

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Ninth Legislature

OF THE

STATE OF MAINE

VOLUME II

1959
and
SPECIAL SESSION
1960

DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

SENATE

Tuesday, January 26, 1960

Senate called to order by the President.

Prayer by Rev. John D. Protopapas of Bangor.

On motion by Mr. Stilphen of Knox,

Journal of yesterday read and approved.

**Papers from the House
House Committee Report**

Ought to Pass — as amended

The Committee on Judiciary on Bill, "An Act Regulating Certain Rockets." (H. P. 1015) (L. D. 1444) reported that the same Ought to Pass

In House, report accepted and bill passed to be engrossed as amended by House Amendment A (Filing No. 519)

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

Joint Orders

ORDERED, the Senate concurring, that the Joint Rules be amended by adding thereto a new rule No. 19A to read as follows:

"Any member-elect of the Legislature may file bills and resolves with the Clerk of the House for introduction within forty-five days prior to the convening of any regular session of the Legislature. The Clerk shall number and print such measures in advance after which they become the property of the Legislature and may not be withdrawn by the sponsor. The Clerk shall deliver them to the appropriate branch of the Legislature immediately upon its convening." (H. P. 1024)

On motion by Mr. Bates of Penobscot, the Order was laid upon the table pending passage in concurrence.

ORDERED, the Senate concurring, that free telephone service be provided after final adjournment of this First Special Session of the 99th Legislature, during the remainder of the calendar year

1960, for each member of the Senate and House of Representatives, to the number of 25 calls of reasonable duration from and to the State House at Augusta (in addition to the 25 calls provided for in H. P. No. 974, approved in the House May 28, 1959 and in the Senate June 2, 1959) and that each member of the Senate and House be provided with a card to be certified by the Secretary of the Senate and Clerk of the House, respectively, the cost of this service to be paid to the New England Telephone and Telegraph Company at regular tariff rates." (H. P. 1028)

Which was read and passed in concurrence.

Senate Papers

Petition of Robert H. Mottram to the 99th Maine State Legislature in Special Session, asking that his petition filed one year ago under Article 1, Section 15, of the State Constitution, be brought forth and examined. (S. P. 545)

Mr. WEEKS of Cumberland: Mr. President and members of the Senate: Those of you who were here during the regular session of the 1959 Legislature recall that Mr. Mottram, who happens to be presently confined in the Maine State Prison and was at that time, petitioned under the Constitution, as all citizens have the right to do, for a hearing before the highest court in the State, which is something of which you are now members. At that time we reported that because he had not exhausted his remedies in the courts and there was a petition at that time pending that it was not proper at that time for us to consider it. He has now written actually a letter to the Speaker of the House, and that is the one which was referred to us. We feel it should be accorded some recognition, and so, in order for it to be properly considered by your Judiciary Committee, and that is the body to which the Speaker of the House referred the letter, we would like to have it formally go through this body and have it referred to that committee for action so they can make a report of some kind. That is the only explanation I have.

The PREIDENT: The Chair thanks the Senator from Cumberland, Senator Weeks, for his explanation.

The petition was thereupon referred to the Committee on Judiciary and sent down for concurrence.

Senate Committee Reports

Ought to Pass — as amended

Mr. Weeks from the Committee on Judiciary on Bill, "An Act to Correct Errors and Inconsistencies in the Public Laws." (S. P. 528) (L. D. 1435) reported that the same Ought to Pass as amended by Committee Amendment A.

Mr. WEEKS of Cumberland: Mr. President and members of the Senate: I trust that you have examined the bill in its present form as it has been reported out of committee. You will note that it has been amended in several sections where specific matter in the bill was removed. That includes the part of the bill dealing with the minimum-wage law as well as several sections dealing with the Highway Department. Those sections have been removed. Nothing has been added to the bill in the form of amendment, at least of substantive matter, except the proposed amendment coming from the Judicial Council dealing with changes in court procedure which required so much effort on our part last time and which I think has caused quite a good deal of consternation to members of the Bar. As one member of the Superior Court told me the other day, he has not caught up with the rules yet, and that goes for all of us.

