

# 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, April 8, 1959

Senate called to order by the President.

Prayer by Rev. Albert B. Reynolds, of Freeport.

On motion by Mr. MacDonald of Oxford,

Journal of yesterday read and approved.

The PRESIDENT: At this time the Chair would like to welcome to the Senate Chamber a group of students from the Milford Grammar School accompanied by Mr. Lionel Alley. It is a real pleasure to have you young people with us this morning. We trust that the day will be educational and enjoyable and I am sure that every Senator joins with me in welcoming you here to what we hope will be a fine day for you.

**Papers from the House**

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

In Senate on April 3, Indefinitely Postponed in non-concurrence.

Comes from the House, that body having insisted upon its former action whereby it accepted the Majority Report (Ought to pass) from the Committee on Liquor Control and passed the bill to be engrossed.

In the Senate:

Mr. FARLEY of York: Mr. President, I move that the Senate insist and ask for a committee of conference.

Mr. BOUCHER of Androscoggin: Mr. President, I move that the Senate recede and concur.

Mr. FARLEY of York: Mr. President, when the vote is taken I ask for a division.

The PRESIDENT: The question is on the motion of the Senator from Androscoggin, Senator Boucher to recede and concur and a division has been requested.

A division of the Senate was had.

Four having voted in the affirmative and twenty-two opposed, the motion did not prevail.

Thereupon, the Senate voted to insist on its former action and request a committee of conference. The President appointed as Senate members of such committee, Senators:

Farley of York, Cole of Waldo and Willey of Hancock.

**House Committee Reports  
Leave to Withdraw**

The Committee on Highways on Bill, "An Act Relating to Maintenance of Portland-South Portland Bridge." (H. P. 191) (L. D. 283) reported that the same be granted Leave to Withdraw.

The same Committee on Bill, "An Act to Authorize County Commissioners of Cumberland County to Issue Bonds for Portland Bridge Repairs." (H. P. 430) (L. D. 636) reported that the same be granted Leave to Withdraw.

The Committee on Sea and Shore Fisheries on "Resolve Opening Brooks and Rivers in Lincoln County to Taking of Salt Water Smelts." (H. P. 565) (L. D. 798) reported that the same be granted Leave to Withdraw.

Which reports were severally read and accepted in concurrence.

**Ought Not to Pass**

The Committee on Judiciary on Bill, "An Act to Establish the Kittery Municipal Court." (H. P. 791) (L. D. 1123) reported that the same Ought not to pass.

The same Committee on Bill, "An Act Creating a Uniform Municipal Court System." (H. P. 811) (L. D. 1149) reported that the same Ought not to pass.

The same Committee on Bill, "An Act Revising the Charter of the Yorkshire Municipal Court." (H. P. 859) (L. D. 1227) reported that the same Ought not to pass.

Which reports were severally read and accepted in concurrence.

The Committee on Legal Affairs on Bill, "An Act to Repeal the Charter of the Cousins and Littlejohns Islands Village Corporation." (H. P. 168) (L. D. 242) reported that the same Ought not to pass.

Comes from the House, Recommended to the Committee on Legal Affairs.

In the Senate, that Body voted to recommit the bill to the Committee on Legal Affairs in concurrence.

**Ought to Pass**

The Committee on Inland Fisheries and Game on "Resolve Prohib-

iting Use and Possession of Live Fish as Bait in Auburn Lake, Androscoggin County." (H. P. 495) (L. D. 708) reported that the same Ought to pass.

The Committee on Judiciary on Bill, "An Act Relating to Interstate Compact on Welfare Services." (H. P. 205) (L. D. 296) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Valuation of Inter Vivos Transfers of Property for Inheritance Tax Purposes." (H. P. 243) (L. D. 354) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Legislative Jurisdiction over Federal Lands Within the State." (H. P. 643) (L. D. 934) reported that the same Ought to pass.

The Committee on Taxation on Bill, "An Act Exempting Lambs Under One Year Old from Taxation." (H. P. 672) (L. D. 964) reported that the same Ought to pass.

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

Majority — ONTP  
Minority — OTP

The Majority of the Committee on Labor on Bill, "An Act Permitting Employees Time Off to Vote." (H. P. 300) (L. D. 447) reported that the same Ought not to pass.

