

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, March 4, 1959

Senate called to order by the President.

Prayer by Maurice Knowles, Courier of the Senate.

On motion by Mr. Pierce of Hancock,

Journal of yesterday read and approved.

House Papers

Bill, "An Act Revising Laws Relating to Slaughterhouses." (H. P. 636) (L. D. 979)

Which was referred to the Committee on Agriculture in concurrence.

"Resolve Providing for a Maine Historical Quarterly." (H. P. 680) (L. D. 980)

"Resolve Creating a Committee on the Uniform Commercial Code." (H. P. 681) (L. D. 981)

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

Bill, "An Act Relating to Cost of Furnishing Copies of Insurance Laws and Related Information." (H. P. 682) (L. D. 982)

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

"Resolve in Favor of Ray Thompson of Prentiss." (H. P. 683) (L. D. 983)

"Resolve to Reimburse Town of Corinth for Aid to Family of Orris W. McAlpine." (H. P. 684) (L. D. 984)

Which were referred to the Committee on Claims in concurrence.

Bill, "An Act to Create a School Administrative District in the Town of Cape Elizabeth." (H. P. 685) (L. D. 985)

Bill, "An Act to Authorize the Municipalities of Carmel, Hermon, Glenburn and Levant to Form a School Administrative District." (H. P. 686) (L. D. 986)

Bill, "An Act to Authorize the Municipalities of Bradford, Charleston, Corinth, Hudson and Kenduskeag to form a School Administrative District." (H. P. 687) (L. D. 987)

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

Bill, "An Act Relating to Maintenance of Wire Bridge in Town of New Portland, Somerset County." (H. P. 688) (L. D. 988)

Which was referred to the Committee on Highways in concurrence.

Bill, "An Act Relating to Cancellation of Automobile Physical Damage Insurance." (H. P. 689) (L. D. 989)

Bill, "An Act Relating to Financial Responsibility of Vehicles Insured by Automatic Coverage." (H. P. 690) (L. D. 990)

Bill, "An Act Relating to Restoration of Motor Vehicle Operators' Licenses." (H. P. 691) (L. D. 991)

Bill, "An Act Relating to Residence Requirement for Recorder of Westbrook Municipal Court." (H. P. 692) (L. D. 992)

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

Bill, "An Act Permitting City of Lewiston to Raise Moneys for Aid of Convention." (H. P. 693) (L. D. 993)

Bill, "An Act Entitling Blind Persons Accompanied by Guide Dogs to Certain Accommodations." (H. P. 694) (L. D. 994)

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

Bill, "An Act Relating to Definition of Tavern Under Liquor Laws." (H. P. 695) (L. D. 995)

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

Bill, "An Act Relating to Transportation of Baggage, Mail and Express by Motor Buses." (H. P. 696) (L. D. 996)

Which was referred to the Committee on Public Utilities in concurrence.

"Resolve Providing for State Pension for William Pelky of Winn." (H. P. 697) (L. D. 997)

"Resolve Providing for a Pension for George A. DeWitt of Bradford." (H. P. 698) (L. D. 998)

"Resolve Providing for State Pension for Paul Tobin of Otisfield." (H. P. 699) (L. D. 999)

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

Bill, "An Act Exempting Hospital Thrift Shops from Sales Tax." (H. P. 700) (L. D. 1000)

Bill, "An Act Refunding Gasoline and Use Fuel Taxes to Local Transit Operators." (H. P. 701) (L. D. 1001)

Which were referred to the Committee on Taxation in concurrence.

Bill, "An Act Permitting Municipalities to Appropriate Moneys to Aid Conventions." (H. P. 702) (L. D. 1002)

Bill, "An Act Relating to Funds Appropriated for School Physicians." (H. P. 703) (L. D. 1003)

Bill, "An Act Increasing Clerk Hire and Salaries of Judge and Recorder of Lewiston Municipal Court." (H. P. 704) (L. D. 1004)

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

Bill, "An Act Requiring Certain Trucks to Carry Flares." (H. P. 705) (L. D. 1005)

Which was referred to the Committee on Transportation in concurrence.

House Committee Reports Leave to Withdraw

The Committee on Inland Fisheries and Game on "Resolve Permitting Ice Fishing in Certain Ponds in Androscoggin and Kennebec Counties." (H. P. 65) (L. D. 103) reported that same be granted Leave to Withdraw.

Which report was read and accepted in concurrence.

Ought Not to Pass

The Committee on Labor on Bill, "An Act Relating to Temporary Unemployment Compensation." (H. P. 93) (L. D. 140) reported that the same Ought not to pass.

Which report was read and accepted in concurrence.

