

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

SENATE

Wednesday, February 18, 1959

Senate called to order by the President.

Prayer by Rev. Douglas H. Robins of Augusta.

On motion by Mrs. Lord of Cumberland Journal of yesterday read and approved.

The PRESIDENT: The Chair notes in the Senate Chamber, the presence of a former distinguished member of this Body, a former presiding officer. At this time the Chair will ask the Sergeant-at-Arms to escort to the rostrum Hon. Burleigh Martin. (Applause, members rising.)

House Papers

Bill, "An Act Providing for the Construction of an Addition to Connor Elementary School in the Unorganized Territory." (H. P. 460) (L. D. 678)

Bill, "An Act Providing for a State Tuberculosis Annex to Cary Memorial Hospital in Caribou." (H. P. 461) (L. D. 679)

Bill, "An Act Relating to School Taxes in Unorganized Townships." (H. P. 466) (L. D. 684)

"Resolve in Favor of a Women's Dormitory at Farmington State Teachers' College." (H. P. 467) (L. D. 685)

"Resolve Appropriating Moneys for a Natatorium Addition to the Multi-Purpose Building at Aroostook State Teachers' College." (H. P. 468) (L. D. 686)

"Resolve in Favor of the Economic Promotion of Maine." (H. P. 469) (L. D. 687)

"Resolve Appropriating Moneys for Vocational Educational Institute in Androscoggin County." (H. P. 470) (L. D. 688)

"Resolve Appropriating Moneys for a Sprinkler System in Andrews and Robie Halls at the Gorham State Teachers' College." (H. P. 471) (L. D. 689)

"Resolve Appropriating Moneys for the Renovation of Corthell Hall, First and Third Floors, at Gorham State Teachers' College." (H. P. 472) (L. D. 690)

"Resolve Appropriating Moneys for a Parking Space Adjacent to the Physical Education Building at

Gorham State Teachers' College." (H. P. 473) (L. D. 691)

"Resolve Appropriating Moneys for Campus Roads and Walks at Gorham State Teachers' College." (H. P. 474) (L. D. 692)

"Resolve Appropriating Moneys for Stand-By Emergency Power at Gorham State Teachers' College." (H. P. 475) (L. D. 693)

"Resolve Appropriating Moneys for an Industrial Arts Building at Gorham State Teachers' College." (H. P. 476) (L. D. 694)

"Resolve Appropriating Moneys for Primary Voltage Distribution System at Gorham State Teachers' College." (H. P. 477) (L. D. 695)

"Resolve Appropriating Moneys for a Parking Space Adjacent to the Industrial Arts Building at Gorham State Teachers' College." (H. P. 478) (L. D. 696)

Which were severally referred to the Committee on Appropriations and Financial Affairs in concurrence.

Bill, "An Act Relating to Disposition of Income on Unclaimed Liquidating Dividends." (H. P. 479) (L. D. 697)

Bill, "An Act Relating to Retail Installment Contract Under Motor Vehicle Sales Finance Law." (H. P. 480) (L. D. 698)

Which were referred to the Committee on Business Legislation in concurrence.

Bill, "An Act to Reimburse Town of Warren for Loss of Tax Revenue." (H. P. 481) (L. D. 699)

(On motion by Mr. Hillman of Penobscot, tabled pending reference.)

"Resolve in Favor of Newington Home and Hospital for Crippled Children in Newington, Connecticut." (H. P. 482) (L. D. 700)

"Resolve in Favor of Grand Falls Hospital, Grand Falls, New Brunswick." (H. P. 483) (L. D. 701)

Which were severally referred to the Committee on Claims in concurrence.

Bill, "An Act to Authorize the Municipalities of Brownville and Milo to Form a School Administrative District." (H. P. 462) (L. D. 680)

Bill, "An Act Concerning Tuition of Children in Temporary Residence on State-Owned Property." (H. P. 489) (L. D. 702)

Which were referred to the Committee on Education in concurrence.

Bill, "An Act Relating to Area Directional Sign for Sebago Lake, West Shore." (H. P. 490) (L. D. 703)

Which was referred to the Committee on Highways in concurrence.

