

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

Thursday, March 26, 1959

Senate called to order by the President.

Prayer by Rev. Horace E. Colpitts of Augusta.

On motion by Mr. Cole of Waldo, Journal of yesterday read and approved.

The PRESIDENT: The Chair notes in the Senate Chamber the presence of a distinguished former member of this body and would ask the Sergeant-at-Arms to escort the Hon. Malcolm Noyes to the rostrum. (Applause, members rising)

Papers from the House

Bill, "An Act Relating to Hydraulic Brake Fluid for Motor Vehicles." (H. P. 73) (L. D. 111)

In Senate on March 13, passed to be engrossed as amended by Committee Amendment A (Filing 57) in concurrence.

Comes from the House, passed to be engrossed as amended by Committee Amendment A and as amended by House Amendment A (Filing 116) in non-concurrence.

In the Senate, that Body voted to recede and concur.

Bill, "An Act Regulating Horse and Ox Pulling Contests." (S. P. 48) (L. D. 81)

The Senate accepted the Majority Report — Ought to pass in Second New Draft (S. P. 433) (L. D. 1280), New Title: "An Act Relating to Licensing of Horse and Ox Pulling Contests." from the Committee on Agriculture, and on March 24 passed the bill to be engrossed.

Comes from House, Reports and Bill Indefinitely Postponed in non-concurrence.

In the Senate, on motion by Mr. Hillman of Penobscot, the Senate voted to insist on its former action and ask for a Committee of conference; the President appointed as members of such committee, Senators: Hillman of Penobscot, Dow of Lincoln and St. Pierre of Androscoggin.

House Committee Reports Ought Not to Pass

The Committee on Highways on Bill, "An Act Relating to Area

Directional Signs for Winthrop Lakes Region." (H. P. 285) (L. D. 432) reported that the same Ought not to pass. Covered by Other Legislation.

The same Committee on Bill, "An Act Relating to Area Directional Sign for Sebago Lake, West Shore." (H. P. 490) (L. D. 703) reported that the same Ought not to pass. Covered by Other Legislation."

The same Committee on Bill, "An Act Providing Area Directional Signs for Bath Area." (H. P. 616) (L. D. 884) reported that the same Ought not to pass. Covered by Other Legislation.

Which reports were severally read and accepted in concurrence.

The Committee on State Government on Bill, "An Act Increasing Salary of Members of the Legislature." (H. P. 15) (L. D. 24) reported that the same Ought not to pass.

Comes from the House, bill substituted for the report and passed to be engrossed as amended by House Amendment A (Filing 61)

In the Senate, on motion by Mr. Woodcock of Penobscot, the bill was laid upon the table pending acceptance of the report.

Ought to Pass

The Committee on Business Legislation on Bill, "An Act Relating to Cost of Furnishing Copies of Insurance Laws and Related Information." (H. P. 682) (L. D. 982) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Loan and Building Associations." (H. P. 803) (L. D. 1142) reported that the same Ought to pass.

The Committee on Judiciary on Bill, "An Act Permitting Certain Public Utility Corporations to Hold Stockholders Meetings Outside the State." (H. P. 440) (L. D. 646) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Acceptance of Surety Company Bonds in Lieu of Bail Bonds or Other Sureties." (H. P. 556) (L. D. 790) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Use of Prior Convictions in Motor Vehicle Registration and License Suspensions." (H.

P. 558) (L. D. 792) reported that the same Ought to pass.

The same Committee on Bill, "An Act Increasing Payment to Washington County Law Library." (H. P. 617) (L. D. 885) reported that the same Ought to pass.

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

Ought to Pass — N.D.

