

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred and First Legislature

OF THE

STATE OF MAINE

VOLUME II

MAY 10 - JUNE 22, 1963

and

SPECIAL SESSION

JAN. 6 - JAN. 17, 1964

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Friday, May 24, 1963

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

Prayer by the Rev. Mr. Charles Karsten of Gardiner.

The journal of yesterday was read and approved.

Papers from the Senate Conference Committees Report

Report of the Committees of Conference on the disagreeing action of the two branches of the Legislature on Senate Joint Order relative to Legislative Holiday July 20th (S. P. 590) reporting that the Conference Committee agrees that it will not be necessary to adjourn the Legislature on July 20th if the following is accepted by both branches.

Since the sun is 93 million miles from Earth and the Moon is 238,000 miles from Earth and the speed of light is 186,000 miles per second and the diameter of the Sun is 865,000 miles in comparison to the diameter of the moon which is 2160 miles and since the moon rotates around the Earth at a speed of 2287 miles per hour, therefore if NASA will shoot a space rocket direct to the left side of the Moon with the velocity of 4000 lbs, the Moon will be slowed down by 100 miles per hour for 30 minutes, so that the eclipse will be directly over the State House and the Legislature will be able to see the full eclipse.

The Committee moves that the Legislature contact the Governor at once to make the arrangements and not to take the needed funds from the Current Services Budget but from the Governors Contingent Fund. These funds to be replaced on passage of the Sunday Liquor Bill in the 102nd Legislature. (Signed)

LOVELL of York
NOYES of Franklin

COUTURE of Androscoggin
— Committee on part of Senate.

MacLEOD of Brewer
EASTON of Winterport

PEASE of Wiscasset
— Committee on part of House.

Came from the Senate read and accepted.

In the House, the Report was read. The SPEAKER: The Chair recognizes the gentleman from Freeport, Mr. Crockett.

Mr. CROCKETT: Mr. Speaker, Ladies and Gentlemen of the House: I ask this House to refuse to accept the Report of the Committees of Conference and that a new committee be appointed. I would ask for a division when the vote is taken.

The SPEAKER: The Chair understands that the gentlewoman from Chelsea, Mrs. Shaw, requests the yeas and nays.

The Chair recognizes the gentleman from Bangor, Mr. Ewer.

Mr. EWER: Mr. Speaker, since I am affected doubly by the Committee Report, I wish to support the motion of the gentleman from Freeport, Mr. Crockett. The part of the state which I have the honor to represent is going to be vitally affected by this rocket. In fact, the Speaker's own district is going to be affected by the use of this rocket, and I feel that this will be more or less of an imposition on eastern Maine if we accept this Committee Report as it presently has been issued. I therefore hope that the motion of the gentleman from Freeport, Mr. Crockett, will be accepted.

The SPEAKER: All those in favor of accepting or rejecting the Report of the conferees and a new Committee of Conference being appointed, will say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed.

The SPEAKER: A new committee will be appointed.

The Chair at this time will appoint as conferees on the part of the House, the gentleman from Brewer, Mr. MacLeod; the gentleman from Winterport, Mr. Easton; and the gentleman from Wiscasset, Mr. Pease.

Conference Committees Report

Report of the Committees of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act relating to Operation of Retail Store and Restaurant

Prior to Application to Sell Malt Liquor" (H. P. 826) (L. D. 1213) reporting that the Senate recede from its action whereby the Bill was passed to be engrossed as amended by Senate Amendment "A", and recede from its action whereby Senate Amendment "A" was adopted, and adopt Conference Committee Amendment "A" to Senate Amendment "A", and adopt Senate Amendment "A" as amended by Conference Committee Amendment "A" thereto; and pass the Bill to be engrossed as amended; that the House recede from its action whereby the Bill was indefinitely postponed, accept Report "A", "Ought to pass" and pass the Bill to be engrossed as amended by Senate Amendment "A" as amended by Conference Committee Amendment "A" thereto.

(Signed)

KIMBALL of Hancock
 LOVELL of York
 JACQUES of Androscoggin
 — Committee on part of Senate.
 CHAPMAN of Norway
 CHILDS of Portland
 MacGREGOR of Eastport
 — Committee on part of House.

