

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 17, 1959

Senate called to order by the President.

Prayer by Rev. Herbert R. Houghton of Orono.

On motion by Mr. Wyman of Washington, Journal of last Friday read and approved.

House Papers

"Resolve Appropriating Moneys to Aid Construction of Dormitory at Higgins Classical Institute." (H. P. 853) (L. D. 1221)

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

Bill, "An Act Restating the Law Governing Insurance Agents, Brokers and Fees." (H. P. 854) (L. D. 1222)

Bill, "An Act Relating to Multiple Peril Fire Insurance Policies." (H. P. 855) (L. D. 1223)

Bill, "An Act to Revise the Fraternal Beneficiary Association Law." (H. P. 356) (L. D. 1224)

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

Bill, "An Act Revising Certain Election Laws." (H. P. 857) (L. D. 1225)

Bill, "An Act Relating to Time of Enrollment of Voters." (H. P. 858) (L. D. 1226)

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

Bill, "An Act Revising the Charter of the Yorkshire Municipal Court." (H. P. 859) (T. D. 1227)

Bill, "An Act Relating to Parking in Municipalities." (H. P. 860) (L. D. 1228)

Bill, "An Act Relating to Powers of Sheriffs to Arrest Without a Warrant." (H. P. 861) (L. D. 1229)

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

Bill, "An Act Increasing Burial Expenses Under Workmen's Compensation Act." (H. P. 862) (L. D. 1230)

Which was referred to the Committee on Labor in concurrence.

Bill, "An Act Relating to Powers of York Beach Village Corporation." (H. P. 863) (L. D. 1231)

Bill, "An Act Repealing the York Beach Village Corporation." (H. P. 864) (L. D. 1232)

Bill, "An Act Relating to Residence Requirement for Voters in City of Lewiston." (H. P. 865) (L. D. 1233)

Bill, "An Act Relating to Payments by Town of York to York Beach Village Corporation." (H. P. 868) (L. D. 1236)

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

Bill, "An Act Increasing Salary of Attorney General." (H. P. 866) (L. D. 1234)

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

Bill, "An Act Increasing Sales Tax." (H. P. 867) (L. D. 1235)

Which was referred to the Committee on Taxation in concurrence.

Bill, "An Act Increasing Salary of Register of Probate of Knox County." (H. P. 824) (L. D. 1165)

Bill, "An Act Relating to Effective Date for Salary Increase for County Officers and Judges and Recorders of Municipal Courts." (H. P. 869) (L. D. 1237)

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

**House Committee Reports
Leave to Withdraw**

The Committee on Election Laws on Bill, "An Act Permitting Town Officials of Freeport to be Nominated by Political Caucus." (H. P. 183) (L. D. 280) reported that same be granted Leave to Withdraw — Covered by Other Legislation.

The Committee on State Government on Bill, "An Act Providing Social Security for State Employees." (H. P. 597) (L. D. 843) reported that same be granted Leave to Withdraw.

Which reports were read and accepted in concurrence.

Ought Not to Pass

The Committee on Appropriations and Financial Affairs on "Resolve Relating to Research and Experimental Work in Relation to the Eradication of Aquatic Weeds." (H. P. 20) (L. D. 43) reported that the same Ought not to pass.

The Committee on Towns and Counties on Bill, "An Act Permitting Municipalities to Enter into Collective Bargaining Contracts with Labor Unions." (H. P. 257) (L. D. 368) reported that the same Ought not to pass.

Which reports were read and accepted in concurrence.

The Committee on Inland Fisheries and Game on "Resolve Opening Big Pleasant Lake and Spider Lake in Piscataquis County to Ice Fishing." (H. P. 157) (L. D. 234) reported that the same Ought not to pass.

Comes from the House, resolve substituted for report and passed to be engrossed.

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

Ought to Pass

The Committee on Agriculture on Bill, "An Act Relating to Fees of Licensed Milk Dealers on Certain Milk." (H. P. 526) (L. D. 761) reported that the same Ought to pass.

The Committee on Claims on "Resolve to Reimburse the Town of Jackson for Aid to Louise M. Tilton." (H. P. 279) (L. D. 411) reported that the same Ought to pass.

The same Committee on "Resolve to Reimburse New Canada Plantation for Aid Extended to Adrien Saucier and Family." (H. P. 536) (L. D. 771) reported that the same Ought to pass.

The same Committee on "Resolve Paying to the Estate of Ray E. Gordon Salary Earned by Ray E. Gordon." (H. P. 489) (L. D. 1217) reported that the same Ought to pass.