The Committee on Liquor Control on Bill, "An Act Relating to Credit Between Malt Beverage Manufacturers and Wholesalers." (H. P. 815) (L. D. 1153) reported same in New Draft (H. P. 910) (L. D. 1282) under the 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 Appropriations and Financial Affairs on Bill, "An Act Relating to Planting Forest Nursery Tree Seedlings." (H. P. 127) (L. D. 185) reported that the same Ought to pass as amended by Committee Amendment A (Filing 102)

The Committee on Business Legislation on recommitted Bill, "An Act Relating to Pre-arranged Payments for Funerals or Burial Plans." (H. P. 631) (L. D. 923) reported that the same Ought to pass as amended by Committee Amendment A (Filing 77)

The same Committee on Bill, "An Act Pertaining to Fire, Marine and Inland Marine Insurance Rate Regulation." (H. P. 787) (L. D. 1119) reported that the same Ought to pass as amended by Committee Amendment A (Filing 103)

The Committee on Education on Bill, "An Act Relating to Withdrawal of Town From School Supervisory Union." (H. P. 541) (L. D. 776) reported that the same Ought to pass as amended by Committee Amendment A (Filing 98)

The Committee on Highways on Bill, "An Act Relating to Transfer to State of Maine of Portland Bridge, Cumberland County." (H. P. 745) (L. D. 1064) reported that the

same Ought to pass as amended by Committee Amendment A (Filing 105)

The Committee on Inland Fisheries and Game on Bill, "An Act Relating to Open Season on Fisher in Certain Counties." (H. P. 606) (L. D. 866) reported that the same Ought to pass as amended by Committee Amendment A (Filing 106)

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

The Committee on Judiciary on Bill, "An Act Relating to Dissolution of Corporations for Non-use of Corporate Powers." (H. P. 645) (L. D. 936) reported that the same Ought to pass as amended by Committee Amendment A (Filing 108)

Comes from the House, report accepted and the bill passed to be engrossed as amended by Committee Amendment A and House Amendment A (Filing 120)

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

The PRESIDENT: At this time the Chair would like to welcome to the Senate Chamber on behalf of the members of the Maine Senate members of the 8th grade of the Winthrop Grammar School, accompanied by teachers Mrs. Leavitt and Mrs. Hibbs. We are pleased to have you young folks with us this morning. We hope that your visit will be educational as well as interesting, and we are happy to have you here as our guests. Please make yourselves at home and enjoy as much of this day as possible. (Applause)

Majority — ONTP
Minority — OTP

The Majority of the Committee on Liquor Control on Bill, "An Act Relating to Hours of Selling Liquor."

(H. P. 120) (L. D. 175) reported that the same Ought not to pass.

(Signed)

Senators:

CARPENTER of Somerset
BOUCHER of Androscoggin

Representatives:

BROWN of Bangor
LACHARITE of Brunswick
DOSTIE of Winslow
COUTURE of Lewiston

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

(Signed)

Senator

WILLEY of Hancock

Representatives:

CHRISTIE of Presque Isle
CHAPMAN of Norway

In House, Minority Report accepted and the bill passed to be engrossed.

In the Senate:

Mr. WILLEY of Hancock: Mr. President, I move that the Minority Report be accepted in concurrence.

Thereupon, on motion by Mr. Boucher of Androscoggin, the bill and accompanying papers were laid upon the table pending motion by Mr. Willey of Hancock to accept the Minority Report in concurrence.

Majority — OTP

Minority — ONTP

The Majority of the Committee on Liquor Control on Bill, "An Act Relating to Local Option for a Certain Liquor Question." (H. P. 213) (L. D. 304) reported that the same Ought to pass.

(Signed)

Senators:

WILLEY of Hancock
CARPENTER of Somerset
BOUCHER of Androscoggin

Representatives:

MAYO of Bath
BROWN of Bangor
CHAPMAN of Norway
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 not to pass.

(Signed)

Representative

CHRISTIE of Presque Isle

In House, Majority Report ac-

cepted and the bill passed to be engrossed.

In the Senate, on motion by Mr. Carpenter of Somerset, the Majority Report was read and accepted in concurrence, the bill read once and tomorrow assigned for second reading.

Majority — OTP

Minority — ONTP

The Majority of the Committee on Liquor Control on Bill, "An Act Relating to Definition of Tavern Under Liquor Laws." (H. P. 695) (L. D. 995) reported that the same Ought to pass.

(Signed)

Senator:

BOUCHER of Androscoggin

Representatives:

DOSTIE of Winslow
COUTURE of Lewiston
BROWN of Bangor
MAYO of Bath
LACHARITE of Brunswick

The Minority of the same Committee on the same subject matter, reported that the bill Ought not to pass.

