

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 11, 1959

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

Prayer by the Rev. Mr. George S. Bovill of the Congregational Church, Ellsworth.

The journal of yesterday was read and approved.

The following Emergency Measure was taken up out of order by unanimous consent:

**Finally Passed
Emergency Measure**

Resolve Appropriating Moneys to Provide for Necessary Expert Assistance in Regulation of Rates (S. P. 77) (L. D. 126)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 127 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent forthwith to the Senate.

Mr. Stanley of Bangor was granted unanimous consent to address the House out of order.

Mr. STANLEY: Mr. Speaker, I would just like to say that the Resolve is to provide moneys for the Public Utilities Commission, \$27,500, for expert advice for their hearings. They have two hearings before them for rate increases, one from an electric company and one from a water company, which have to be in, one of them in April and one of them in June. Therefore, they had to come to this Legislature to get moneys enough to take care of those expenses in this biennium. It is not an appropriation for the next two years, but it is an appropriation in this current year. The money would come from unappropriated surplus.

Papers from the Senate

From the Senate:

Bill "An Act Appropriating Moneys for Acquisition of Land at Androscoggin Lake for Park Purposes" (S. P. 187) (L. D. 483)

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 Creating an Unfair Sales Act" (S. P. 179) (L. D. 482)

Came from the Senate referred to the Committee on Business Legislation.

In the House, referred to the Committee on Business Legislation in concurrence.

From the Senate:

Bill "An Act Clarifying Name of Federal Law Relating to Federal Highway Funds" (S. P. 188) (L. D. 484)

Came from the Senate referred to the Committee on Highways.

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

From the Senate:

Bill "An Act relating to Payments to Lincoln County Law Library" (S. P. 189) (L. D. 485)

Bill "An Act relating to Tax Appeals" (S. P. 190) (L. D. 486)

Bill "An Act relating to Town Dumps" (S. P. 191) (L. D. 487)

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 Authority of Sigma Kappa Sorority to Hold Property" (S. P. 192) (L. D. 488)

Bill "An Act Providing for Limited Electrician's Licenses for Specific Installations" (S. P. 193) (L. D. 489)

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 Use of Draggers in Sheepscot Bay" (S. P. 194) (L. D. 490)

Came from the Senate referred to the Committee on Sea and Shore Fisheries.

In the House, referred to the Committee on Sea and Shore Fisheries in concurrence.

From the Senate:

Bill "An Act Permitting Municipalities to Provide Educational Scholarships" (S. P. 196) (L. D. 491)

Bill "An Act relating to County Office Space of State Probation-Parole Officers" (S. P. 197) (L. D. 492)

Bill "An Act Increasing Salaries of County Officers of Knox County" (S. P. 198) (L. D. 493)

Bill "An Act Increasing Salary of Judge of Rockland Municipal Court" (S. P. 199) (L. D. 494)

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 Communication: (S. P. 222)

MAINE STATE LIBRARY
AUGUSTA

January 29, 1959

To the Senate and House of Representatives

State of Maine:

In accordance with the provisions of chapter 42, section 14, of the Revised Statutes, the report of the Maine State Library for the period July 1, 1956, to June 30, 1958, is herewith submitted.

(Signed) RUTH A. HAZELTON
Librarian

Came from the Senate read and ordered placed on file.

In the House, the Communication was read and with accompanying Report was ordered placed on file in concurrence.

Senate Reports of Committees
Ought to Pass

Report of the Committee on Judiciary reporting "Ought to pass" on Resolve Providing that the Legislative Research Committee Study the Creation of a District Court System for Lower Courts (S. P. 56) (L. D. 89)

Report of same Committee reporting same on Bill "An Act relating to Persons Qualified to Serve as Jurors" (S. P. 57) (L. D. 90)

Came from the Senate with the Reports read and accepted and the

Bill and Resolve passed to be engrossed.

In the House, Reports were read and accepted in concurrence, the Bill read twice, Resolve read once, and tomorrow assigned.

Non-Concurrent Matter

Bill "An Act relating to the Licensing and Distribution of Trading Stamps" (H. P. 272) (L. D. 404) which was referred to the Committee on Business Legislation in the House on February 4.

Came from the Senate referred to the Committee on Taxation in non-concurrence.

In the House: On motion of Mr. Curtis of Bowdoinham, the House voted to recede and concur with the Senate.

On motion of Mrs. Hanson of Lebanon, House Rule 25 was suspended for the remainder of today's session in order to permit smoking.

