

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, March 24, 1959

Senate called to order by the President.

Prayer by Rev. Harvey F. Ammerman of Augusta.

On motion by Mr. Charles of Cumberland,

Journal of last Friday read and approved.

Papers from the House

“Resolve Regulating Fishing in Long Pond, Franklin County.” (H. P. 348) (L. D. 507)

The Senate on March 19 accepted in non-concurrence Report B (Ought not to pass) from the Committee on Inland Fisheries and Game.

Comes from the House, that body insisting upon its former action whereby it accepted Report A (Ought to pass) and passed the resolve to be engrossed, now asks for a Committee of Conference.

In the Senate, on motion by Mr. Carpenter of Somerset, the Senate voted to insist and join in the Committee of Conference; and the President appointed as Senate members of such committee, Senators:

CARPENTER of Somerset
HILLMAN of Penobscot
BRIGGS of Aroostook

“Resolve for Laying of the County Taxes for the Years Nineteen Hundred Fifty-nine and Nineteen Hundred Sixty.” (H. P. 906) (L. D. 1275)

Reported by the House Committee on County Estimates, comes from the House Passed to be engrossed under suspension of the rules, without reference to a Joint Committee.

Which report was read and accepted, and under suspension of the rules the resolve given its two several readings and passed to be engrossed in concurrence.

House Committee Reports

Leave to Withdraw

The Committee on Education on Bill, “An Act Relating to Publication of Educational Statistics.” (H. P. 542) (L. D. 777) reported that same be granted Leave to withdraw.

The Committee on Inland Fisheries and Game on recommitted “Resolve Regulating Fishing in Crystal

Pond, Knox County.” (H. P. 111) (L. D. 163) reported that same be granted Leave to withdraw — Covered by Other Legislation.

The Committee on State Government on Bill, “An Act to Permit Employees of State of Maine to Receive Federal Social Security Benefits.” (H. P. 566) (L. D. 799) reported that same be granted Leave to withdraw.

Which reports were severally read and accepted in concurrence.

Ought Not to Pass

The Committee on Highways on Bill, “An Act Relating to Issuance of Bonds of and Termination of Maine Turnpike Authority.” (H. P. 392) (L. D. 575) reported that the same Ought not to pass.

The Committee on Inland Fisheries and Game on Bill, “An Act Relating to Open Season on Fur-bearing Animals.” (H. P. 746) (L. D. 1065) reported that the same Ought not to pass.

The same Committee on “Resolve Opening Certain Lakes and Ponds in Aroostook, Penobscot and Piscataquis Counties to Ice Fishing.” (H. P. 492) (L. D. 705) reported that the same Ought not to pass.

The Committee on Taxation on Bill, “An Act Relating to Taxation of Intangible Personal Property.” (H. P. 450) (L. D. 656) reported that the same Ought not to pass.

(On motion by Mr. Hillman of Penobscot tabled pending acceptance of the report.)

The same Committee on Bill, “An Act Relating to Excise Tax on Commercial Trailers.” (H. P. 451) (L. D. 657) reported that the same Ought not to pass.

(On motion by Mr. Hillman of Penobscot, tabled pending acceptance of the report.)

The same Committee on Bill, “An Act Relating to Taxation of Manufacturers’ Inventories.” (H. P. 509) (L. D. 722) reported that the same Ought not to pass.

(On motion by Mr. Bates of Penobscot, tabled pending acceptance of the report.)

Which reports were severally read and accepted in concurrence.

Ought to Pass

The Committee on Legal Affairs on Bill, “An Act Relating to Nursing

Home in Town of Madawaska." (H. P. 659) (L. D. 951) reported that the same Ought to pass.

The Committee on Natural Resources on Bill, "An Act Relating to Disposition of Unorganized Townships Fund." (H. P. 578) (L. D. 625) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Yearly Timber Cut Reports to Forest Commissioner." (H. P. 725) (L. D. 1030) reported that the same Ought to pass.

The same Committee on "Resolve Naming Maine Mountains the 'Long-fellow Mountains of Maine.'" (H. P. 593) (L. D. 839) reported that the same Ought to pass.

