

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Ninth Legislature

OF THE

STATE OF MAINE

1959

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Tuesday, February 17, 1959

Senate called to order by the President.

Prayer by Rev. Malcolm A. MacDuffie of Hallowell.

On motion by Mr. Lewis of Somerset, Journal of last Thursday read and approved.

Mr. CARPENTER of Somerset: Mr. President, there is a young couple in the presence of this Senate whom I have known for many years. They bear somewhat of a resemblance to one of our most eminent Senators. I would suggest that the Sergeant-at-Arms be requested to conduct Mr. and Mrs. Reed to the rostrum where they may sit on either side of their son and watch him preside over this most honorable body.

Mr. and Mrs. Reed were thereupon conducted to the rostrum by the Sergeant-at-Arms amid the applause of the Senate, the members rising.

The PRESIDENT: The Chair thanks the Senator from Somerset, Senator Carpenter.

HOUSE PAPERS

Bill, "An Act Relating to Disposition of Income on Public Administrator's Funds." (H. P. 431) (L. D. 637)

Bill, "An Act Relating to Sewage Pollution Surveys." (H. P. 432) (L. D. 638)

"Resolve in Favor of Improvements to the Women's Dormitory at Washington State Teachers' College." (H. P. 433) (L. D. 639)

"Resolve in Favor of an Athletic Field at Washington State Teachers' College." (H. P. 434) (L. D. 640)

"Resolve to Reimburse Old Town School Department for Tuition for Children Living on Indian Island." (H. P. 435) (L. D. 641)

Which were severally referred to the Committee on Appropriations and Financial Affairs in concurrence.

Bill, "An Act Relating to Unsecured Loans of Savings Banks." (H. P. 436) (L. D. 642)

Which was referred to the Committee on Business Legislation in concurrence.

"Resolve to Reimburse the Town of Swan's Island for Aid Extended to Leverett and Marie Carter." (H. P. 437) (L. D. 643)

"Resolve in Favor of Jarvis Hanson of New Brunswick, Canada." (H. P. 434)

"Resolve in Favor of the Town of Limestone." (H. P. 485)

"Resolve in Favor of Vital E. Violette of Van Buren." (H. P. 486)

"Resolve to Reimburse Town of Herman for Aid Extended Herbert Smedburg." (H. P. 487)

"Resolve Paying to the Estate of Ray E. Gordon Salary Earned by Ray E. Gordon." (H. P. 488)

Which were severally referred to the Committee on Claims in concurrence.

Bill, "An Act to Authorize the Municipalities of Cornish, Hiram, Limerick, Newfield, Parsonsfield and Porter to Form a School Administrative District." (H. P. 427) (L. D. 633)

Which was referred to the Committee on Education in concurrence.

Bill, "An Act Revising Election Laws Relating to Registration of Voters and Boards of Registration." (H. P. 438) (L. D. 644)

Bill, "An Act Providing for Evening Sessions of Boards of Registration." (H. P. 439) (L. D. 645)

Which were referred to the Committee on Election Laws in concurrence.

Bill, "An Act Permitting Certain Public Utility Corporations to Hold Stockholders Meetings Outside the State." (H. P. 440) (L. D. 646)

Bill, "An Act Prohibiting Certain Dangerous Knives." (H. P. 441) (L. D. 647)

"Resolve Authorizing Flora Burrill Tibbetts to Bring Suit at Law Against the State of Maine." (H. P. 442) (L. D. 648)

Which were severally referred to the Committee on Judiciary in concurrence.

Bill, "An Act Defining Agricultural Labor Under Employment Security Law." (H. P. 443) (L. D. 649)

Which was referred to the Committee on Labor in concurrence.

Bill, "An Act to Incorporate the Town of Harpswell Neck." (H. P. 428) (L. D. 634)

Bill, "An Act Relating to Municipal Zoning Boards of Appeal." (H. P. 444) (L. D. 650)

Which were referred to the Committee on Legal Affairs in concurrence.

"Resolve Permitting the Building of a Wharf in Lake Maranacook, Kennebec County." (H. P. 445) (L. D. 651)

"Resolve Authorizing Commissioner of Institutional Service to Grant Pole Line Easements on the Property of the State of Maine in Bangor." (H. P. 446) (L. D. 652)

Which were referred to the Committee on Natural Resources in concurrence.

