

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

Thursday, March 12, 1959

Senate called to order by the President.

Prayer by Rev. Alfred H. Ives of Gardiner.

On motion by Mr. Weeks of Cumberland, Journal of yesterday read and approved.

The PRESIDENT: The Chair is pleased to note in the Senate Chamber this morning the attractive wives of two of our colleagues in this Body. At this time the Chair would ask the Sergeant-at-Arms to escort to the rostrum, Mrs. Thurston, wife of the Senator from Oxford, Senator Thurston, and Mrs. Weeks, wife of the Senator from Cumberland, Senator Weeks. (Applause, members rising.)

Papers from the House

Bill, "An Act Repealing Bounty on Bobcat, Loupcervier and Canada Lynx." (S. P. 133) (L. E. 328)

The Senate on March 6 accepted Minority Report (Ought to pass) from the Committee on Inland Fisheries and Game and passed bill to be engrossed.

Comes from the House, Majority Report (Ought not to pass) accepted in non-concurrence.

In the Senate, on motion by Mr. Carpenter of Somerset, tabled pending consideration.

Joint Order

ORDERED, the Senate concurring, that the Legislative Research Committee be directed to study the policies of insurance companies doing business in Maine, which policies of insurance provide insurance for Maine residents against loss resulting from bodily injury or death by accident or from sickness, or both. The Committee is authorized in its study to determine whether or not Maine citizens are being deprived of their apparent benefits under such insurance policies; and be it further

ORDERED, that the Committee report the results of its study to the 100th Legislature. (H. P. 852)

On motion by Mr. Woodcock of Penobscot, the Order was laid upon the table pending passage.

Bill, "An Act Providing for Bounty on Foxes in Aroostook County." (H. P. 826) (L. D. 1177)

Which was referred to the Committee on Agriculture in concurrence.

Bill, "An Act Relating to Non-lapsing Funds of Present Biennium for Armory Repairs and Expansion." (H. P. 827) (L. D. 1178)

"Resolve for the Purchase of Five Thousand Copies of 'The Picture History of Maine.'" (H. P. 828) (L. D. 1179)

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

Bill, "An Act to Authorize Burlington, Enfield, Greenbush, Greenfield, Howland, Lowell, Maxfield, Passadumkeag and Sebouis Plantation to Form a School Administrative District." (H. P. 829) (L. D. 1180)

Which was referred to the Committee on Education in concurrence.

Bill, "An Act Relating to Opening Obstructions in Waters to Maintain Fish Life." (H. P. 830) (L. D. 1181)

"Resolve Closing Second Great Brook Lake, Washington County, to Ice Fishing." (H. P. 831) (L. D. 1182)

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

Bill, "An Act Relating to Description of Real Estate in Tax Deeds and Tax Liens." (H. P. 832) (L. D. 1183)

Which was referred to the Committee on Judiciary in concurrence.

Bill, "An Act Establishing Disability Due to Radioactive Properties as an Occupational Disease." (H. P. 833) (L. D. 1184)

Which was referred to the Committee on Labor in concurrence.

Bill, "An Act Providing for Advisory Referendum for City of Bath." (H. P. 834) (L. D. 1185)

Bill, "An Act Relating to Steam Engineers and Firemen." (H. P. 835) (L. D. 1186)

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

Bill, "An Act Increasing Borrowing Capacity of Ashland Water and Sewer District." (H. P. 836) (L. D. 1187)

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

Bill, "An Act Relating to Lobster Fishing in Waters Adjacent to Crie-haven, Knox County." (H. P. 837) (L. D. 1188)

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

Bill, "An Act Increasing the Salary of the State Auditor." (H. P. 838) (L. D. 1189)

Which was referred to the Committee on State Government in concurrence.

Bill, "An Act Permitting Certain Trailers and Truck Tractors on Four-lane Highways." (H. P. 839) (L. D. 1190)

Bill, "An Act Regulating Trucks Stopped on Highways to Load Pulp-wood." (H. P. 840) (L. D. 1191)

Bill, "An Act Authorizing Red Blinker Light for Volunteer Fire Department Vehicles." (H. P. 841) (L. D. 1192)

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

House Committee Reports Referred to Next Legislature

The Committee on Election Laws on Bill, "An Act Revising Election Laws Relating to Registration of Voters and Boards of Registration." (H. P. 438) (L. D. 644) reported that the same be Referred to Next Legislature.