(Signed)

Senators:

WILLEY of Hancock
CARPENTER of Somerset

Representatives:

CHAPMAN of Norway
CHRISTIE of Presque Isle

In House, Majority Report accepted and the bill passed to be engrossed.

In the Senate, on motion by Mr. Boucher of Androscoggin, the Majority Report was accepted in concurrence, the bill read once and tomorrow assigned for second reading.

The PRESIDENT: At this time the Chair notes in the Senate Chamber the presence of a distinguished citizen of the State of Maine, a former member of the Legislature and a former member of the Executive Council, and would ask the Sergeant-at-Arms to escort the Hon. Earl Fenlason of Madison to the rostrum. (Applause, members rising)

Majority — OTP

Minority — ONTP

The Majority of the Committee on Liquor Control on Bill, "An Act Re-

lating to Local Option for Sale of Malt Liquor in Clubs and Part-time Hotels." (H. P. 722) (L. D. 1027) reported that the same Ought to pass.

(Signed)

Senators:

WILLEY of Hancock
CARPENTER of Somerset
BOUCHER of Androscoggin

Representatives:

MAYO of Bath
BROWN of Bangor
CHAPMAN of Norway
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 not to pass.

(Signed)

Representative

CHRISTIE of Presque Isle

In House, Majority Report accepted and the bill passed to be engrossed.

In the Senate, on motion by Mr. Willey of Hancock, the Majority Report was read and accepted in concurrence, the bill read once and tomorrow assigned for second reading.

The PRESIDENT: At this time the Chair is happy to recognize in the Senate Chamber gallery, members of Deering High School, Portland, Maine, accompanied by teachers Miss Sarah Cowan and Mr. Lynwood Elliott. On behalf of the Senate the Chair welcomes you this morning and hopes that your visit will be educational and profitable. We are pleased to have you here. (Applause, members rising)

Majority — OTP — N.D.

Minority — ONTP

The Majority of the Committee on Liquor Control on Bill, "An Act Relating to Local Option for Sale of Malt Liquor by Hotels and Clubs." (H. P. 723) (L. D. 1028) reported same in New Draft (H. P. 909) (L. D. 1281) Under the same Title, and that it Ought to pass.

(Signed)

Senators:

WILLEY of Hancock
CARPENTER of Somerset
BOUCHER of Androscoggin

Representatives:

MAYO of Bath
BROWN of Bangor
CHAPMAN of Norway
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 not to pass.

(Signed)

Representative

CHRISTIE of Presque Isle

In House, Majority Report accepted and the bill in New Draft passed to be engrossed.

In the Senate, on motion by Mr. Carpenter of Somerset, the Majority Report was read and accepted in concurrence, the bill read once and tomorrow assigned for second reading.

Report A — OTP

Report B — ONTP

Five members of the Committee on State Government on Bill, "An Act to Reimburse City of Augusta for Loss of Tax Revenue." (H. P. 178) (L. D. 249) reported (Report A) that the same Ought to pass.

(Signed)

Senators:

ROSS of Sagadahoc
LESSARD of Androscoggin

Representatives:

BARNETT of Augusta
WADE of Auburn
SANBORN of Gorham

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

(Signed)

Senator:

HILLMAN of Penobscot

Representatives:

PLANTE of Old Orchard
Beach
SMITH of Exeter
COYNE of Waterville
DENNETT of Kittery

In House, reports and bill Indefinitely Postponed.

In the Senate:

Mr. HILLMAN of Penobscot: Mr. President, I move that the bill be indefinitely postponed in concurrence.

Thereupon, on motion by Mr. Martin of Kennebec, the bill and ac-

companying papers were laid upon the table pending motion by Mr. Hillman of Penobscot to Indefinitely Postpone in concurrence.

Majority — OTP
 Minority — ONTP

The Majority of the Committee on Transportation on Bill, "An Act Relating to Speed of Motor Vehicles." (H. P. 375) (L. D. 533) reported that the same Ought to pass. (Signed)

Senators:

COLE of Waldo
 PARKER of Piscataquis
 DUNN of Kennebec

Representatives:

HOBBS of Acton
 LINDSAY of Brewer
 DUMAINE of Readfield
 DUMAIS of Lewiston
 LEBEL of Van Buren
 WALLS of Millinocket

The Minority of the same Committee on the same subject matter reported that the bill Ought not to pass.