Ought to Pass

The Committee on Judiciary on Bill, "An Act Relating to Qualifications of Directors of Corporations." (H. P. 114) (L. D. 169) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Modification of Support Orders in Bastardy Cases." (H. P. 158) (L. D. 235) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Management of Causes in Court by Counsel." (H. P.

291) (L. D. 438) reported that the same Ought to pass.

The same Committee on Bill, "An Act Creating a Second Assistant County Attorney for Cumberland County." (H. P. 295) (L. D. 442) reported that the same Ought to pass.

The same Committee on Bill, "An Act Changing Name of Recorders of Municipal Courts to Associate Judges." (H. P. 353) (L. D. 512) reported that the same Ought to pass.

The same Committee on Bill, "An Act Prohibiting Certain Dangerous Knives." (H. P. 441) (L. D. 647) reported that the same Ought to pass.

The Committee on Public Utilities on Bill, "An Act Relating to Powers of the Androscoggin and Kennebec Railway Company." (H. P. 97) (L. D. 144) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Compensation of Commissioners of Waterville Sewerage District." (H. P. 361) (L. D. 520) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Territorial Limits of Augusta Water District." (H. P. 425) (L. D. 609) reported that the same Ought to pass.

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

Ought to Pass—as amended

The Committee on Claims on "Resolve in Favor of Leonore A. Keniston of Amherst." (H. P. 238) (L. D. 349) reported that the same Ought to pass as amended by Committee Amendment A (Filing No. 34)

Which report was read and accepted in concurrence and the resolve read once. Committee Amendment A was read and adopted in concurrence, and the resolve as so amended, tomorrow assigned for second reading.

Senate Papers

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

Agriculture

Mr. Hillman of Penobscot presented Bill, "An Act Revising Laws Re-

lating to Animal Industry." (S. P. 359)

Mr. Woodcock of Penobscot presented Bill, "An Act Permitting Importation of Fireworks for Protection of Agricultural Crops." (S. P. 360)

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

Sent down for concurrence.

Appropriations and Financial Affairs

Mr. Bates of Penobscot presented Bill, "An Act to Create a State of Maine Authority for Emergency and Fire Fighting Training." (S. P. 361)

Mr. Wyman of Washington presented "Resolve Appropriating Monneys to Town of Perry for Development of Recreational Areas." (S. P. 352)

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

Sent down for concurrence.

Business Legislation

Mr. Cole of Waldo presented Bill, "An Act Relating to Capital Shares of Insurance Corporations." (S. P. 363)

Mr. Rogerson of Aroostook presented Bill, "An Act Relating to Certification by Automobile Dealers of Mileage of Used Motor Vehicles." (S. P. 364)

Which were referred to the Committee on Business Legislation and ordered printed.

Sent down for concurrence.

Claims

Mr. Willey of Hancock presented "Resolve in Favor of George Freyer, Jr. of Covington, Kentucky." (S. P. 365)

The same Senator presented "Resolve in Favor of Lena Freyer of Covington, Kentucky." (S. P. 366)

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

Sent down for concurrence.

Highways

Mr. Stilphen of Knox presented "Resolve Relating to Ferry Terminals at Islesboro and Lincolnville." (S. P. 367)

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

Sent down for concurrence.

Liquor Control

Mr. Carpenter of Somerset presented Bill, "An Act Prohibiting the Sale of Near Beer to Minors." (S. P. 368)

Which was referred to the Committee on Liquor Control and ordered printed.

Sent down for concurrence.

Public Utilities

Mr. Hunt of Kennebec presented Bill, "An Act Relating to Time of Public Utility Commission's Orders Concerning Rate Changes for Freight Transportation." (S. P. 369)

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

Sent down for concurrence.

Retirements and Pensions

Mr. Wyman of Washington presented Bill, "An Act Relating to Disability Retirement Benefits Under the Maine State Retirement System." (S. P. 370)

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

Sent down for concurrence.

State Government

The same Senator presented "Resolve Proposing an Amendment to the Constitution to Provide for the Apportionment of Senators for and Within Each County." (S. P. 371)

Which was referred to the Committee on State Government and ordered printed.

Sent down for concurrence.

Orders

On motion by Mr. Brown of Washington

ORDERED, the House concurring, that there be paid to Newell Tomah, Representative of the Passamaquoddy Tribe of Indians, on account of compensation, the sum of one hundred dollars (\$100), plus mileage. (S. P. 372)

Which was read and passed.

Sent down for concurrence.

Senate Committee Reports Ought to Pass

Mr. Stilphen from the Committee on Retirements and Pensions on "Resolve Providing Retirement Benefit Increase for Miles McLaughlin of Augusta." (S. P. 235) (L. D. 618) reported that the same Ought to pass.