Bill, "An Act Relating to Fishing in Waters of Piscataquis County." (H. P. 491) (L. D. 704)

"Resolve Opening Certain Lakes and Ponds in Aroostook, Penobscot and Piscataquis Counties to Ice Fishing." (H. P. 492) (L. D. 705)

"Resolve Opening Hancock Pond, Oxford and Cumberland Counties to Ice Fishing." (H. P. 493) (L. D. 706)

"Resolve Opening Sand Pond, Oxford County to Ice Fishing." (H. P. 494) (L. D. 707)

"Resolve Prohibiting Use and Possession of Live Fish as Bait in Auburn Lake, Androscoggin County." (H. P. 495) (L. D. 708)

"Resolve Opening Sheepscot Lake, Waldo County, to Ice Fishing for Game Fish." (H. P. 496) (L. D. 709)

"Resolve Regulating Fishing in Ruffingham Meadow Game Management Area Flowage, Waldo County." (H. P. 497) (L. D. 710)

"Resolve Establishing Daily Limit of Trout on Ledge Pond, Charlotte Township, Washington County." (H. P. 498) (L. D. 711)

Which were severally referred to the Committee on Inland Fisheries and Game in concurrence.

Bill, "An Act Repealing the Incorporation of the Officers and Members of Lafayette Lodge." (H. P. 463) (L. D. 681)

"Resolve Authorizing Waiver of Certain Requirements to Admit Dorothy M. Rubin of Bath to the General Practice of Law." (H. P. 499) (L. D. 712)

Which were referred to the Committee on Judiciary in concurrence.

Bill, "An Act Relating to Contributions Under Maine Employment Security Law." (H. P. 500) (L. D. 713)

Which was referred to the Committee on Labor in concurrence.

Bill, "An Act Relating to Property Limitations under Charter of the

City of Biddeford." (H. P. 464) (L. D. 682)

Bill, "An Act Providing for the Appointment of a Civil Service Commission for the Police and Fire Departments of the City of Biddeford." (H. P. 465) (L. D. 683)

Bill, "An Act Relating to Disposition of School Property in Unorganized Territory." (H. P. 501) (L. D. 714)

Bill, "An Act Increasing Compensation for Boards of Registration in Cities with Over 39,000 Inhabitants." (H. P. 502) (L. D. 715)

Which were severally referred to the Committee on Legal Affairs in concurrence.

Bill, "An Act Relating to Sale of Certain Beverages to Minors." (H. P. 503) (L. D. 716)

Which was referred to the Committee on Liquor Control in concurrence.

Bill, "An Act Classifying Certain Surface Waters in Maine." (H. P. 504) (L. D. 717)

Which was referred to the Committee on Natural Resources in concurrence.

Bill, "An Act Relating to the Investment of State Sinking Funds." (H. P. 505) (L. D. 718)

Bill, "An Act Increasing Compensation of Clerks of the Law Court." (H. P. 506) (L. D. 719)

Bill, "An Act Increasing the Salary of the Treasurer of State." (H. P. 507) (L. D. 720)

Which were severally referred to the Committee on State Government in concurrence.

Bill, "An Act Relating to Exemption from Taxation of Certain Property Owned by Municipalities." (H. P. 508) (L. D. 721)

Bill, "An Act Relating to Taxation of Manufacturers' Inventories." (H. P. 509) (L. D. 722)

Bill, "An Act Relating to Taxation of Certain Construction Machinery and Equipment." (H. P. 510) (L. D. 723)

Which were severally referred to the Committee on Taxation in concurrence.

Bill, "An Act Relating to Clerk Hire and Salary of Register of Pro-

bate of Franklin County." (H. P. 511) (L. D. 724)

Bill, "An Act Increasing Salary of Clerk of Courts of Somerset County." (H. P. 512) (L. D. 725)

Which were referred to the Committee on Towns and Counties in concurrence.

Bill, "An Act Relating to Splash Guards for Certain Trucks." (H. P. 513) (L. D. 726)

Which was referred to the Committee on Transportation in concurrence.

House Committee Reports

The Committee on Highways on Bill, "An Act Permitting Ferry Service for Long Island Plantation." (H. P. 55) (L. D. 77) reported that the same Ought to pass.

Comes from House, report accepted; subsequently bill was recommitted to the Committee on Highways.

In the Senate, recommitted to the Committee on Highways in concurrence.

Ought Not to Pass

The Committee on Business Legislation on Bill, "An Act Relating to Examination for Real Estate Broker's or Salesman's License." (H. P. 235) (L. D. 346) reported that the same Ought not to pass.

The same Committee on Bill, "An Act Providing for Medical Payments Under Assigned Risk Plan." (H. P. 273) (L. D. 405) reported that the same Ought not to pass.

The Committee on Claims on "Resolve to Reimburse Town of Norway for Aid to Lafayette Waterhouse." (H. P. 23) (L. D. 46) reported that the same Ought not to pass.

The Committee on Inland Fisheries and Game on Bill, "An Act Relating to Penalty for Night Hunting." (H. P. 32) (L. D. 52) reported that the same Ought not to pass.