(Signed)

Representative
 DUNN of Poland

In House, Majority Report accepted and bill passed to be engrossed as amended by House Amendment A (Filing 114)

In the Senate, on motion by Mr. Cole of Waldo, the Majority Report was read and accepted in concurrence and the bill read once; House Amendment A was read and adopted in concurrence, and the bill as amended was tomorrow assigned for second reading.

Communication

State of Maine
HOUSE OF REPRESENTATIVES
 Office of the Clerk
 Augusta

March 25, 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:

Resolve Regulating Fishing in Long Pond, Franklin County, (H. P. 348) (L. D. 50)

Messrs. CARVILLE of Eustis
 WHEATON of Princeton
 HARRIS of Greenville

Respectfully,

(Signed)

HARVEY R. PEASE
 Clerk of the House

Which was read and ordered placed on file.

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

ORDERED, the House concurring, that free additional telephone service be provided for each member of the Senate and House to the number of fifty calls of reasonable duration from Augusta to points within the limits of the State of Maine, and that each member of the Senate and House be provided with a card to be certified to by the Secretary of the Senate and Clerk of the House respectively. Charge for this service to be paid to the New England Telephone and Telegraph Company at regular tariff rates.

The order was read and passed. Sent down for concurrence.

**Senate Committee Reports
 Ought to Pass — as amended**

Mr. Parker from the Committee on Claims on "Resolve in Favor of George Freyer, Jr. of Covington, Kentucky." (S. P. 365) (L. D. 1048) reported that the same Ought to pass as amended by Committee Amendment A.

Mr. Fournier from the same Committee on "Resolve in Favor of Lena Freyer of Covington, Kentucky." (S. P. 366) (L. D. 1049) reported that the same Ought to pass as amended by Committee Amendment A.

Mr. Martin from the Committee on Legal Affairs on Bill, "An Act Increasing Salary of Mayor of the City of Lewiston." (S. P. 336) (L. D. 912) reported that the same Ought to pass as amended by Committee Amendment A.

Which reports were severally read and accepted and the bill and resolves read once. Committee Amendment A was read and adopted, and

the bill and resolves as so amended were tomorrow assigned for second reading.

Majority — ONTP
 Minority — OTP

The Majority of the Committee on Legal Affairs on Bill, "An Act Relating to Gas Masks for Fire Departments." (S. P. 171) (L. D. 415) reported that the same Ought not to pass.

(Signed)

Senator

MARTIN of Kennebec

Representatives:

BROWN of Cape Elizabeth
 HUTCHINSON of Carthage
 TRUMBULL of Fryeburg
 LINNELL of South Portland
 GOOD of Sebago

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

(Signed)

Senators:

CHARLES of Cumberland
 MacDONALD of Oxford

Representatives:

KELLAM of Portland
 COTE of Lewiston

Mr. MARTIN: Mr. President, I move the acceptance of the Majority "Ought not to pass" report.

Thereupon, on motion by Mr. Boucher of Androscoggin, the bill and accompanying papers were laid upon the table pending motion by Mr. Martin to accept the Majority Report.

Majority — ONTP
 Minority — OTP

The Majority of the Committee on Legal Affairs on Bill, "An Act Establishing Columbus Day as a Legal Holiday." (S. P. 416) (L. D. 1200) reported that the same Ought not to pass.

(Signed)

Senator

MARTIN of Kennebec

Representatives:

TRUMBULL of Fryeburg
 GOOD of Sebago
 BROWN of Cape Elizabeth
 LINNELL of South Portland
 HUTCHINSON of Carthage

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

Senators:

CHARLES of Cumberland
 MACDONALD of Oxford

Representatives:

KELLAM of Portland
 COTE of Lewiston

Mr. MARTIN of Kennebec: Mr. President, I move the acceptance of the Majority "Ought not to pass" report.

Thereupon, on motion by Mr. Boucher of Androscoggin, the bill and accompanying papers were laid upon the table pending motion by Mr. Martin to accept the Majority report.

