

# 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, February 4, 1959

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

Prayer by the Rev. Mr. Robert L. Smith of Augusta.

The journal of yesterday was read and approved.

**Papers from the Senate**

From the Senate:

Resolve for the Purchase of One Hundred Copies of "The Story of Houlton" (S. P. 103) (L. D. 253)

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:

Resolve to Reimburse Ella Braley of Belfast (S. P. 109) (L. D. 259)

Came from the Senate referred to the Committee on Claims.

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

From the Senate:

Bill "An Act relating to Employment of Teachers" (S. P. 110) (L. D. 250)

Bill "An Act relating to Confering Degrees by Thomas Junior College" (S. P. 111) (L. D. 261)

Came from the Senate referred to the Committee on Education.

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

From the Senate:

Bill "An Act relating to Closed Season on Pheasants" (S. P. 112) (L. D. 262)

Bill "An Act relating to Water Sets in Trapping Law" (S. P. 113) (L. D. 263)

Resolve Opening Portland Lake in Aroostook County to Ice Fishing for Salmon and Trout (S. P. 114) (L. D. 264)

Came from the Senate referred to the Committee on Inland Fisheries and Game.

In the House, referred to the Committee on Inland Fisheries and Game in concurrence.

From the Senate:

Bill "An Act relating to Audience or Reader Participation in Radio, Television or Newspaper Amusements or Games" (S. P. 115) (L. D. 265)

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 Work Permits for Minors (S. P. 116) (L. D. 266)

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 Creating the Portland Coliseum Recreation Center" (S. P. 117) (L. D. 267)

Bill "An Act Amending and Restating the Charter of The President and Trustees of Colby College" (S. P. 118) (L. D. 268)

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 Personnel of State Civil Defense and Public Safety Agency" (S. P. 120) (L. D. 270)

Came from the Senate referred to the Committee on State Government.

In the House, referred to the Committee on State Government in concurrence.

From the Senate:

Bill "An Act relating to Part Payment of Delinquent Property Taxes in Unorganized Territory" (S. P. 121) (L. D. 273)

Bill "An Act relating to Taxation of Domestic Fowl" (S. P. 122) (L. D. 272)

Bill "An Act Amending the Gasoline Tax Act with Respect to Aviation Fuel" (S. P. 123) (L. D. 271)

Came from the Senate referred to the Committee on Taxation.

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

From the Senate:  
 Bill "An Act relating to Certain Per Diem Fees of Deputy Sheriffs" (S. P. 124) (L. D. 275)

Bill "An Act relating to Uniforms for Deputy Sheriffs" (S. P. 125) (L. D. 274)

Came from the Senate referred to the Committee on Towns and Counties.

In the House, referred to the Committee on Towns and Counties in concurrence.

From the Senate: The following Orders:

ORDERED, the House concurring, that clergymen who are invited to serve as Chaplains for the Legislature shall be compensated for mileage on the same basis as members if they reside more than ten miles from Augusta (S. P. 146)

Came from the Senate read and passed.

In the House: The Order was read. On motion of Mr. Perham of Bragdon, the Order was referred to the Committee on Appropriations and Financial Affairs in non-concurrence and sent up for concurrence.

**Tabled**

From the Senate: The following Order:

ORDERED, the House concurring, that the Bureau of Public Improvements be directed to study the present site of the State School for Boys to determine the desirability of new construction on this site considering the proximity of the airport, and to make a report to the 99th Legislature, in six weeks, as to whether or not it would be more economical and practical to construct a new school on a new site (S. P. 147)

Came from the Senate read and passed.

In the House: The Order was read. (On motion of Mr. Perham of Bragdon, the Order was tabled pending passage in concurrence and unassigned.)

**Senate Reports of Committees Ought to Pass**

Report of the Committee on Highways reporting "Ought to pass" on Bill "An Act to Allocate Money from the General Highway Fund for

State Aid Construction" (S. P. 40) (L. D. 38)

Report of same Committee reporting same on Bill "An Act to Make Allocations from the General Highway Fund for the Fiscal Years Ending June 30, 1960 and June 30, 1961" (S. P. 41) (L. D. 39)

Report of the Committee on Judiciary reporting same on Bill "An Act relating to Payment to Oxford County Law Library" (S. P. 24) (L. D. 4)

Report of same Committee reporting same on Bill "An Act relating to Payments to County Law Library at Rumford" (S. P. 25) (L. D. 5)

Came from the Senate with the Reports read and accepted and the Bills passed to be engrossed.