The Committee on Sea and Shore Fisheries on Bill, "An Act Relating to Setting Lobster Traps Near Weirs." (H. P. 58) (L. D. 80) reported that the same Ought not to pass.

Which reports were severally read and accepted in concurrence.

Ought to Pass

The Committee on Inland Fisheries and Game on Bill, "An Act Re-

lating to Gas Cartridges for Woodchuck Control and Rodenticide for Orchard Mouse Control." (H. P. 87) (L. D. 134) reported that the same Ought to pass.

The same Committee on "Resolve Opening Muddy Pond, Wayne, Kennebec County to Ice Fishing." (H. P. 35) (L. D. 55) reported that the same Ought to pass.

The same Committee on "Resolve Closing Shin Ponds, Upper and Lower, Penobscot County, to Ice Fishing." (H. P. 62) (L. D. 100) reported that the same Ought to pass.

The same Committee on "Resolve Regulating Ice Fishing in Hot Pond, Penobscot County." (H. P. 63) (L. D. 101) reported that the same Ought to pass.

The same Committee on "Resolve Regulating Fishing in Grace Pond, Somerset County." (H. P. 64) (L. D. 102) reported that the same Ought to pass.

The same Committee on "Resolve Regulating Smelt Fishing in Coffee Pond, Cumberland County." (H. P. 67) (L. D. 105) reported that the same Ought to pass.

The same Committee on "Resolve Opening Sebago Lake, Cumberland County, to Taking Smelts." (H. P. 89) (L. D. 136) reported that the same Ought to pass.

The same Committee on "Resolve Providing Funds for Conservation Education." (H. P. 90) (L. D. 137) reported that the same Ought to pass.

The Committee on State Government on Bill, "An Act Relating to Travel Allowance for Members of the Legislature." (H. P. 16) (L. D. 25) reported that the same Ought to pass.

Which reports were severally read and accepted in concurrence, the bills and resolves read once and tomorrow assigned for second reading.

Ought to Pass — as amended

The Committee on Judiciary on Bill, "An Act Relating to Power of Municipal Courts to Issue Real Estate Attachments." (H. P. 159) (L. D. 236) reported that the same Ought to Pass as amended by Committee Amendment A (Filing No. 13)

Which report was read and accepted in concurrence.

Committee Amendment A was read and adopted in concurrence, and the bill as so amended was tomorrow assigned for second reading.

Majority - ONTP
Minority - OTP

The Majority of the Committee on Inland Fisheries and Game on Bill, "An Act Providing for Bounty on Bears." (H. P. 61) (L. D. 99) reported that the same Ought Not to pass.

(Signed)

Senators:

CARPENTER of Somerset
HILLMAN of Penobscot
BRIGGS of Aroostook

Representatives:

MONROE of Monroe
DUDLEY of Enfield
CARVILLE of Eustis
WHEATON of Princeton

The Minority of the same Committee on the same subject matter, reported that the bill Ought to pass.

(Signed)

Representatives:

MOORE of Casco
DODGE of Guilford
HARRIS of Greenville

In House, Majority Report read and accepted.

In the Senate, on motion by Mr. Wyman of Washington, tabled pending acceptance of either report.

Majority - ONTP
Minority - OTP

The Majority of the Committee on Transportation on Bill, "An Act Relating to License Plates for Disabled or Paraplegic Veterans." (H. 229) (L. D. 319) reported that the same "Ought Not to pass."

(Signed)

Senators:

COLE of Waldo
PARKER of Piscataquis
DUNN of Kennebec

Representatives:

LEBEL of Van Buren
DUNN of Poland
HOBBS of Acton
LINDSAY of Brewer
DUMAIS of Lewiston

The Minority of the same Committee on the same subject matter

reported that the bill "Ought to pass."

(Signed)

Representatives:

DUMAINE of Readfield
WALLS of Millonocket

In House, Majority Report read and accepted.

In the Senate, on motion by Mr. Cole of Waldo, tabled pending acceptance of either report.

The PRESIDENT: The Chair would like to mention at this time that there are in the Senate Chamber this morning, visitors from the State Federation of Womens Republican Clubs. We are very happy to have you here and we hope that this will be a pleasant and profitable visit for you.

The PRESIDENT: The Chair notes in the Senate Chamber the presence of an attractive and charming wife of one of our members and at this time the Chair requests the Sergeant-at-Arms to escort to the rostrum, Mrs. Shelton Noyes, wife of Senator Noyes of Franklin. (Applause, members rising.)