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

In the House, the Report was read and accepted. The House receded from its action whereby the Bill was indefinitely postponed and concurred in the adoption of Conference Committee Amendment "A" to Senate Amendment "A" and the adoption of Senate Amendment "A" as amended by Conference Committee Amendment "A" thereto.

The Bill was read twice and assigned for third reading the next legislative day.

From the Senate: The following Order:

ORDERED, the House concurring, that Bill, "An Act to Regulate Sewer Utilities" (H. P. 489) (L. D. 689) be recalled from the Legislative Files to the Senate (S. P. 606)

Came from the Senate read and passed.

In the House, the Order was read.

The SPEAKER: The Chair recognizes the gentleman from Fairfield, Mr. Brown.

Mr. BROWN: Mr. Speaker, I move that this Order be indefinitely postponed.

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

Mr. BERRY: Mr. Speaker, I rise in support of the Order. We have debated the merits of the bill. Through an error on my part, which I openly admit I did not rise to explain it when it last was before this body, this is a very important piece of legislation for the welfare of our state. It is also an important tool to use in our fight against pollution. I would strongly urge that we bring this back and give it the serious consideration that it merits, and I urge the members of the House to vote against the motion of the gentleman from Fairfield, Mr. Brown.

The SPEAKER: The question before the House is the motion of the gentleman from Fairfield, Mr. Brown, that this Order be indefinitely postponed.

The Chair recognizes the gentleman from Winthrop, Mr. Thaanum.

Mr. THAANUM: Mr. Speaker, Ladies and Gentlemen: I am keenly interested in this bill. I think it is an awfully good bill because I think as you will remember I remarked in my little part of the debate that I do feel that there should be some way in which the general public in your town and my town can go to some source other than the courts as it is now, but go to the Public Utilities with their complaints about these districts. As I said before, I am somewhat disturbed that there is so much being taken away from the local people in the management of their affairs, that I hope you will give this your serious consideration and vote against indefinite postponement of this Order.

Mr. Baldic of Waterville then requested a division.

The SPEAKER: A division has been requested.

The Chair recognizes the gentleman from Bangor, Mr. Wellman.

Mr. WELLMAN: Mr. Speaker, I would like to ask a question of the

gentleman from Cape Elizabeth, Mr. Berry, is this the bill that we discussed in the Research Committee?

The SPEAKER: The gentleman from Bangor, Mr. Wellman, poses a question through the Chair to the gentleman from Cape Elizabeth, Mr. Berry, who may answer if he chooses.

Mr. BERRY: Mr. Speaker, Members of the House: It is the same bill.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Fairfield, Mr. Brown, that this Order be indefinitely postponed, and a division has been requested. All those in favor of indefinite postponement, will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Thirty having voted in the affirmative and fifty-seven having voted in the negative, the motion to indefinitely postpone did not prevail.

Thereupon, the Order received passage in concurrence.

Senate Reports of Committees Ought Not to Pass

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Bill "An Act Proposing a Study of Cost and Efficiency of Municipal and County Government" (S. P. 266) (L. D. 780)

Came from the Senate read and accepted.

In the House, the Report was read and, on motion of Mr. Hammond of Paris, the "Ought not to pass" Report was accepted in concurrence.

On motion of the gentlewoman from Guilford, Mrs. White, H o u s e Rule 25 was suspended for the remainder of today's session in order to permit smoking.

Ought Not to Pass

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Bill "An Act Providing for Pilot Study of Forest Land Valuations" (S. P. 223) (L. D. 607)

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

In the House, the Report was read.

The SPEAKER: The Chair recognizes the gentlewoman from F a i l m o u t h, Mrs. Smith.

Mrs. SMITH: Mr. Speaker a n d Members of the House: I move that the Appropriations Committee's Report "Ought not to pass" be accepted, and I would like to speak to you briefly about it.

The SPEAKER: The gentlewoman may proceed.

Mrs. SMITH: Mr. Speaker, this was a unanimous "Ought not to pass" Report from the Appropriations Committee and the cost was \$25,000. It would authorize the State Tax Assessor to carry on a study designed to promote the valuation and assessment of woodlands by municipalities on the basis of productivity. This is already covered by law, that is to say, the law requires the assessors to consider productivity in assessing. The design of this bill is to focus attention on something already required by law, by having a study made and publicizing the study. This is another instance where the agency charged with making the study, already knows what the study will show. Now faced with loss of the bill, the sponsor proposes by a sneak amendment "A," to water down the cost from \$25,000 to \$5,000, and to further sweeten it by providing for the latter sum to be matched by outside agencies.

