

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

Tuesday, February 24, 1959

Senate called to order by the President.

Prayer by Captain William Ash, Salvation Army, Augusta.

On motion by Mr. Willey of Hancock.

Journal of last Thursday read and approved.

The PRESIDENT: The Chair notes in the Senate Chamber the presence of two charming and attractive wives of two of our members; and at this time the Chair will request the Sergeant-at-Arms to escort to the rostrum Mrs. Briggs and Mrs. Fournier. (Applause, members rising.)

HOUSE PAPERS

Bill, "An Act Relating to Disposition of Unorganized Townships Fund." (H. P. 578) (L. D. 825)

(On motion by Mr. Briggs of Aroostook, tabled pending reference to a committee.)

"Resolve Appropriating Money for Mosquito and Fly Control." (H. P. 579) (L. D. 826)

"Resolve Providing Matching Funds for Federal National Defense Education Allotments." (H. P. 580) (L. D. 827)

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

"Resolve in Favor of People's Benevolent Hospital at Fort Kent." (H. P. 581) (L. D. 828)

Which was referred to the Committee on Claims in concurrence.

Bill, "An Act Relating to Field Trials for Beagle Hounds." (H. P. 582) (L. D. 829)

"Resolve Closing Long Cove Brook, Moxie Cove Brook and Monroe Pond, Lincoln County, to Smelt Fishing." (H. P. 583) (L. D. 830)

(On motion by Mr. Dow of Lincoln, referred to the Committee on Sea and Shore Fisheries in non-concurrence and sent down for concurrence.)

"Resolve Regulating Fishing in Horne Pond, Limington, York County." (H. P. 584) (L. D. 831)

"Resolve Regulating Fishing in Part of West Branch of Penobscot

River, Piscataquis County." (H. P. 585) (L. D. 832)

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

Bill, "An Act Creating Municipal Urban Renewal Authorities." (H. P. 555) (L. D. 811)

Bill, "An Act Relating to Discrimination at Places of Public Resort or Amusement." (H. P. 560) (L. D. 846)

Bill, "An Act Relating to Certificate of Department of Health and Welfare as Evidence in Liquor Law Prosecutions." (H. P. 586) (L. D. 833)

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

Bill, "An Act Relating to Injuries Under Workmen's Compensation Act." (H. P. 587) (L. D. 834)

Bill, "An Act Relating to Definition of Occupational Diseases." (H. P. 588) (L. D. 835)

Bill, "An Act Relating to Disqualification for Benefits Under Employment Security Law." (H. P. 589) (L. D. 836)

Bill, "An Act Relating to Compensation for Total Incapacity Under Workmen's Compensation Law." (H. P. 590) (L. D. 837)

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

Bill, "An Act Establishing a Representative Town Government in Town of Scarborough." (H. P. 591) (L. D. 845)

Which was referred to the Committee on Legal Affairs in concurrence.

Bill, "An Act Relating to Penalty for Furnishing Liquor to Certain Persons." (H. P. 592) (L. D. 838)

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

"Resolve Naming Maine Mountains the 'Longfellow Mountains of Maine.'" (H. P. 593) (L. D. 839)

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

"Resolve Providing State Pension for Philip Theriault, Jr. of Van Buren." (H. P. 563) (L. D. 796)

"Resolve to Repeal Certain Special Resolve Pensions." (H. P. 594) (L. D. 840)

"Resolve Providing Increase in Pension for Willard J. Leonard of Bangor." (H. P. 595) (L. D. 841)

Which were severally referred to the Committee on Retirements and Pensions in concurrence.

Bill, "An Act Relating to Digging Clams in Kennebunkport, York County." (H. P. 564) (L. D. 797)

"Resolve Opening Brooks and Rivers in Lincoln County to Taking of Salt Water Smelts." (H. P. 565) (L. D. 798)

Which were referred to the Committee on Sea and Shore Fisheries in concurrence.

