

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

Wednesday, February 25, 1959

Senate called to order by the President.

Prayer by Rev. George Perry of Hallowell.

On motion by Mr. MacDonald of Oxford, Journal of yesterday read and approved.

The PRESIDENT: At this time the Chair would like to recognize visitors here in the Senate Chamber this morning.

First we have in the rear of the Senate Chamber three members of the Girls' Basketball Team from Waldoboro, who are Knox - Lincoln champions. One of these young ladies is the daughter of the eminent Senator from Lincoln, Senator Dow. I would like to ask that these three young ladies please stand up. (Applause)

Also visiting us this morning are seventh and eighth graders from Little Falls School, Gorham, Maine, accompanied by instructors Grayson A. Hartley, Mrs. Pelletier and Mrs. DeGriske. They are here as guests of Robert L. Travis. We are glad to have you here today and we hope that your stay will be enjoyable as well as educational. (Applause)

Also with us this morning are members of the eighth grade of the Orrington School, accompanied by their Principal, Mr. Libby and Teachers, Mrs. Alice Gray and Mrs. Sarah Noyes. We are very pleased to extend a hearty welcome to this group of boys, and we likewise hope that your stay will be very pleasant and enjoyable. (Applause)

House Papers

Bill, "An Act Providing Moneys for Construction of Patient Building at Western Maine Sanatorium." (H. P. 599) (L. D. 859)

Bill, "An Act Providing for a State Tuberculosis Annex to Madigan Memorial Hospital in Houlton." (H. P. 600) (L. D. 860)

"Resolve Appropriating Moneys to Replace and Repair Songo Locks, Cumberland County." (H. P. 601) (L. D. 861)

Which were severally referred to the Committee on Appropriations

and Financial Affairs in concurrence.

Bill, "An Act Relating to Unfair Methods of Competition and Trade Practices." (H. P. 602) (L. D. 862)

Bill, "An Act Relating to Regulations of Insurance Commissioner Under Unfair Methods of Competition and Trade Practices Act." (H. P. 603) (L. D. 863)

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

Bill, "An Act to Authorize the Municipalities of Limestone and Caswell Plantation to Form a School Administrative District." (H. P. 604) (L. D. 864)

Which was referred to the Committee on Education in concurrence.

Bill, "An Act Relating to Services of State Police on Maine Turnpike." (H. P. 605) (L. D. 865)

Which was referred to the Committee on Highways in concurrence.

Bill, "An Act Relating to Open Season on Fisher in Certain Counties." (H. P. 606) (L. D. 866)

Bill, "An Act Relating to Special Dog Training Areas." (H. P. 607) (L. D. 867)

Bill, "An Act Creating Game Management Area of Towns of Deer Isle and Stonington, Hancock County." (H. P. 608) (L. D. 868)

Which were severally referred to the Committee on Inland Fisheries and Game in concurrence.

Bill, "An Act Relating to Waiting Period under Employment Security Law." (H. P. 609) (L. D. 869)

Which was referred to the Committee on Labor in concurrence.

Bill, "An Act Relating to Licenses for Pari Mutuel Harness Horse Racing." (H. P. 610) (L. D. 870)

Bill, "An Act Conveying Songo Lock Property to State of Maine." (H. P. 612) (L. D. 872)

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

Bill, "An Act Relating to Extension of Water Service in Town of Falmouth." (H. P. 611) (L. D. 871)

Which was referred to the Committee on Public Utilities in concurrence.

Bill, "An Act Relating to Term of Office of Department Heads Appointed by Governor." (H. P. 613) (L. D. 873)

Which was referred to the Committee on State Government in concurrence.

House Committee Reports

The Committee on Retirements and Pensions on "Resolve Providing for Pension of Louise Gagnon of Fairfield." (H. P. 363) (L. D. 522) reported that same be referred to the Committee on Claims.

Which report was read and accepted in concurrence, and the resolve referred to the Committee on Claims in concurrence.

