports were read and the Majority “Ought not to pass” Report accepted and sent up for concurrence.

Out of Order

The following Communications:
STATE OF MAINE

February 26, 1963

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

In compliance with the Constitution and laws of the State of Maine,

I have the honor to herewith report the return of votes cast for Representative to the Legislature in the City of South Portland at a Special Election held February 18, 1963, according to a review of the returns made by the Governor and Council, to fill the vacancy caused by the death of William G. Earles, as follows:

John E. Gill	
of South Portland,	1179 votes
Johannah E. Morgan	
of South Portland,	600 votes
Eben Webber	
of South Portland	53 votes

Respectfully,

(Signed)

PAUL A. MacDONALD
Secretary of State

STATE OF MAINE
Office of Secretary of State

February 26, 1963

To Harvey R. Pease, Clerk of the House of Representatives of the One Hundred and First Legislature:

In compliance with Section 1 of Chapter 10 of the Revised Statutes, I hereby certify that in accordance with the provisions of Section 186 of Chapter 3-A of the Revised Statutes, a Special Election was held in the City of South Portland on February 18, 1963, for the purpose of electing a Representative to the One Hundred and First Legislature to fill the vacancy caused by the death of William G. Earles; that at said election John E. Gill of South Portland, having received a plurality of all votes cast in said election, as contained in a report submitted to the Governor and Council under date of February 26, 1963, appears to have been elected a Representative to the One Hundred and First Legislature.

IN WITNESS WHEREOF, I have caused the Great Seal of the State to be hereunto affixed this twenty-sixth day of February in the year of our Lord one thousand nine hundred and sixty-three and of the Independence of the United States, the one hundred and eighty-seventh.

(Signed)

PAUL A. MacDONALD
(SEAL)
Secretary of State

The Communications were read and ordered placed on file.

Out of order and by unanimous consent, Mr. Wellman of Bangor presented the following Resolution and moved its adoption:

RESOLVED, that John E. Gill of South Portland is hereby declared elected representative to the 101st Legislature.

The Resolution was adopted.

The SPEAKER pro tem: The Chair recognizes the presence in the Hall of the House of the Representative-elect from South Portland, the Honorable John E. Gill. The Chair will appoint the gentleman from South Portland, Mr. Brown, and the gentleman from South Portland, Mr. Taylor, to accompany Representative-elect Gill to the Governor's Office to take and subscribe to his oaths of office. The Sergeant-at-Arms will escort the gentlemen to the Governor's Office.

Subsequently, Mr. Brown for the Committee reported that Mr. Gill of South Portland had taken and subscribed the oaths necessary to qualify him to enter upon the discharge of his duties.

The SPEAKER pro tem: The Chair will assign Seat 38 to Representative Gill.

Passed to Be Engrossed

Bill "An Act to Incorporate the Maine Ski Council" (S. P. 178) (L. D. 477)

Bill "An Act to Amend the Charter of the Oxford Water District Relative to Rates" (S. P. 186) (L. D. 485)

Bill "An Act relating to Supplemental Tax Assessments" (S. P. 191) (L. D. 490)

Bill "An Act relating to Definition of Case under Excise Tax Law on Sardines" (S. P. 193) (L. D. 492)

Bill "An Act to Authorize the Municipalities of Eastbrook and Waltham to Form a School Administrative District" (H. P. 329) (L. D. 456)

Bill "An Act to Change the Name of Anonymous Pond, Cumberland County, to Crystal Lake" (H. P. 335) (L. D. 462)

Bill "An Act to Authorize the Municipalities of Frenchville and St. Agatha to Form a School Ad-

ministrative District" (H. P. 434) (L. D. 639)

Bill "An Act Clarifying Payment of Salaries of County Attorneys" (H. P. 506) (L. D. 708)

Bill "An Act Changing Name of Division of Veterans Affairs to Department of Veterans Services" (H. P. 507) (L. D. 709)

Bill "An Act Requiring State and Municipal Consultation on Aid to Dependent Children" (H. P. 621) (L. D. 856)