Senate Papers

Appropriations and Financial Affairs

Mr. Wyman of Washington presented "Resolve Appropriating Monies for a Library at Washington State Teachers' College." (S. P. 289)

The same Senator presented "Resolve in Favor of a Lunchroom in the Administration Building at Washington State Teachers' College." (S. P. 290)

Which were referred to the Committee on Appropriations and Financial Affairs and ordered printed. Sent down for concurrence.

Retirements and Pensions

The same Senator presented "Resolve Providing for Retirement Benefit Increase for Mary E. C. Bridgham of Jonesboro." (S. P. 295)

The same Senator presented "Resolve Providing Retirement Benefit Increase for Carrie M. Longfellow of Machias." (S. P. 296)

Which were referred to the Committee on Retirements and pensions and ordered printed.

Sent down for concurrence.

Towns and Counties

The same Senator presented Bill, "An Act Relating to Use of Surplus Funds by Counties." (S. P. 300)

Which was referred to the Committee on Towns and Counties and ordered printed.

Sent down for concurrence.

The following bills were transmitted by the Director of Legislative Research pursuant to Joint Order (S. P. 47)

Appropriations and Financial Affairs

Mr. Rogerson of Aroostook presented Bill, "An Act Providing for Mental Health Services." (S. P. 288)

Which was referred to the Committee on Appropriations and Financial Affairs in concurrence.

Sent down for concurrence.

Education

Mr. Stilphen of Knox presented Bill, "An Act to Authorize the Addition of the Towns of Cushing, Rockport, St. George, Thomaston and Warren to School Administrative District No. 5." (S. P. 291)

Which was referred to the Committee on Education and ordered printed.

Sent down for concurrence.

Judiciary

Mr. Martin of Kennebec presented Bill, "An Act Relating to Reexamination of Applicants for Admission to the Bar." (S. P. 292)

Which was referred to the Committee on Judiciary and ordered printed.

Sent down for concurrence.

Retirements and Pensions

Mr. Parker of Piscataquis presented "Resolve in Favor of a Survivor Benefit Allowance for Otelia M. Race of Guilford." (S. P. 293)

Mr. Stilphen of Knox presented "Resolve Providing Retirement Benefit Increase for Helen D. Perry of Rockland." (S. P. 294)

Which were referred to the Committee on Retirements and Pensions and ordered printed.

Sent down for concurrence.

Taxation

Mr. Ross of Sagadahoc presented Bill, "An Act Relating to Liability

of Producers for Quahog Tax." (S. P. 297)

The same Senator presented (by request) Bill, "An Act Repealing the Tax on Quahogs." (S. P. 298)

Which were referred to the Committee on Taxation and ordered printed.

Sent down for concurrence.

Towns and Counties

Mr. Rogerson of Aroostook presented Bill, "An Act Relating to County Appropriations to Promote Counties." (S. P. 299)

Which was referred to the Committee on Towns and Counties and ordered printed.

Sent down for concurrence.

Orders

On motion by Mr. Rogerson of Aroostook

ORDERED, the House concurring, that the Department of Personnel be, and hereby is, authorized and directed to conduct an analysis and job evaluation for the purpose of establishing salary ranges for the positions established to perform services for the Legislature during its sessions; and be it further

ORDERED, that the Department of Personnel report the results of its study and recommendations to the 100th Legislature. (S. P. 301)

Which was read and passed.

Sent down for concurrence.

On motion by Mr. Cole of Waldo ORDERED, that the Committee on Inland Fisheries and Game be granted the use of the Senate Chamber for a hearing to be held on Tuesday, February 24.

Which was read and passed.

On motion by Mr. Pierce of Waldo ORDERED, that a Clerk Stenographer be employed to provide stenographic and clerical assistance to the members of the Senate, such clerk to be selected by the Secretary of the Senate with the approval of the President of the Senate, and be it further

ORDERED, that the Secretary of the Senate include in his payroll of Senate officers, the clerk so employed at a salary to be approved by the Senate members of the Joint Standing Committee on Appropria-

tions and Financial Affairs; and be it further

ORDERED, that the Secretary of the Senate shall provide the necessary equipment to carry out the duties of such clerk stenographer.

Which order was read and passed.

Senate Committee Report

Majority — ONTP
 Minority — OTP

The Majority of the Committee on Inland Fisheries and Game on "Resolve Regulating Fishing in Bemis Stream, Franklin County." (S. P. 96) (L. D. 214) reported that the same Ought not to pass.

(Signed)

Senators:

CARPENTER of Somerset
 BRIGGS of Aroostook
 HILLMAN of Penobscot

Representatives:

MONROE of Monroe
 WHEATON of Princeton
 HARRIS of Greenville
 DODGE of Guilford
 DUDLEY of Enfield
 MOORE of Caseo

The Minority of the same Committee on the same subject matter, reported that the resolve Ought to pass.