Petitions, Bills and Resolves
Requiring Reference

The following 4 Bills (transmitted by the Director of Legislative Research pursuant to Joint Order S. P. 47) were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

Education

Bill "An Act to Authorize the Municipalities of Cornish, Hiram, Limerick, Newfield, Parsonsfield and Porter to Form a School Administrative District" (H. P. 427) (Presented by Mr. Rowe of Limerick)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act to Incorporate the Town of Harpswell Neck" (H. P. 428) (Presented by Mr. Crockett of Freeport by request)

(Ordered Printed)

Sent up for concurrence.

Sea and Shore Fisheries

Bill "An Act relating to Taking of Tom Cods in Gouldsboro and

Steuben" (H. P. 429) (Presented by Mr. Kennedy of Milbridge)
(Ordered Printed)

Sent up for concurrence.

Towns and Counties

Bill "An Act to Authorize County Commissioners of Cumberland County to Issue Bonds for Portland Bridge Repairs" (H. P. 430) (Presented by Mr. Earles of South Portland)

(Ordered Printed)

Sent up for concurrence.

Appropriations and Financial Affairs

Bill "An Act relating to Disposition of Income on Public Administrator's Funds" (H. P. 431) (Presented by Mr. Moore of Casco)

(Ordered Printed)

Bill "An Act relating to Sewage Pollution Surveys" (H. P. 432) (Presented by Mr. Stanley of Bangor)

(Ordered Printed)

Resolve in favor of Improvements to the Women's Dormitory at Washington State Teachers' College (H. P. 433) (Presented by Mr. Denison of East Machias)

(Ordered Printed)

Resolve in favor of an Athletic Field at Washington State Teachers' College (H. P. 434) (Presented by same gentleman)

(Ordered Printed)

Resolve to Reimburse Old Town School Department for Tuition for Children Living on Indian Island (H. P. 435) (Presented by Mr. Dufour of Old Town)

(Ordered Printed)

Sent up for concurrence.

Business Legislation

Bill "An Act relating to Unsecured Loans of Savings Banks" (H. P. 436) (Presented by Mr. Chapman of Gardiner)

(Ordered Printed)

Sent up for concurrence.

Claims

Resolve to Reimburse the Town of Swan's Island for Aid Extended to Leverett and Marie Carter (H. P. 437) (Presented by Mr. Graves of Mount Desert)

(Ordered Printed)

Sent up for concurrence.

Election Laws

Bill "An Act Revising Election Laws Relating to Registration of Voters and Boards of Registration" (H. P. 433) (Presented by Mr. Miller of Portland)

(750 copies Ordered Printed)

Bill "An Act Providing for Evening Sessions of Boards of Registration" (H. P. 439) (Presented by Mr. Briggs of Portland)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act Permitting Certain Public Utility Corporations to Hold Stockholders Meetings Outside the State" (H. P. 440) (Presented by Mr. Cox of Dexter)

(Ordered Printed)

Bill "An Act Prohibiting Certain Dangerous Knives" (H. P. 441) (Presented by Mr. Ervin of Houlton)

(Ordered Printed)

Resolve Authorizing Flora Burrill Tibbetts to Bring Suit at Law Against the State of Maine (H. P. 442) (Presented by Mr. Berman of Auburn by request)

(Ordered Printed)

Sent up for concurrence.

Labor

Bill "An Act Defining Agricultural Labor under Employment Security Law" (H. P. 443) (Presented by Mr. Bragdon of Perham)

(750 copies Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act relating to Municipal Zoning Boards of Appeal" (H. P. 444) (Presented by Mr. Earles of South Portland)

(Ordered Printed)

Sent up for concurrence.

Natural Resources

Resolve Permitting the Building of a Wharf in Lake Maranacook, Kennebec County (H. P. 445) (Presented by Mr. Dumaine of Readfield)

(Ordered Printed)

Resolve Authorizing Commissioner of Institutional Service to Grant Pole Line Easements on the Property of the State of Maine in Ban-

gor (H. P. 446) (Presented by Mr. Stanley of Bangor)
(Ordered Printed)
Sent up for concurrence.

State Government

Bill "An Act Increasing Salaries of Justices of Supreme Judicial Court and Superior Court" (H. P. 447) (Presented by Mr. Cox of Dexter)
(Ordered Printed)
Sent up for concurrence.