In the House, the Reports were read and accepted in concurrence, the Bills read twice and tomorrow assigned.

**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 Dating Processed Milk" (H. P. 253) (Presented by Mr. Haughn of Bridgton) (750 copies Ordered Printed) Sent up for concurrence.

**Appropriations and Financial Affairs**

Bill "An Act Providing for the Construction of an Incinerator at the University of Maine in Orono" (H. P. 259) (Presented by Mr. Barnett of Augusta) (Ordered Printed)

Bill "An Act relating to Income from Sale of Geological Survey Publications" (H. P. 260) (Presented by Mr. Cousins of Bangor) (Ordered Printed)

Bill "An Act Providing Revenues for Treatment and Rehabilitation of Alcoholics" (H. P. 239) (Presented by Mr. Curtis of Bowdoinham) (Ordered Printed)

Bill "An Act Directing Review of Provisions Relating to Towns" (H.

P. 270) (Presented by Mr. Stanley of Bangor)

(Ordered Printed)

Bill "An Act Providing for the Remodeling of Wingate Hall at the University of Maine in Orono" (H. P. 261) (Presented by Mr. Treworgy of Orono)

(Ordered Printed)

Bill "An Act Providing for the Construction of a Building for the University Press at the University of Maine in Orono" (H. P. 262) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act Providing for Remodeling Aubert Hall, South End, at the University of Maine in Orono" (H. P. 263) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act Providing for the Remodeling of Aubert Hall, North End, at the University of Maine in Orono" (H. P. 264) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act Providing for Completing the Wings of Boardman Hall at the University of Maine in Orono" (H. P. 265) (Presented by same gentleman)

(Ordered Printed)

Resolve Appropriating Moneys to Promote and Advertise Maine's Ski Business (H. P. 266) (Presented by Mr. Carville of Eustis)

(Ordered Printed)

Resolve Appropriating Moneys to Provide for a Survey of Maine's Recreational Industry (H. P. 267) (Presented by Mr. Hutchinson of Carthage)

(Ordered Printed)

Resolve Appropriating Moneys for LP Gas Prover for State Sealer of Weights and Measures (H. P. 271) (Presented by Mr. Stanley of Bangor)

(Ordered Printed)

Resolve for the Purchase of Two Hundred Copies of "A History of the Town of Porter, Maine" (H. P. 268) (Presented by Mr. Trumbull of Fryeburg)

(Ordered Printed)

Sent up for concurrence.

#### Business Legislation

Bill "An Act relating to the Licensing and Distribution of Trading Stamps" (H. P. 272) (Presented by Mr. Curtis of Bowdoinham)

(750 copies Ordered Printed)

Bill "An Act Providing for Medical Payments under Assigned Risk Plan" (H. P. 273) (Presented by Mr. Curtis of Bowdoinham)

(Ordered Printed)

Bill "An Act to Incorporate Mark-Continental Corporation" (H. P. 274) (Presented by Mrs. Hanson of Lebanon)

(Ordered Printed)

Bill "An Act Defining Blanket Accident and Sickness Insurance with Respect to Schools" (H. P. 275) (Presented by Mr. Lacharite of Brunswick)

(Ordered Printed)

Bill "An Act to Incorporate the Superior Finance Co." (H. P. 276) (Presented by Mr. Pitts of Harrison)

(Ordered Printed)

Bill "An Act to Incorporate United Finance Corporation" (H. P. 277) (Presented by Mr. Wade of Auburn)

(Ordered Printed)

Bill "An Act to Incorporate County Finance Corporation" (H. P. 278) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

#### Claims

Resolve to Reimburse the Town of Jackson for Aid to Louise M. Tilton (H. P. 279) (Presented by Mr. Monroe of Monroe)

(Ordered Printed)

Resolve in favor of C. A. Mason of Gorham (H. P. 280) (Presented by Mr. Sanborn of Gorham)

Sent up for concurrence.

#### Education

Bill "An Act Clarifying Laws Relating to Secondary Schools" (H. P. 281) (Presented by Mrs. Hanson of Lebanon)

(1,000 copies Ordered Printed)

Bill "An Act Providing for Vocational Rehabilitation of Handicapped Individuals" (H. P. 282) (Presented by Mr. Cousins of Bangor)

(750 copies Ordered Printed)

Bill "An Act relating to Approval of Summer Schools" (H. P. 283) (Presented by Mr. Frazier of Lee)

(Ordered Printed)

Bill "An Act to Regulate Privately Owned Correspondence Schools" (H.