Bill, "An Act to Permit Employees of State of Maine to Receive Federal Social Security Benefits." (H. P. 566) (L. D. 799)

Bill, "An Act Increasing Salary of Commissioner of Labor and Industry." (H. P. 567) (L. D. 800)

Bill, "An Act Relating to Salary and Travel of Representatives of Indian Tribes to the Legislature." (H. P. 596) (L. D. 842)

Bill, "An Act Providing Social Security for State Employees." (H. P. 597) (L. D. 843)

"Resolve Proposing an Amendment to the Constitution to Require a Roll Call Vote Upon all Bills on Final Passage." (H. P. 568) (L. D. 801)

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

Bill, "An Act to Clarify the Excise Tax on Aircraft, House Trailers and Motor Vehicles." (H. P. 569) (L. D. 802)

Which was referred to the Committee on Taxation in concurrence.

Bill, "An Act Increasing Number of Medical Examiners for Somerset County." (H. P. 570) (L. D. 803)

Bill, "An Act Increasing Salaries of Judge and Recorder of Madawaska Municipal Court." (H. P. 598) (L. D. 844)

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

Bill, "An Act Relating to Age of Motor Vehicle Operators." (H. P. 571) (L. D. 804)

Bill, "An Act Relating to Fees for Registration of Motor Vehicles." (H. P. 572) (L. D. 805)

Bill, "An Act Relating to Publication of Motor Vehicle Statistics." (H. P. 57) (L. D. 806)

Bill, "An Act Relating to Special Registration Plates for Uninsured Motor Vehicles." (H. P. 574) (L. D. 807)

Bill, "An Act Relating to Obstructing Windshields of Motor Vehicles." (H. P. 575) (L. D. 808)

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

Bill, "An Act Relating to Contributions Under Old Age Assistance." (H. P. 576) (L. D. 809)

Bill, "An Act Relating to Residence Requirements in Public Assistance." (H. P. 577) (L. D. 810)

Which were referred to the Committee on Welfare in concurrence.

Leave to Withdraw

The Committee on Inland Fisheries and Game on "Resolve Regulating Fishing in Waters of Piscataquis County." (H. P. 203) (L. D. 295) reported that same be granted Leave to Withdraw.

The Committee on Legal Affairs on Bill, "An Act Relating to Hours for Public Dance Halls." (H. P. 302) (L. D. 449) reported that same be granted Leave to Withdraw.

The Committee on Retirements and Pensions on "Resolve to Provide Retirement Credit for Gerald Douglas Cushing of Wilton." (H. P. 364) (L. D. 523) reported that same be granted Leave to Withdraw

Which reports were severally read and accepted in concurrence.

Ought Not to Pass

The Committee on Claims on "Resolve to Reimburse Douglas Motor Transportation Company of Auburn." (H. P. 27) reported that the same Ought not to pass.

The same Committee on "Resolve to Reimburse G. A. Peterson Company of Auburn." (H. P. 24) (L. D. 47) reported that the same Ought not to pass.

The same Committee on "Resolve in Favor of Town of Woolwich for Aid to Henry Ehler." (H. P. 237) (L. D. 348) reported that the same Ought not to pass.

The Committee on Retirements and Pensions on "Resolve Increasing the State Pension for Mrs. Katie Libby of Charleston." (H. P. 218) (L. D. 309) reported that the same Ought not to pass.

The same Committee on "Resolve in Favor of Miss Margaret Crosby of Bangor." (H. P. 316) (L. D. 463) reported that the same Ought not to pass.

The same Committee on "Resolve Providing Aid to Albina W. Farrell of Gardiner." (H. P. 362) (L. D. 521) reported that the same Ought not to pass.

The Committee on Transportation on Bill, "An Act Relating to Speed of Certain Commercial Vehicles." (H. P. 331) (L. D. 478) reported that the same Ought not to pass.

Which reports were severally read and accepted in concurrence.

Ought to Pass

The Committee on Education on Bill, "An Act to Create a School Administrative District in the Town of Vinalhaven." (H. P. 387) (L. D. 570) reported that the same Ought to pass.

The same Committee on Bill, "An Act to Create a School Administrative District in the Town of North Haven." (H. P. 388) (L. D. 571) reported that the same Ought to pass.

Which reports were read and accepted in concurrence and the bills read once. Under suspension of the rules the bills were given a second reading and passed to be engrossed in concurrence.

Ought to Pass — N.D.

The Committee on Transportation on Bill, "An Act Relating to Physical Examination for School Bus Operators." (H. P. 102) (L. D. 149) reported the same in New Draft (H. P. 514) (L. D. 666) under the same Title, and that it Ought to pass.