Ought Not to Pass

The Committee on Agriculture on Bill, "An Act Relating to Dating Processed Milk." (H. P. 258) (L. D. 390) reported that the same Ought not to pass.

The Committee on Retirements and Pensions on "Resolve Providing for a State Pension for Jeanne L. Lebrun of Lewiston." (H. P. 122) (L. D. 177) reported that the same Ought not to pass.

The Committee on State Government on Bill, "An Act Changing Name of Department of Labor and Industry to Department of Labor." (H. P. 221) (L. D. 312) reported that the same Ought not to pass.

The Committee on Transportation on Bill, "An Act Relating to Initial Motor Vehicle Number Plates." (H. P. 227) (L. D. 317) 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 in Favor of the Town of Howland." (H. P. 107) (L. D. 163) reported that the same Ought to pass.

The same Committee on "Resolve in Favor of C. A. Mason of Gorham" (H. P. 280) (L. D. 847) reported that the same Ought to pass.

The Committee on Inland Fisheries and Game on "Resolve Regulating Fishing in Washington Pond, Knox County." (H. P. 110) (L. D. 165) reported that the same Ought to pass.

(On motion by Mr. Carpenter of Somerset, recommitted to the Committee on Inland Fisheries and Game; and sent down for concurrence.)

The same Committee on "Resolve Regulating Fishing in Crystal Pond, Knox County." (H. P. 111) (L. D. 166) reported that the same Ought to pass.

(On motion by Mr. Carpenter of Somerset, recommitted to the Committee on Inland Fisheries and Game; and sent down for concurrence.)

The same Committee on "Resolve Regulating Fishing in Jackson Pond, Piscataquis County." (H. P. 112) (L. D. 167) reported that the same Ought to pass.

The same Committee on "Resolve Regulating Taking of Smelts in Center Brook, Piscataquis County." (H. P. 194) (L. D. 286) reported that the same Ought to pass.

The same Committee on "Resolve Prohibiting the Use of Live Fish as Bait in B Pond, Piscataquis County." (H. P. 197) (L. D. 289) reported that the same Ought to pass.

The same Committee on "Resolve Regulating Fishing in Moosehead Lake, Piscataquis County." (H. P. 200) (L. D. 292) reported that the same Ought to pass.

The same Committee on "Resolve Regulating Fishing in Sawyer Pond, Piscataquis County." (H. P. 201) (L. D. 293) reported that the same Ought to pass.

The same Committee on "Resolve Regulating Fishing in the West Branch of Pleasant River, Piscataquis County." (H. P. 202) (L. D. 294) reported that the same Ought to pass.

The same Committee on "Resolve Regulating Fishing in Lily Lake, Washington County." (H. P. 289) (L. D. 436) reported that the same Ought to pass.

The Committee on Legal Affairs on Bill, "An Act Relating to Special Town Meetings in Kittery." (H. P. 248) (L. D. 359) reported that the same Ought to pass.

The Committee on Retirements and Pensions on Bill, "An Act Relating to Survivor Benefits and Budget Estimates Under Maine State Retirement System." (H. P. 217) (L. D. 308) reported that the same Ought to pass.

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

The PRESIDENT: At this time the Chair notes in the Senate Chamber the presence of a former distinguished member of this Body, a distinguished citizen of the State of Maine and a great public servant to all the people of Maine; the Chair requests the Sergeant - at - Arms to escort to the rostrum the Honorable Lee Good of Monticello. (Applause, members rising.)

The Committee on Inland Fisheries and Game on Bill, "An Act Relating to Fishing for White Perch." (H. P. 88) (L. D. 135) reported that the same Ought to pass.

Comes from House, report accepted, House Amendment A (Filing No. 16) adopted, and bill passed to be engrossed as amended.

In the Senate, on motion by Mr. Carpenter of Somerset, tabled pending acceptance of the report.

