

# 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, March 25, 1959

Senate called to order by the President.

Prayer by Rev. Henry Webber of South Gardiner.

On motion by Mr. Charles of Cumberland,

Journal of yesterday read and approved.

**House Committee Reports  
Leave to Withdraw**

The Committee on Liquor Control on Bill, "An Act Relating to Sale of Certain Beverages to Minors." (H. P. 503) (L. D. 716) reported that same be granted Leave to Withdraw as Covered by Other Legislation.

The same Committee on Bill, "An Act Permitting Sale of Malt Liquor Not to be Consumed on the Premises on Sunday Afternoons." (H. P. 793) (L. D. 1125) reported that same be granted Leave to Withdraw.

The same Committee on Bill, "An Act Relating to Peddling Malt Liquor." (H. P. 816) (L. D. 1154) reported that same be granted Leave to Withdraw.

The Committee on Towns and Counties on Bill, "An Act Increasing Number of Medical Examiners for Piscataquis County." (H. P. 79) (L. D. 117) reported that same be granted Leave to Withdraw.

Which reports were severally read and accepted in concurrence.

**Ought Not to Pass**

The Committee on Business Legislation on Bill, "An Act Relating to Form of Standard Fire Insurance Policy." (H. P. 531) (L. D. 766) reported that the same Ought not to pass.

The Committee on Judiciary on Bill, "An Act Relating to Property Damage for Report Under Financial Responsibility Law." (H. P. 559) (L. D. 793) reported that the same Ought not to pass.

The same Committee on Bill, "An Act Relating to Duty of Medical Examiners in Deaths in Motor Vehicle Accidents." (H. P. 646) (L. D. 937) reported that the same Ought not to pass.

The same Committee on Bill, "An Act Relating to Residence Require-

ment for Recorder of Westbrook Municipal Court." (H. P. 692) (L. D. 992) reported that the same Ought not to pass.

Which reports were severally read and accepted in concurrence.

**Ought to Pass**

The Committee on Education on Bill, "An Act Relating to Filling Vacancies in Board of School Directors of a School Administrative District." (H. P. 389) (L. D. 572) reported that the same Ought to pass.

The same Committee on Bill, "An Act to Authorize the Municipalities of Carmel, Hermon, Glenburn and Levant to Form a School Administrative District." (H. P. 686) (L. D. 986) reported that the same Ought to pass.

The same Committee on Bill, "An Act to Authorize the Municipalities of Bradford, Charleston, Corinth, Hudson and Kenduskeag to Form a School Administrative District." (H. P. 687) (L. D. 987) reported that the same Ought to pass.

The Committee on Inland Fisheries and Game on Bill, "An Act Closing Great Chebeague Island to Hunting for Snowshoe Hares." (H. P. 638) (L. D. 929) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Free Hunting, Trapping and Fishing Licenses for Indians." (H. P. 639) (L. D. 930) reported that the same Ought to pass.

(On motion by Mr. Carpenter of Somerset, the bill was recommitted to the Committee on Inland Fisheries and Game in non-concurrence.

Sent down for concurrence.

The same Committee on "Resolve Regulating Fishing in Ruffingham Meadow Game Management Area Flowage, Waldo County." (H. P. 497) (L. D. 710) 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 Towns and Counties on Bill, "An Act Relating to Fees of Registers of Deeds for Mechanical Methods of Recording." (H. P. 50) (L. D. 70) reported that the same Ought to pass.

In House, report accepted, House Amendment A (Filing 101) adopted, and bill as so amended passed to be engrossed.

In the Senate, the report was read and accepted, the bill read once, House Amendment A read and adopted in concurrence and the bill as amended, tomorrow assigned for second reading.

#### Ought to Pass — N. D.

The Committee on Highways on "Resolve Designating the Interstate Highway System in Maine as Brian M. Jewett Memorial Highway." (H. P. 148) (L. D. 204) reported same in New Draft (H. P. 907) (L. D. 1278) under same title, and that it Ought to pass.

Which report was read and accepted in concurrence and the resolve read once, and on motion by Mr. Stilphen of Knox under suspension of the rules, the resolve was given its second reading and passed to be engrossed in concurrence.

#### Ought to Pass — N.D. — New Title

The Committee on Inland Fisheries and Game on "Resolve Regulating Fishing in Washington Pond, Knox County." (H. P. 110) (L. D. 165) reported same in New Draft (H. P. 908) (L. D. 1279) Under New Title: "Resolve Regulating Fishing in Washington Pond, Crystal Pond and Alford Lake, Knox County." and that it Ought to pass.

Which report was read and accepted in concurrence, the resolve in New Draft, under New Title, read once and tomorrow assigned for second reading.

Majority — ONTP  
Minority — OTP

The Majority of the Committee on Liquor Control on Bill, "An Act Relating to Sale of Malt Liquor in Glass Containers." (H. P. 310) (L. D. 457) reported that the same Ought not to pass.