(Signed)

Senators:

BATES of Penobscot  
ROSS of Sagadahoc  
MacDONALD of Oxford

Representatives:

WINCHENPAW  
of Friendship  
HARDY of Hope  
TREWORGY of Orono  
LETOURNEAU of Sanford  
HANCOCK of Nobleboro  
KARKOS of Lisbon

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

(Signed)

Representative

MILLER of Portland

Comes from the House, reports and bill Indefinitely Postponed.

In the Senate, on motion by Mr. Bates of Penobscot reports and bill

indefinitely postponed in concurrence.

THE PRESIDENT: At this time the Chair would like to recognize the presence in the Senate Chamber this morning of a group of twenty-five students from Erskine Academy, South China, Maine, representing members of the American Government class, in charge of their teacher Miss Robinson. We welcome you young people here this morning and trust that you will have an enjoyable day. (Applause)

The Chair would also like to welcome officially at this time students from the Lewis S. Libby School of Milford. The notice that came to the attention of the Chair did not indicate that these students were not in the Senate Chamber at the time. On behalf of the Senate, the Chair wants to welcome the students from the Lewis S. Libby School and their instructor Lionel Alley, Principal. We trust that you will have an enjoyable day here. (Applause)

#### Senate Committee Reports Ought Not to Pass

Mr. Dunn from the Committee on Election Laws on Bill, "An Act to Eliminate the Straight Party Ballot in Elections." (S. P. 46) (L. D. 74) reported that the same Ought not to pass.

On motion by Mr. Ross of Sagadahoc, tabled pending acceptance of the report.

Mr. Noyes from the Committee on Retirements and Pensions on Bill, "An Act Relating to Retirement Benefits for Inland Fish and Game Wardens." (S. P. 418) (L. D. 1202) reported that the same Ought not to pass.

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

#### Ought to Pass

Mr. Dow from the Committee on Education on Bill, "An Act Relating to Minimum Sick Leave for Teachers." (S. P. 399) (L. D. 1167) reported that the same Ought to pass.

Which report was read and accepted, the bill read once and tomorrow assigned for second reading.

**Ought to Pass — as amended**

The same Senator from the same Committee on Bill, "An Act Relating to Powers of Ricker Classical Institute and Ricker College." (S. P. 325) (L. D. 901) 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, and the bill as so amended was tomorrow assigned for second reading.

Majority — ONTP  
 Minority — OTP

The Majority of the Committee on Election Laws on Bill, "An Act Relating to Alternative Methods of Nominating Candidates." (S. P. 423) (L. D. 1219) reported that the same Ought not to pass.

(Signed)

Senators:

WOODCOCK of Penobscot  
 DUNN of Kennebec

Representatives:

BROWN of Bangor  
 DEAN of West Buxton  
 PITTS of Harrison  
 PERT of Bath  
 CAHILL of Moscow

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

(Signed)

Senator

WEEKS of Cumberland

Representatives:

WESTON of Farmingdale  
 KNAPP of Yarmouth

On motion by Mr. Ross of Sagadahoc, tabled pending acceptance of either report.

Majority — OTP in N.D.  
 Minority — ONTP

The Majority of the Committee on Liquor Control on Bill, "An Act Relating to Sale of Spirituous Liquor in Class A Restaurants." (S. P. 218) (L. D. 557) reported same in New Draft (S. P. 445) (L. D. 1295) under the same title, and that it Ought to pass.

(Signed)

Senators:

WILLEY of Hancock  
 CARPENTER of Somerset  
 BOUCHER of Androscoggin

Representatives:

MAYO of Bath  
 BROWN of Bangor  
 CHAPMAN of Norway  
 DOSTIE of Winslow  
 COUTURE of Lewiston  
 LACHARITE of Brunswick

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

(Signed)

Representative

CHRISTIE of Presque Isle

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

Majority — OTP as amended  
 Minority — ONTP

The Majority of the Committee on Sea and Shore Fisheries on Bill, "An Act Relating to Use of Draggers in Sheepscot Bay." (S. P. 194) (L. D. 490) reported that the same Ought to pass as amended by Committee Amendment A.

(Signed)

Senators:

BROWN of Washington  
 COFFIN of Cumberland

Representatives:

MADDOX of Vinalhaven  
 DENNISON

of East Machias

RANKIN of Southport  
 DANES of South Portland

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

(Signed)

Senator

DOW of Lincoln

Representatives:

LOWERY of Brunswick  
 BOONE of Eastport  
 YOUNG of Gouldsboro

On motion by Mr. Coffin of Cumberland, the bill and reports were laid upon the table pending acceptance of either report.