Bill "An Act relating to Open Fishing Season in Cumberland, Oxford and York Counties" (H. P. 650) (L. D. 906)

Bill "An Act relating to Services for the Blind" (H. P. 713) (L. D. 969)

Bill "An Act relating to Age Requirement for Aid to the Disabled" (H. P. 714) (L. D. 970)

Bill "An Act relating to Federal Matching of Public Assistance Funds" (H. P. 715) (L. D. 971)

Bill "An Act Repealing Provisions of State Election Laws Concerning Island Wards of City of Portland" (H. P. 726) (L. D. 1055)

Were reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed and sent to the Senate.

Third Reader Tabled and Assigned

Bill "An Act relating to Ballot Inspection and Recount Procedures for Municipal Referendums" (H. P. 727) (L. D. 1056)

Was reported by the Committee on Bills in the Third Reading and read the third time.

(On motion of Mr. Childs of Portland, tabled pending passage to be engrossed and specially assigned for Wednesday, March 6.)

Resolve Regulating Fishing for Bass in Nequasset Pond, Sagadahoc County (H. P. 290) (L. D. 384)

Resolve Regulating Fishing on Part of Moose River, Somerset County (H. P. 374) (L. D. 547)

Resolve in favor of Certain Inhabitants of Webster Plantation, Penobscot County (H. P. 402) (L. D. 601)

Resolve Regulating Ice Fishing in Great Pond, Cumberland County (H. P. 450) (L. D. 654)

Resolve Regulating Fishing in Cross Lake, Aroostook County (H. P. 454) (L. D. 658)

Resolve Regulating Fishing in Tingley Brook and Tributary, Jose Brook, Kennebec County (H. P. 460) (L. D. 664)

Resolve Regulating Fishing in First Chase Lake, Aroostook County (H. P. 461) (L. D. 665)

Were reported by the Committee on Bills in the Third Reading, read the second time, all passed to be engrossed and sent to the Senate.

**Third Reader
Tabled and Assigned**

Resolve Granting a Right of Way by the State to Catherine L. Howell of Cape Elizabeth (H. P. 509) (L. D. 711)

Was reported by the Committee on Bills in the Third Reading and read the second time.

(On motion of Mr. Wellman of Bangor, tabled pending passage to be engrossed and tomorrow assigned.)

**Third Reader
Tabled and Assigned**

Resolve Authorizing Park Commission to Convey Certain Land to the Town of Cape Elizabeth (H. P. 510) (L. D. 712)

Was reported by the Committee on Bills in the Third Reading and read the second time.

(On motion of Mr. Wellman of Bangor, tabled pending passage to be engrossed and tomorrow assigned.)

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

Resolve Regulating Ice Fishing on Nezinscot River, Androscoggin County (H. P. 529) (L. D. 746)

Resolve Regulating Fishing in Speck Pond, Grafton, Oxford County (H. P. 535) (L. D. 752)

Were reported by the Committee on Bills in the Third Reading, read the second time, passed to be engrossed and sent to the Senate.

Amended Bills

Bill "An Act relating to Sick Leave and Vacations for Full-Time Employees of Sheriffs' Depart-

ments" (H. P. 137) (L. D. 180)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

**Third Reader
Tabled and Assigned**

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

Was reported by the Committee on Bills in the Third Reading and read the third time.

(On motion of Mr. Wellman of Bangor, tabled pending passage to be engrossed and tomorrow assigned.)

Bill "An Act Increasing the Indebtedness of the Town of Machias School District by One Hundred and Fifty Thousand Dollars" (H. P. 239) (L. D. 307)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

**Third Reader
Tabled and Assigned**

Bill "An Act relating to Licenses for Slaughterhouses" (H. P. 317) (L. D. 444)

Was reported by the Committee on Bills in the Third Reading and read the third time.

(On motion of Mr. Kent of Benton, tabled pending passage to be engrossed and specially assigned for Wednesday, March 6.)

Bill "An Act Increasing Indebtedness of Baileyville School District" (H. P. 345) (L. D. 500)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

**Third Reader
Tabled and Assigned**

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

Was reported by the Committee on Bills in the Third Reading and read the third time.