(Signed)

Senators:

WILLEY of Hancock  
CARPENTER of Somerset  
BOUCHER of Androscoggin

Representatives:

MAYO of Bath  
BROWN of Bangor

DOSTIE of Winslow  
COUTURE of Lewiston  
LACHARITE of Brunswick

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

Representatives:

CHRISTIE of Presque Isle  
CHAPMAN of Norway

In House, Majority Report accepted.

In the Senate, on motion by Mr. Carpenter of Somerset, the Majority "Ought not to pass" report was accepted in concurrence.

Majority — ONTP  
Minority — OTP

The Majority of the Committee on State Government on Bill, "An Act Relating to Term of Office of Department Heads Appointed by Governor." (H. P. 613) (L. D. 873) reported that the same Ought not to pass.

(Signed)

Senators:

ROSS of Sagadahoc  
HILLMAN of Penobscot

Representatives:

WADE of Auburn  
SANBORN of Gorham  
SMITH of Exeter  
DENNETT of Kittery

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

Senator

LESSARD of Androscoggin

Representatives:

PLANTE of Old Orchard Beach  
BARNETT of Augusta  
COYNE of Waterville

In House, Majority Report accepted.

In the Senate:

Mr. HILLMAN of Penobscot: Mr. President, I move that the Senate accept the Majority "Ought not to pass" report in concurrence.

Thereupon, on motion by Mr. Lessard of Androscoggin, the bill and accompanying papers were laid upon the table pending motion by Mr. Hillman to accept the Majority "Ought not to pass" report.

Communication

STATE HIGHWAY COMMISSION  
State of Maine  
Augusta

March 24, 1959

To the Honorable Senate and House of Representatives of the Ninety-ninth Legislature

Transmitted herewith is the tenth Biennial Report of the Maine — New Hampshire Interstate Bridge Authority. This biennial report is presented in accordance with an Act of the State of Maine, Chapter 18, Article VI, Private and Special Laws of 1937.

Respectfully

(Signed) DAVID H. STEVENS  
David H. Stevens, Chairman  
Maine-New Hampshire Interstate  
Bridge Authority

(S. P. 435)

Which was read and ordered placed on file.

Sent down for concurrence.

Mr. Charles of Cumberland presented the following Resolution:

“Joint Resolution Memorializing Congress to End Discrimination in Pay of Retired Military Personnel.” (S. P. 434)

Thereupon, on motion by Mr. Charles of Cumberland, the Resolution was referred to the Committee on Veterans and Military Affairs.

Sent down for concurrence.

**Order**

Mr. Woodcock of Penobscot presented the following Order and moved its passage:

ORDERED, that the Secretary of the Senate be authorized to control the use of the Senate Chamber when the Senate is not in session unless the Senate shall otherwise order.

Which Order received a passage.

**Senate Committee Reports  
Leave to Withdraw**

Mr. Hillman from the Committee on Agriculture on Bill, “An Act Relating to Price Controls on Milk.” (S. P. 320) (L. D. 896) reported that same be granted Leave to Withdraw.

Mr. Stilphen from the Committee on Highways on Bill, “An Act Relating to Directional Signs at the Falmouth Spur, So Called.” (S. P. 35) (L. D. 33) reported that same be granted Leave to Withdraw.

Which reports were read and accepted.

Sent down for concurrence.

**Ought Not to Pass**

Mr. Thurston from the same Committee on Bill, “An Act Relating to Directional Sign for Lewiston-Auburn at the Falmouth Spur, so called.” (S. P. 326) (L. D. 902) reported that the same Ought not to pass — Covered by Other Legislation.

Which report was read and accepted.

Sent down for concurrence.

**Ought to Pass — N.D.**

Mr. Thurston from the Committee on Highways on Bill, “An Act Relating to Area Directional Signs.” (S. P. 160) (L. D. 380) reported same in New Draft (S. P. 436) (L. D. 1284) Under Same Title and that it Ought to pass.

Which report was read and accepted, the bill in New Draft read once and 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 Relating to Disposition of Unorganized Township Fund.” (H. P. 578) (L. D. 825)

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

Bill, “An Act Relating to Yearly Timber Cut Reports to Forest Commissioner.” (H. P. 725) (L. D. 1030)

Bill, “An Act Relating to Yield Signs on Highways.” (H. P. 733) (L. D. 1038)

Bill, “An Act Relating to Display of Lights on Motor Vehicles.” (H. P. 734) (L. D. 1039)

“Resolve Naming Maine Mountains the Longfellow Mountains of Maine.” (H. P. 593) (L. D. 839)

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

**House — as amended**

Bill, "An Act Relating to Survivor Benefits and Budget Estimates Under Maine State Retirement System." (H. P. 217) (L. D. 308)