Bill, "An Act Relating to the Taking of Tom Cods in Gouldsboro and Steuben." (H. P. 429) (L. D. 635)

Which was referred to the Committee on Sea and Shore Fisheries in concurrence.

Bill Tabled

Bill, "An Act Increasing Salaries of Justices of Supreme Judicial Court and Superior Court." (H. P. 447) (L. D. 653)

On motion by Mr. Weeks of Cumberland, the bill was tabled pending reference.

Bill, "An Act Increasing State Property Taxes." (H. P. 448) (L. D. 654)

Bill, "An Act Relating to Taxation of Household Furniture." (H. P. 449) (L. D. 655)

Bill, "An Act Relating to Taxation of Intangible Personal Property." (H. P. 450) (L. D. 656)

Bill, "An Act Relating to Excise Tax on Commercial Trailers." (H. P. 451) (L. D. 657)

"Resolve Providing Relief for The American Legion Foundation Holding and Endowment Corporation of the George Edwin Kirk Post No. 25." (H. P. 452) (L. D. 658)

Which were severally referred to the Committee on Taxation in concurrence.

Bill, "An Act to Authorize County Commissioners of Cumberland County to Issue Bonds for Portland Bridge Repairs." (H. P. 430) (L. D. 636)

Bill, "An Act Relating to Compensation of Medical Examiners for View without Autopsy." (H. P. 453) (L. D. 659)

Bill, "An Act Increasing Salary of Sheriff of Kennebec County." (H. P. 454) (L. D. 660)

Bill, "An Act Increasing the Salary of Judge of Probate of York County." (H. P. 455) (L. D. 661)

Bill, "An Act Increasing Salary of Register of Probate of York County." (H. P. 456) (L. D. 662)

Which were severally referred to the Committee on Towns and Counties in concurrence.

Bill, "An Act Providing for Registration of Stock Race Cars." (H. P. 457) (L. D. 663)

Bill, "An Act Relating to Single Axle-Weight Tolerance for Motor Vehicles Carrying Bulk Wood Flour." (H. P. 458) (L. D. 664)

Bill, "An Act Relating to Operation of Farm Trucks." (H. P. 459) (L. D. 665)

Which were severally referred to the Committee on Transportation in concurrence.

House Committee Reports Ought Not to Pass

The Committee on Claims on "Resolve to Reimburse the Town of Oxford for Supplies Furnished Edward Bressette." (H. P. 1) (L. D. 10) reported that the same Ought not to pass.

The same Committee on "Resolve to Reimburse the Town of Houlton for Aid Extended to Family of Miles McDermitt." (H. P. 136) (L. D. 194) reported that the same Ought not to pass.

The same Committee on "Resolve to Reimburse the Town of Norridgewock for Aid to Family of Roger A. Jones." (H. P. 137) (L. D. 320) reported that the same Ought not to pass.

The same Committee on "Resolve to Reimburse the Town of Norridgewock for Aid to Family of Leslie M. Jones." (H. P. 138) reported that the same Ought not to pass.

The Committee on Inland Fisheries and Game on Bill, "An Act Relating to Rules and Regulations in Fishing." (H. P. 6) (L. D. 15) reported that the same Ought not to pass.

The same Committee on Bill, "An Act Relating to Issuance of Hunting Licenses by Any Town Clerk." (H. P. 7) (L. D. 16) reported that the same Ought not to pass.

The same Committee on Bill, "An Act Relating to Free Fishing Licenses for Certain Veterans." (H. P. 31) (L. D. 51) reported that the same Ought not to pass.

The same Committee on Bill, "An Act Permitting Local Option for Sunday Hunting." (H. P. 33) (L. D. 53) reported that the same Ought not to pass.

The same Committee on Bill, "An Act Regulating Black Bass Fishing in Belgrade Lakes." (H. P. 34) (L. D. 54) reported that the same Ought not to pass.

The Committee on State Government on Bill, "An Act Increasing Compensation for Legislators During Special Sessions." (H. P. 99) (L. D. 146) reported that the same Ought not to pass.

Which reports were severally read and accepted in concurrence.

Ought to Pass

The Committee on Claims on "Resolve to Reimburse Town of Oakfield for Aid to Family of Leo Cote." (H. P. 2) (L. D. 11) reported that the same Ought to pass.

The same Committee on "Resolve in Favor of Town of Bethel for Aid to Charles F. Cone." (H. P. 26) (L. D. 227) reported that the same Ought to pass.