The PRESIDENT: At this time the Chair would like to recognize in the Senate Chamber members of Troop No. 38, Boy Scouts, from St. Paul's Episcopal Church of Brunswick, accompanied by Mr. Brawn, Councilman in charge. We are happy to have you young folks with us today, and we hope that you enjoy your stay here and benefit by the hours spent at the capitol. (Applause, members rising)

Bills in Second Reading

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

House

Bill, "An Act Relating to Filling Vacancies in Board of School Directors of a School Administrative District." (H. P. 389) (L. D. 572)

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

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)

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)

"Resolve Regulating Fishing in Ruffingham Meadow Game Management Area Flowage, Waldo County." (H. P. 497) (L. D. 710)

“Resolve Regulating Fishing in Washington Pond, Crystal Pond and Alford Lake, Knox County.” (H. P. 908) (L. D. 1279)

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

House — as amended

Bill, “An Act Relating to Fees of Registers of Deeds for Mechanical Methods of Recording.” (H. P. 50) (L. D. 70)

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

Senate

Bill, “An Act Relating to Employment of Minors Under 18 Years of Age.” (S. P. 102) (L. D. 220)

(On motion by Mr. Parker of Piscataquis, tabled pending passage to be engrossed.)

Bill, “An Act Relating to Area Directional Signs.” (S. P. 436) (L. D. 1284)

Which were 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 and resolves:

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

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)

Bill, “An Act Relating to Special Dog Training Areas.” (S. P. 23) (L. D. 3)

Bill, “An Act Relating to Apportionment to Municipalities of Tax on Railroad Companies and Telephone and Telegraph Companies.” (S. P. 219) (L. D. 558)

Bill, “An Act Relating to Non-forfeiture Benefits and Valuation Standards for Life Insurance Policies.” (S. P. 270) (L. D. 732)

Bill, “An Act Relating to Disposition of Funds Received by State Park Commission.” (S. P. 281) (L. D. 743)

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

Which bills were severally passed to be enacted.

“Resolve Authorizing Forest Commissioner to Convey a Right-of-way Across the Public Lot in Township D, Range 2, WELS, Aroostook County, to United States of America.” (H. P. 214) (L. D. 305)

Which resolve was finally passed.

The PRESIDENT: At this time the Chair is happy to recognize the fact that we have visiting us this morning members of the Otisfield Central School, accompanied by their instructor Mrs. Stella Edwards. On behalf of the Maine Senate the Chair extends a very cordial and hearty welcome to our deliberations here this morning and trusts that you will enjoy your stay and find it educational. We are pleased to have you here today. (Applause, members rising)

Emergency

“Resolve for Laying of the County Taxes for the Years Nineteen Hundred Fifty-Nine and Nineteen Hundred Sixty.” (H. P. 906) (L. D. 1275)

Which resolve, being an emergency measure, and having received the affirmative vote of 28 members of the Senate, was Finally Passed.

Constitutional Amendment

“Resolve Proposing an Amendment to the Constitution to Provide Continuity of Government in Case of Enemy Attack.” (S. P. 143) (L. D. 338)

Which resolve, being a Constitutional amendment, and having received the affirmative vote of 29 members of the Senate, was Finally Passed.

The PRESIDENT: The Chair would notify the members of the Senate that he received a notice asking for a recess, and the Chair is happy to oblige.

I think it should not go unnoticed that we have with us here our lovely and attractive clerks on the distaff side today. It seems to be something in the way of a compliment to the Senator from Somerset, Senator Car-

penter. I wonder if the Senator from Somerset, Senator Carpenter, would care to make a few comments? (Applause)

Mr. CARPENTER: President John and members of the Senate: I am very happy to give this little Easter gift to these young ladies. They are a fine group of young women and do an excellent job and we are so happy to have them here as clerks of our committees. (Applause, members rising)

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

Mr. MARTIN of Kennebec: Mr. President, I would inquire if L. D. 21, "An Act Relating to Town Meetings of Sanford" is in the possession of the Senate?

The PRESIDENT: The Chair will state that it is, having been held at the request of the Senator from Kennebec, Senator Martin.

Thereupon, on motion by Mr. Martin of Kennebec, the bill was laid upon the table pending consideration.

On motion by Mr. Dow of Lincoln.

Adjourned until tomorrow afternoon at one o'clock.