P. 284) (Presented by Mr. Mathieson of Montville)  
 (Ordered Printed)  
 Sent up for concurrence.

**Highways**

Bill "An Act relating to Area Directional Signs for Winthrop Lakes Region" (H. P. 285) (Presented by Mr. Dumaine of Readfield)  
 (Ordered Printed)  
 Sent up for concurrence.

**Inland Fisheries and Game**

Bill "An Act relating to Sale of Fishing and Hunting Licenses" (H. P. 286) (Presented by Mr. Crockett of Freeport)  
 (Ordered Printed)  
 Bill "An Act to Repeal Minimum Length Provision on Trout" (H. P. 287) (Presented by Mr. Ervin of Houlton)

(Ordered Printed)  
 Resolve Regulating Bass Fishing in Sebago Lake, Cumberland County (H. P. 288) (Presented by Mr. Moore of Casco)  
 (Ordered Printed)

Resolve Regulating Fishing in Lily Lake, Washington County (H. P. 289) (Presented by Mr. Pike of Lubec)  
 (Ordered Printed)  
 Sent up for concurrence.

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

**Judiciary**

Bill "An Act Correcting Certain Inconsistencies in the Probation and Parole Law" (H. P. 290) (Presented by Mr. Knight of Rockland)  
 (750 copies Ordered Printed)

Bill "An Act relating to Management of Causes in Court by Counsel" (H. P. 291) (Presented by Mr. Ber-man of Auburn)  
 (Ordered Printed)

Bill "An Act relating to Suspension of Motor Vehicle Licenses for Speeding" (H. P. 292) (Presented by Mr. Call of Cumberland)  
 (Ordered Printed)

Bill "An Act relating to Tax Collector's Warrant" (H. P. 293) (Presented by Mr. Cousins of Bangor)  
 (Ordered Printed)

Bill "An Act Authorizing the National Tuberculosis Association to Hold Meetings Outside the State" (H. P. 294) (Presented by same gentleman)

(Ordered Printed)  
 Bill "An Act Creating a Second Assistant County Attorney for Cumberland County" (H. P. 295) (Presented by Mr. Earles of South Portland)

(Ordered Printed)  
 Bill "An Act relating to the Reporting of Divorces to State Registrar of Vital Statistics" (H. P. 296) (Presented by Mr. Healy of Portland)

(Ordered Printed)  
 Bill "An Act Revising the Laws Relating to the Registration of Vital Statistics" (H. P. 297) (Presented by Mr. Russell of Portland)  
 (Ordered Printed)  
 Sent up for concurrence.

**Labor**

Bill "An Act relating to Unfair Wage Agreements" (H. P. 298) (Presented by Mr. Hardy of Hope)  
 (750 copies Ordered Printed)

Bill "An Act Eliminating Waiting Period for Benefits under Employment Security Law" (H. P. 299) (Presented by Mr. Jacques of Lewiston)

(Ordered Printed)  
 Bill "An Act Permitting Employees Time Off to Vote" (H. P. 300) (Presented by Mr. Pert of Bath)  
 (Ordered Printed)

Sent up for concurrence.

**Legal Affairs**

Bill "An Act relating to Pari Mutuel Pools for Running Horse Races" (H. P. 301) (Presented by Mr. Haughn of Bridgton)  
 (750 copies Ordered Printed)

Bill "An Act relating to Hours for Public Dance Halls" (H. P. 302) (Presented by Mr. Choate of Hallowell)  
 (Ordered Printed)

Bill "An Act Clarifying Authority of Lewiston City Council to Require Financial Reports from Municipal Departments" (H. P. 303) (Presented by Mr. Couture of Lewiston)  
 (Ordered Printed)

Bill "An Act relating to Exemptions under Boiler and Unfired Steam Pressure Vessels Law" (H.

P. 304) (Presented by Mr. Curtis of Bowdoinham)  
(Ordered Printed)

Bill "An Act relating to the Recreation Department for City of Lewiston" (H. P. 305) (Presented by Mr. Jacques of Lewiston)  
(Ordered Printed)

Bill "An Act relating to Superintending School Committee of Town of Falmouth" (H. P. 306) (Presented by Mrs. Smith of Falmouth)  
(Ordered Printed)

Bill "An Act relating to Amount of Property Held by West Oxford Agricultural Society" (H. P. 307) (Presented by Mr. Trumbull of Fryeburg)  
(Ordered Printed)  
Sent up for concurrence.

