

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

HOUSE

Wednesday, January 28, 1959

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Richard Hulburt of Hallowell.

The journal of yesterday was read and approved.

Papers from the Senate

From the Senate:

Bill "An Act Providing for Construction of a Women's Dormitory at the University of Maine in Orono" (S. P. 68) (L. D. 118)

Resolve Providing Funds for Supervisors of Practical Nursing (S. P. 69) (L. D. 119)

Came from the Senate referred to the Committee on Appropriations and Financial Affairs.

In the House, referred to the Committee on Appropriations and Financial Affairs in concurrence.

From the Senate:

Bill "An Act Requiring Uninsured Motorist Coverage in Liability Insurance Policies" (S. P. 70) (L. D. 120)

Resolve Proposing an Amendment to the Constitution to Permit Voting by Civilians Residing on Federal Property (S. P. 71) (L. D. 121)

Came from the Senate referred to the Committee on Judiciary.

In the House, referred to the Committee on Judiciary in concurrence.

From the Senate:

Bill "An Act relating to Weekly Benefit for Partial Unemployment" (S. P. 72) (L. D. 122)

Came from the Senate referred to the Committee on Labor.

In the House, referred to the Committee on Labor in concurrence.

From the Senate:

Bill "An Act Changing the Date of Labor Day to the Second Monday in September" (S. P. 74) (L. D. 124)

Came from the Senate referred to the Committee on Legal Affairs.

In the House, referred to the Committee on Legal Affairs in concurrence.

From the Senate:

Bill "An Act relating to Lease

of Land by State to Cumberland County" (S. P. 73) (L. D. 123)

Came from the Senate referred to the Committee on Natural Resources.

In the House, referred to the Committee on Natural Resources in concurrence.

From the Senate:

Bill "An Act relating to Issuance of Motor Vehicle Operators' Licenses" (S. P. 75) (L. D. 125)

Came from the Senate referred to the Committee on Transportation.

In the House, referred to the Committee on Transportation in concurrence.

Messages and Documents

The following Communication:

STATE OF MAINE
SENATE CHAMBER

January 27, 1959

Hon. Harvey R. Pease
Clerk of the House of

Representatives
99th Maine State Legislature
Sir:

The President of the Senate today made the following appointments:

Commission on Interstate Cooperation

Senator ROGERSON of Aroostook (replaces former Senator SINCLAIR of Somerset)

Committee on Legislative Research

Senator ROSS of Sagadahoc (replaces former Senator DAVIS of Cumberland)

Respectfully,

(Signed) CHESTER T. WINSLOW
Secretary of Senate

The Communication was read and ordered placed on file.

Petitions, Bills and Resolves Requiring Reference

The following Bills and Resolves were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

Agriculture

Bill "An Act relating to Sale of Kasher Meat and Foods" (H. P. 125) (Presented by Mr. Chapman of Gardiner)

(750 copies Ordered Printed)
Sent up for concurrence.

Appropriations and Financial Affairs

Bill "An Act relating to Planting Forest Nursery Tree Seedlings" (H. P. 127) (Presented by Mr. Brockway of Milo)

(Ordered Printed)

Bill "An Act Providing for a State Tuberculosis and Chronic Diseases Annex to Arthur R. Gould Memorial Hospital in Presque Isle" (H. P. 128) (Presented by Mrs. Christie of Presque Isle)

(Ordered Printed)

Bill "An Act Appropriating Moneys for a Continuance of the Revision of the Election Laws" (H. P. 129) (Presented by Miss Cormier of Rumford)

(Ordered Printed)

Bill "An Act to Allocate Moneys for the Administrative Expenses of the State Liquor Commission for the Fiscal Years Ending June 30, 1960 and June 30, 1961" (H. P. 130) (Presented by Mr. Jacques of Lewiston)

(Ordered Printed)

Resolve Creating a Tax Policy Advisory Committee (H. P. 131) (Presented by Miss Cormier of Rumford)

(Ordered Printed)

Resolve Appropriation for the Purchase of Informational Materials for Use in the Education of Retarded Children (H. P. 132) (Presented by Mr. Edwards of Raymond)

(Ordered Printed)

Sent up for concurrence.

Business Legislation

Bill "An Act relating to Examination of Insurance Agents and Brokers" (H. P. 133) (Presented by Mr. Dennett of Kittery)

(Ordered Printed)

Bill "An Act relating to Officers of Mutual Insurance Companies" (H. P. 134) (Presented by Mr. Sanborn of Gorham)

(Ordered Printed)

Sent up for concurrence.