It is high time that the sponsors of these study bills be honest in what they claim is required for that particular study, and not compromise downward after the bill is out of committee. Now this is happening in many instances. Whenever a study cannot be passed with the original appropriation on it, it is then watered down to a few thousand dollars to get a foot in the door in this manner. We have some more that will be coming before you. There were three bills in. One was a larger bill, and if it had passed, this bill would not have been required because of the other bill has been before this Legislature three times. They put in two

others, this being one of them. Some of the sponsors of this bill are sincere in what they want to do, but I would like to have you go along with the unanimous "Ought not to pass" Report of the committee.

Thereupon, the "Ought not to pass" Report was accepted in non-concurrence and sent up for concurrence.

**Ought to Pass with
Committee Amendment
Tabled and Assigned**

Report of the Committee on Industrial and Recreational Development on Bill "An Act relating to the Department of Economic Development Advisory Council" (S. P. 578) (L. D. 1533) reporting "Ought to pass" as amended by Committee Amendment "A" submitted t h e r e-wit h.

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

In the House, the Report was read.

The SPEAKER: The Chair recognizes the gentleman from Old Orchard Beach, Mr. Plante.

Mr. PLANTE: Mr. Speaker, I move that this be tabled until May 29.

The SPEAKER: The gentleman from Old Orchard Beach, Mr. Plante, moves that item 6 be tabled until Wednesday, May 29. All those in favor will say yes; those opposed, no.

A viva voce vote being taken, the tabling motion did prevail.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Wellman.

Mr. WELLMAN: How was t h a t vote?

The SPEAKER: It was tabled until May 29.

Mr. WELLMAN: I would request a division on that vote.

The SPEAKER: Too late, it is on the table.

Thereupon, the Bill was tabled pending acceptance of the Committee Report and specially assigned for Wednesday, May 29.

Report of the Committee on Legal Affairs on Resolve Discharging

Town of Liberty from Indebtedness to Maine School District Commission for Preparation of Agreement for Dissolution of School Administrative District No. 3 (S. P. 278) (L. D. 792) reporting "Ought to pass" as amended by Committee Amendment "A" submitted t h e r e-wit h.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 278, L. D. 792, Resolve, Discharging Town of Liberty from Indebtedness to Maine School District Commission for Preparation of Agreement for Dissolution of School Administrative District No. 3.

Amend said Resolve in the Title by inserting before the word "Indebtedness" the words 'Part of the'

Further amend said Resolve by striking out all of the first line after the word "Resolved:" and inserting in place thereof the following: 'That all of the indebtedness exceeding \$3,000 of the Town of Liberty,'

Committee Amendment "A" was adopted in concurrence and the Resolve assigned for second reading the next legislative day.

**Divided Report
Tabled and Assigned**

Report "A" of the Committee on Natural Resources on Bill "An Act Creating an Allagash River Authority for State of Maine" (S. P. 65) (L. D. 115) reporting same in a new draft (S. P. 581) (L. D. 1534) under same title and that it "Ought to pass"

Report was signed by the following members:

Messrs. COLE of Waldo
FERGUSON of Oxford
— of the Senate.

Messrs. WILLIAMS of Hodgdon
JEWELL of Monticello
JAMESON of Bangor
— of the House.

Report "B" of same Committee reporting "Ought not to pass" on same Bill.

Report was signed by the following members:

Mr. REED of Sagadahoc
— of the Senate.

Messrs. CHOATE of Windsor
SAHAGIAN of Belgrade
BURNS of Westbrook
DUDLEY of Enfield
— of the House.

Came from the Senate with Report "B" accepted.

In the House: Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Hodgdon, Mr. Williams.

Mr. WILLIAMS: Mr. Speaker and Members: At the appropriate time, I will have one or two amendments to this Bill but, at this time, I move we accept the "Ought to pass" Report or Report A.

Thereupon, on motion of Mr. Wellman of Bangor, tabled pending the motion of Mr. Williams of Hodgdon to accept Report A, "Ought to pass," and specially assigned for Wednesday, May 29.