**Second Readers**

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

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

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

Bill, "An Act relating to Penalties Under Employment Security Law." (H. P. 757) (L. D. 1075)

"Resolve Providing a Pension for Miss Avis Robertson of Belfast." (H. P. 669) (L. D. 961)

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

#### House — as amended

Bill, "An Act Relating to Retirement Benefits for Teachers With Fifteen Years of Service." (H. P. 171) (L. D. 245)

Bill, "An Act Relating to Voting Machines for Elections." (H. P. 873) (L. D. 1247)

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

#### Senate

Bill, "An Act Increasing Fees for Plumbing Permits." (S. P. 347) (L. D. 974)

Bill, "An Act Relating to Capital Shares of Insurance Corporations." (S. P. 363) (L. D. 1046)

Bill, "An Act Relating to Fiduciary's Transactions by Check." (S. P. 375) (L. D. 1102)

Bill, "An Act Relating to Qualifications of Applicants for Registration as Licensed Physicians or Surgeons." (S. P. 395) (L. D. 1139)

Bill, "An Act Relating to Relocating Facilities in Federal Aid Interstate Highway Projects." (S. P. 410) (L. D. 1194)

Bill, "An Act Relating to Pensions for Widows and Children of Deceased Policemen of the City of Lewiston." (S. P. 444) (L. D. 1292)

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

Sent down for concurrence.

The PRESIDENT: At this time the Chair would like to welcome another visiting group of students here in the Senate Chamber this morning representing the students in Government Class of Porter High School, Kezar Falls, Maine, accompanied by their instructor Harry True. The members of the Maine Senate join me in welcoming you this morning. We trust that you will

enjoy your day at the State House, and I know that all of us will work to the end of making it an interesting and educational day for you. (Applause)

The PRESIDENT: At this time, in order that the members of the Senate and our guests this morning may be able to enjoy the fine music to be played by the Piscataquis County Community Band, the Chair will declare a recess. This contingent of talented musicians have arrived in the State House. They were scheduled for 9:30 but, due to circumstances beyond their control, they could not make it. At this time the Chair will declare a brief recess so we may enjoy some selections by the community band. We will recess until the sound of the gong.

#### After Recess

The Senate was called to order by the President.

The PRESIDENT: I am sure that all of you were as thrilled as I was at the tremendous display of talent which we have just witnessed on the second floor of the State House. The Chair would also like to mention the fact that the Piscataquis County Community Band is going to represent the State of Maine at the Festival in Washington. I am certain that the State will be well-recognized as far as talent is concerned at that festival. We certainly all join in wishing the band the best of luck in Washington.

#### Enactors

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

Bill, "An Act Relating to Employment of City Personnel in City of Lewiston." (H. P. 521) (L. D. 756)

Bill, "An Act Relating to Sick Leave for Members of Fire Department of City of Lewiston." (H. P. 761) (L. D. 1079)

Bill, "An Act Relating to Crossing of Public Ways by Railroads." (H. P. 766) (L. D. 1084)

Bill, "An Act Relating to Indexing of Plans of Townships." (H. P. 775) (L. D. 1093)

Bill, "An Act Amending the Charter of the Bowdoinham Water District." (H. P. 795) (L. D. 1127)

Bill, "An Act Relating to County Appropriations to Promote Counties." (S. P. 299) (L. D. 823)

Bill, "An Act Relating to Cost of Snow Removal on the Interstate System." (S. P. 400) (L. D. 1168)

Which were severally passed to be enacted.

"Resolve Relating to Ferry Terminals at Islesboro and Lincolnville." (S. P. 367) (L. D. 1050)

Which was finally passed.

#### Orders of the Day

Mr. COLE of Waldo: Mr. President, may I inquire if L. D. 1098, Bill, "An Act Relating to Inspection of Motor Vehicles" is in the possession of the Senate.

The PRESIDENT: It is, having been held at the request of the Senator from Waldo, Senator Cole.

On motion by Mr. Cole of Waldo, the Senate voted to reconsider its former action whereby the bill was passed to be engrossed and the same Senator presented Senate Amendment A and moved its adoption.

The Secretary read Senate Amendment A.

Which amendment was adopted, and the bill passed to be engrossed in non-concurrence.

Sent down for concurrence.

Mrs. LORD of Cumberland: Mr. President, may I inquire if L. D. 1120 is in the possession of the Senate?

The PRESIDENT: It is, having been held at the request of the Senator from Cumberland, Senator Lord.