Ought to Pass — as amended

The Committee on Education on Bill, "An Act to Authorize the Municipalities of Bingham, Brighton Plt., Caratunk Plt., Moscow, Pleasant Ridge Plt., The Forks Plt. and West Forks Plt. to Form a School Administrative District." (H. P. 139) (L. D. 195) reported that the same Ought to pass as amended by Committee Amendment A (Filing No. 26)

The same Committee on Bill, "An Act to Authorize Jackman and Moose River to Form a School Administrative District." (H. P. 141) (L. D. 197) reported that the same Ought to pass as amended by Committee Amendment A (Filing No. 25)

Which reports were severally read and accepted in concurrence and the bills read once; Committee Amendments A were read and adopted, and on motion by Mr. Carpenter of Somerset, the bills were given a second reading and passed to be engrossed as amended in concurrence.

The Committee on Inland Fisheries and Game on Bill, "An Act Relating to Taking Land for Public Access Sites to Merrymeeting Bay." (H. P. 86) (L. D. 133) reported that the same Ought to pass as amended by Committee Amendment A (Filing No. 18)

On motion by Mr. Carpenter of Somerset, tabled pending acceptance of the report.

The same Committee on "Resolve Opening Messalonskee Stream, Kennebec County, to Ice Fishing." (H. P. 36) (L. D. 56) reported that the same Ought to pass as amended by Committee Amendment A (Filing No. 17)

The same Committee on "Resolve Regulating Fishing in Dead Pond, Washington County." (H. P. 152) (L. D. 229) reported that the same Ought to pass as amended by Committee Amendment A (Filing No. 20)

The same Committee on "Resolve Regulating Fishing in Peep Lake, Washington County." (H. P. 153) (L. D. 230) reported that the same Ought to pass as amended by Committee Amendment A (Filing No. 19)

The Committee on Retirements and Pensions on "Resolve to Increase Retirement Benefit of Clyde P. Walker of Stratton." (H. P. 46) (L. D. 66) reported that the same Ought to pass as amended by Committee Amendment A (Filing No. 21)

The Committee on Sea and Shore Fisheries on Bill, "An Act Regulating Taking of Alewives in Town of Orland" (H. P. 123) (L. D. 178) reported that the same Ought to pass.

Which reports were severally read and accepted and the bills and resolves read once. Committee Amendments A were read and adopted in concurrence and Bills and resolves as so amended were tomorrow assigned for second reading.

Communication

Office of the
Secretary of the Senate

Feb. 25, 1959

To the Hon. Senate of the 99th Legislature:

Pursuant to Senate Order relative to appointment of a Clerk Stenographer of the Senate, this is to inform you that the Secretary has appointed Mae Ross of Augusta to this position.

Respectfully,

Chester T. Winslow
Secretary of the Senate

Which was read and placed on file.

Senate Papers

Agriculture

Mr. Coffin of Cumberland presented Bill, "An Act Relating to Price Controls on Milk." (S. P. 320)

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

Sent down for concurrence.

Appropriations and Financial Affairs

Mr. Lessard of Androscoggin presented Bill, "An Act to Continue the Citizens Committee on Survey of State Government." (S. P. 321)

Mr. Rogerson of Aroostook presented Bill, "An Act to Provide Expanded Community Mental Health Services." (S. P. 322)

Mr. Weeks of Cumberland presented "Resolve Appropriating Money for Completion of Court Rules." (S. P. 323)

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

Sent down for concurrence.

Business Legislation

Mr. Charles of Cumberland presented Bill, "An Act Relating to Powers of Maine Fidelity Life Insurance Company." (S. P. 324)

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

Sent down for concurrence.

Education

Mr. Rogerson of Aroostook presented Bill, "An Act Relating to Powers of Ricker Classical Institute and Ricker College." (S. P. 325)

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

Sent down for concurrence.