At this point a message was received from the House, delivered by Representative Wade of Auburn that the House proposed a convention of both branches of the Legislature to be held forthwith in the Hall of the House for a purpose of interest to the members of both branches.

The Senate retired to the Hall of the House for the Joint Convention.

(For proceedings of Joint Convention, see House Report.)

In the Senate

The Senate was called to order by the President.

The Secretary continued with the reading of the House Committee Reports.

The Committee on Education on Bill, "An Act to Create a School Administrative District in Allagash Plantation." (H. P. 519) (L. D. 754) reported that the same Ought to pass.

The Committee on Inland Fisheries and Game on "Resolve Regulating Fishing in Maranacook Lake, Kennebec County." (H. P. 196) (L. D. 288) reported that the same Ought to pass.

The same Committee on "Resolve Opening Sheepscot Lake, Waldco County, to Ice Fishing for Game Fish." (H. P. 496) (L. D. 709) reported that the same Ought to pass.

The same Committee on "Resolve Establishing Daily Limit of Trout on Ledge Pond, Charlotte Township, Washington County." (H. P. 498) (L. D. 711) reported that the same Ought to pass.

The same Committee on "Resolve Regulating Fishing in Wyman Lake, Somerset County." (H. P. 547) (L. D. 782) reported that the same Ought to pass.

The same Committee on "Resolve Regulating Fishing in Gull Pond, Franklin County." (H. P. 548) (L. D. 783) reported that the same Ought to pass.

The same Committee on "Resolve Regulating Fishing in Haley Pond, Franklin County." (H. P. 549) (L. D. 784) reported that the same Ought to pass.

The Committee on Judiciary on Bill, "An Act Relating to Settlements or Release from Injured Persons Confined in Hospitals." (H. P. 56) (L. D. 78) reported that the same Ought to pass.

(On motion by Mr. Hillman of Penobscot, tabled pending acceptance of the report.)

The Committee on Public Utilities on Bill, "An Act Relating to Bridge Guards Above Railroad Tracks." (H. P. 668) (L. D. 960) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Transportation of Baggage, Mail and Express by Motor Buses." (H. P. 696) (L. D.

996) reported that the same Ought to pass.

The same Committee on Bill, "An Act Clarifying Law Relating to Location of Ways Crossing Railroad Tracks." (H. P. 726) (L. D. 1031) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Collection of Water Resources Information." (H. P. 727) (L. D. 1032) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Chemical Treatment to Bushes Adjacent to Railroad Crossings." (H. P. 728) (L. D. 1033) 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.

Ought to Pass — N.D.

The Committee on Transportation on Bill, "An Act Providing for Registration of Stock Race Cars." (H. P. 457) (L. D. 663) reported same in New Draft (H. P. 871) (L. D. 1216) Under same Title, and that it Ought to pass.

Which report was read and accepted in concurrence, the bill in new draft read once and tomorrow assigned for second reading.

Ought to Pass — as amended

The Committee on Claims on "Resolve in Favor of Arthur Robbins of Gouldsboro." (H. P. 539) (L. D. 774) reported that the same Ought to pass with Committee Amendment A (Filing No. 67)

The Committee on Transportation on Bill, "An Act Relating to Fees for Registration of Motor Vehicles." (H. P. 572) (L. D. 805) reported that the same Ought to pass as amended by Committee Amendment A (Filing No. 68)

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

Communication

**STATE OF MAINE
OFFICE OF THE SECRETARY
OF SENATE**

March 17, 1959

To the Members of the Senate of the Ninety-ninth Maine State Legislature

This is to advise that the following bills: "An Act Relating to Annual Statements of Condition of Domestic Mutual Fire Insurance Companies." (H. P. 534) (L. D. 769) "An Act Relating to Annual Statements of Condition of Foreign Insurance Companies." (H. P. 532) (L. D. 767) which on March 12, 1959, we were requested to hold in the office of the Secretary of Senate for one legislative day, were transmitted to the Governor on March 13, 1959, at 2:20 p.m.

Respectfully,

(Signed) CHESTER T. WINSLOW
Secretary of the Senate

Which was read and ordered placed on file.

**Senate Committee Reports
Leave to Withdraw**

Mr. Pierce from the Committee on Appropriations and Financial Affairs on "Resolve to Provide Training in Fisheries Trade." (S. P. 45) (L. D. 73) reported that the same be granted Leave to Withdraw.