On motion by Mrs. Lord of Cumberland, the Senate voted to reconsider its former action whereby it indefinitely postponed, "Resolve to Reimburse the City of Portland for Support of Joseph A. and Madelon E. Glidden."

Mrs. LORD of Cumberland: Mr. President and members of the Senate, information given to the City of Portland in 1955 pertaining to the parents of Joseph A. Glidden and the custody of said Joseph A. Glidden, the City of Portland furnished relief to said Glidden for 1955-56 and 1957. It was not until

1959 did the city of Portland learn for the first time that Joseph A. Glidden was not given into the custody of his mother in 1943.

Joseph A. Glidden became of age Dec. 23, 1954 with an unsettled status derived from his father. The State Department of Health and Welfare has now accepted Joseph A. Glidden as an unsettled status. The State Department of Health and Welfare does not have the funds in its budget at this time to pay the City of Portland \$1,338.61. I understand since then the Welfare Department has paid a sum something around \$144 to the City of Portland.

Therefore, Mr. President, I move that this bill be passed.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Cumberland, Senator Lord that the Senate accept the Minority "Ought to pass" report of the Committee.

Mr. PARKER of Piscataquis: Mr. President, I am not at this time prepared to defend the action of the committee on this bill because I do not have the notes that were taken at the time of the hearing, but I would like to place this on the table and I assure you I will get that information and take it off just as soon as I can. So I would like to table this bill.

The motion prevailed and the resolve was laid upon the table pending motion by Mrs. Lord of Cumberland to accept the Minority ought to pass report.

The PRESIDENT: At this time the Chair would like to recognize in the Senate Chamber the members of the eighth grade from St. Patrick's School in Lewiston, accompanied by their teachers, Sister Saint John and Sister Saint Paula. It is certainly a pleasure on behalf of the Senate to welcome you students and sisters here this morning. We hope you will enjoy your day and will find it educational as well as enjoyable. On behalf of the Senate, the Chair most cordially welcomes all of you.

On motion by Mr. Lessard of Androscoggin, the Senate voted to take from the table Senate Report from the Committee on Public Health "Ought not to pass" on Bill, "An

Act Relating to Barber Apprentices, Barber Instructors and Barber Shop Licenses." (S. P. 405) (L. D. 1173) tabled by that Senator on April 7 pending acceptance of the report; and on further motion by the same Senator, the ought not to pass report was accepted.

Sent down for concurrence.

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table House Report from the Committee on Business Legislation "Ought to pass" on Bill, "An Act to Revise the Fraternal Beneficiary Association Law." (H. P. 856) (L. D. 1224) tabled by that Senator on April 2 pending acceptance of and on further motion by the same Senator, the ought to pass report was accepted in concurrence, the bill read once and tomorrow assigned for second reading.

Mr. LESSARD of Androscoggin: Mr. President, I request unanimous consent to address the Senate.

The PRESIDENT: The Chair hears no objection, and provided he is able to carry out his request, the Senator may proceed.

Mr. LESSARD: Mr. President, I apologize for my laryngitis.

At the outset I would like to state that accompanying these lovely children from St. Patrick's also is the brother-in-law of our fine Secretary, Victor Lageux of Lewiston.

However, that is not my purpose in arising this morning. My real purpose, as some of you probably know, is to tell you that during this past year we in Lewiston and Auburn and Central Maine have con-

structed at our Youth Center a very fine ice rink. This Sunday marks our last hockey game of the season, and the directors of the rink have asked me on behalf of the Senate to invite the members of the Senate and the Senate staff to be their guests next Sunday afternoon at two o'clock. The game is to be played between a team from St. Hyacinthe, Quebec, one of the top teams in the Province of Quebec, and the Bates Fabric Team which represents Bates Manufacturing Company. So if any of the members of the Senate and its staff can be in attendance at the game next Sunday, starting at two o'clock, you will have an opportunity to see our rink, of which we are very proud. If you will leave your name with the Secretary in his office I will see that the tickets are here tomorrow for distribution. (Applause)

The PRESIDENT: The Chair thanks the Senator from Androscoggin, Senator Lessard, for his kind invitation to the members of the Senate to attend the hockey game next Sunday at two o'clock, and the Chair is certain that as many of us as possible will like to avail themselves of the invitation. The Chair also thanks the Senator from Androscoggin for recognizing the fact that we have other distinguished visitors here this morning. The Chair welcomes you folks from Androscoggin County.

On motion by Mr. Martin of Kennebec,

Adjourned until ten o'clock tomorrow morning.