Which report was read and accepted in concurrence.

Ought to Pass

The Committee on Business Legislation on Bill, "An Act Relating to Disposition of Income on Unclaimed Deposits in Defunct Savings Banks." (H. P. 344) (L. D. 504) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Retail Installment Contract Under Motor Vehicle Sales Finance Law." (H. P. 480) (L. D. 698) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Regulations of Insurance Commissioner Under Unfair Methods of Competition and Trade Practices Act." (H. P. 603) (L. D. 863) reported that the same Ought to pass.

The Committee on Natural Resources on Bill, "An Act Authorizing Perry Improvement Association to

Construct Dam Across Little River." (H. P. 402) (L. D. 586) reported that the same Ought to pass.

The same Committee on "Resolve Authorizing Commissioner of Institutional Service to Grant Pole Line Easements on the Property of the State of Maine in Bangor." (H. P. 446) (L. D. 652) reported that the same Ought to pass.

The Committee on Public Health on Bill, "An Act Relating to Qualifications for Examination for Registered Pharmacists." (H. P. 215) (L. D. 306) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Free Vaccination and Inoculation." (H. P. 313) (L. D. 460) reported that the same Ought to pass.

The same Committee on Bill, "An Act Prohibiting the Use of X-ray Shoe-fitting Machines." (H. P. 360) (L. D. 519) reported that the same Ought to pass.

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

The Committee on Appropriations and Financial Affairs on Bill, "An Act Appropriating Moneys for a Continuance of the Revision of the Election Laws." (H. P. 129) (L. D. 187) reported that the same Ought to pass.

Comes from the House, report accepted and bill passed to be engrossed as amended by House Amendment A (Filing 53)

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

The Committee on State Government on Bill, "An Act Relating to Weekly Payment of State Officials With Annual Salaries." (H. P. 408) (L. D. 592) reported that the same Ought to pass.

Comes from the House, report accepted and bill passed to be engrossed as amended by House Amendment A (Filing 64)

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

Ought to Pass — as amended

The Committee on Business Legislation on Bill, "An Act Relating to Unfair Methods of Competition and Trade Practices." (H. P. 602) (L. D. 862) reported that the same Ought to pass as amended by Committee Amendment A (Filing 54)

The Committee on Legal Affairs on Bill, "An Act Relating to Town Meetings of Sanford." (H. P. 12) (L. D. 21) reported that the same Ought to pass as amended by Committee Amendment A (Filing 55)

The same Committee on Bill, "An Act Relating to Quinellas at Harness Race Meets." (H. P. 70) (L. D. 108) reported that the same Ought to pass as amended by Committee Amendment A (Filing 56)

The same Committee on Bill, "An Act Relating to Hydraulic Brake Fluid for Motor Vehicles." (H. P. 73) (L. D. 111) reported that the same Ought to pass as amended by Committee Amendment A (Filing 57)

The Committee on Natural Resources on Bill, "An Act Authorizing Forest Commissioner to Convey Interest of the State in Chase Island." (H. P. 250) (L. D. 361) reported that the same Ought to pass as amended by Committee Amendment A (Filing 58)

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

Senate Papers

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

Business Legislation

Mr. Ross of Sagadahoc presented Bill, "An Act Relating to Licensing of Home Party Plan Demonstrators." (S. P. 422)

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

Sent down for concurrence.

Election Laws

The same Senator presented Bill, "An Act Relating to Alternative

Methods of Nominating Candidates." (S. P. 423)

Which was referred to the Committee on Election Laws and ordered printed.

Sent down for concurrence.

Towns and Counties

Mr. Boucher of Androscoggin presented Bill, "An Act Providing for County Bond Issue for Capital Improvements in Androscoggin County." (S. P. 424)

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

Sent down for concurrence.

**Senate Committee Reports
Ought Not to Pass**

Mr. Hillman from the Committee on Inland Fisheries and Game on Bill, "An Act Relating to Water Sets in Trapping Law." (S. P. 113) (L. D. 263) reported that the same Ought not to pass.