The same Committee on "Resolve Authorizing Commissioner of Inland Fisheries and Game to Convey Certain Land in Fryeburg and Brownfield, Oxford County." (H. P. 664) (L. D. 956) reported that the same Ought to pass.

The Committee on Transportation on Bill, "An Act Relating to Yield Signs on Highways." (H. P. 733) (L. D. 1038) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Display of Lights on Motor Vehicles." (H. P. 734) (L. D. 1039) 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.

The Committee on Transportation on Bill, "An Act Relating to Lights on Motor Vehicles Used as School Buses." (H. P. 416) (L. D. 6600) reported that the same Ought to pass.

Comes from House, recommitted to the Committee on Transportation.

In the Senate, on motion by Mr. Cole of Waldo, the bill was recommitted to the Committee on Transportation in concurrence.

Ought to Pass — as amended

The Committee on Legal Affairs on recommitted Bill, "An Act Relating to Management and Powers of the Farmington Village Corporation." (H. P. 357) (L. D. 516) reported that the same Ought to pass as amended by Committee Amendment A (Filing 92)

The same Committee on Bill, "An Act Entitling Blind Persons Accompanied by Guide Dogs to Certain Accommodations." (H. P. 694) (L. D. 994) reported that the same Ought to pass as amended by Committee Amendment A (Filing 91)

The Committee on Retirements and Pensions on recommitted Bill, "An Act Relating to Survivor Benefits and Budget Estimates Under Maine State Retirement System." (H. P. 217) (L. D. 308) reported that the same Ought to pass as amended by Committee Amendment A (Filing No. 88)

The Committee on Transportation on Bill, "An Act Relating to Registration of Certain Vehicles Owned by Maine Residents." (H. P. 825) (L. D. 1162) reported that the same Ought to pass as amended by Committee Amendment A (Filing 89)

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

Senate Committee Reports Ought to Pass

Mr. Pierce from the Committee on Appropriations and Financial Affairs on "Resolve Appropriating Money for Completion of Court Rules." (S. P. 323) (L. D. 899) reported that the same Ought to pass.

Mr. Cole from the Committee on Business Legislation on Bill, "An Act to Authorize Independent or Internal Bank Auditors in Lieu of Directors' Examinations." (S. P. 373) (L. D. 1100) reported that the same Ought to pass.

Mr. Weeks from the Committee on Judiciary on Bill, "An Act Clarifying Laws Relating to the Maine Industrial Building Authority." (S. P. 215) (L. D. 554) reported that the same Ought to pass.

Mr. Weeks from the Committee on Judiciary on Bill, "An Act Relating to the Pineland Hospital and Training Center and the Commitment of the Insane." (S. P. 330) (L. D. 906) reported that the same Ought to pass.

(On motion by Mr. Bates of Penobscot, tabled pending acceptance of the report.)

The same Senator from the same Committee on Bill, "An Act Relating to Municipal Court Dockets." (S. P. 331) (L. D. 907) reported that the same Ought to pass.

Mr. Wyman from the Committee on Towns and Counties on Bill, "An Act to Authorize the County Commissioners of Cumberland County to Issue Bonds for Construction of a County Jail." (S. P. 264) (L. D. 677) 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.

Ought to Pass — as amended

Mr. Carpenter from the Committee on Inland Fisheries and Game on Bill, "An Act to Revise the Inland Fish and Game Laws." (S. P. 205) (L. D. 544) reported that the same Ought to pass as amended by Committee Amendment A.

Mr. Weeks from the Committee on Judiciary on Bill, "An Act Relating to Gifts of Securities and Money to Minors." (S. P. 1696) (L. D. 413) reported that the same Ought to pass as amended by Committee Amendment A.

Mr. Carpenter from the Committee on Liquor Control on Bill, "An Act Prohibiting the Sale of Near Beer to Minors." (S. P. 368) (L. D. 1051) reported that the same Ought to pass as amended by Committee Amendment A.

Which reports were severally 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.

Majority — OTP
 Minority — ONTP

The Majority of the Committee on Liquor Control on Bill, "An Act Relating to Definition of Retail Sale Under Liquor Laws." (S. P. 382) (L. D. 1103) reported that the same Ought to pass.

