

# 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, March 3, 1959

Senate called to order by the President.

Prayer by Rev. Stanley Pratt of Bangor.

On motion by Mr. Noyes of Franklin,

Journal of last Thursday read and approved.

The PRESIDENT: At this time the Chair would like to recognize in the Senate Chamber the presence of thirty students from Thornton Academy in Saco accompanied by their teacher, Mr. Gilman Seaver. In behalf of the Senate we extend a hearty and cordial welcome to our visiting students and Mr. Seaver, and we trust that your stay will be educational and enjoyable. (Applause.)

**Paper from the House**

State of Maine

Department of Health and Welfare

Augusta, February 25, 1959

Hon. Harvey R. Pease, Clerk

House of Representatives

99th Legislature

State House

Augusta, Maine

Dear Mr. Pease:

This is to certify that on November 4, 1958 Newell Tomah was elected by the Passamaquoddy Tribe of Indians to be their representative at the 99th Legislature.

Respectfully,

(Signed)

DEAN FISHER, M.D.

Commissioner

(H. P. 706)

Which was read and ordered placed on file in concurrence.

**House Papers**

"Resolve Providing for Moneys from Mars Hill Utility District to Construct Sewage Treatment Facilities for Town of Mars Hill." (H. P. 628) (L. D. 920)

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

Bill, "An Act Relating to Rates Under Assigned Risk Plan." (H. P. 629) (L. D. 921)

Bill, "An Act Prohibiting Signature or Countersignature by Rubber Stamp or Other Facsimile." (H. P. 630) (L. D. 922)

Bill, "An Act Relating to Pre-arranged Payments for Funerals or Burial Plans." (H. P. 631) (L. D. 923)

Bill, "An Act to Incorporate Sagadahoc Finance Corporation." (H. P. 632) (L. D. 924)

Bill, "An Act to Incorporate City Finance, Inc." (H. P. 633) (L. D. 925)

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

"Resolve in Favor of A. R. Palmer of Litchfield." (H. P. 634) (L. D. 926)

"Resolve in Favor of Ernest S. Stone of Garland." (H. P. 635) (L. D. 927)

Which were referred to the Committee on Claims in concurrence.

"Resolve Appropriating Moneys for Road from Allagash Plantation to the Canadian Border." (H. P. 637) (L. D. 928)

Which was referred to the Committee on Highways in concurrence.

Bill, "An Act Closing Great Chebeague Island to Hunting for Snowshoe Hares." (H. P. 638) (L. D. 929)

Bill, "An Act Relating to Free Hunting, Trapping and Fishing Licenses for Indians." (H. P. 639) (L. D. 930)

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

Bill, "An Act Relating to Mortgages for Future Advances." (H. P. 640) (L. D. 931)

Bill, "An Act Relating to Negotiable Notes." (H. P. 641) (L. D. 932)

Bill, "An Act Relating to Jurisdiction Over Offshore Waters and Submerged Lands." (H. P. 642) (L. D. 933)

Bill, "An Act Relating to Legislative Jurisdiction over Federal Lands Within the State." (H. P. 643) (L. D. 934)

Bill, "An Act to Create a Law Revision Commission." (H. P. 644) (L. D. 935)

Bill, "An Act Relating to Dissolution of Corporations for Non-use of Corporate Powers." (H. P. 645) (L. D. 936)

Bill, "An Act Relating to Duty of Medical Examiners in Deaths in Motor Vehicle Accidents." (H. P. 646) (L. D. 937)

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

Bill, "An Act Relating to Chiropractic Treatment Under Workmen's Compensation Law." (H. P. 647) (L. D. 938)

Bill, "An Act Relating to Definition of Base Period Under Employment Security Law." (H. P. 648) (L. D. 939)

Bill, "An Act Relating to Compensation for Injuries Under Workmen's Compensation Law." (H. P. 649) (L. D. 940)

Bill, "An Act Relating to Disqualification for Unemployment Compensation." (H. P. 650) (L. D. 941)

Bill, "An Act Relating to Weekly Benefits for Total Unemployment Under Employment Security Law." (H. P. 651) (L. D. 942)

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

Bill, "An Act Relating to Election of City Council of City of South Portland." (H. P. 652) (L. D. 944)

(On motion by Mr. Weeks of Cumberland, tabled pending reference to a committee.)