Non-Concurrent Matter

Bill "An Act relating to Use of Titles by Unregistered Persons in Practice of Architecture" (S. P. 113) (L. D. 341) which was indefinitely postponed in non-concurrence in the House on May 22.

Came from the Senate with that body voting to insist on its former action whereby the Bill was passed to be engrossed as amended by Senate Amendment "A" and asking for a Committee of Conference, with the following Conferees appointed on its part:

Messrs. PHILBRICK of Penobscot
JOHNSON of Somerset
FARRIS of Kennebec

In the House:

The SPEAKER: The Chair recognizes the gentleman from Wiscasset, Mr. Pease.

Mr. PEASE: Mr. Speaker, I move the House adhere.

The SPEAKER: The gentleman from Wiscasset, Mr. Pease, moves that the House adhere. Is that the pleasure of the House?

The Chair recognizes the gentleman from Bangor, Mr. Wellman.

Mr. WELLMAN: Mr. Speaker, I move that the House insist and join in a Committee of Conference.

Thereupon, on a viva voce vote, the House voted to insist on its former action and join in a Committee of Conference.

Non-Concurrent Matter

Bill "An Act to Revise the Boating Law and Extend Boat Registration and Safety Law to Cover Coastal Waters" (S. P. 585) (L. D. 1542) which was indefinitely postponed in non-concurrence in the House on May 14.

Came from the Senate with that body voting to insist on its former action whereby the Bill was passed to be engrossed as amended by Senate Amendments "A" and "B", and asking for a Committee of Conference, with the following Conferees appointed on its part:

Messrs. ATHERTON of Penobscot
STITHAM of Somerset
CAMPBELL of Kennebec

In the House: On motion of Mr. Prince of Harpswell, the House voted to insist on its former action and join in a Committee of Conference.

Non-Concurrent Matter

Bill "An Act Establishing an Insurance Adviser's License" (H. P. 624) (L. D. 880) which was passed to be engrossed as amended by House Amendment "A" in the House on February 27.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Brewer, Mr. MacLeod.

Mr. MACLEOD: Mr. Speaker, I move that the House recede and concur.

The SPEAKER: The gentleman from Brewer, Mr. MacLeod, moves that the House recede from its former action and concur with the Senate. Is that the pleasure of the House?

The Chair recognizes the gentleman from Farmington, Mr. Jones.

Mr. JONES: Mr. Speaker, I would move that we insist and ask for a Committee of Conference.

The SPEAKER: Recede and concur is the priority motion.

The Chair recognizes the gentleman from South Portland, Mr. Brown.

Mr. BROWN: Mr. Speaker, I move that this be tabled until the next legislative day.

The SPEAKER: The gentleman from South Portland, Mr. Brown, moves that item 11 be tabled until the next legislative day. All those in favor will say yes; those opposed, no.

A viva voce vote being taken, the tabling motion did not prevail.

Thereupon, on a viva voce vote, the House voted to recede from its former action and concur with the Senate.

**Non-Concurrent Matter
Tabled and Assigned**

Bill "An Act relating to Mileage and Expenses for Members of Legislature" (H. P. 1065) (L. D. 1531) which was passed to be engrossed in the House on May 1.

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

In the House:

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

Mr. JALBERT: Mr. Speaker, I move this item lie on the table until Wednesday, June 5.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, moves that item 12 be tabled until Wednesday, June 5. All those in favor will say aye; those opposed, no.

A viva voce vote being taken, the tabling motion did not prevail.

Thereupon, on further motion of Mr. Jalbert of Lewiston, the Bill was tabled pending further consideration and specially assigned for Wednesday, May 29.

Non-Concurrent Matter

Bill "An Act relating to Search Warrants" (H. P. 1090) (L. D. 1562) which was passed to be engrossed in the House on May 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

An Act relating to Redistribution of Axle Loads on Commercial Ve-

hicles (S. P. 577) (L. D. 1530) which was passed to be enacted in the House on May 3 and passed to be engrossed on May 1.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Manchester, Mr. Gifford.

Mr. GIFFORD: Mr. Speaker, I move that the House recede from its former action and concur with the Senate.

The SPEAKER: The gentleman from Manchester, Mr. Gifford, moves that the House recede from its former action and concur with the Senate. Is that the pleasure of the House? All those in favor will say aye; those opposed, no.

A viva voce vote being doubted by the Chair, a division of the House was had.