Which report was read and accepted.

Sent down for concurrence.

Ought to Pass

Mr. Dow from the Committee on Agriculture on Bill, "An Act Relating to Dealers in Livestock." (S. P. 304) (L. D. 850) reported that the same Ought to pass.

The same Senator from the same Committee on Bill, "An Act Relating to State Stipend on Breeding Classes of Male Animals." (S. P. 305) (L. D. 851) reported that the same Ought to pass.

Mr. Dunn from the Committee on Transportation on Bill, "An Act Revising Law Relating to Dealer and Transit Motor Vehicle Registration." (S. P. 343) (L. D. 919) 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. Dow from the Committee on Agriculture on Bill, "An Act Relating to Health Requirements of Ex-hibited Livestock." (S. P. 303) (L. D. 849) reported that the same Ought to pass as amended by Committee Amendment A.

Mr. Noyes from the Committee on Public Utilities on Bill, "An Act to

Incorporate the R. and T. Cement Railroad Company." (S. P. 309) (L. D. 855) 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.

Second Readers

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

House

Bill, "An Act to Clarify the Sales and Use Tax Law." (H. P. 320) (L. D. 467)

Bill, "An Act Relating to Registration of Property Subject to Sales or Use Tax." (H. P. 322) (L. D. 469)

Bill, "An Act Permitting Town of Fort Kent to Raise Money for Boarding Home for Aged." (H. P. 358) (L. D. 517)

Bill, "An Act Relating to Speed of Motor Vehicles on the Maine Turnpike." (H. P. 377) (L. D. 535)

Bill, "An Act Relating to Powers of the Hancock County Trustees of Public Reservations." (H. P. 419) (L. D. 603)

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

"Resolve Regulating Fishing in Pitcher Pond, Waldo County." (H. P. 154) (L. D. 231)

"Resolve Regulating Ice Fishing in Kingdom Bog, Waldo County." (H. P. 155) (L. D. 232)

"Resolve Regulating Ice Fishing in Echo Pond, Kennebec County." (H. P. 156) (L. D. 233)

"Resolve Regulating Fishing in North Pond, Town of Sumner, Oxford County." (H. P. 241) (L. D. 352)

"Resolve Opening Sebasticook River, Somerset, Waldo and Kennebec Counties to Ice Fishing." (H. P. 347) (L. D. 503)

"Resolve Providing Relief for The American Legion Foundation, Holding and Endowment Corporation of the George Edwin Kirk Post, No. 25." (H. P. 452) (L. D. 658)

"Resolve Regulating Fishing in Trout Pond, Piscataquis County." (H. P. 198) (L. D. 290)

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

House — as amended

Bill, "An Act Relating to Location of Maine Maritime Academy." (H. P. 28) (L. D. 48)

Bill, "An Act Creating the Fish Marketing Act." (H. P. 207) (L. D. 298)

Bill, "An Act Relating to Superintending School Committee of Town of Falmouth." (H. P. 306) (L. D. 453)

Bill, "An Act Relating to Speed of Motor Vehicles on the Interstate System." (H. P. 376) (L. D. 534)

Bill, "An Act Changing Date of Municipal Year in Town of Fairfield." (H. P. 401) (L. D. 585)

Bill, "An Act Relating to Speed of Motor Vehicles on Highways Under Construction." (H. P. 415) (L. D. 599)

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

Senate

Bill, "An Act Relating to Recording of Eminent Domain Proceedings." (S. P. 134) (L. D. 329)

Bill, "An Act Relating to Inspection of Hotel Registers by Police Officers." (S. P. 212) (L. D. 551)

Bill, "An Act Relating to Time Attachment of Property Continues After Judgment." (S. P. 214) (L. D. 553)

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

Sent down for concurrence.