Mr. Noyes from the same Committee on "Resolve Providing Retirement Benefit Increase for George P. Campbell of Augusta." (S. P. 236) (L. D. 619) reported that the same Ought to pass.

The same Senator from the same Committee on "Resolve Providing Retirement Benefit Increase for Helen D. Perry of Rockland." (S. P. 294) (L. D. 818) reported that the same Ought to pass.

The same Senator from the same Committee on "Resolve Providing for Retirement Benefit Increase for Mary E. C. Bridgham of Jonesboro." (S. P. 295) (L. D. 819) reported that the same Ought to pass.

Mr. Stilphen from the same Committee on "Resolve Providing Retirement Benefit Increase for Carrie M. Longfellow of Machias." (S. P. 296) (L. D. 820) reported that the same Ought to pass.

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

Ought to Pass — N.D.

Mr. Wyman from the Committee on Towns and Counties on Bill, "An Act Eliminating Necessity for Sheriff's Apartment in Jail." (S. P. 261) (L. D. 67) reported same in New Draft (S. P. 358) under New Title: "An Act Eliminating Necessity for Sheriff's Apartment in Cumberland County Jail." and that it Ought to pass.

Which report was read and accepted, the bill in New Draft 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 Creating the Portland Coliseum Recreation Center." (S. P. 117) (L. D. 267) reported that the same Ought to pass as amended by Committee Amendment A.

Which report was read and accepted and the Bill read once; Committee Amendment A was read and adopted.

On motion by Mr. Charles of Cumberland, tabled pending assignment for second reading.

Second Readers

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

House

Bill, "An Act to Ratify and Make Valid the Incorporation of the West Bowdoin Parish, of Bowdoin." (H. P. 212) (L. D. 303)

Bill, "An Act Changing Name of Clerk Appointed by Register of Deeds to Deputy Register of Deeds." (H. P. 326) (L. D. 473)

Bill, "An Act Regulating Amusement Known as Bingo." (H. P. 420) (L. D. 604)

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

Bill, "An Act Relating to Retirement Benefits Under the Maine State Retirement System." (H. P. 627) (L. D. 874)

Bill, "An Act Relating to Taking of Clams and Quahogs in the Town of Phippsburg." (H. P. 678) (L. D. 894)

Bill, "An Act Relating to the Bangor Mechanic Association." (H. P. 679) (L. D. 895)

"Resolve Authorizing Correction of 1954 Gubernatorial Election Record of Town of Strong." (H. P. 144) (L. D. 200)

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

House — as amended

Bill, "An Act to Create a Commission to Commemorate the Centennial of the American Civil War." (H. P. 124) (L. D. 179)

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

Senate

Bill, "An Act to Incorporate the New England Corporation." (S. P. 154) (L. D. 375)

Bill, "An Act Increasing Payments to Kennebec Law Library." (S. P. 165) (L. D. 386)

Bill, "An Act Creating an Inter-departmental Board on Mental Retardation." (S. P. 177) (L. D. 421)

Bill, "An Act to Incorporate C.I.T. Corporation (Maine)." (S. P. 202) (L. D. 541)

Bill, "An Act Relating to Construction Reserve Fund in Department of Finance and Administration." (S. P. 279) (L. D. 741)

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

Sent down for concurrence.

Senate — as amended

Bill, "An Act Relating to Breaking and Entering Motor Vehicles." (S. P. 207) (L. D. 546)

Bill, "An Act Relating to Care of Children of Women Committed to Reformatory for Women." (S. P. 209) (L. D. 548)

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

Sent down for concurrence.

Enactor

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

Bill, "An Act Relating to Physical Examination for School Bus Operators." (H. P. 514) (L. D. 666)

Which bill was passed to be enacted.

Orders of the Day

On motion by Mr. Carpenter of Somerset, the Senate voted to take from the table House Report — "Ought to Pass" — from the Committee on State Government on Bill, "An Act Changing Name of Inland Fish and Game Wardens to Conservation Officers," (H. P. 253) (L. D. 364) which was tabled by that Senator on February 26th pending acceptance of report; and on further motion by the same Senator the "Ought to pass" report of the committee was accepted in concurrence, and the bill was given its first reading and tomorrow assigned for second reading.

The PRESIDENT: Under Orders of the Day the Chair would like to read a telegram addressed to Senator Roswell Bates:

"Dear Senator: Detained by car trouble due to weather at Waterville. Will be unable to open the Senate at 10:00 A.M. as planned: Please explain to Senate.

Rev. Robert E. Allten"

The PRESIDENT: We regret of course that Rev. Allten could not be with us, but we recognize the weather conditions.

On motion by Mr. Hunt of Kennebec,

Adjourned until ten o'clock tomorrow.