Forty-eight having voted in the affirmative and thirty-two having voted in the negative, the motion to recede and concur did prevail.

Non-Concurrent Matter

An Act relating to Eligibility of Trustees as Directors of Trust Companies (H. P. 657) (L. D. 913) which was passed to be enacted in the House on May 22 and passed to be engrossed as amended by Senate Amendment "A" on May 2.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Wellman.

Mr. WELLMAN: Mr. Speaker, I move we insist and ask for a Committee of Conference.

The SPEAKER: The gentleman from Bangor, Mr. Wellman, moves that the House insist and ask for a Committee of Conference.

The Chair recognizes the gentleman from Wiscasset, Mr. Pease.

Mr. PEASE: Mr. Speaker, I move we recede from our action whereby we passed this bill to be enacted and concur with the Senate in indefinite postponement.

The SPEAKER: The question now before the House is the motion of the gentleman from Wiscasset, Mr. Pease, that the House recede from its former action and concur with

the Senate in the indefinite postponement.

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

Mr. BERRY: Mr. Speaker and Members of the House: I would endorse the stand of the gentleman from Wiscasset, Mr. Pease, that the House recede and concur.

Thereupon, on a viva voce vote, the House voted to recede from its former action and concur with the Senate.

The following Communications:
THE SENATE OF MAINE
Augusta
May 23, 1963

Hon. Harvey R. Pease
Clerk of the House of
Representatives
101st Legislature

Sir:
This is to correct an error in my letter of yesterday in which the name of Senator Stilphen of Knox appears as a conferee on the part of the Senate on

Bill "An Act Authorizing Forest Commissioner to Permit and Regulate Dredging in Great Ponds" (H. P. 1015) (L. D. 1469)

The name of Stilphen of Knox should be replaced by Stitham of Somerset.

Respectfully yours,
(Signed)
CHESTER T. WINSLOW
Secretary of the Senate

THE SENATE OF MAINE
Augusta
May 23, 1963

Hon. Harvey R. Pease
Clerk of the House of
Representatives
101st Legislature

Sir:
The President of the Senate today appointed as conferees on the part of the Senate on the disagreeing action of the two branches on:

Bill "An Act relating to Loans by Washington County" (S. P. 592) (L. D. 1556)

Senators:
WYMAN of Washington

BOARDMAN of Washington
CAMPBELL of Kennebec

Respectfully,
(Signed)
CHESTER T. WINSLOW
Secretary of the Senate

THE SENATE OF MAINE
Augusta
May 22, 1963

Hon. Harvey R. Pease
Clerk of the House of
Representatives
101st Legislature

Sir:
The President of the Senate today appointed the following Conferees on the part of the Senate to join the House in Committees of Conference on the following matters:

Bill "An Act Providing for the Formation of Sanitary Districts" (H. P. 301) (L. D. 409)

Senators:
PHILBRICK of Penobscot
CAMPBELL of Kennebec
HARRINGTON of Penobscot

Bill "An Act to Create a Mount Desert Island Regional School District" (H. P. 475) (L. D. 678)

Senators:
BROWN of Hancock
WHITTAKER of Penobscot
COLE of Waldo

Respectfully yours,
(Signed)
CHESTER T. WINSLOW
Secretary of the Senate

The Communications were read and ordered placed on file.

ORDERS

On the disagreeing action of the two branches of the Legislature on Resolve Proposing an Amendment to the Constitution Pledging Credit of State for Guaranteed Loans for Recreational Purposes (S. P. 100) (L. D. 237) the Speaker appointed the following Conferees on the part of the House:

Messrs. ANDERSON of Ellsworth
WILLIAMS of Hodgdon
JEWELL of Monticello

House Reports of Committees
Ought Not to Pass
Mrs. Smith from the Committee on Appropriations and Financial Af-

fairs reported "Ought not to pass" on Bill "An Act Establishing a Forest Products and Industrial Research Laboratory" (H. P. 895) (L. D. 1300)

Report was read.