Bill, "An Act Relating to Definition of Itinerant Vendors." (H. P. 653) (L. D. 945)

Bill, "An Act Relating to Sale of Used Fire Equipment." (H. P. 654) (L. D. 946)

Bill, "An Act Relating to Dance Hall Licenses." (H. P. 655) (L. D. 947)

Bill, "An Act Concerning Exit Facilities in Buildings and Other Structures." (H. P. 656) (L. D. 948)

Bill, "An Act Relating to License Fees in Fire Prevention Laws." (H. P. 657) (L. D. 949)

Bill, "An Act Relating to Inspection of Buildings and Premises." (H. P. 658) (L. D. 950)

Bill, "An Act Relating to Nursing Home in Town of Madawaska." (H. P. 659) (L. D. 951)

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

Bill, "An Act Relating to Lighting in All Places Licensed to Sell Liquor to be Consumed on the Premises." (H. P. 660) (L. D. 952)

Which was referred to the Committee on Liquor Control in concurrence.

Bill, "An Act to Create a Water Pollution Abatement Program." (H. P. 662) (L. D. 953)

Bill, "An Act Relating to the Classification of Prestile Stream in Aroostook County." (H. P. 661) (L. D. 954)

"Resolve Authorizing the Release of State of Maine's Claim on T. 1, R. 13, W.E.L.S., Piscataquis County." (H. P. 663) (L. D. 955)

"Resolve Authorizing Commissioner of Inland Fisheries and Game to Convey Certain Land in Fryeburg and Brownfield, Oxford County." (H. P. 664) (L. D. 956)

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

Bill, "An Act Relating to Territorial Limits of Bridgton Water District." (H. P. 665) (L. D. 957)

Bill, "An Act to Incorporate the North Bridgton Water District." (H. P. 666) (L. D. 958)

Bill, "An Act to Incorporate the Jay Village Water District." (H. P. 667) (L. D. 959)

Bill, "An Act Relating to Bridge Guards Above Railroad Tracks." (H. P. 668) (L. D. 960)

Which were severally referred to the Committee on Public Utilities in concurrence.

"Resolve Providing a Pension for Miss Avis Robertson of Belfast." (H. P. 669) (L. D. 961)

"Resolve Providing Retirement Benefit Increase for James H. Bodge of South Harpswell." (H. P. 670) (L. D. 962)

Which were referred to the Committee on Retirements and Pensions in concurrence.

Bill, "An Act Increasing the Tax on Spirituous and Vinous Liquor." (H. P. 671) (L. D. 963)

Bill, "An Act Exempting Lambs Under One Year Old from Taxation." (H. P. 672) (L. D. 964)

Bill, "An Act Taxing Advertising to Provide Educational Scholarships." (H. P. 673) (L. D. 965)

Bill, "An Act Relating to Isolated Motor Vehicle Transactions Under Sales Tax Law." (H. P. 674) (L. D. 966)

Bill, "An Act to Tax Highway Equipment Brought Into the State

After April First." (H. P. 675) (L. D. 967)

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

Bill, "An Act Relating to Expenses of County Commissioners." (H. P. 676) (L. D. 968)

Bill, "An Act Relating to Hours, Vacations and Sick Pay for County Personnel." (H. P. 677) (L. D. 969)

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

#### House Committee Reports Ought Not to Pass

The Committee on Claims on "Resolve to Reimburse Town of Van Buren for Aid Given to Mrs. Laura Deschaine." (H. P. 386) (L. D. 569) reported that the same Ought not to pass.

The Committee on Judiciary on Bill, "An Act Relating to Evidence of Intoxication and Chemical Tests for Alcoholic Content of Blood of Motor Vehicle Drivers." (H. P. 115) (L. D. 170) reported that the same Ought not to pass.

The same Committee on Bill, "An Act Relating to Power of Municipalities in Collection of Personal Property Taxes." (H. P. 206) (L. D. 297) reported that the same Ought not to pass.

Which reports were severally read and accepted in concurrence.

#### Ought to Pass

The Committee on Legal Affairs on Bill, "An Act to Ratify and Make Valid the Incorporation of the West Bowdoin Parish, of Bowdoin." (H. P. 212) (L. D. 303) reported that the same Ought to pass.

The same Committee on Bill, "An Act Regulating Amusement Known as Bingo." (H. P. 420) (L. D. 604) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Disposition of School Property in Unorganized Territory." (H. P. 501) (L. D. 714) reported that the same Ought to pass.

The same Committee on Bill, "An Act Increasing Compensation for Boards of Registration in Cities with Over 39,000 Inhabitants." (H. P. 502) (L. D. 715) reported that the same Ought to pass.

(On motion by Mr. Charles of Cumberland, tabled pending acceptance of the report.)