Mr. Charles from the Committee on Business Legislation on Bill, "An Act Authorizing the Issuance of Group Life Insurance on Dependents." (S. P. 269) (L. D. 731) reported that the same be granted Leave to Withdraw.

Mr. Ross from the Committee on State Government on Bill, "An Act Providing for Emergency Interim Executive and Judicial Succession." (S. P. 138) (L. D. 333) reported that the same be granted Leave to Withdraw.

The same Senator from the same Committee on Bill, "An Act Providing for Emergency Interim Legislative Succession." (S. P. 139) (L. D. 334) reported that the same be granted Leave to Withdraw.

The same Senator from the same Committee on Bill, "An Act Relating to Emergency Location of Governments for State Political Subdivisions." (S. P. 140) (L. D. 335)

reported that the same be granted Leave to Withdraw.

The same Senator from the same Committee on Bill, "An Act Relating to Emergency Location of State Government." (S. P. 141) (L. D. 336) reported that the same be granted Leave to Withdraw.

Mr. Hillman from the same Committee on Bill, "An Act Relating to Definition of In-State Bidder in State Bids." (S. P. 238) (L. D. 621) reported that the same be granted Leave to Withdraw — Covered by Other Legislation.

Which reports were severally read and accepted.

Sent down for concurrence.

Ought Not to Pass

Mr. Hillman from the Committee on State Government on Bill, "An Act Relating to Outstanding Sick Leave for Certain Employees of Department of Institutional Service." (S. P. 142) (L. D. 337) reported that the same Ought not to pass.

Mr. Farley from the Committee on Towns and Counties on Bill, "An Act Relating to Uniforms for Deputy Sheriffs." (S. P. 125) (L. D. 274) reported that the same Ought not to pass.

(On motion by Mr. Stilphen of Knox, tabled pending acceptance of the report.)

The same Senator from the same Committee on Bill, "An Act Relating to County Office Space of State Probation-Parole Officers." (S. P. 197) (L. D. 492) reported that the same Ought not to pass.

Which reports were severally read and accepted.

Sent down for concurrence.

Ought to Pass

Mr. Charles from the Committee on Business Legislation on Bill, "An Act Relative to Trading Stamp Companies." (S. P. 306) (L. D. 852) reported that the same Ought to pass.

Mr. Cote from the same Committee on Bill, "An Act Relating to Nonforfeiture Benefits and Valuation Standards for Life Insurance Policies." (S. P. 270) (L. D. 732) reported that the same Ought to pass.

Mr. Ross from the Committee on State Government on Bill, "An Act Relating to Disposition of Funds Received by State Park Commission."

(S. P. 281) (L. D. 743) reported that the same Ought to pass.

The same Senator from the same Committee on "Resolve Proposing an Amendment to the Constitution to Provide Continuity of Government in Case of Enemy Attack." (S. P. 143) (L. D. 338) reported that the same Ought to pass.

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

Second Readers

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

House

Bill, "An Act Increasing Payments to York County Law Library." (H. P. 39) (L. D. 59)

Bill, "An Act Relating to Residence of Judge of Eastport Municipal Court." (H. P. 395) (L. D. 578)

Bill, "An Act Relating to Residence Requirement in Public Assistance." (H. P. 577) (L. D. 810)

Bill, "An Act Amending the Charter of the City of Biddeford." (H. P. 842) (L. D. 1163)

"Resolve Regulating Bass Fishing in Sebago Lake, Cumberland County." (H. P. 288) (L. D. 435)

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

House — as amended

Bill, "An Act to Regulate Privately Owned Correspondence Schools." (H. P. 284) (T. D. 431)

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

Sent down for concurrence.

Bill, "An Act relating to Dragging for Scallops in Bagaduce River and Bay in Hancock County." (H. P. 365) (L. D. 524)

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

Senate

Bill, "An Act Changing the Date of Municipal Election in City of Saco." (S. P. 317) (L. D. 879)

Bill, "An Act Relating to Vacancies in City Council of City of Rockland." (S. P. 33) (L. D. 913)

Bill, "An Act Relating to Absent Voting." (S. P. 428) (L. D. 1243)
(On motion by Mr. Hunt of Kennebec, tabled pending passage to be engrossed.)

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 Authorizing the National Tuberculosis Association to Hold Meetings Outside the State." (H. P. 294) (L. D. 441)

Bill, "An Act Repealing the Incorporation of the Officers and Members of Lafayette Lodge." (H. P. 463) (L. D. 681)

Bill, "An Act Concerning Tuition of Children in Temporary Residence on State-Owned Property." (H. P. 489) (L. D. 702)

Bill, "An Act Relating to Duties of Warden of State Prison Concerning Convict's Property." (S. P. 80) (L. D. 152)

Bill, "An Act Relating to Work Permits for Minors." (S. P. 116) (L. D. 266)

(On motion by Mr. Wyman of Washington, tabled pending passage to be enacted.)