(On motion of Mr. Dennett of Kittery, tabled pending passage to be engrossed and specially assigned for Tuesday, March 5.)

Resolve Regulating Fishing in Kennebago River, Franklin County (S. P. 210) (L. D. 520)

Resolve Authorizing Attorney General to Convey Certain Land in Southport to Izetta M. Pinkham (H. P. 133) (L. D. 176)

Resolve in favor of Pauline G. Thompson, of York (H. P. 426) (L. D. 579)

Resolve in favor of Mrs. Asa Averill of Belgrade (H. P. 427) (L. D. 580)

Resolve in favor of John Brewer of Peru (H. P. 428) (L. D. 633)

Resolve Regulating Fishing in Chain of Ponds, Franklin County (H. P. 530) (L. D. 747)

Were reported by the Committee on Bills in the Third Reading, read the second time, passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

Orders of the Day

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

RESOLVE, for Removal of Old Bridge Across Mattawamkeag River in Haynesville. (H. P. 278) (L. D. 372)

Tabled — February 12 by Mr. Williams of Hodgdon.

Pending — Passage to be Engrossed.

On motion of Mr. Williams of Hodgdon, the Resolve was passed to be engrossed and sent to the Senate.

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

HOUSE REPORT — Ought to Pass as Amended by Committee Amendment "A" (Filing H-28) — Committee on Inland Fisheries and Game on Resolve, Regulating Fishing in Certain Waters in Piscataquis County. (H. P. 213) (L. D. 282)

Tabled — Feb. 19, by Mr. Dudley of Enfield.

Pending—Acceptance of Report.

Thereupon, the Committee Report was accepted and the Resolve read once.

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

COMMITTEE AMENDMENT "A" to H. P. 213, L. D. 282, Resolve, Regulating Fishing in Certain Waters in Piscataquis County.

Amend said Resolve by striking out all of the last paragraph of the Resolve.

Committee Amendment "A" was adopted and the Resolve assigned for second reading tomorrow.

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

HOUSE REPORT — Ought to Pass as Amended by Committee Amendment "A" — (Filing H-29). Committee on Inland Fisheries and Game on Resolve, Regulating Fishing in the West Branch of the Penobscot River, Piscataquis County. (H. P. 214) (L. D. 283)

Tabled — Feb. 19, by Mr. Crommett of Millinocket.

Pending — Acceptance of Report.

The SPEAKER pro tem: The Chair recognizes the gentleman from Millinocket, Mr. Crommett.

Mr. CROMMETT: Mr. Speaker, Ladies and Gentlemen of the House: This Document 283 regulates fishing in the West Branch of the Penobscot River which is a very short distance from my home. The people in Millinocket do not favor the passage of this Resolve. As it is written, we feel that it discriminates against family affairs and children. We have no objections to the fly fishing; we object to fly fishing only. The fish biologists in that district claim there are a lot of trash fish. Sometimes it is almost impossible to fly fish with the pulpwood going down the river. There are picnic areas along this river and the people from Millinocket and the surrounding areas go there with their families and they like to fish. The little boys like to fish with worms. Little boys are not fly fishermen. I move that this Resolve be indefinitely postponed.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Mil-

linocket, Mr. Crommett, that the Resolve and accompanying papers be indefinitely postponed.

The Chair recognizes the gentleman from Ellsworth, Mr. Anderson.

Mr. ANDERSON: Mr. Speaker, this bill came out of the committee unanimous ought to pass and it is purely a matter of conservation, and we feel that it is just; and I should hope that the motion by the gentleman to indefinitely postpone would be defeated.

The SPEAKER pro tem: The Chair recognizes the gentleman from Enfield, Mr. Dudley.