The Committee on Legal Affairs on Bill, "An Act Relating to Compensation of Trustees of Poland Ministerial Fund." (H. P. 167) (L. D. 241) reported that the same Ought to pass.

Which reports were severally read and accepted in concurrence, the bill and resolves read once and tomorrow assigned for second reading.

Ought to Pass — as amended

The Committee on Claims on "Resolve in Favor of Robert H. Anderson of Falls Church, Virginia." (H. P. 25) (L. D. 226) reported that the same Ought to Pass with Committee Amendment A (Filing No. 5)

Which report was read and accepted in concurrence and the resolve read once. Committee Amendment A was read and adopted in concurrence, and the resolve as so amended was tomorrow assigned for second reading.

The PRESIDENT: The Chair notes in the Senate Chamber the presence of a former Senator, Senator Cleaves, accompanied by his wife. At this time the Chair would ask the Sergeant-at-Arms to escort that couple to the rostrum. (Applause, members rising)

Senate Papers

Agriculture

Mr. Hunt of Kennebec presented Bill, "An Act Relating to Definition of Poultry Under Weights and Measures Law." (S. P. 265)

Which was referred to the Committee on Agriculture and ordered printed.

Sent down for concurrence.

Appropriations and Financial Affairs

Mr. Bates of Penobscot presented Bill, "An Act Creating a Permanent Committee on Aging." (S. P. 266)

Mr. Dow of Lincoln presented Bill, "An Act Creating the Maine Educational Television Authority." (S. P. 267)

Mrs. Lord of Cumberland presented "Resolve Appropriating Monies for Private Hospital Aid to Medically Indigent." (S. P. 268)

Which were severally referred to the Committee on Appropriations and Financial Affairs and ordered printed.

Sent down for concurrence.

Business Legislation

Mr. Weeks of Cumberland presented Bill, "An Act Authorizing the Issuance of Group Life Insurance on Dependents." (S. P. 269)

The same Senator presented Bill, "An Act Relating to Non-forfeiture Benefits and Valuation Standards for Life Insurance Policies." (S. P. 270)

Which were referred to the Committee on Business Legislation and ordered printed.

Sent down for concurrence.

Education

Mr. Dow of Lincoln presented Bill, "An Act Relating to Salaries of Superintendents of Schools." (S. P. 271)

Which was referred to the Committee on Education and ordered printed.

Sent down for concurrence.

Highways

Mr. Martin of Kennebec presented "Resolve Appropriating Moneys to Preserve Covered Bridges." (S. P. 272)

Which was referred to the Committee on Highways and ordered printed.

Sent down for concurrence.

Inland Fisheries and Game

The same Senator presented Bill, "An Act Relating to Free Fishing Licenses for Old Age Assistance Recipients." (S. P. 273)

Mr. Briggs of Aroostook presented "Resolve Opening County Road Lake in Aroostook County to Ice Fishing." (S. P. 274)

Mr. Dow of Lincoln presented "Resolve Regulating Fishing on Deer Meadow Pond in Lincoln County." (S. P. 275)

Which were severally referred to the Committee on Inland Fisheries and Game and ordered printed. Sent down for concurrence.

Labor

Mr. MacDonald of Oxford presented Bill, "An Act Relating to Artificial Aids for Employees for Injuries under Workmen's Compensation Law." (S. P. 276)

Which was referred to the Committee on Labor and ordered printed.

Sent down for concurrence.

Natural Resources

Mr. Briggs of Aroostook presented Bill, "An Act to Clarify the Maine Mining Law." (S. P. 277)

Which was referred to the Committee on Natural Resources and ordered printed.

Sent down for concurrence.

Public Health

Mr. Bates of Penobscot presented Bill, "An Act Increasing Fees for Licenses of Eating and Lodging Places." (S. P. 278)

Which was referred to the Committee on Public Health and ordered printed.

Sent down for concurrence.

State Government

Mr. Cole of Waldo presented Bill, "An Act Relating to Construction Reserve Fund in Department of Finance and Administration." (S. P. 279)

Mr. Lessard of Androscoggin presented Bill, "An Act Relating to Lands Needed by the State." (S. P. 280)

Mr. Rogerson of Aroostook presented Bill, "An Act Relating to Disposition of Funds Received by State Park Commission." (S. P. 281)

Which were severally referred to the Committee on State Government and ordered printed.

Sent down for concurrence.