Comes from House, Report accepted, House Amendment A. (Filing No. 15) adopted, and bill in New Draft passed to be engrossed as amended.

In the Senate, the report was read and accepted and the bill read once; House Amendment A was read and adopted in concurrence and the bill as amended was tomorrow assigned for second reading.

The Majority of the Committee on Sea and Shore Fisheries on Bill, "An Act Repealing the Two Inch Clam Law." (H. P. 177) (L. D. 248)

reported that the bill Ought to pass. (Signed)

Senators:

DOW of Lincoln
BROWN of Washington

Representatives:

MADDOX of Vinalhaven
RANKIN of Southport
LOWERY of Brunswick
BOONE of Eastport
DANES of South Portland
YOUNG of Gouldsboro
DENNISON of East Machias

The Minority of the Same Committee on the same subject matter reported that the bill Ought not to pass.

(Signed)

Senator:

COFFIN of Cumberland

Comes from the House, recommended to the Committee on Sea and Shore Fisheries.

In the Senate, on motion by Mr. Dow of Lincoln recommended to the Committee on Sea and Shore Fisheries in concurrence.

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. P. 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 Millinocket

Comes from the House, Minority Report accepted and bill passed to be engrossed.

In the Senate, on motion by Mr. Cole of Waldo, the Majority ought

not to pass report was accepted in non-concurrence.

Sent down for concurrence.

Senate Papers

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

Appropriations and Financial Affairs

Mr. Hunt of Kennebec presented Bill, "An Act Creating the Personal Services Adjustment Reserve Fund." (S. P. 313)

Mr. Dow of Lincoln presented "Resolve Appropriating Moneys for Equipment for Aroostook State Teachers' College." (S. P. 314)

Mr. Parker of Piscataquis presented "Resolve Providing for a Vocational Technical Institute in Eastern Maine." (S. P. 315)

Which were severally referred to the Committee on Appropriations and Financial Affairs and ordered printed.

Sent down for concurrence.

Education

Mr. Dow of Lincoln presented Bill, "An Act Relating to Heating, Lighting, Ventilation and Sanitation of School Buildings." (S. P. 316)

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

Sent down for concurrence.

Legal Affairs

Mr. Fournier of York presented Bill, "An Act Changing the Date of Municipal Election in City of Saco." (S. P. 317)

Which was referred to the Committee on Legal Affairs and ordered printed.

Sent down for concurrence.

Public Health

Mrs. Lord of Cumberland presented Bill, "An Act to Regulate the Practice of Nursing." (S. P. 318)

Which was referred to the Committee on Public Health and ordered printed.

Sent down for concurrence.

Public Utilities

Mr. Dow of Lincoln presented Bill, "An Act to Incorporate the East Boothbay Water District." (S. P. 319)

Which was referred to the Committee on Public Utilities and ordered printed.

Sent down for concurrence.

The PRESIDENT: At this time the Chair would like to recognize a visiting group of young people who are our guests this morning — Troop No. 3 of the Girl Scouts of Saco, accompanied by their leader, Mrs. Cote. We extend a cordial welcome to you this morning and hope that your stay will be enjoyable and interesting.

Senate Committee Reports Leave to Withdraw

Mr. Weeks from the Committee on Judiciary on Bill, "An Act Protecting Persons Against Invasions of Personal Privacy." (S. P. 166) (L. D. 387) reported that same be granted Leave to Withdraw.

Which report was read and accepted.

Sent down for concurrence.

Ought Not to Pass

Mr. Farley from the Committee on Natural Resources on Bill, "An Act to Change the Name of Dickson Island, Franklin County, to Persian Island." (S. P. 104) (L. D. 222) reported that the same Ought not to pass.

Which report was read and accepted.

Sent down for concurrence.

Ought to Pass

Mr. Martin from the Committee on Legal Affairs on Bill, "An Act Amending and Restating the Charter of The President and Trustees of Colby College." (S. P. 118) (L. D. 268) reported that the same Ought to pass.

Mr. Charles from the same Committee on Bill, "An Act to Make Definite the Name of Gould Academy." (S. P. 174) (L. D. 418) reported that the same Ought to pass.

Mr. Briggs from the Committee on Natural Resources on Bill, "An Act Relating to Lease of Land by State to Cumberland County." (S. P. 73) (L. D. 123) reported that the same Ought to Pass.