Taxation

Bill "An Act Increasing State Property Taxes" (H. P. 448) (Presented by Mr. Cox of Dexter)
(750 copies Ordered Printed)
Bill "An Act relating to Taxation of Household Furniture" (H. P. 449) (Presented by Mr. Storm of Sherman)
(Ordered Printed)

Bill "An Act relating to Taxation of Intangible Personal Property" (H. P. 450) (Presented by same gentleman)
(Ordered Printed)

Bill "An Act relating to Excise Tax on Commercial Trailers" (H. P. 451) (Presented by same gentleman)
(Ordered Printed)

Resolve Providing Relief for The American Legion Foundation, Holding and Endowment Corporation of the George Edwin Kirk Post, No. 25 (H. P. 452) (Presented by Mr. Shepard of Stonington)
(Ordered Printed)
Sent up for concurrence.

Towns and Counties

Bill "An Act relating to Compensation of Medical Examiners for View without Autopsy" (H. P. 453) (Presented by Mr. Chapman of Gardiner)
(Ordered Printed)

Bill "An Act Increasing Salary of Sheriff of Kennebec County" (H. P. 454) (Presented by same gentleman)
(Ordered Printed)

Bill "An Act Increasing the Salary of Judge of Probate of York County" (H. P. 455) (Presented by Mr. Desmarais of Sanford)
(Ordered Printed)

Bill "An Act Increasing Salary of Register of Probate of York Coun-

ty" (H. P. 456) (Presented by same gentleman)
(Ordered Printed)
Sent up for concurrence.

Transportation

Bill "An Act Providing for Registration of Stock Race Cars" (H. P. 457) (Presented by Mr. Clark of Scarborough by request)
(Ordered Printed)

Bill "An Act relating to Single Axle-Weight Tolerance for Motor Vehicles Carrying Bulk Wood Flour" (H. P. 458) (Presented by Mr. Berman of Auburn by request)
(Ordered Printed)

Bill "An Act relating to Operation of Farm Trucks" (H. P. 459) (Presented by Mr. Storm of Sherman)
(Ordered Printed)
Sent up for concurrence.

The SPEAKER: At this time the Chair would like to recognize the presence in the gallery of the House of a group of eleven young ladies from Erskine Academy, comprising the Office Practice Class, escorted by their teacher, Miss Hancock, who is the daughter of Representative Hancock, a member of this House. The Chair extends to you a most hearty welcome and we hope you will enjoy your visit with us today. (Applause)

Orders

On motion of Mrs. Hanson of Lebanon, it was

ORDERED, that Rev. Truman Bray of the West Lebanon Baptist Church and Center Lebanon Congregational Church, be invited to officiate as Chaplain of the House on Thursday, March 5, 1959.

On motion of Mr. Jewett of Pittston, it was

ORDERED, that Rev. Robert B. Cumler of the Congregational Church, Pittston, be invited to officiate as Chaplain of the House on Thursday, February 26, 1959.

On motion of Mr. Curtis of Bowdoinham, it was

ORDERED, that Rev. Donald Taylor of the Second Baptist Church, Bowdoinham, be invited to officiate

as Chaplain of the House on Thursday, February 12, 1959.

On motion of Mr. Graves of Mount Desert, it was

ORDERED, that Mr. Parsons of Hartford be excused from attendance for the duration of his illness.

On motion of Mr. Call of Cumberland, it was

ORDERED, that the Speaker of the House be authorized to select from proofs furnished by Bachrach one proof that shall be printed 20 in. x 24 in. and framed, of the Clerk of the House, as provided in the House Order passed on May 29, 1957. Invoice for same shall be paid from the legislative appropriations on approval of the Speaker of the House.

House Reports of Committees Ought Not to Pass

Mr. Chapman from the Committee on Retirements and Pensions reported "Ought not to pass" on Resolve Providing State Pension for Lorraine White of Patten (H. P. 172) (L. D. 246)

Mr. Ederly from same Committee reported same on Resolve in favor of Harold E. Carson of Hartland (H. P. 173) (L. D. 247)

Reports were read and accepted and sent up for concurrence.

Tabled and Assigned

Mr. Dumais from the Committee on Transportation reported "Ought not to pass" on Bill "An Act relating to Initial Motor Vehicle Number Plates" (H. P. 227) (L. D. 317)

Report was read.

(On motion of Mr. Curtis of Bowdoinham, tabled pending acceptance of Committee Report and specially assigned for next Tuesday, February 17.)