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

Mrs. SMITH: Mr. Speaker, I move that we accept the Committee Report "Ought not to pass" for the reason that this calls for \$125,000 appropriation, and the alternative is to be a joint order to be introduced later authorizing the Legislative Research Committee to recommend an appropriate action by the Governor and Council if and when federal matching funds are made available by Congress under the McIntire-Stennis Act. This would allow the Governor and Council to use contingent funds to implement a forest research program with federal matching funds. This is a bill that McIntire and Stennis have introduced into the Congress and will not be acted on, we feel now, before we leave here; and if we give them just some leeway then should it be of great advantage to this state, and they seem to feel it will, the Governor and Council would be free to act with the authority of the Research Committee, and this Order will be forthcoming and you may act upon it at that time.

Thereupon, the "Ought not to pass" Report was accepted and sent up for concurrence.

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

Mr. Minsky from the Committee on Appropriations and Financial Affairs on Bill "An Act to Provide for a State Committee on Children and Youth" (H. P. 894) (L. D. 1299) reported same in a new draft (H. P. 1098) (L. D. 1574) under title of "An Act Reactivating the State Committee on Children and Youth" and that it "Ought to pass"

Report was read and accepted, the New Draft read twice and assigned the next legislative day.

Tabled and Assigned

Mr. Jobin from the Committee on Industrial and Recreational Development on Bill "An Act Providing for

Public Facilities for Boats" (H. P. 32) (L. D. 56) reported same in a new draft (H. P. 1097) (L. D. 1573) under same title and that it "Ought to pass"

Report was read.

(On motion of Mr. Plante of Old Orchard Beach and on a viva voce vote, tabled pending acceptance of the Committee Report and specially assigned for Monday, May 27.)

**Ought to Pass
Printed Bill**

Mr. Minsky from the Committee on Appropriations and Financial Affairs reported "Ought to pass" on Bill "An Act Appropriating Funds to Aid in Dredging Carver's Harbor, Town of Vinalhaven" (H. P. 319) (L. D. 446)

Report was read and accepted, the Bill read twice and assigned the next legislative day.

**Ought to Pass with
Committee Amendment
Tabled and Assigned**

Mr. Pease from the Committee on Judiciary on Bill "An Act Providing for Holding District Court for Western Aroostook at Fort Kent" (H. P. 52) (L. D. 75) reported "Ought to pass" as amended by Committee Amendment "A" submitted *t h e r e* with.

Report was read.

(On motion of Mr. Gallant of Eagle Lake and on a viva voce vote, tabled pending acceptance of the Committee Report and specially assigned for Wednesday, May 29.)

Mr. Smith from the Committee on Judiciary on Bill "An Act Revising the Administrative Code" (H. P. 922) (L. D. 1356) reported "Ought to pass" as amended by Committee Amendment "A" submitted *t h e r e* with.

Report was read and accepted and the Bill read twice.

Committee Amendment "A", being L. D. 1572, was read by the Clerk.

Committee Amendment "A" was adopted and the Bill assigned for third reading the next legislative day.

Divided Report

Majority Report of the Committee on Appropriations and Financial

Affairs reporting "Ought to pass" on Resolve Providing Funds for Public Landing at Islesford, Hancock County (H. P. 177) (L. D. 246)

Report was signed by the following members:

- Mr. PORTEOUS of Cumberland — of the Senate.
- Mrs. SMITH of Falmouth
- Messrs. BRAGDON of Perham
- PIERCE of Bucksport
- JALBERT of Lewiston
- EDWARDS of Raymond — of the House.

Minority Report of same Committee reporting "Ought not to pass" on same Resolve.

Report was signed by the following members:

- Messrs. EDMUNDS of Aroostook
- CAMPBELL of Kennebec — of the Senate.
- Messrs. HUMPHREY of Augusta
- MINSKY of Bangor — of the House.

Reports were read.

On motion of Mr. Benson of Southwest Harbor, the Majority "Ought to pass" Report was accepted, the Resolve read once and assigned the next legislative day.

Divided Report Tabled and Assigned

Majority Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Bill "An Act to Provide Funds for Evaluating Existing Commercial Waterfront Facilities and Feasibility of Additional Facilities at Maine Ports" (H. P. 318) (L. D. 445)

Report was signed by the following members:

- Mr. PORTEOUS of Cumberland — of the Senate.
- Mrs. SMITH of Falmouth
- Messrs. HUMPHREY of Augusta
- MINSKY of Bangor
- PIERCE of Bucksport
- JALBERT of Lewiston
- EDWARDS of Raymond — of the House.

Minority Report of same Committee on same Bill reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

- Messrs. EDMUNDS of Aroostook
- CAMPBELL of Kennebec — of the Senate.