#### Liquor Control

Bill "An Act relating to Closing Liquor Places of Business on Sunday" (H. P. 308) (Presented by Mr. Curtis of Bowdoinham)  
(Ordered Printed)

Bill "An Act Prohibiting Sale of Liquor on All Election Days" (H. P. 309) (Presented by same gentleman)  
(Ordered Printed)

Bill "An Act relating to Sale of Malt Liquor in Glass Containers" (H. P. 310) (Presented by Mr. Johnson of Stockholm)  
(Ordered Printed)  
Sent up for concurrence.

#### Natural Resources

Bill "An Act Permitting Pushaw Boat Club, Inc. to Erect Dam Across Pushaw Stream" (H. P. 311) (Presented by Mr. Treworgy of Orono)  
(Ordered Printed)

Resolve Authorizing the State Forest Commissioner to Convey Certain Land in Kennebec County (H. P. 312) (Presented by Mr. Choate of Hallowell)  
(Ordered Printed)  
Sent up for concurrence.

#### Public Health

Bill "An Act relating to Free Vaccination and Inoculation" (H. P. 313) (Presented by Mr. Reed of Woolwich)  
(Ordered Printed)

Bill "An Act relating to Permit Before Examination for Applicant

to Practice Barbering" (H. P. 314) (Presented by same gentleman)  
(Ordered Printed)  
Sent up for concurrence.

#### Public Utilities

Bill "An Act to Incorporate the Eastport Water District" (H. P. 315) (Presented by Mr. Boone of Eastport)  
(Ordered Printed)  
Sent up for concurrence.

#### Retirements and Pensions

Resolve in favor of Miss Margaret Crosby of Bangor (H. P. 316) (Presented by Mr. Cox of Dexter)  
(Ordered Printed)  
Sent up for concurrence.

#### State Government

Bill "An Act to Provide for Participation in Maine Employment Security by the State and Political Subdivisions" (H. P. 317) (Presented by Mr. Tardiff of Lewiston)  
(750 copies Ordered Printed)

Bill "An Act Increasing Salary of Commissioner of Education" (H. P. 318) (Presented by Mr. Aliberti of Rumford)  
(Ordered Printed)

Bill "An Act Clarifying the Laws Relating to the Department of Finance and Administration" (H. P. 319) (Presented by Mr. Stanley of Bangor)  
(Ordered Printed)  
Sent up for concurrence.

#### Taxation

Bill "An Act to Clarify the Sales and Use Tax Law" (H. P. 320) (Presented by Mr. Cyr of Augusta)  
(750 copies Ordered Printed)

Bill "An Act relating to Definition of Retail Sale in Sales and Use Tax Law" (H. P. 321) (Presented by Mr. Maxwell of Jay by request)  
(750 copies Ordered Printed)

Bill "An Act relating to Registration of Property Subject to Sales or Use Tax" (H. P. 322) (Presented by Mr. Walsh of Verona)  
(750 copies Ordered Printed)

Bill "An Act Exempting Certain Fraternal Associations from Property Taxation" (H. P. 323) (Presented

by Mr. Plante of Old Orchard Beach)  
(Ordered Printed)  
Sent up for concurrence.

**Towns and Counties**

Bill "An Act relating to County Parking Areas" (H. P. 324) (Presented by Mr. Cox of Dexter)  
(Ordered Printed)

Bill "An Act Increasing Salaries of County Attorney and Assistant County Attorney of Cumberland County" (H. P. 325) (Presented by Mr. Earles of South Portland)  
(Ordered Printed)

Bill "An Act Changing Name of Clerk Appointed by Register of Deeds to Deputy Register of Deeds" (H. P. 326) (Presented by same gentleman)  
(Ordered Printed)

Bill "An Act Increasing Clerk Hire and Salaries of Judges and Recorders of Municipal Courts in Cumberland County" (H. P. 328) (Presented by Mr. Jones of South Portland)  
(Ordered Printed)

Bill "An Act Increasing Clerk Hire and Salaries of County Officers of Cumberland County" (H. P. 328) (Presented by same gentleman)  
(Ordered Printed)  
Sent up for concurrence.

**Transportation**

Bill "An Act relating to School Bus Operators" (H. P. 329) (Presented by Mr. Choate of Hallowell)  
(Ordered Printed)

Bill "An Act relating to Type of Lights on School Buses" (H. P. 330) (Presented by same gentleman)  
(Ordered Printed)

Bill "An Act relating to Speed of Certain Commercial Vehicles" (H. P. 331) (Presented by Mr. Curtis of Bowdoinham)  
(Ordered Printed)

Bill "An Act relating to Nonresident Motor Vehicle Privileges" (H. P. 332) (Presented by Mr. Lacharite of Brunswick)  
(Ordered Printed)  
Sent up for concurrence.