The Committee on Election Laws on "Resolve Authorizing Correction of 1954 Gubernatorial Election Record of Town of Strong." (H. P. 144) (L. D. 200) reported that the same Ought to pass.

The Committee on Towns and Counties on Bill, "An Act Changing Name of Clerk Appointed by Register of Deeds to Deputy Register of Deeds." (H. P. 326) (L. D. 473) reported that the same Ought to pass.

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

The Committee on Inland Fisheries and Game on Bill, "An Act Relating to Temporary Fish and Game Wardens and Warden Commissions to Permanent Employees of Fish and Game Department." (H. P. 85) (L. D. 132) reported that the same Ought to pass.

Comes from House, Report accepted, House Amendment A (Filing No. 31) adopted and bill as amended passed to be engrossed.

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

#### Ought to Pass — as amended

The Committee on Veterans Affairs on Bill, "An Act to Create a Commission to Commemorate the Centennial of the American Civil War." (H. P. 124) (L. D. 179) reported that the same Ought to pass as amended by Committee Amendment A (Filing No. 29)

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

#### Ought to Pass — N.D. — New Title

The Committee on Legal Affairs on Bill, "An Act Relating to the Bangor Mechanics Association." (H. P. 75) (L. D. 113) reported same in New Draft (H. P. 679) (L. D. 895) Under New Title: "An Act Relating to the Bangor Mechanic Association." and that it Ought to pass.

The Committee on Sea and Shore Fisheries on Bill, "An Act Relating to Taking of Clams, Quahogs and Clam Worms in Town of Phippsburg." (H. P. 252) (L. D. 363) reported same in New Draft (H. P. 678) (L. D. 894) under New Title: "An Act Relating to Taking of Clams and Quahogs in the Town of Phippsburg." and that it Ought to pass.

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

#### Communication from the House

State of Maine  
HOUSE OF REPRESENTATIVES  
Office of the Clerk  
Augusta

February 26, 1959

Honorable Chester T. Winslow  
Secretary of the Senate  
99th Legislature

Sir:

The Speaker of the House today appointed the following Conferees on the part of the House on the disagreeing actions of the Two Branches of the Legislature on: Bill, "An Act Relating to License Plates for Disabled or Paraplegic Veterans." (H. P. 229) (L. D. 319) Messrs.

LETOURNEAU of Sanford  
CARON of Biddeford  
BRAGDON of Perham

Respectfully,

(Signed)

HARVEY R. PEASE  
Clerk of the House

Which was read and ordered placed on file.

#### Senate Papers

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

#### Appropriations and Financial Affairs

Mr. Fournier of York presented "Resolve in Favor of Sweetser Children's Home in Saco." (S. P. 352)

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

Sent down for concurrence.

#### Claims

Mr. Carpenter of Somerset presented "Resolve in Favor of Ronald and Nancy Bradstreet of Beverly, Massachusetts." (S. P. 353)

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

Sent down for concurrence.

#### Judiciary

The same Senator presented "Resolve Authorizing Ronald and Nancy Bradstreet, of Beverly, Massachusetts, to Sue State of Maine." (S. P. 354)

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

Sent down for concurrence.

#### State Government

The same Senator presented Bill, "An Act Increasing Salary of Director of Legislative Research." (S. P. 355)

The same Senator presented "Resolve Proposing an Amendment to the Constitution to Provide for Election of Members of the Executive Council." (S. P. 356)

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

Sent down for concurrence.

#### Orders

On motion by Mr. Rogerson of Arrostook

ORDERED, that the Committee on Appropriations and Financial Affairs be granted the use of the Senate Chamber for a meeting on Tuesday, March 17, at 1:30.

Which was read and passed.

#### Senate Committee Reports Ought Not to Pass

Mr. Dunn from the Committee on Election Laws on Bill, "An Act Relating to Filling Vacancies on Boards of Registration." (S. P. 32) (L. D. 30) reported that the same Ought not to pass.

Which report was read and accepted.

Sent down for concurrence.

#### Ought to Pass

Mr. Cole from the Committee on Business Legislation on Bill, "An

Act to Incorporate the New England Corporation." (S. P. 154) (L. D. 375) reported that the same Ought to pass.

Mr. Charles from the same Committee on Bill, "An Act to Incorporate C.I.T. Corporation (Maine)." (S. P. 202) (L. D. 541) reported that the same Ought to pass.