Senate — as amended

Bill, "An Act Relating to Audience or Reader Participation in Radio, Television or Newspaper Amusements or Games." (S. P. 115) (L. D. 265)

Bill, "An Act Creating the Portland Coliseum Recreation Center." (S. P. 117) (L. D. 267)

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

Which were severally 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 and resolves:

Bill, "An Act Increasing Payments to Hancock County Law Library." (H. P. 246) (L. D. 357)

Bill, "An Act to Incorporate Mark-Continental Corporation." (H. P. 274) (L. D. 406)

Bill, "An Act to Incorporate the Superior Finance Co." (H. P. 276) (L. D. 408)

Bill, "An Act to Incorporate United Finance Corporation." (H. P. 277) (L. D. 409)

Bill, "An Act to Incorporate County Finance Corporation." (H. P. 278) (L. D. 410)

Bill, "An Act Relating to County Parking Areas." (H. P. 324) (L. D. 471)

(On motion by Mr. Boucher of Androscoggin, tabled pending enactment.)

Bill, "An Act Relating to School Bus Operators." (H. P. 329) (L. D. 476)

Bill, "An Act to Incorporate the Berwick Finance Company." (H. P. 343) (L. D. 503)

Bill, "An Act to Incorporate the Aroostook Finance Corporation." (H. P. 385) (L. D. 568)

Bill, "An Act Relating to Investment of Certain State Funds." (H. P. 407) (L. D. 591)

Bill, "An Act Relating to Unsecured Loans of Savings Banks." (H. P. 436) (L. D. 642)

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

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

Bill, "An Act to Incorporate the Domestic Finance Corporation." (H. P. 517) (L. D. 752)

Bill, "An Act Relating to Annual Statements of Condition of Foreign Insurance Companies." (H. P. 532) (L. D. 767)

Bill, "An Act Relating to Annual Statements of Condition of Domestic Mutual Fire Insurance Companies." (H. P. 534) (L. D. 769)

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

(On motion by Mr. Rogerson of Aroostook, tabled pending enactment.)

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 Breaking and Entering Motor Vehicles, Aircraft and House Trailers." (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 severally passed to be enacted.

"Resolve in Favor of Malcolm M. Salisbury of Bar Harbor." (H. P. 345) (L. D. 943)

Which was finally passed.

Emergency

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

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

On motion by Mr. Carpenter of Somerset, the Senate voted to reconsider its action taken earlier in today's session whereby Bill, "An Act Providing for Bounty on Foxes in Aroostook County" (H. P. 826) (L. D. 1177) was referred to the Committee on Agriculture in concurrence, and on further motion by the same Senator the bill was referred to the Committee on Inland Fisheries and Game in non-concurrence.

Sent down for concurrence.

On motion by Mr. Weeks of Cumberland, the Senate voted to take from the table the 26th tabled and unassigned matter, (H. P. 423) (L. D. 607) House Report, "Ought to pass in New Draft (H. P. 842) (L. D. 1163)" on Bill, "An Act Amending the Charter of the City of Biddeford," which was tabled on March 11th by that Senator pending motion

by Senator Farley of York to substitute original bill for report. (In House, bill in New Draft passed to be engrossed)

Mr. WEEKS: Mr. President, I defer to the Senator from York, Senator Farley.

Mr. FARLEY of York: Mr. President and members of the Senate: I do not believe any further discussion should take place upon the matter. I explained it fully yesterday, and I move the pending question.

The PRESIDENT: Is it the pleasure of the Senate that the original bill be substituted for the New Draft report of the Committee?

Mr. MARTIN of Kennebec: Mr. President, might I confer with the Chair for just a minute to avoid some confusion?

The PRESIDENT: Permission is granted. The Senate may be at ease.

(At Ease)

Called to order by the President.

The PRESIDENT: The question before the Senate is on the motion of the Senator from York, Senator Farley, that the original bill be sub-

stituted for the new draft report of the committee.

As many as are in favor of this motion will say aye: those opposed no.

A viva voce vote being taken, the motion prevailed and the bill was substituted for the new draft report of the committee. The original bill was given its first reading and tomorrow assigned for second reading.

The PRESIDENT: The Chair will take this opportunity to remind the members of the Senate that the stop order which was adopted by both branches last week goes into effect tomorrow afternoon at 1:00 P.M. If you have any measures awaiting signature, the Chair would suggest that you attend to this duty prior to that time. After that time any measures will automatically be dead.

On motion by Mr. Duquette of York,

Adjourned until 1:00 P.M. tomorrow.