(Signed)

Senators:

WILLEY of Hancock
 CARPENTER of Somerset
 BOUCHER of Androscoggin

Representatives:

MAYO of Bath
 BROWN of Bangor

DOSTIE of Winslow
 COUTURE of Lewiston
 LACHARITE of Brunswick

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

(Signed)

Representative

CHRISTIE of Presque Isle

On motion by Mr. Willey of Hancock, the Majority "Ought to Pass" report was accepted, the bill read once and tomorrow assigned for second reading.

Second Readers

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

House

Bill, "An Act to Incorporate the Town of Topsfield." (H. P. 45) (L. D. 65)

Bill, "An Act Relating to Taking of Tom Cods in Gouldsboro and Steuben." (H. P. 429) (L. D. 635)

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

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

Senate

Bill, "An Act Relating to Licensing of Horse and Ox Pulling Contests." (S. P. 433) (L. D. 1280)

"Resolve Appropriating Moneys to Preserve Covered Bridges." (S. P. 272) (L. D. 734)

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

Sent down for concurrence.

Senate — as amended

Bill, "An Act Pertaining to Discontinuance of Portions of County Roads When Reconstructed." (S. P. 132) (L. D. 327)

Bill, "An Act to Clarify the Maine Mining Law." (S. P. 277) (L. D. 739)

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

Sent down for concurrence.

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

Bill, "An Act to Regulate Privately Owned Correspondence Schools." (H. P. 284) (L. D. 431)

Bill, "An Act Relating to Fees of Licensed Milk Dealers on Certain Milk." (H. P. 526) (L. D. 761)

Bill, "An Act Relating to Chemical Treatment to Bushes Adjacent to Railroad Crossings." (H. P. 728) (L. D. 1033)

Bill, "An Act Providing for Registration of Stock Race Cars." (H. P. 871) (L. D. 1216)

Bill, "An Act Relating to Health Requirements of Exhibited Live-stock." (S. P. 303) (L. D. 849)

Bill, "An Act Relating to Dealers in Livestock." (S. P. 304) (L. D. 850)

Bill, "An Act Relating to State Stipend on Breeding Classes of Male Animals." (S. P. 305) (L. D. 851)

Bill, "An Act Revising Law Relating to Dealer and Transit Motor Vehicle Registration." (S. P. 343) (L. D. 919)

Which bills were severally passed to be enacted.

"Resolve Regulating Fishing in Maranacook Lake, Kennebec County." (H. P. 196) (L. D. 288)

"Resolve to Reimburse the Town of Jackson for Aid to Louise M. Tilton." (H. P. 279) (L. D. 411)

(On motion by Mr. Rogerson of Aroostook, the resolve was laid upon the Special Appropriations Table pending final passage.)

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

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

(On motion by Mr. Wyman of Washington, tabled pending final passage.)

"Resolve to Reimburse New Canada Plantation for Aid Extended to Adrien Saucier and Family." (H. P. 536) (L. D. 771)

(On motion by Mr. Rogerson of Aroostook, the resolve was laid upon the Special Appropriations Table pending final passage.)

"Resolve in Favor of Arthur Robbins of Gouldsboro." (H. P. 539) (L. D. 774)

"Resolve Regulating Fishing in Wyman Lake, Somerset County." (H. P. 547) (L. D. 782)

"Resolve Regulating Fishing in Gull Pond, Franklin County." (H. P. 548) (L. D. 783)

"Resolve Regulating Fishing in Haley Pond, Franklin County." (H. P. 549) (L. D. 784)

"Resolve Paying to the Estate of Ray E. Gordon Salary Earned by Ray E. Gordon." (H. P. 488) (L. D. 1217)

Which resolves were finally passed.

Emergency

Bill, "An Act to Create a School Administrative District in Allagash Plantation." (H. P. 519) (L. D. 754)

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

Mr. CARPENTER of Somerset: Mr. President, I would like to inquire if L. D. 135, Bill, "An Act Relating to Fishing for White Perch" is in the possession of the Senate?

The PRESIDENT: The Chair will state that it is, having been held at the request of the Senator from Somerset, Senator Carpenter.