Appropriations and Financial Affairs

Resolve Reimbursing Certain Municipalities on Account of Property Tax Exemptions of Veterans (H. P. 135) (Presented by Mr. Edwards of Raymond)

Committee on Reference of Bills suggested that the Bill be referred to the Committee on Claims and printed.

(On motion of Mr. Edwards of Raymond, referred to the Committee on Appropriations and Financial Affairs, ordered printed and sent up for concurrence.)

Claims

Resolve to Reimburse the Town of Houlton for Aid Extended to Family of Miles McDermitt (H. P. 136) (Presented by Mr. Ervin of Houlton)

(Ordered Printed)

Sent up for concurrence.

Tabled and Assigned

Resolve to Reimburse the Town of Norridgewock for Aid to Family of Roger A. Jones (H. P. 137) (Presented by Mr. Hilton of Anson)

Resolve to Reimburse the Town of Norridgewock for Aid to Family of Leslie M. Jones (H. P. 138) (Presented by same gentleman)

(On motion of Mr. Wade of Auburn, tabled pending reference to a Committee and specially assigned for tomorrow.)

Education

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) (Presented by Mr. Cahill of Moscow)

(750 copies Ordered Printed)

Bill "An Act relating to Average Daily Membership Required for School Administrative Districts" (H. P. 140) (Presented by Mr. Haughn of Bridgton)

(750 copies Ordered Printed)

Bill "An Act to Authorize Jackman and Moose River to Form a School Administrative District" (H. P. 141) (Presented by Mr. Cahill of Moscow)

(Ordered Printed)

Bill "An Act relating to Teachers and Other School Personnel for Mentally Retarded Children" (H. P. 142) (Presented by Mr. Edwards of Raymond)

(Ordered Printed)

Bill "An Act to Authorize the Municipalities of Deer Isle and Stonington to Form a School Ad-

ministrative District" (H. P. 143)
(Presented by Mr. Shepard of Stonington)

(Ordered Printed)
Sent up for concurrence.

Election Laws

Resolve Authorizing Correction of 1954 Gubernatorial Election Record of Town of Strong (H. P. 144) (Presented by Mr. Maxwell of Jay)

(Ordered Printed)
Sent up for concurrence.

Highways

Bill "An Act to Authorize the Construction of a Causeway Connecting Cousins Island with Littlejohns Island, and a Bridge and Causeway Connecting Littlejohns with Chebeague Island" (H. P. 145) (Presented by Mr. Call of Cumberland)

(750 copies Ordered Printed)

Bill "An Act to Authorize the Construction of a Bridge Across the Passagassawaukeag River" (H. P. 146) (Presented by Mr. Rollins of Belfast)

(750 copies Ordered Printed)

Bill "An Act to Make Allocations from the General Highway Fund for the Fiscal Years Ending June 30, 1960 and June 30, 1961" (H. P. 147) (Presented by Mr. Nadeau of Biddeford)

(Ordered Printed)

Resolve Designating the Interstate Highway System in Maine as Brian M. Jewett Memorial Highway (H. P. 143) (Presented by Mr. Call of Cumberland)

(Ordered Printed)
Sent up for concurrence.

Inland Fisheries and Game

Bill "An Act Disposal of Deer Killed While Damaging Crops and Orchards" (H. P. 149) (Presented by Mr. Kinch of Livermore Falls by request)

(Ordered Printed)

Bill "An Act relating to Trapping Season for Muskrats in Aroostook County" (H. P. 150) (Presented by Mr. Storm of Sherman)

(Ordered Printed)

Resolve Closing Purgatory Pond and Sand Pond, Kennebec County, to Ice Fishing (H. P. 151) (Presented by Mr. Choate of Hallowell)

(Ordered Printed)

Resolve Regulating Fishing in Dead Pond, Washington County (H. P. 152) (Presented by Mr. Dennison of East Machias)

(Ordered Printed)

Resolve Regulating Fishing in Peep Lake, Washington County (H. P. 153) (Presented by same gentleman)

(Ordered Printed)

Resolve Regulating Fishing in Pitcher Pond, Waldo County (H. P. 154) (Presented by Mr. Mathieson of Montville)

(Ordered Printed)

Resolve Regulating Ice Fishing in Kingdom Bog, Waldo County (H. P. 155) (Presented by same gentleman)

(Ordered Printed)

Resolve Regulating Ice Fishing in Echo Pond, Kennebec County (H. P. 156) (Presented by Mr. Morse of Oakland)

(Ordered Printed)

Resolve Opening Big Pleasant Lake and Spider Lake in Piscataquis County to Ice Fishing (H. P. 157) (Presented by Mr. Prue of Ashland)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act relating to Modification of Support Orders in Bastardy Cases" (H. P. 158) (Presented by Mr. Berman of Auburn)

(Ordered Printed)

Bill "An Act relating to Power of Municipal Courts to Issue Real Estate Attachments" (H. P. 159) (Presented by Mr. Whiting of Skowhegan by request)

(Ordered Printed)

Sent up for concurrence.