Towns and Counties

Mr. Fournier of York presented Bill, "An Act Increasing Salary of County Attorney of York County." (S. P. 282)

Which was referred to the Committee on Towns and Counties and ordered printed.

Sent down for concurrence.

Welfare

Mr. Weeks of Cumberland presented Bill, "An Act Clarifying the Laws Relating to Support of Dependents." (S. P. 283)

Which was referred to the Committee on Welfare and ordered printed.

Sent down for concurrence.

The following bills were transmitted by the Director of Legislative Research, pursuant to Joint Order (S. P. 47)

Appropriations and Financial Affairs

Mr. Woodcock of Penobscot presented Bill, "An Act to Reactivate the Maine Committee on Aging and Authorize a Report to the 1961 White House Conference on Aging." (S. P. 284)

Which was referred to the Committee on Appropriations and Financial Affairs and ordered printed.

Sent down for concurrence.

Education

Mr. Dow of Lincoln presented Bill, "An Act to Make Valid the

Incorporation of School Administrative Districts Nos. 1, 2, 3, 4, 5 and 6." (S. P. 285)

The same Senator presented Bill, "An Act to Authorize the Municipalities of Bremen, Waldoboro and Washington to Form a School Administrative District." (S. P. 286)

Which were referred to the Committee on Education and ordered printed.

Sent down for concurrence.

Towns and Counties

Mr. Fournier of York presented Bill, "An Act Increasing Salaries of Judge and Recorder of Saco Municipal Court." (S. P. 287)

Which was referred to the Committee on Towns and Counties and ordered printed.

Sent down for concurrence.

On motion by Mr. Briggs of Aroostook, the Senate was recessed by the President for three minutes.

After Recess

Called to order by the President.

Senate Committee Reports Leave to Withdraw

Mr. Hillman from the Committee on Inland Fisheries and Game on Bill, "An Act Establishing Open Season for Atlantic Sea Run Salmon." (S. P. 55) (L. D. 88) reported that the same be granted Leave to Withdraw.

Which report was read and accepted.

Sent down for concurrence.

Ought Not to Pass

Mr. Briggs from the same Committee on "Resolve Relating to Stocking of Rangeley and Mooselookmeguntic Lakes with Rainbow Trout and Togue." (S. P. 95) (L. D. 213) reported that the same "Ought Not to pass."

Which report was read and accepted.

Sent down for concurrence.

Bill Tabled

Mr. Coffin from the Committee on Sea and Shore Fisheries on Bill, "An Act Permitting the Digging of Clams in Limits of Saco for Bait Only." (S. P. 44) (L. D. 42) reported that the same "Ought Not to pass."

On motion by Mr. Fournier of York, tabled pending acceptance of the committee report.

Which reports were read and accepted.

Sent down for concurrence.

Ought to Pass

Mr. Cole from the Committee on Business Legislation on Bill, "An Act Relating to Inactive Bank Accounts." (S. P. 130) (L. D. 325) reported that the same Ought to pass.

Mr. Wyman from the Committee on Taxation on Bill, "An Act Suspending Taxes on Certain Cases of Sardines." (S. P. 86) (L. D. 158) reported that the same Ought to pass.

Which reports were read and accepted, the bills read once and tomorrow assigned for second reading.

The PRESIDENT: The Chair at this time notes in the Senate Chamber the presence of a group of students from the senior class of St. Dominic's High School, Lewiston, Maine, accompanied by Brother Louis Arthur. On behalf of the Senate, the Chair extends our very cordial welcome to this group. We certainly hope that you will profit by your experience here today. We hope that while you are here today you will absorb some of the proceedings, and we trust that somewhere along the line you may be inspired to some day emulate some of the members in these seats. We heartily welcome you and hope you find this a pleasant and profitable visit. (Applause)

Majority - ONTP Minority - OTP

The Majority of the Committee on Inland Fisheries and Game on Bill, "An Act Regulating Open Season on Deer by Zones." (S. P. 92) (L. D. 210) reported that the same Ought not to pass.

(Signed)

Representatives:

HARRIS of Greenville
WHEATON of Princeton
MONROE of Monroe
DODGE of Guilford
MOORE of Casco
CARVILLE of Eustis

The Minority of the same Committee on the same subject matter, reported that the bill Ought to pass. (Signed)

Senators:

CARPENTER of Somerset
BRIGGS of Aroostook
HILLMAN of Penobscot

Representative:

DUDLEY of Enfield

On motion by Mr. Carpenter of Somerset, the bill and accompanying reports were tabled pending consideration of either report.