Mr. DUDLEY: Mr. Speaker and Members of the House: This is quite near me also; I am quite familiar with this spot. I feel as though I agree with the gentleman from Millinocket, Mr. Crommett; he lives near there and knows the problem. These children do like to fish. There are a lot of trash fish there. I see no harm in leaving it the way it is. Just a few minutes ago we let a bill go through that says fly fishing only to a certain pond. I agreed to that; it is a small pond, and I don't believe the children could do much fishing because they have to cast their fly way out into the pond.

Now we have just set aside one place for fly fishing only. There are several other places in the State, but this is the Penobscot River. You are now talking about the Penobscot River where pulp runs down sometimes for days and days, where it is impossible to fly fish, and there are a lot of camp sites, as he has already told you, along this river, and it enables the people to go there and have a picnic dinner and the children take a little line with an anglerworm and do a little fishing, and I hope we don't take that privilege away from them here today. I concur that this bill should be indefinitely postponed.

The SPEAKER pro tem: The Chair recognizes the gentleman from Millinocket, Mr. Crommett.

Mr. CROMMETT: I request a division.

The SPEAKER pro tem: A division has been requested. The question before the House is the motion of the gentleman from Millinocket, Mr. Crommett, that this Resolve

and the accompanying papers be indefinitely postponed. All those in favor of the motion to indefinitely postpone will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

One hundred having voted in the affirmative and eighteen having voted in the negative, the motion did prevail. Sent up for concurrence.

The Chair laid before the House the fourth tabled and today assigned matter.

Bill "An Act relating to Definition of Domestic Fowl for Tax Purposes." (H. P. 255) (L. D. 324) — In House Read the Third Time.

Tabled — Feb. 20, by Mr. Kent of Benton.

Pending — Passage to be Engrossed.

On motion of Mr. Kent of Benton, the Bill was passed to be engrossed and sent to the Senate.

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

RESOLVE, Authorizing State Highway Commission to Construct Certain Highway Facilities on Interstate Highway 95 in the Towns of Kittery and York. (H. P. 975) (L. D. 1347) — In House Read the Second Time.

Tabled — Feb. 20, by Mr. Turner of Auburn.

Pending — Passage to be Engrossed.

On motion of Mr. Turner of Auburn, tabled pending passage to be engrossed and specially assigned for Tuesday, March 5.

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

HOUSE REPORT — Ought to pass — Committee on Inland Fisheries and Game on "RESOLVE, Regulating Fishing on Part of Kennebec River, Somerset County." (H. P. 373) (L. D. 546)

Tabled — February 21 by Mr. O'Leary of Mexico.

Pending — Acceptance of Report.

On motion of Mr. O'Leary of Mexico, the "Ought to pass" Committee Report was accepted, the Resolve read once and tomorrow assigned.

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

HOUSE REPORT — Ought to pass — Committee on Inland Fisheries and Game on Resolve, Regulating Fishing in Mill Brook, Hanover, Oxford County. (H. P. 533) (L. D. 750)

Tabled — February 21 by Mr. O'Leary of Mexico.

Pending — Acceptance of Report.

On motion of Mr. O'Leary of Mexico, the "Ought to pass" Committee Report was accepted, the Resolve read once and tomorrow assigned.

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

Bill "An Act Increasing Mileage Allowance for State Employees on State Business." (H. P. 400) (L. D. 599) — In House Read Twice.

Tabled — February 21 by Mr. Coulthard of Scarborough.

Pending — Adoption of Committee Amendment "A".

On motion of Mr. Coulthard of Scarborough, Committee Amend-

ment "A" was adopted and the Bill assigned for third reading tomorrow.

The SPEAKER pro tem: The House is proceeding under Orders of the Day.

On motion of Mr. Brown of Fairfield, the House voted to take from the table the fourth tabled and unassigned matter:

Bill "An Act relating to Definition of 'Construction' Under Construction Safety Rules and Regulations" (H. P. 114) (L. D. 153)—Read third time.

Tabled — February 14, by Mr. Brown of Fairfield.

Pending — Passage to be Engrossed.

Thereupon, on further motion of the same gentleman, the Bill was passed to be engrossed and sent to the Senate.

On motion of Mr. Roberts of South Berwick,

Adjourned until ten o'clock tomorrow morning.