Labor

Bill "An Act relating to Unlawful Discrimination Against Race, Color, Age or Ancestry" (H. P. 160) (Presented by Mr. Miller of Portland)

(1,000 copies Ordered Printed)

Bill "An Act Clarifying the Time of Payment of Wages" (H. P. 161) (Presented by Mr. Hancock of Nobleboro)

(750 copies Ordered Printed)

Bill "An Act relating to Rest Periods for Female Employees" (H. P. 162) (Presented by Mr. Treworgy of Orono)

(750 copies Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act to Create a Mount Desert Island Regional School District" (H. P. 163) (Presented by Mr. Graves of Mount Desert)

(1,000 copies Ordered Printed)

Bill "An Act relating to Licensing for Beano" (H. P. 164) (Presented by Mr. Desmarais of Sanford)

(750 copies Ordered Printed)

Bill "An Act Increasing Indebtedness of the Town of Bar Harbor School District" (H. P. 165) (Presented by Mr. Graves of Mount Desert)

(750 copies Ordered Printed)

Bill "An Act relating to Fluoridation of Public Water Supplies" (H. P. 166) (Presented by Mr. Brockway of Milo)

(Ordered Printed)

Bill "An Act relating to Compensation of Trustees of Poland Ministerial Fund" (H. P. 167) (Presented by Mr. Dunn of Poland)

(Ordered Printed)

Bill "An Act to Repeal the Charter of the Cousins and Littlejohns Islands Village Corporation" (H. P. 168) (Presented by Mrs. Knapp of Yarmouth)

(Ordered Printed)

Sent up for concurrence.

Liquor Control

Bill "An Act relating to Liquor Employment Permits" (H. P. 169) (Presented by Mr. Miller of Portland)

(750 copies Ordered Printed)

Sent up for concurrence.

Natural Resources

Resolve Authorizing Forest Commissioner to Lease Site on Indian Township to Northeastern Construction Company (H. P. 170) (Presented by Mr. Wheaton of Princeton)

(Ordered Printed)

Sent up for concurrence.

Retirements and Pensions

Bill "An Act relating to Retirement Benefits for Teachers with Fifteen Years of Service" (H. P. 171) (Presented by Mr. Hughes of St. Albans)

(750 copies Ordered Printed)

Resolve Providing State Pension for Lorraine White of Patten (H. P. 172) (Presented by Mrs. Harrington of Patten)

(Ordered Printed)

Resolve in favor of Harold E. Carson of Hartland (H. P. 173) (Presented by Mr. Hughes of St. Albans)

(Ordered Printed)

Sent up for concurrence.

Sea and Shore Fisheries

Bill "An Act to Revise the General Laws Relating to Sea and Shore Fisheries" (H. P. 174) (Presented by Mr. Rankin of Southport)

(1000 copies Ordered Printed)

Bill "An Act to Revise Private and Special Laws and Resolves Relating to Sea and Shore Fisheries" (H. P. 175) (Presented by same gentleman)

(1,000 copies Ordered Printed)

Bill "An Act to Enact Private and Special Laws Related to the Revision of the General Laws Concerning Sea and Shore Fisheries" (H. P. 176) (Presented by same gentleman)

(1,000 copies Ordered Printed)

Bill "An Act Repealing the Two Inch Clam Law" (H. P. 177) (Presented by Mr. Winchenpaw of Friendship)

(750 copies Ordered Printed)

Sent up for concurrence.

State Government

Bill "An Act to Reimburse City of Augusta for Loss of Tax Revenue" (H. P. 178) (Presented by Mr. Barnett of Augusta)

(Ordered Printed)

Sent up for concurrence.

Taxation

Bill "An Act relating to Sales Tax on Motor Vehicles Traded In" (H. P. 179) (Presented by Mr. Cyr of Augusta)

(1,000 copies Ordered Printed)

Bill "An Act relating to Exemption from Taxation of Veterans Estates" (H. P. 180) (Presented by Mr. Mathews of Berwick)

(750 copies Ordered Printed)

Sent up for concurrence.