Bill, "An Act Relating to Management and Powers of the Farmington Village Corporation." (H. P. 357) (L. D. 516)

Bill, "An Act Entitling Blind Persons Accompanied by Guide Dogs to Certain Accommodations." (H. P. 694) (L. D. 994)

Bill, "An Act Relating to Registration of Certain Vehicles Owned by Maine Residents." (H. P. 825) (L. D. 1162)

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

**Senate**

Bill, "An Act Clarifying Laws Relating to the Maine Industrial Building Authority." (S. P. 215) (L. D. 554)

Bill, "An Act to Authorize the County Commissioners of Cumberland County to Issue Bonds for Construction of a County Jail." (S. P. 264) (L. D. 677)

Bill, "An Act Relating to Municipal Court Dockets." (S. P. 331) (L. D. 907)

Bill, "An Act to Authorize Independent or Internal Bank Auditors in Lieu of Directors' Examinations." (S. P. 373) (L. D. 1100)

Bill, "An Act Relating to Definition of Retail Sale Under Liquor Laws." (S. P. 382) (L. D. 1108)

"Resolve Appropriating Money for Completion of Court Rules." (S. P. 323) (L. D. 899)

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

Sent down for concurrence.

**Senate — as amended**

Bill, "An Act Relating to Gifts of Securities and Money to Minors." (S. P. 169) (L. D. 413)

Bill, "An Act to Revise the Inland Fish and Game Laws." (S. P. 205) (L. D. 544)

Bill, "An Act Prohibiting the Sale of Near Beer to Minors." (S. P. 368) (L. D. 1051)

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 bills and resolves:**

Bill, "An Act Relating to Town Meetings of Sanford." (H. P. 12) (L. D. 21)

Bill, "An Act Regulating Live Bait for Fishing." (H. P. 109) (L. D. 164)

Bill, "An Act Relating to Applications for Voter Registration." (H. P. 543) (L. D. 778)

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

(On motion by Mr. Rogerson of Aroostook, the bill was laid upon the Special Appropriations Table pending passage to be enacted.)

Bill, "An Act Relating to Time of Filing Nomination Papers and Date of State Conventions." (H. P. 885) (L. D. 1238)

Bill, "An Act Providing for Evening Sessions of Boards of Registration." (H. P. 886) (L. D. 1239)

Bill, "An Act Relating to Optional Methods of Nominating Town Officials." (H. P. 887) (L. D. 1240)

Bill, "An Act Relating to Taking Land for Public Access Sites to Merrymeeting Bay." (H. P. 888) (L. D. 1241)

Bill, "An Act Relating to Report by Licensed Small Loan Agencies." (H. P. 889) (L. D. 1242)

Bill, "An Act Providing Ferry Service Between Mainland and Islands in Casco Bay, Cumberland County." (S. P. 246) (L. D. 629)

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. 337) (L. D. 913)

Which bills severally were passed to be enacted.

Resolve, Appropriation for the Purchase of Informational Materials for Use in the Education of Retarded Children." (H. P. 132) (L. D. 190)

(On motion by Mr. Rogerson of Aroostook, the resolve was laid upon the Special Appropriations Table pending final passage.)

"Resolve Regulating Fishing in Narrows Pond, Kennebec County." (H. P. 195) (L. D. 287)

“Resolve Regulating Fishing in Little Concord Pond, in the Town of Woodstock, Oxford County.” (H. P. 554) (L. D. 789)

Which resolves were finally passed.

#### Emergency

Bill, “An Act Relating to the Procedure of the City Council of South Portland.” (H. P. 421) (L. D. 605)

Which bill, being an emergency measure, and having received the affirmative vote of 31 members of the Senate, was passed to be enacted.

#### Emergency

Bill, “An Act Providing for the Construction of an Addition to Connor Elementary School in the Unorganized Territory.” (H. P. 460) (L. D. 678)

Which bill, being an emergency measure, and having received the affirmative vote of 31 members of the Senate, was passed to be enacted.

On motion by Mr. Hillman of Penobscot, the Senate voted to take from the table House Report from the Committee on Taxation “Ought Not to pass” on bill, “An Act Relating to Taxation of Intangible Personal Property.” (H. P. 450) (L. D. 656) tabled by that Senator on March 24 pending acceptance of the report; and on further motion by the same Senator, the bill was re-committed to the Committee on Taxation in non-concurrence.

Sent down for concurrence.

On motion by Mr. Hillman of Penobscot, the Senate voted to take from the table House Report from the Committee on Taxation “Ought not to pass” on bill, “An Act Relating to Excise Tax on Commercial Trailers.” (H. P. 451) (L. D. 657) tabled by that Senator on March 24 pending acceptance of the report; and on further motion by the same Senator, the bill was re-committed to the Committee on Taxation in non-concurrence.