Mr. Woodcock from the Committee on Judiciary on Bill, "An Act Increasing Payments to Kennebec Law Library." (S. P. 165) (L. D. 386) reported that the same Ought to pass.

Mr. Ross from the Committee on State Government on Bill, "An Act Creating an Interdepartmental Board on Mental Retardation." (S. P. 177) (L. D. 421) reported that the same Ought to pass.

The same Senator from the same Committee on Bill, "An Act Relating to Construction Reserve Fund in Department of Finance and Administration." (S. P. 279) (L. D. 741) reported that the same Ought to pass.

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

**Ought to Pass — as amended**

Mr. Lessard from the Committee on Judiciary on Bill, "An Act Relating to Breaking and Entering Motor Vehicles." (S. P. 207) (L. D. 546) reported that the same Ought to pass as amended by Committee Amendment A.

The same Senator from the same Committee on Bill, "An Act Relating to Care of Children of Women Committed to Reformatory for Women." (S. P. 209) (L. D. 548) reported that the same Ought to pass as amended by Committee Amendment A.

Which reports were read and accepted and the bills read once. Committee Amendments A were read and adopted, and the bills as so amended were tomorrow assigned for second reading.

**Second Readers**

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

**House**

Bill, "An Act to Clarify the Maine Commercial Feed Law." (H. P. 230) (L. D. 341)

Bill, "An Act Defining Blanket Accident and Sickness Insurance with Respect to Schools." (H. P. 275) (L. D. 407)

Bill, "An Act Permitting Pushaw Boat Club, Inc. to Erect Dam Across Pushaw Stream." (H. P. 311) (L. D. 458)

Bill, "An Act Clarifying the Laws Relating to the Department of Finance and Administration." (H. P. 319) (L. D. 466)

Bill, "An Act Relating to License Fees for Trained Guide Dogs." (H. P. 626) (L. D. 848)

"Resolve Authorizing Forest Commissioner to Lease Site on Indian Township to Northeastern Construction Company." (H. P. 170) (L. D. 244)

"Resolve Authorizing the State Forest Commissioner to Convey Certain Land in Kennebec County." (H. P. 312) (L. D. 459)

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

**House — as amended**

Bill, "An Act to Authorize the Municipalities of Deer Isle and Stonington to Form a School Administrative District." (H. P. 143) (L. D. 199)

Bill, "An Act to Authorize the Municipalities of Greenville, Monson, Shirley and Willimantic to Form a School Administrative District." (H. P. 186) (L. D. 278)

Bill, "An Act Relating to Amount of Property Held by West Oxford Agricultural Society." (H. P. 307) (L. D. 454)

Bill, "An Act to Change the Title of Road Commissioner of the Town of Kittery and to Enlarge His Duties." (H. P. 359) (L. D. 518)

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

**Senate**

Bill, "An Act Relating to Definition of Liquor Under Liquor Laws." (S. P. 28) (L. D. 8)

Bill, "An Act Relating to Legal Suits in Name of Assignor." (S. P. 163) (L. D. 384)

Bill, "An Act Relating to Payments of Bank Accounts of De-

ceased Persons." (S. P. 168) (L. D. 389)

Bill, "An Act Relating to Excise Taxes on Malt Beverages Sold to Vessels of Foreign Registry." (S. P. 175) (L. D. 419)

Bill, "An Act Relating to Payments to Lincoln County Law Library." (S. P. 189) (L. D. 485)

Bill, "An Act Providing for Limited Electrician's Licenses for Specific Installations." (S. P. 193) (L. D. 489)

Bill, "An Act to Authorize the Municipalities of Avon, Kingfield, Madrid, New Portland, Phillips and Strong to Form a School Administrative District." (S. P. 262) (L. D. 675)

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

Sent down for concurrence.

#### Enactors

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

Bill, "An Act Relating to Terms of the Superior Court in York County." (H. P. 38) (L. D. 58)

Bill, "An Act Regulating Taking of Alewives in the Damariscotta River." (H. P. 98) (L. D. 145)

Bill, "An Act Permitting Savings Banks to Make Loans to Certain Students." (H. P. 106) (L. D. 162)

Bill, "An Act Relating to Use of Lights on School Buses." (H. P. 182) (L. D. 253)

Bill, "An Act Relating to the Digging of Clams in the Town of Northport." (H. P. 219) (L. D. 310)

Bill, "An Act to Incorporate the 'Allied Loan Co.'" (H. P. 234) (L. D. 345)

Bill, "An Act Suspending Taxes on Certain Cases of Sardines." (S. P. 86) (L. D. 158)

Bill, "An Act Relating to Inactive Bank Accounts." (S. P. 130) (L. D. 325)

Which bills were severally passed to be enacted.