- Mr. BRAGDON of Perham — of the House.

Reports were read.

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

Mrs. SMITH: Mr. Speaker, I move the Majority "Ought not to pass" Report of the Committee be accepted.

The SPEAKER: The gentlewoman from Falmouth, Mrs. Smith, moves that the Majority Report be accepted.

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

Mr. JALBERT: Mr. Speaker, I move this lie on the table until the next legislative day.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, moves the Reports and Bill be tabled until Monday, May 27, pending the motion of the gentlewoman from Falmouth, Mrs. Smith, to accept the Majority "Ought not to pass" Report.

Mr. Pease of Wiscasset requested a division.

The SPEAKER: A division has been requested. All those in favor of tabling this matter until the next legislative day, Monday, May 27, will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Sixty-four having voted in the affirmative and fourteen having voted in the negative, the tabling motion did prevail.

Divided Report

Majority Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Bill "An Act relating to Reimbursement of Towns for Medical Expenses of Indigent Persons" (H. P. 717) (L. D. 1046)

Report was signed by the following members:

- Messrs. EDMUNDS of Aroostook
- CAMPBELL of Kennebec
- PORTEOUS of Cumberland — of the Senate.

Mrs. SMITH of Falmouth
 Messrs. HUMPHREY of Augusta
 BRAGDON of Perham
 MINSKY of Bangor
 PIERCE of Bucksport

— of the House.

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

Report was signed by the following members:

Messrs. JALBERT of Lewiston
 EDWARDS of Raymond
 — of the House.

Reports were read.

On motion of Mrs. Smith of Falmouth, the Majority "Ought not to pass" Report was accepted and sent up for concurrence.

Order

Out of Order

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet at 4 p.m. on Monday, May 27th, 1963. (S. P. 605)

Came from the Senate today read and passed.

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

Third Reader

Tabled and Assigned

Bill "An Act relating to Right of Electric Power Companies to Take Lands for Lines by Right of Eminent Domain" (S. P. 395) (L. D. 1098)

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

(On motion of Mr. Tyndale of Kennebunkport, tabled pending passage to be engrossed and specially assigned for Monday, May 27.)

Third Reader

Tabled and Assigned

Bill "An Act to Increase the Salaries of Certain Department Heads Elected by the Legislature" (S. P. 548) (L. D. 1480)

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

(On motion of Mr. Tyndale of Kennebunkport, tabled pending pas-

sage to be engrossed and specially assigned for Monday, May 27.)

Passed to Be Engrossed Amended Bills

Bill "An Act relating to Fees of Arresting Officers for Warrants" (H. P. 655) (L. D. 911)

Bill "An Act relating to Boundaries of Western, Eastern and Central Arcostook District Court Divisions" (H. P. 814) (L. D. 1201)

Bill "An Act to Promote Merchandising of Maine Sardines" (H. P. 817) (L. D. 1204)

Were 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.

Passed to Be Enacted

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

An Act relating to Minimum Number of School Days in Public Schools (S. P. 598) (L. D. 1565)

An Act relating to Minimum Salaries for Teachers (H. P. 634) (L. D. 890)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

Enactor

Tabled and Assigned

An Act relating to Exempting from Property Tax Pleasure Boats in the State for Storage (H. P. 1092) (L. D. 1567)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

(On motion of Mr. Edwards of Raymond, tabled pending passage to be enacted and specially assigned for Wednesday, May 29.)

Orders of the Day

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

HOUSE REPORT — Ought not to pass — Committee on Appropriations and Financial Affairs on Bill

"An Act relating to the Assessment of Towns in Aid to Dependent Children Grants." (H. P. 788) (L. D. 1141)

Tabled — May 17, by Mr. Plante of Old Orchard Beach.

Pending — His motion that Bill be substituted for Ought Not to Pass Report.

The SPEAKER: The Chair recognizes the gentleman from Old Orchard Beach, Mr. Plante.

Mr. PLANTE: Mr. Speaker, Ladies and Gentlemen of the House: As I explained last week, the purpose of the tabling motion was to give us an opportunity to iron out our differences, and all differences have been ironed out, and if the bill is substituted for the report, I shall submit House Amendment "B" under filing number H-386.