Highways

Mr. Boucher of Androscoggin presented Bill, "An Act Relating to a Directional Sign for Lewiston - Auburn at the Falmouth Spur, so called." (S. P. 326)

Mr. Woodcock of Penobscot presented Bill, "An Act Relating to Maintenance of Guide-posts by Municipalities." (S. P. 327)

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

Sent down for concurrence.

Judiciary

Mr. Lessard of Androscoggin presented Bill, "An Act Relating to Juvenile Offenders." (S. P. 328)

The same Senator presented Bill, "An Act Providing Mandatory Jail Sentence for Second Offense of Driving Under the Influence." (S. P. 329)

Mrs. Lord of Cumberland presented Bill, "An Act Relating to the Pineland Hospital and Training Center and the Commitment of the Insane." (S. P. 330)

Mr. MacDonald of Oxford presented Bill, "An Act Relating to Municipal Court Dockets." (S. P. 331)

The same Senator presented Bill, "An Act Changing Name of Norway Municipal Court to Norway - Paris Municipal Court and Its Location." (S. P. 332)

Mr. Noyes of Franklin presented Bill, "An Act Relating to Appointment for Legal Service by Nonresident Hunting Licensee." (S. P. 333)

Mr. Weeks of Cumberland presented Bill, "An Act Revising the Probation and Parole Laws." (S. P. 334)

The same Senator presented Bill, "An Act Relating to Administration on Estates of Persons Confined to Imprisonment for Life." (S. P. 335)

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

Sent down for concurrence.

Legal Affairs

Mr. Boucher of Androscoggin presented Bill, "An Act Increasing Salary of Mayor of the City of Lewiston." (S. P. 336)

Mr. Stilphen of Knox presented Bill, "An Act Relating to Vacancies in City Council of City of Rockland." (S. P. 337)

Mr. Noyes of Franklin presented "Resolve Accepting for the State the Homestead of the Late Owen C. Mann in Farmington, Maine." (S. P. 338)

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

Sent down for concurrence.

Retirements and Pensions

Mr. Coffin of Cumberland presented "Resolve in Favor of A. D. Gray of Waldoboro for Retirement Benefits." (S. P. 339)

Which was referred to the Committee on Retirements and Pensions and ordered printed.

Sent down for concurrence.

Towns and Counties

Mrs. Lord of Cumberland presented Bill, "An Act Relating to Duty of Full-Time Municipal Health Officers Concerning Tuberculosis." (S. P. 340)

Mr. Woodcock of Penobscot presented Bill, "An Act Increasing Salaries of County Attorney and Assistant County Attorney of Penobscot County." (S. P. 341)

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

Sent down for concurrence.

Transportation

Mr. Cole of Waldo presented Bill, "An Act to Revise the Dealer Registration Law." (S. P. 342)

The same Senator presented Bill, "An Act Revising Law Relating to Dealer and Transit Motor Vehicle Registration." (S. P. 343)

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

Sent down for concurrence.

Bills In Second Reading

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

House — as amended

Bill, "An Act Relating to Physical Examination for School Bus Operators." (H. P. 514) (L. D. 666)

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

Senate

Bill, "An Act Relating to Lease of Land by State to Cumberland County." (S. P. 73) (L. D. 123)

Bill, "An Act Amending and Restating the Charter of The President and Trustees of Colby College." (S. P. 118) (L. D. 268)

Bill, "An Act Relating to Personnel of State Civil Defense and Public Safety Agency." (S. P. 120) (L. D. 270)

Bill, "An Act Relating to Reimbursement to Forestry Department for Expenses When Forest Management is Practiced on State Lands." (S. P. 136) (L. D. 331)

Bill, "An Act to Make Definite the Name of Gould Academy." (S. P. 174) (L. D. 418)

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

Sent down for concurrence.