(Signed)

Representative

CARVILLE of Eustis

On motion by Mr. Carpenter of Somerset, the Ought not to pass Majority report was accepted.

Sent down for concurrence.

Bills in Second Reading

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

House

Bill, "An Act Relating to Compensation of Trustees of Poland Ministerial Fund." (H. P. 167) (L. D. 241)

"Resolve to Reimburse Town of Oakfield for Aid to Family of Leo Cote." (H. P. 2) (L. D. 11)

"Resolve in Favor of Town of Bethel for Aid to Charles F. Cone." (H. P. 26) (L. D. 227)

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

House - as amended

"Resolve in Favor of Robert H. Anderson of Falls Church Virginia." (H. P. 25) (L. D. 226)

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

Senate

Bill, "An Act Suspending Taxes on Certain Cases of Sardines." (S. P. 86) (L. D. 158)

Bill, "An Act Relating to Inactive Bank Accounts." (S. P. 130) (L. D. 325)

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

Sent down for concurrence.

Enactors

The Committee on Engrossed Bills reported as truly and strictly engrossed, the following bills:

Bill, "An Act Relating to Compensation of Councillors of Town of Houlton." (H. P. 71) (L. D. 109)

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

Which bills were passed to be enacted.

Emergency

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

Which bill, being an emergency measure, and having received the affirmative vote of 30 members of the Senate, was passed to be enacted.

Orders of the Day

Mrs. LORD of Cumberland: Mr. President, I would like to inquire if L. D. 636, is in the possession of the Senate?

The PRESIDENT: The Chair will state that it is, having been held at the request of Senator Lord of Cumberland.

Thereupon, on motion by Mrs. Lord of Cumberland, the Senate voted to reconsider its action whereby it referred to the Committee on Towns and Counties, bill, "An Act to Authorize County Commissioners of Cumberland County to Issue Bonds for Portland Bridge Repairs." (L. D. 636); and on further motion by the same Senator, the

bill was referred to the Committee on Highways in non-concurrence.

Sent down for concurrence.

On motion by Mr. Cole of Waldo, the Senate voted to take from the table: House Report from the Committee on Transportation, Majority Report "Ought not to pass," Minority report "Ought to pass" on Bill "An Act Relating to License Plates for Disabled or Paraplegic Veterans" which was tabled by that Senator earlier in today's session pending acceptance of either report.

Mr. COLE: Mr. President and members of the Senate: I would like to recall to you attention the fact that the calendar states that the House accepted the Majority Report. This was a printer's error, and it should have been the Minority Report.

I would like to give the members of the Senate the benefit of the committee's thinking on this particular bill. The bill itself calls for a "V" to be placed before the numerals of a special number plate. The committee, I assure you, have had the greatest amount of respect and consideration for the disabled veterans, the paraplegic veterans. If there had been anything that the committee could have done to improve the situation, I am sure we would have been very glad to have done it.

The present law now in effect gives the veterans a small red tag that can be attached to the regular plates, stating that they are a disabled veteran. It seems to me that this would be much better to assure the public of the due consideration that they desire to give and which the disabled veterans should have rather than to have a "V" before the numerals.

The committee felt that at present we have the "F" before the num-

eral for farm trucks and an "O" before the numerals for commercial vehicles, beach wagons and so forth. We felt the public would be more responsive to the little plate that is now issued free of charge by the Secretary of State. Another angle is that the present series of our plates do not expire until 1961, and it would seem to me that might be an appropriate time to give this consideration. So I move, Mr. President, that we accept the majority "Ought not to pass" report of the committee.

The motion prevailed and the majority "Ought not to pass" report of the committee was accepted in non-concurrence.

Sent down for concurrence.

On motion by Mr. Pierce of Hancock, the Senate voted to take from the table Bill, "An Act Relating to Powers of the Hancock County Trustees of Public Reservations," H. P. 419) (L. D. 603) which was tabled by that Senator on February 12th pending reference; and on further motion by the same Senator the bill was referred to the Committee on Legal Affairs in concurrence.

On motion by Mr. Hillman of Penobscot, the Senate voted to take from the table Bill "An Act to Reimburse Town of Warren for Loss of Tax Revenue," (H. P. 418) (L. D. 699) which was tabled by that Senator earlier in today's session pending reference; and on further motion by the same Senator the bill was referred to the Committee on State Government in non-concurrence.

On motion by Mr. Noyes of Franklin,

Adjourned until tomorrow at 1:00 P.M.