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

Mrs. SMITH: Mr. Speaker, this has been ironed out and the purpose has been accomplished. I move that we substitute the bill for the report.

Thereupon, on motion of Mr. Plante of Old Orchard Beach, the Bill was substituted for the "Ought not to pass" Report, the Bill read twice and assigned the next legislative day.

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

Bill "An Act relating to Excise Taxes on Motor Vehicles Paid by Members of Penobscot Tribe of Indians." (S. P. 599) (L. D. 1566)

Tabled — May 22, by Mr. Binnette of Old Town.

Pending — Passage to be Engrossed.

Mr. Binnette of Old Town offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 599, L. D. 1566, Bill, "An Act Relating to Excise Taxes on Motor Vehicles Paid by Members of Penobscot Tribe of Indians."

Amend said Bill by inserting after the enacting clause the following section:

"Sec. 1. R.S., c. 25, Sec. 326, amended. Section 326 of chapter 25 of the Revised Statutes, as amended by section 15 of chapter 363 of the public laws of 1959, is further amended by adding at the end, a new sentence, as follows:

'The accounts of the clerk of the Penobscot Tribe shall be audited annually by the State Department of Audit or by a qualified public accountant.'"

Further amend said Bill by renumbering sections 1, 2 and 3 to be sections 2, 3 and 4.

The SPEAKER: The Chair recognizes the gentleman from Old Town, Mr. Binnette.

Mr. BINNETTE: Mr. Speaker, Ladies and Gentlemen: In regard to this Senate Paper 599, L. D. 1566, I have prepared an amendment, H-390, with the approval of the various departments which are directly being affected with the sole purpose of giving the tribal clerk all the protection which is rightfully due him. I sincerely believe that it will prevent them from any unjust accusations which could easily arise due to their many factional differences, and it would also give the State of Maine some protection in the proper handling of monies. I therefore move for the adoption of this amendment.

Thereupon, on motion of Mr. Wellman of Bangor, the Bill and accompanying papers were tabled pending the adoption of House Amendment "A" and specially assigned for Tuesday, May 28.

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

HOUSE ORDER Re Clearing House Table on Tuesday, Wednesday and Thursday of each week.

Tabled — May 23, Pending Passage under House Rule 59.

Thereupon, the Order received passage.

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

HOUSE ORDER Requesting an opinion of the Justices of the Supreme Judicial Court on Two Questions regarding the Constitutionality

of Bill "An Act relating to Operating Business on Sunday and Certain Holidays." (H. P. 930) (L. D. 1364), as Amended by Senate Amendment "A" (S-240).

Tabled — May 23, Pending Passage Under House Rule 46. (Ordered Reproduced)

The SPEAKER: The Chair recognizes the gentleman from Rockland, Mr. Knight.

Mr. KNIGHT: Mr. Speaker, Ladies and Gentlemen of the House: Serious doubts have been raised in many of our minds as to the legality of the so-called MacGregor Bill. The time to test this legislation is today. If this is well written, it will stand the rigorous scrutiny of the Supreme Judicial Court. If it has flaws, we should know them now, not later, when no time is left for corrective legislative amendments. By passing this order today, we can remove the cloud of unconstitutionality now hovering over this bill. I would add that I understand the Maine Merchants Association supports this order. I would at this time move passage of the order.

Thereupon, the Order received passage.

On motion of Mr. Wellman of Bangor, the House voted to take

from the table the seventh tabled and unassigned matter:

HOUSE ORDER — Ordered, that under Orders of the Day, on Tuesday, Wednesday and Thursday of each week, after Special Orders, Unfinished Business and Specially Assigned Matters for that day have been disposed of, Unassigned Matters on the Table that are not taken up on motion, shall be taken from the Table and laid before the House by the Speaker in the order in which they appear on the calendar so far as time permits.

Tabled — May 17, by Mr. Wellman of Bangor.

Pending — Passage.

On motion of Mr. Pease of Wiscasset, the Order was indefinitely postponed.

Mr. MacLeod of Brewer was granted unanimous consent to briefly address the House.

Mr. MacLEOD: Mr. Speaker, Ladies and Gentlemen of the House: I wanted to make sure that all the Members of the House understood that the flower in my lapel is a poppy and not a red carnation.

On motion of Mr. Anderson of Ellsworth,

Adjourned until Monday, May 27, at four o'clock in the afternoon.