Sent down for concurrence.

On motion by Mr. Bates of Penobscot, the Senate voted to take from the table House Report from the Committee on Taxation “Ought

not to pass” on bill, “An Act Relating to Taxation of Manufacturers’ Inventories” (H. P. 509) (L. D. 722) tabled by that Senator on March 24 pending acceptance of the report; and on further motion by the same Senator, the bill was re-committed to the Committee on Taxation in non-concurrence.

Sent down for concurrence.

On motion by Mr. Dow of Lincoln, the Senate voted to take from the table Senate Report from the Committee on Labor “Ought to pass” on bill, “An Act Relating to Employment of Minors under 18 Years of Age.” (S. P. 102) (L. D. 220) tabled by that Senator on March 5 pending acceptance of the report.

Mr. DOW of Lincoln: Mr. President, this bill as I read it, would prevent any person under eighteen from working at any kind of job that the Labor Department determines is not a suitable place to work, either for hazardous or moral reasons. I personally do not like this bill. I believe that the determination of where a minor should work, because of moral and other hazards, should be determined by parents and guardians and not by the State or its representatives. We already have too many laws regulating where and when a person can work. I say that this bill is restrictive and unnecessary and is just one more step to deprive our citizens of home rule. I realize that this is the unanimous committee report and that the members of this committee heard the bill and I did not, and, believing that they are capable of deciding this issue for the best of all of us, although I still do not like the bill, I now move that the “Ought to pass” report of the committee be accepted.

Mr. ROSS of Sagadahoc: Mr. President, in substantiating the committee report, I would like to make a few comments.

I also do not condone the creeping paralysis of government regulations. I also agree that parents should have certain discretionary powers as to what their children may or may not do; but in certain occupations in business and industry many parents do not realize the hazards, and when an accident does happen — and many of them do happen —

these same parents are the very first to say that they did not realize that the gun was loaded.

Now at the present time under our present laws certain jobs, not the industry in its entirety, but certain jobs in manufacturing, mechanics, laundry, dry-cleaning, b a k e r y and such are deemed hazardous and minors are prohibited from holding these jobs for their own safety and their own protection. Now if this theory is wise, and I believe it is, perhaps we should go a little bit further at the present time, because times do change and other jobs have become extremely hazardous, such as processing, construction, woods operations, tree surgery and transportation. This list will continue to change with the evolution of the industrial processes, and, rather than keep adding jobs each time or perhaps deleting them, it seemed advisable to use general terminology.

I want you to remember that it is not the business or industry as a whole, it is just the job in that business or industry that it is to be determined whether it is hazardous or not. This is left to the Commissioner of the Department of Labor, and, so that no commissioner can get completely out of line, there are two safeguards. Before a job can be added as a hazardous job there has to be a public hearing, and, as a further safeguard, it is already in the law that the manufacturer and the person have the right to appeal in all cases, and I certainly do support the committee report.

Thereupon the report was read and accepted, the bill read once, and tomorrow assigned for second reading.

On motion by Mr. Wyman of Washington, the Senate voted to take from the table (S. P. 116) (L. D. 226) Bill "An Act Relating to Work Permits for Minors," which was tabled on March 17th by that Senator pending passage to be enacted; and on further motion by the same Senator the bill was passed to be enacted.

The PRESIDENT: At this time the Chair notes in the Senate

Chamber the presence of the son of one of our members and is happy to welcome to the Senate this morning Howard Bates, the oldest son of the Senator from Penobscot, Senator Bates, and the Chair will ask the Sergeant-at-Arms to escort Howard Bates to the rostrum. (Applause, members rising)

The PRESIDENT: Also in the Senate Chamber this morning the Chair recognizes the presence of a former distinguished member of this honorable Body and is happy on behalf of the Senate to welcome to the Senate Chamber this morning the Hon. Paul Slocum, former Senator from Cumberland County, and the Chair will ask the Sergeant-at-Arms to escort the Hon. Paul Slocum to the rostrum. (Applause, members rising)

On motion by Mr. Fournier of York, the Senate voted to take from the table (S. P. 44) (L. D. 42) Senate Report "Ought not to Pass" from the Committee on Sea and Shore Fisheries on Bill, "An Act Permitting the Digging of Clams in Limits of Saco for Bait only," which was tabled on February 17th by that Senator 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.

The PRESIDENT: The Chair recognizes in the Senate Chamber the presence of a distinguished citizen of the State of Maine and is happy to have him here this morning. On behalf of the Senate, the Chair welcomes the Hon. Robert Travis, Chairman of the Executive Council, and asks that the Sergeant-at-Arms escort the Hon. Robert Travis to the rostrum. (Applause, members rising)

On motion by Mr. Coffin of Cumberland,

Adjourned until ten o'clock tomorrow morning.