Senate — as amended

Bill, "An Act Relating to Amount of Property Held by Odd Fellows' Home of Maine." (S. P. 172) (L. D. 416)

Bill, "An Act Relating to Authority of Sigma Kappa to Hold Property." (S. P. 192) (L. D. 488)

Which were severally 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 bill and resolves:

Bill, "An Act Relating to Compensation of Trustees of Poland Ministerial Fund." (H. P. 167) (L. D. 241)

Which bill was passed to be enacted.

"Resolve to Reimburse Town of Oakfield for Aid to Family of Leo Cote." (H. P. 2) (L. D. 11)

On motion by Mr. Rogerson of Aroostook, tabled pending enactment.

"Resolve in Favor of Robert H. Anderson of Falls Church, Virginia." (H. P. 25) (L. D. 226)

"Resolve in Favor of Town of Bethel for Aid to Charles F. Cone." (H. P. 26) (L. D. 227)

Which resolves were severally finally passed.

Orders of the Day

Mr. ROGERSON of Aroostook: Mr. PRESIDENT, I move that in conformity with the past custom that the Senate establish a special table for bills having to do with appropriations, and I suggest that we lay upon this table all bills carrying appropriations of more than one hundred dollars until some time towards the end of the session when we can consider the group of bills altogether.

The PRESIDENT: Is it the pleasure of the Senate that we establish

a special appropriations table and that all bills and resolves calling for expenditures of over one hundred dollars be automatically tabled? Is that your motion?

Mr. ROGERSON: Yes, Mr. President.

I might say by way of explanation that by establishing this table it will enable us to list these bills only by L. D. number and prevent a lot of useless work in listing them by title and L. D. number. All appropriations over one hundred dollars will be laid on the special table and will be designated by L. D. number only. In the past the figure has been set at fifty dollars, but we feel that, because of the effects of inflation, perhaps one hundred dollars is a better figure.

The PRESIDENT: Is the Chair clear that it is the Senator's intent that these bills and resolves would have to be placed on the table individually? For the purpose of clarification, it is the Chair's understanding that these bills and resolves would be placed on the table; it would not be automatic?

Mr. ROGERSON: That is correct, Mr. President.

The PRESIDENT: Is it the pleasure of the Senate that a special appropriations table be established and that bills and resolves calling for over one hundred dollars be tabled at the appropriate time individually?

The motion prevailed.

On motion by Mr. Carpenter of Somerset, the Senate voted to take from the table the 15th tabled and unassigned matter, (S. P. 112) (L. D. 262) Senate Report "Ought not to pass" from the Committee on Inland Fisheries and Game on Bill, "An Act Relating to Closed Season on Pheasants," which was tabled by that Senator on February 19th pend-

ing acceptance of report; and on further motion by the same Senator the "Ought not to pass" report of the committee was accepted.

Sent down for concurrence.

On motion by Mr. Thurston of Oxford, the Senate voted to take from the table the 7th tabled and unassigned matter, (S. P. 107) (L. D. 225) Senate Report "Ought not to pass" of the Committee on Transportation on Bill, "An Act Relating to Color of Private School Buses," which was tabled by that Senator on February 12th pending acceptance of report; and on further motion by the same Senator the "Ought not to pass" report of the committee was accepted.

Sent down for concurrence.

On motion by Mr. Weeks of Cumberland, the Senate voted to take from the table bill, "An Act Relating to Clerical Assistance for Justices of the Superior Court." (S. P.) (L. D. 218) tabled by that Senator on February 12 pending assignment for second reading; and on further motion by the same Senator, the bill was tomorrow assigned for second reading.

On motion by Mr. Weeks of Cumberland, the Senate voted to take from the table bill, "An Act Increasing Salaries of Justices of Supreme Judicial Court and Superior Court." (H. P. 447) (L. D. 653) tabled by that Senator on February 17 pending reference to a committee; and on further motion by the same Senator, the bill was referred to the Committee on State Government in concurrence.

On motion by Mr. Lewis of Somerset.

Adjourned until tomorrow afternoon at one o'clock.