Bill, "An Act Relating to Doors on Schoolhouses." (S. P. 255) (L. D. 668)

Bill, "An Act Relating to Acceptance of Outside Funds for Labor and Industry Research and Statistics." (S. P. 387) (L. D. 1078)

Which bills were severally passed to be enacted.

Orders of the Day

Mr. Lessard of Androscoggin was granted unanimous consent to address the Senate.

Mr. LESSARD: Mr. President and members of the Senate: If you will turn to your calendars for today on Page 5. In his absence, the Senator from Sagadahoc, Senator Ross, has asked me to explain why there were certain bills withdrawn. Perhaps some of you have wondered as to the reason, and this is merely an explanation as to why they were withdrawn. You notice that on Items 6-3, 6-4, 6-5 and 6-6 leave has been granted to withdraw by the commit-

tee. This was merely legislation introduced to explain if the constitutional amendment 6-14 passed. Senator Ross and the committee thought that the members might like some kind of explanation and that is the explanation. It was considered that these other items could not be introduced at this session until 6-14, the constitutional amendment was introduced.

The PRESIDENT: The Chair thanks the Senator from Androscoggin, Senator Lessard, for his information.

On motion by Mr. Martin of Kennebec, the Senate voted to take from the table Senate Report from the Committee on Inland Fisheries and Game "Ought to Pass" on bill, "An Act Relating to Special Dog Training Areas." (S. P. 23) (L. D. 3) tabled by that Senator on February 12 pending acceptance of the report; and on further motion by the same Senator, the report was accepted, the bill read once and tomorrow assigned for second reading.

On motion by Mr. Martin of Kennebec, the Senate voted to take from the table Senate Report from the Committee on Judiciary "Ought not to pass" on "Resolve Proposing an Amendment to the Constitution to Permit Voting by Civilians Residing on Federal Property." (S. P. 71) (L. D. 121) tabled by that Senator on March 11 pending acceptance of the report; and on further motion by the same Senator, the resolve was recommitted to the Committee on Judiciary.

Sent down for concurrence.

On motion by Mr. Rogerson of Aroostook, the Senate voted to take from the table bill, "An Act Relating to Retirement Benefits Under the Maine State Retirement System." (H. P. 627) (L. D. 874) tabled by that Senator on March 12 pending enactment; and on further motion by the same Senator, the bill was recommitted to the Committee on Retirements and Pensions.

Sent down for concurrence.

On motion by Mr. Carpenter of Somerset, the Senate voted to take from the table Senate Report from the Committee on Taxation "Ought

to Pass with Committee amendment A" on bill, "An Act Relating to Apportionment to Municipalities of Tax on Railroad Companies and Telephone and Telegraph." (S. P. 219) (L. D. 558) tabled by that Senator on March 10 pending acceptance of the report; and on further motion by the same Senator, the report was accepted, the bill read once, Committee Amendment A read and adopted and the bill as amended tomorrow assigned for second reading.

The PRESIDENT: Under Orders of the Day the Chair would like to make the appointment of the Senator from Kennebec, Senator Dunn as the fourth member of the Committee on Bills in the Second Reading.

There are two or three other items that the Chair would like to pass out for the general information of Senate members. Although these items are not in our established rule book they are nevertheless more or less unwritten rules that have been established through precedent over the years to maintain the high decorum and dignity which the Senate has always been earmarked with.

The first unwritten rule is that a Senator when in the Senate Chamber shall be in his or her seat. Secondly, that the Senators should retire from the Senate Chamber when conversing with other persons, with other Senators or other individuals. Thirdly, that messages between Senators and their constituents should be delivered either by the doorkeeper or by the pages.

These are three unwritten rules that more or less help build up the dignity of the Senate, and I am sure you join with me in wanting to maintain this procedure which has always been current. I pass that out for the general information of the Senate.

Also the Chair would like to extend to any member of the Senate who so desires the opportunity to preside at any time. If any member wishes to do so, the Chair would be more than happy to arrange for a time. A cordial invitation is extended to any member to preside at any time. If you will just call upon the Chair he will be happy to make arrangements.

On motion by Mr. Dunn of Kennebec,

Adjourned until ten o'clock tomorrow morning.