I make this point because there was much discussion in the first part of the session about efforts being made by so many to amend it to bring in new matters from all parts of the State. Whether this is the performance of our full responsibility or not is for you to decide and not for me. The committee has made its decision. However, I take this opportunity to present for your consideration some measures which I think could be considered within the limits of your responsibility to alleviate some conditions which are going to be prevailing until there is a regular session. I refer specifically to certain

problems dealing with employment, commission salesmen, taxicab drivers, people employed in the fisheries industry, and I know that there are others. Because of the fact that there are these problems, I have been requested to lay the bill on the table for twenty-four hours until our next legislative day. I therefore move that it be tabled until the next legislative day.

The motion prevailed and the bill was laid upon the table pending acceptance of the report.

Mr. ROSS of Sagadahoc: Mr. President, may I pose a question to the Senator from Cumberland, Senator Weeks?

The PRESIDENT: The Senator from Sagadahoc, Senator Ross may pose a question to the Senator from Cumberland, Senator Weeks who may answer if he wishes.

Mr. ROSS: Mr. President, I would just like to know if this amendment has been reproduced?

Mr. WEEKS: Mr. President in response to the question I would say that if it has been reproduced, I have not seen it. However, my explanation of its contents is accurate and I might say even truthful.

Mr. ROSS: Mr. President, may I move then, that the amendment to L. D. 1435 be reproduced?

Thereupon, Committee Amendment A to S. P. 528, L. D. 1435, was ordered reproduced.

Second Readers

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

House

Bill, "An Act to Authorize the Municipalities of Gray and New Gloucester to Form a School Administrative District." (H. P. 992) (L. D. 1401)

Bill, "An Act to Authorize the Municipalities of Dixmont, Hampden and Newburgh to Form a School Administrative District." (H. P. 993) (L. D. 1402)

Bill, "An Act to Authorize the Municipalities of Danforth and Weston to Form a School Administrative District." (H. P. 995) (L. D. 1404)

Bill, "An Act Increasing Indebtedness of New Gloucester School District." (H. P. 998) (L. D. 1407)

Bill, "An Act to Increase Indebtedness of Bath Parking District." (H. P. 1000) (L. D. 1409)

Bill, "An Act to Reconstitute School Administrative District No. 1." (H. P. 1001) (L. D. 1410)

Bill, "An Act to Reconstitute School Administrative District No. 13." (H. P. 1003) (L. D. 1412)

Bill, "An Act to Reconstitute School Administrative District No. 12." (H. P. 1004) (L. D. 1413)

Bill, "An Act to Reconstitute School Administrative District No. 11." (H. P. 1005) (L. D. 1414)

Bill, "An Act to Reconstitute School Administrative District No. 4." (H. P. 1006) (L. D. 1415)

Bill, "An Act to Reconstitute School Administrative District No. 10." (H. P. 1007) (L. D. 1416)

Bill, "An Act to Reconstitute School Administrative District No. 6." (H. P. 1008) (L. D. 1417)

Bill, "An Act to Reconstitute No. 7." (H. P. 1009) (L. D. 1418)

Bill, "An Act to Reconstitute School Administrative District No. 8." (H. P. 1010) (L. D. 1419)

Bill, "An Act to Increase the Indebtedness of the Town of Hermon School District." (H. P. 1021) (L. D. 1422)

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 North Yarmouth and Pownal to Form a School Administrative District and Contract

with the Town of Cumberland for High School Education; and to Authorize the Municipalities of Chelsea, Windsor and Whitefield to Form a School Administrative District." (H. P. 991) (L. D. 1400)

Bill, "An Act to Authorize the Municipalities of Cornish, Limerick, Newfield and Parsonsfield to Form a School Administrative District; and to Authorize the Municipalities of Enfield, Greenbush, Howland, LaGrange, Maxfield, Passadumkeag and Seboeis Plantation to Form a School Administrative District." (H. P. 994) (L. D. 1403)

Bill, "An Act Permitting Town of Hartland to Build and Maintain Dams and Sluice Ways on Sebasticook River." (H. P. 999) (L. D. 1408)

Bill, "An Act to Authorize School Administrative District No. 5 to Take a Schoolhouse Lot by Condemnation in the City of Rockland." (H. P. 1019) (L. D. 1427)

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

Senate

Bill, "An Act Appropriating Monies for Office of Director of Legislative Research." (S. P. 522) (L. D. 1429)

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

Sent down for concurrence.

On motion by Mr. Woodcock of Penobscot,

Adjourned until tomorrow morning at ten o'clock.