Towns and Counties

Bill "An Act to Increase the Salaries of the Judge and Recorder of the Kennebunk Municipal Court" (H. P. 181) (Presented by Mr. Emmons of Kennebunk)

(Ordered Printed)

Sent up for concurrence.

Transportation

Bill "An Act relating to Use of Lights on School Buses" (H. P. 182) (Presented by Mr. Haughn of Bridgton)

(Ordered Printed)

Sent up for concurrence.

On motion of the gentlewoman from Rumford, Miss Cormier, House Rule 25 was suspended for the remainder of today's session in order to permit smoking.

**House Reports of Committees
Ought to Pass
Printed Bills**

Mr. Brown from the Committee on Legal Affairs reported "Ought to pass" on Bill "An Act Permitting Municipalities to Raise Money for Buildings of Certain Academies" (H. P. 11) (L. D. 20)

Mr. Cote from same Committee reported same on Bill "An Act Changing Name of the Young Men's Christian Association of Auburn to The Young Men's Christian Association of Auburn-Lewiston" (H. P. 44) (L. D. 64)

Same gentleman from same Committee reported same on Bill "An Act relating to Qualifications for Appointment to Auburn Police and Fire Departments" (H. P. 43) (L. D. 63)

Mr. Good from same Committee reported same on Bill "An Act relating to Residence of Trustees of Monmouth Academy" (H. P. 10) (L. D. 19)

Mr. Kellam from same Committee reported same on Bill "An Act relating to Pilots for the Port of Portland" (H. P. 14) (L. D. 23)

Reports were read and accepted, the Bills read twice and tomorrow assigned.

Orders of the Day

On motion of the gentleman from Lewiston, Mr. Jalbert, the House voted to take from the table the first tabled and unassigned matter, Bill "An Act to Authorize the Construction of Housing for the University of Maine and the Issuance of not Exceeding \$24,000,000 Bonds of the State of Maine for the Financing Thereof", House Paper 108, Legislative Document 181, tabled on

January 27 by that gentleman pending reference.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker and Members of the House: My reason for tabling this measure yesterday pending reference was twofold. One, certainly out of courtesy to the gentleman from Bangor, Mr. Cousins, who was unable to be here and who is the sponsor of the measure; secondly, for purposes of clarification. Certainly my reason was to usurp the powers of the leadership or the thinking of the leadership, because I very definitely consulted with all of them pertaining to this matter.

The gentlewoman from Rumford, Miss Cormier, thoroughly explained the bill to me. I discussed it with the Speaker and with the floor leader of the Republican party.

I at one time two years ago spoke on a measure, as a matter of fact I attempted a filibuster and I started to talk about lobsters, but when I got beyond the eating stage I stopped right there. In this particular situation I am not a member of the Appropriations Committee or the Education Committee due to seniority and broken service, justifiably so; however, in that I am not a self-appointed authority on appropriations matters, I think I must have learned something where I served on that Committee four terms. I don't think the Committee is overworked. I think they do a splendid job. I feel that money matters belong, however, with that Committee. I think if you want meat, you go to a butcher; if you want money, you go to a bank. Some think otherwise, but that is the usual procedure.

I disagree thoroughly with some thinking that a bill wherein it involves appropriations should be shoveled off to other committees, for more than one reason. I think it would delay the closing of the session, I think it would create confusion, I think it would not allow the Appropriations Committee to know what is going on at all times. I think it would facilitate matters if all matters pertaining to money were cleared through the Appropriations Committee. One individual mentioned to me, asked me where

I thought the increase in salaries for state employees should go, if it should go to another committee. The answer to that should be "no" due to the fact we have a public hearing, the people know anyway, and there again it is a package that involves the general fund and unappropriated surplus. I think that belongs certainly, as other money matters, before the Appropriations Committee. I think also capital expenditures belong to that Committee all wrapped under one roof.

However, to clarify my position, I now move that the bill be referred to the Committee on Education wherein it does not involve anything but staking the State's credit up against the bond issue.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, moves that this Bill be referred to the Committee on Education and sent up for concurrence. Is this the pleasure of the House?

The motion prevailed.

(Mr. Winchenpaw of Friendship was granted unanimous consent to address the House briefly off the record.)

On motion of Mr. Call of Cumberland,

Adjourned until one o'clock tomorrow afternoon.