Report A — OTP

Report B — ONTP

Five members of the Committee on Inland Fisheries and Game on "Resolve Closing Dodge Pond Stream, Franklin County, to all Fishing and Smelting." (S. P. 97) (L. D. 215) reported (Report A) that the Same Ought to pass.

(Signed)

Representatives:

HARRIS of Greenville
WHEATON of Princeton
DODGE of Guilford
MOORE of Casco
CARVILLE of Eustis

Five members of the same Committee on the same subject matter reported (Report B) that the resolve Ought not to pass.

(Signed)

Senators:

CARPENTER of Somerset
BRIGGS of Aroostook
HILLMAN of Penobscot

Representatives:

DUDLEY of Enfield
MONROE of Monroe

On motion by Mr. Carpenter of Somerset, the "Ought not to pass" report of the committee was accepted.

Sent down for concurrence.

Bills in Second Reading

The Committee on Bills in the Second Reading reported the following bills and resolves:

House

Bill, "An Act Defining Merchandise Under Factor Lien Law." (H. P. 83) (L. D. 130)

Bill, "An Act Repealing the Advisory Committee on Budget." (H. P. 100) (L. D. 147)

Which were read a second time and passed to be engrossed in concurrence.

House — as amended

Bill, "An Act Relating to Officers of Domestic Mutual Fire Insurance Companies." (H. P. 134) (L. D. 192)

Which was read a second time and passed to be engrossed as amended, in concurrence.

Senate

Bill, "An Act Increasing Payments to Somerset County Law Library." (S. P. 98) (L. D. 216)

Bill, "An Act Increasing Payments to Franklin County Law Library." (S. P. 99) (L. D. 217)

Bill, "An Act Authorizing Public Utilities Commission to Determine Financial Responsibility of Motor Carriers of Passengers." (S. P. 119) (L. D. 269)

"Resolve Repealing Provisions for Compilation of Certain Decisions of Supreme Judicial Court." (S. P. 101) (L. D. 219)

Which were severally read a second time and passed to be engrossed.

Sent down for concurrence.

Senate — as amended

"Resolve in Favor of Lawrence Babb of Augusta." (S. P. 51) (L. D. 84)

Which was read a second time and passed to be engrossed as amended.

Sent down for concurrence.

Enactors

The Committee on Engrossed Bills reported as truly and strictly engrossed, the following bills and resolves:

Bill, "An Act Permitting Savings Banks to Act as Collection Agent." (H. P. 22) (L. D. 45)

Bill, "An Act Relating to Special Limitations for Mortgage Loans for Real Estate Sold by Savings Banks." (H. P. 54) (L. D. 76)

Bill, "An Act Relating to Fees of Board of Registration for Architects." (H. P. 76) (L. D. 114)

Bill, "An Act to Incorporate Westbrook Investment Corporation of Portland." (S. P. 22) (L. D. 2)

Bill, "An Act Permitting Savings Banks to Buy Hospitalization Insurance for Trustees." (S. P. 39) (L. D. 37)

Bill, "An Act Relating to Investment of Municipal Funds." (S. P. 50) (L. D. 83)

Bill, "An Act Accepting from Estate of Nellie E. Fuller Funds for Governor Baxter State School for the Deaf." (S. P. 54) (L. D. 87)

Which bills were severally passed to be enacted.

"Resolve Amending the Resolve Authorizing the Forest Commissioner to Convey Certain Land of the State in York County." (H. P. 47) (L. D. 67)

Which resolve was Finally Passed.

Orders of the Day

On motion by Mr. Wyman of Washington, the Senate voted to re-

consider its action taken earlier in the day whereby Bill "An Act to Incorporate Town of Harpswell Neck" (H. P. 428) (L. D. 634) was referred to the Committee on Legal Affairs.

Mr. WYMAN of Washington: Mr. President, I have talked with Senator Martin, the Chairman of the Committee on Legal Affairs and it is agreeable to him to have this bill referred to the Committee on Towns and Counties, and I therefore so move.

The motion prevailed and the bill was referred to the Committee on Towns and Counties in non-concurrence and sent down for concurrence.

On motion by Mr. Martin of Kennebec,

Adjourned until ten o'clock tomorrow morning.