Mr. Cole from the same Committee on Bill, "An Act Relating to Re-

imbursement to Forestry Department for Expenses When Forest Management is Practiced on State Lands." (S. P. 136) (L. D. 331) reported that the same Ought to pass.

Mr. Ross from the Committee on State Government on Bill, "An Act Relating to Personnel of State Civil Defense and Public Safety Agency." (S. P. 120) (L. D. 270) reported that the same Ought to pass.

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

Ought to Pass — as Amended

Mr. Charles from the Committee on Legal Affairs on Bill, "An Act Relating to Amount of Property Held by Odd Fellows' Home of Maine." (S. P. 172) (L. D. 416) reported that the same Ought to pass as amended by Committee Amendment A.

Mr. Martin from the same Committee on Bill, "An Act Relating to Authority of Sigma Kappa Sorority to Hold Property." (S. P. 192) (L. D. 488) reported that the same Ought to pass as amended by Committee Amendment A.

Which reports were read and accepted and the bills read once. Committee Amendments A were read and adopted, and the bills as so amended were tomorrow assigned for second reading.

Bills In Second Reading

The Committee on Bills in Second Reading reported the following Bills:

Bill, "An Act Relating to Terms of the Superior Court in York County." (H. P. 38) (L. D. 58)

Bill, "An Act Regulating Taking of Alewives in the Damariscotta River." (H. P. 98) (L. D. 145)

Bill, "An Act Permitting Savings Banks to Make Loans to Certain Students." (H. P. 106) (L. D. 162)

Bill, "An Act Relating to Use of Lights on School Buses." (H. P. 182) (L. D. 253)

Bill, "An Act Relating to the Digging of Clams in the Town of Northport." (H. P. 219) (L. D. 310)

Bill, "An Act to Incorporate the 'Allied Loan Co.'" (H. P. 234) (L. D. 345)

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

Bill, "An Act Relating to Motor Vehicle Operators' Licenses." (S. P. 184) (L. D. 427)

Which was 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 Defining Merchandise Under Factor Lien Law." (H. P. 83) (L. D. 13)

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

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

Bill, "An Act Relating to Sale of Butter and Margarine Under Weights and Measures Law." (S. P. 20) (L. D. 1)

Bill, "An Act Relating to Capital Stock of Rumford Bank and Trust Company." (S. P. 91) (L. D. 209)

Which bills were severally passed to be enacted.

Emergency

Bill, "An Act Relating to Deficiency Appropriation for State Treasury." (S. P. 49) (L. D. 82)

Which bill, being an emergency measure, and having received the affirmative vote of 29 members of the Senate, was passed to be enacted.

Emergency

Bill, "An Act Authorizing Public Utilities Commission to Determine Financial Responsibility of Motor Carriers of Passengers." (S. P. 119) (L. D. 269)

Which bill, being an emergency measure, and having received the affirmative vote of 28 members of the Senate, was passed to be enacted.

Orders of the Day

On motion by Mr. Hillman of Penobscot, the Senate voted to reconsider its action taken earlier in today's session whereby it referred to the Committee on State Government, Bill, "An Act Relating to Sal-

ary and Travel of Representatives of Indian Tribes to the Legislature." (H. P. 596) (L. D. 342); and on further motion by the same Senator, the bill was referred to the Committee on Welfare in non-concurrence.

Sent down for concurrence.

On motion by Mr. Briggs of Aroostook, the Senate voted to take from the table Bill, "An Act Relating to Disposition of Unorganized Townships Fund." (H. P. 576) (L. D. 325) tabled by that Senator earlier in today's session pending reference to a committee.

Mr. BRIGGS of Aroostook: Mr. President and members of the Senate, this item which has been referred to the Appropriations Committee is not an appropriations matter. It is merely a transfer of al-

ready dedicated funds. Therefore, I move that we refer it to the Committee on Natural Resources in non-concurrence and send it down to be printed.

The motion prevailed and the bill was referred to the Committee on Natural Resources.

Sent down for concurrence.

The PRESIDENT: The Chair might mention under Orders of the Day that he has been informed through the Director of Legislative Research that there are now forty bills by Senate members ready for introduction. I simply wish to pass on that information.

On motion by Mrs. Lord of Cumberland

Adjourned until tomorrow morning at ten o'clock.