Thereupon, on motion by Mr. Carpenter of Somerset, the Senate voted to reconsider its former action whereby the bill was passed to be engrossed; and on further motion by the same Senator, the bill was laid upon the table pending passage to be engrossed.

Mr. WOODCOCK of Penobscot: Mr. President, I rise to inquire if S. P. 432, an Order relative to a Legislative Research Committee Study of Federal Social Security for State Employees, is in the possession of the Senate?

The PRESIDENT: The Chair will state that it is in the possession of the Senate having been held at the request of the Senator from Penobscot, Senator Woodcock.

Thereupon, on motion by Mr. Woodcock of Penobscot, the Senate voted to reconsider its action of the last legislative day whereby the Order received a passage; and on further motion by the same Senator, the Order was laid upon the table pending passage.

Mr. Woodcock of Penobscot was granted unanimous consent to address the Senate.

Mr. WOODCOCK: Mr. President, last week it was my privilege to witness the three games that the Bangor High School basketball team played in down at the Boston Garden. I think it is appropriate that a remark or two be entered upon the record in tribute to their great efforts in their own behalf and on behalf of all the people of the State of Maine. They really made history down there, because it was the third time in the history of the New England Tournament that a Maine team has reached the finals, the other two being the famous Little Boy Blues team from Portland in 1936, I think it was, who lost in their triple overtime playoff, and of course the wonderful Waterville High School team in 1944 which did win the only New England Championship won by a Maine high school team. But the Bangor Club was particularly interesting to those of us who followed it this year because when they started out the season in the first seven games they lost four and they were not considered a very good bet to make the Eastern Maine Class L Tournament. However, they got going during the season and ended up as State champions. It was as a result, I think, primarily, of the magnificent team effort. Down there in the Garden Jim Mooney was their second most prolific scorer, and stepping in to take his place there were two substitutes who alternated, Boyd Osler and Dick Shaw, who both did great jobs.

One of the aspects of the tournament that appealed to me particularly was the wonderful backing that the team received from all the fans of the State of Maine. As we are all aware, athletic loyalties often do run deep, but these fans would come down, probably in many cases backing teams that the Bangor Rams had beaten en route to their own championship, but yet they all cheered one hundred per cent as one man for their representatives down there in the Garden.

I do want to mention too the magnificent coaching job that the team received from Coach Red Barry. He

certainly did a superb job in bringing the Rams up to a tournament caliber team. In watching basketball for the past twenty-five years I have never seen a coaching effort any greater than the one Coach Barry accomplished this year with the Rams.

One other item I would want to mention before I conclude is the impeccable conduct that all the team members showed down there along with all their fans, including the band which did such a swell job, and of course the attractive cheerleaders. I think it reflects a great credit on the teachers down there at the high school who have had jurisdiction over these young men and women, and on the parents themselves for the innate good faith which each one of these representatives from Maine showed while in Boston. It certainly fills me with a great deal of pride to be a resident of a city in the state that these splendid representatives call home, and I think that with the future of the State in their hands we haven't got much to worry about. They certainly showed a lot of responsibility and a lot of courage in a game where there is certainly a great deal of tension. They have earned the accolade of praise that has been visited upon them throughout the State, and I think that in the annals of the sporting history of the State of Maine their accomplishment will live forever. (Applause)

The PRESIDENT: On behalf of the Senate, the Chair extends appreciation for the very appropriate remarks by the Senator from Penobscot, Senator Woodcock. I know that everyone in Maine took tremendous pride in the great effort that the Bangor Rams displayed in the New England Basketball Tournament last week.

The PRESIDENT: The Senate is proceeding under Orders of the Day. The Secretary will read the notices. The Chair has an additional notice. This Thursday evening, March 26th in the hall of the House at 7:30 P.M. Dr. Elliott of the University of Maine is going to be present and would like to meet as many members of the legislature as possible. It will be an excellent opportunity for any member to question Dr. Elliott in regard to many of the pro-

grams of the University. It is a joint invitation to all members of the legislature. Bear in mind that it is this Thursday evening coming at 7:30 p.m.

On motion by Mr. Brown of Washington,

Adjourned until ten o'clock tomorrow morning.