Ought to Pass Printed Bills

Mr. Trumbull from the Committee on Legal Affairs reported "Ought to pass" on Bill "An Act relating to Compensation of Trustees of Poland Ministerial Fund" (H. P. 167) (L. D. 241)

Mr. Lindsay from the Committee on Transportation reported same on Bill "An Act relating to Use of

Lights on School Buses" (H. P. 182) (L. D. 253)

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

Passed to Be Engrossed

Bill "An Act relating to Age Eligibility of Firemen and Policemen of the City of Saco" (S. P. 42) (L. D. 40)

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

Bill "An Act Defining Merchandise under Factor Lien Law" (H. P. 83) (L. D. 130)

Bill "An Act Repealing the Advisory Committee on Budget" (H. P. 100) (L. D. 147)

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

Amended Bill

Bill "An Act relating to Officers of Domestic Mutual Fire Insurance Companies" (H. P. 134) (L. D. 192)

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

Passed to Be Enacted Emergency Measure

An Act to Allocate Money from the General Highway Fund for State Aid Construction (S. P. 40) (L. D. 38)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 137 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

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)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an

emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 135 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act relating to Residence of Chief of Police of Ogunquit Village Corporation (H. P. 42) (L. D. 62)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 135 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act relating to Payment to Oxford County Law Library (S. P. 24) (L. D. 4)

An Act relating to Payments to County Law Library at Rumford (S. P. 25) (L. D. 5)

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

An Act relating to Residence of Trustees of Monmouth Academy (H. P. 10) (L. D. 19)

An Act relating to Pilots for the Port of Portland (H. P. 14) (L. D. 23)

An Act relating to Town Meetings (H. P. 29) (L. D. 49)

An Act relating to Return of Writs in York County (H. P. 37) (L. D. 57)

An Act Permitting Prisoners at County Jails to Attend Funerals Outside (H. P. 41) (L. D. 61)

An Act relating to Qualifications for Appointment to Auburn Police and Fire Departments (H. P. 43) (L. D. 63)

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)

Finally Passed

Resolve Designating Bridge in York Harbor as "Marshall Bridge" (H. P. 30) (L. D. 50)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, Bills passed to be enacted, Resolve finally passed, all signed by the Speaker and sent to the Senate.

Orders of the Day

The SPEAKER: Under Orders of the Day, the Chair now lays before the House the first and only tabled and today assigned matter, House Order creating a Committee to Investigate Mutual of Omaha Insurance Company, tabled on February 4 by the gentleman from Lewiston, Mr. Couture, pending passage.

The Chair recognizes the gentleman from Gorham, Mr. Sanborn.

Thereupon, on motion of Mr. Sanborn of Gorham, the Order was referred to the Committee on Rules and Business of the House with instructions to report back to the House within two weeks.

On motion of the gentleman from Bangor, Mr. Stanley, the House voted to take from the table the first tabled and unassigned matter, House Report "Ought to pass" of the Committee on Claims on Resolve to Reimburse Town of Oakfield for Aid to Family of Leo Cote, House Paper 2, Legislative Document 11, tabled on January 29 by that gentleman pending acceptance of Report.

On further motion of the same gentleman, the Report was accepted; and the Resolve was given its first reading and tomorrow assigned.

On motion of the gentleman from Bangor, Mr. Stanley, the House voted to take from the table the second tabled and unassigned matter, House Report "Ought to pass" of the Committee on Claims on Resolve in favor of Town of Bethel for Aid for Charles F. Cone, House Paper 26, Legislative Document 227, tabled on January 29 by that gentleman pending acceptance of Report.

On further motion of the same gentleman, the Report was accepted;

and the Resolve was given its first reading and tomorrow assigned.

On motion of the gentleman from Bangor, Mr. Stanley, the House voted to take from the table the third tabled and unassigned matter, House Report "Ought to pass" as amended by Committee Amendment "A" of the Committee on Claims on Resolve in favor of Robert H. Anderson of Falls Church, Virginia, House Paper 25, Legislative Document 226, tabled on January 29 by that gentleman pending acceptance of Report.

On further motion of the same gentleman, the Report was accepted; and the Resolve was read once.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 25, L. D. 226, Resolve, in Favor of Robert H. Anderson of Falls Church, Virginia.

Amend said Resolve by striking out the figures "\$110." in the second line and inserting in place thereof the figures '\$50.'

Committee Amendment "A" was adopted and the Resolve assigned for second reading tomorrow.

The SPEAKER: The House is proceeding under Orders of the Day.

On motion of Mr. Cox of Dexter, Adjourned until one o'clock tomorrow afternoon.