

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

HOUSE

Friday, January 22, 1960

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

Prayer by the Rev. Mr. Earl Waterman of Augusta.

The journal of yesterday was read and approved.

Papers from the Senate Senate Report of Committee Ought to Pass

Report of the Committee on Inland Fisheries and Game reporting "Ought to pass" on Bill "An Act relating to Identification Numbers and Disposition of Fines under Boating Law" (S. P. 525) (L. D. 1432)

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed.

In the House, the Report was read and accepted in concurrence, the Bill read twice and assigned the next legislative day.

Orders Tabled and Assigned

Mr. Jalbert of Lewiston presented the following Orders and moved their passage:

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shall number and print such measures in advance after which they become the property of the Legislature and may not be withdrawn by the sponsor.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)

ORDERED, the Senate concurring, that the joint rules be amended by adding thereto a new rule No. 19B to read as follows:

"The head of a department, commission or agency of the executive branch of state government may file recommendations for legisla-

tion which shall include therein drafts of such legislation.

Such recommendations may be filed with the Clerk of the House within forty-five days prior to the convening of any regular session of the Legislature and if so filed shall be treated the same as a bill or resolve.

Such recommendations shall be considered by the Committee on Reference of Bills and referred to the appropriate committee. Such committee may hold hearings thereon and report by bill, resolve or otherwise." (H. P. 1025)

ORDERED, the Senate concurring, that the joint rules be amended by adding thereto a new rule No. 19C to read as follows:

"During any regular session all bills for private or special legislation and all resolves, in complete final form, shall be introduced in either house of the Legislature not later than 1 P.M. of the 3rd Friday of January; and all other legislation shall be introduced in either house not later than 1 P.M. of the last Friday of January, except by unanimous consent in the body in which it is introduced.

Recommendations for legislation from departments, agencies and commissions must be filed not later than 1 P.M. of the 2nd Friday of January.

This Rule shall not apply to bills or resolves reported by any joint committee in the regular course of business, nor to such bills and resolves as are intended only to facilitate the business of the Legislature.

The Clerk of the House shall cause the first paragraph of this Rule to be published in all daily papers in the State at least twice monthly for the two months immediately preceding the convening of the Legislature in regular session and at least twice during January prior to the 3rd Friday of the month." (H. P. 1026)

Thereupon, on further motion of the same gentleman, tabled and assigned the next legislative day.

Tabled and Assigned

Mr. Ervin of Houlton presented the following Orders and moved their passage;

ORDERED, that House Rule No. 47 be amended by inserting after the word "member" as it is first used the words "or member-elect" and further amend said rule by adding at the end of the first sentence the words "unless otherwise provided under the rules" so that the first sentence of said rule as amended shall read as follows:

"All petitions, memorials and other papers addressed to the House, and all bills and resolves to be introduced in the House, shall bear the signature of the member or member-elect presenting them and a brief descriptive title and shall be deposited by the member presenting them in a box placed for that purpose in front of the Clerk's desk, unless otherwise provided under the rules."

ORDERED, that House Rule No. 8 be amended by deleting the following: "on County Estimates to consist of one member from each county."

The SPEAKER: These two orders under the rules must automatically lie on the table until the next legislative day.

On motion of the gentlewoman from Presque Isle, Mrs. Christie, 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 Bill Amended

Mr. Cox from the Committee on Judiciary reported "Ought to pass" on Bill "An Act Regulating Certain Rockets" (H. P. 1015) (L. D. 1444)

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

Mr. Cox of Dexter presented House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1015, L. D. 1444, "An Act Regulating Certain Rockets."

Amend said Bill in that part designated "Section 21-B." by striking out the underlined words 'containing less than 40 cubic inches of propellant;' in the first and second lines of subsection II, and inserting in place thereof the under-

lined words 'having a gross weight of 12 pounds or less.'

The SPEAKER: The Chair recognizes the gentleman from Dexter, Mr. Cox.

Mr. COX: Mr. Speaker, Ladies and Gentlemen of the House: This amendment is actually a committee amendment which through inadvertence was left out of the committee report. The Insurance Department tells us that this definition is a much more precise definition than was in the original bill.

Thereupon, House Amendment "A" was adopted and the Bill assigned for third reading the next legislative day.

Passed to Be Engrossed Amended Bill

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" (H. P. 991) (L. D. 1400)

Was reported by the Committee on Bills in the Third Reading and read the third time.

Mr. Weston of Farmingdale presented House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 991, L. D. 1400, 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."

Amend said Bill in the title by adding after the word "Education" at the end the following: 'and to Authorize the Municipalities of Chelsea, Windsor and Whitefield to Form a School Administrative District.'

Further amend said Bill by inserting at the beginning of the first line after the enacting clause the abbreviation and figure: 'Sec. 1.'

Further amend said Bill, in the 2nd paragraph, by striking out the words "this act" and inserting in place thereof the words 'the preceding paragraph.'

Further amend said Bill by adding at the end 3 new paragraphs, to read as follows:

‘Sec. 2. School Administrative District for Chelsea, Windsor and Whitefield authorized. The municipalities of Chelsea, Windsor and Whitefield are exempted from the limitations provided in the Revised Statutes of 1954, chapter 41, section 111-E, as amended, and the Maine School District Commission is authorized to proceed, pursuant to sections 111-F to 111-U of said chapter 41, to take the necessary action to allow the municipalities of Chelsea, Windsor and Whitefield to form a School Administrative District.

The School Administrative District once formed shall be and is entitled to charge an annual tuition rate which may exceed by 30 percent the actual per pupil costs of the School Administrative District, but which shall not exceed 130 percent of the average cost per pupil in all secondary schools of the State for the preceding fiscal year.

Nothing contained in this act shall be construed to limit the number of times that the within-named municipalities may make application to the Maine School District Commission, nor shall the authority heretofore granted to the Maine School District Commission under this act be limited to any specified number of times for the commission to authorize the within-named municipalities to act on the formation of a School Administrative District.’

House Amendment “A” was adopted, the Bill passed to be engrossed as amended and sent to the Senate.

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 School Administrative District 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)

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 Bills

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, Pasadumkeag and Sebouis 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 Con-

demnation in the City of Rockland” (H. P. 1019) (L. D. 1427)

Were 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.

Orders of the Day

Mr. Carter of Etna presented the following Order out of order and moved its passage;

ORDERED, that Rev. Robert M. Mitchell of the Carmel Union Congregational Church be invited to officiate as Chaplain of the House on Wednesday, January 27, 1960.

The Order received passage.

The following paper from the Senate was received out of order and under suspension of the rules:

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Monday, January 25, at three o'clock in the afternoon. (S. P. 543)

Came from the Senate today read and passed.

In the House, the Order was read and passed in concurrence.

On motion of Mr. Wade of Auburn,

Adjourned until Monday, January 25, at three o'clock in the afternoon.