#### Emergency

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)

Which bill, being an emergency measure, and having received the affirmative vote of 30 members of the Senate, was passed to be enacted.

#### Emergency

Bill, "An Act to Authorize Jackman and Moose River to Form a School Administrative District." (H. P. 141) (L. D. 197)

Which bill, being an emergency measure, and having received the affirmative vote of 30 members of the Senate, was passed to be enacted.

#### Orders of the Day

Mr. CHARLES of Cumberland: Mr. President, I would like to inquire if S. P. 357, "An Act Permitting Paraplegics to Hunt from Stationary Motor Vehicles" is in the possession of the Senate?

The PRESIDENT: It is, having been held at the request of the Senator from Cumberland, Senator Charles.

On motion by Mr. Charles of Cumberland, the bill was referred to the Committee on Inland Fisheries and Game.

Sent down for concurrence.

Mr. NOYES of Franklin: Mr. President, I would like to inquire if the report of the Committee on Retirements and Pensions on Bill, "An Act relating to Retirement Benefits for Teachers with Fifteen Years Service," (H. P. 171) (L. D. 245) and also another bill, "An Act Relating to Survivor Benefits and Budget Estimates Under Maine State Retirement System (H. P. 217) (L. D. 308) are in the possession of the Senate?

The PRESIDENT: L. D. 308 is in the possession of the Senate having been held at the request of the Senator from Franklin, Senator Noyes, and the Chair recognizes that Senator.

Mr. NOYES: Mr. President, I would like to move that the Senate reconsider its action of yesterday whereby it recommitted the report on L. D. 245 to the Committee on Retirements and Pensions.

In explanation of this motion, I would say that on last Thursday it was my intention to recommit L. D. 308, but through inadvertence the motion was made to recommit the



wrong bill. If my motion prevails I will move that the report of the committee be accepted and the bill be given its first reading.

The PRESIDENT: The Chair has in its possession, L. D. 308. Does the Senator care to direct his motion to this particular document?

Mr. NOYES: Mr. President, I move that it be recommitted.

The PRESIDENT: Is it the pleasure of the Senate that we reconsider our action of last Thursday whereby L. D. 308 was passed to be engrossed?

The motion prevailed.

The PRESIDENT: The Senator from Franklin, Senator Noyes, now moves that L. D. 308 be recommitted to the Committee on Retirements and Pensions and sent down for concurrence. Is this the pleasure of the Senate?

The motion prevailed.

The PRESIDENT: The Chair would remind the Senator from Franklin, Senator Noyes, that we have just had a motion on reference with regard to L. D. 308. We now have before us L. D. 245, bill, "An Act Relating to Retirement Benefits for Teachers with Fifteen Years Service."

Mr. NOYES: Mr. President, I move that this bill be recommitted to the Committee on Retirements and Pensions.

The PRESIDENT: Is it the pleasure of the Senate to reconsider its action of last Thursday whereby L. D. 245 was recommitted to the Committee on Retirements and Pensions?

The motion prevailed.

The PRESIDENT: Is it now the pleasure of the Senate that the Ought to Pass report of the Committee on L. D. 245 be accepted in concurrence?

The motion prevailed, the report was accepted, the bill read once and tomorrow assigned for second reading.

Mr. WYMAN of Washington: Mr. President, may I inquire if H. P. 619, L. D. 887, bill, "An Act Enlarging Territorial Limits of West Paris Village Corp., is in the possession of the Senate?

The PRESIDENT: It is, having been held at the request of the Senator from Washington, Senator Wyman.

Mr. WYMAN: Mr. President, since the committee on Towns and Counties heard the bill two years ago by which this town was organized and since it is agreeable to the Chairman on Legal Affairs, I now move that we reconsider our action of the last legislative day whereby this bill was referred to the Committee on Legal Affairs.

The motion prevailed; and on further motion by the same Senator, the bill was referred to the Committee on Towns and Counties in non-concurrence.

Sent down for concurrence.

On motion by Mr. Hunt of Kennebec, the Senate voted to take from the table bill, "An Act Establishing Secondary Area Vocational Schools (S. P. 225) tabled by that Senator on February 11 pending reference to a committee; and on further motion by the same Senator, the bill was referred to the Committee on Appropriations and Financial Affairs and sent down for concurrence.

On motion by Mr. Lessard of Androscoggin.

Adjourned until tomorrow morning at ten o'clock.