**Welfare**

Bill "An Act Changing the Name Pauper to Indigent Person" (H. P.

333) (Presented by Mr. Russell of Portland)  
(Ordered Printed)  
Sent up for concurrence.

**Orders**

Mr. Haughn of Bridgton presented the following Order and moved its passage:

ORDERED, the Senate concurring, that the State Controller supply for use of the Legislature two hundred copies of a list of State Employees with their salaries as of December 31, 1958, and be it further

ORDERED, that said lists be distributed, one to each member of the Senate, House and Council; two to the Executive; and one to the Secretary of the Senate; one to the Clerk of the House; and the balance to the State Librarian for exchange purposes. (H. P. 334)

The Order received passage and was sent up for concurrence.

On motion of Mr. Turner of Auburn, it was

ORDERED, that the Treasurer of the University of Maine be directed to deposit with the Clerk of the House for the use of the Legislature a list of officers, faculty and employees of the University of Maine, together with their salaries as of December 31, 1958.

BE IT FURTHER ORDERED, that 200 copies of the list be either printed or reproduced to be distributed, one to each member of the Senate, House and Council; two to the Executive; one to the Secretary of the Senate; one to the Clerk of the House and the balance to the State Librarian for exchange purposes.

On motion of Mr. Monroe of Monroe, it was

ORDERED, that Rev. Carl Kingsbury of the Community Church, Monroe, be invited to officiate as Chaplain of the House on Thursday, February 19, 1959.

**Tabled and Assigned**

Mr. Couture of Lewiston presented the following Order and moved its passage:

ORDERED, that a committee, consisting of seven (7) members of the House of Representatives, be appointed by the Speaker of the



House to investigate the insurance company, known as Mutual of Omaha, as to the policies of insurance which this company sells in Maine providing insurance against loss resulting from bodily injury or death by accident or from sickness, or both. The committee is instructed to determine whether or not Maine citizens are being deprived of their apparent benefits under the insurance policies sold by Mutual of Omaha.

Said Committee is hereby authorized and empowered to examine witnesses under oath and to employ counsel, investigators and agents, subpoena witnesses and require the production of books, papers, documents, records and other evidence and said committee may direct the issuing of subpoenas for the attendance of such witnesses and the production of such documents, and designate one of its members to issue such subpoenas.

The committee shall report the results of its investigation to the 99th Legislature before adjournment.

All expenses incurred by said committee in the discharge of its duties and reasonable expenses of its members shall be paid from the appropriation for the legislative department upon vouchers approved by the Committee on Appropriations and Financial Affairs.

The Order was read.

(On motion of Mr. Couture of Lewiston, the Order was tabled pending passage and specially assigned for Wednesday, February 11, and ordered reproduced.)

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#### **House Report of Committee Ought to Pass Printed Bill**

Mr. Hutchinson from the Committee on Legal Affairs reported "Ought to pass" on Bill "An Act relating to Compensation of Councilors of Town of Houlton" (H. P. 71) (L. D. 109)

Report was read and accepted, the Bill read twice and tomorrow assigned.

#### **Passed to Be Engrossed**

Bill "An Act relating to Value of Property Held by Portland Yacht Club" (S. P. 27) (L. D. 7)

Bill "An Act Permitting Savings Banks to Act as Collection Agents" (H. P. 22) (L. D. 45)

Bill "An Act relating to Special Limitations for Mortgage Loans for Real Estate Sold by Savings Banks" (H. P. 54) (L. D. 76)

Bill "An Act relating to Fees of Board of Registration for Architects" (H. P. 76) (L. D. 114)

Were reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed and sent to the Senate.

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#### **Amended Resolve**

Resolve Amending the Resolve Authorizing the Forest Commissioner to Convey Certain Land of the State in York County (H. P. 47) (L. D. 67)

Was reported by the Committee on Bills in the Third Reading, read the second time, passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

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#### **Orders of the Day**

On motion of the gentleman from Auburn, Mr. Wade, the House voted to take from the table the first tabled and unassigned matter, Bill "An Act Increasing the Salary of the County Attorney of Hancock County", House Paper 226, Legislative Document 321, tabled on January 29 by that gentleman pending reference.

On further motion of the same gentleman, the Bill was referred to the Committee on Towns and Counties and sent up for concurrence.

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(Off Record Remarks by the Speaker)

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On motion of Mr. Choate of Hallowell,

Adjourned until one o'clock tomorrow afternoon.