

# 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**

Friday, April 10, 1959

Senate called to order by the President.

Prayer by Rev. Robert B. Cumber of Randolph.

On motion by Mr. Pierce of Hancock,

Journal of yesterday read and approved.

**Order**

On motion by Mr. Woodcock of Penobscot, out of order and under suspension of the rules:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, April 14, at ten o'clock in the forenoon. (S. P. 446)

Which was read and passed.  
Sent down for concurrence.

**Papers from the House**

Bill, "An Act Relating to Certification by Automobile Dealers of Mileage of Used Motor Vehicles." (S. P. 364) (L. D. 1047)

In Senate on April 1, passed to be engrossed.

Comes from the House, Indefinitely Postponed in non-concurrence.

In the Senate, on motion by Mr. Charles of Cumberland, tabled pending consideration.

Bill, "An Act Relating to the Inspection of Motor Vehicles." (H. P. 780) (L. D. 1098)

In House, April 1, Indefinitely Postponed.

In Senate on April 8, passed to be engrossed as amended by Senate Amendment A (Filing 171) in non-concurrence.

Comes from House, Adhered.

In the Senate, on motion by Mr. Cole of Waldo, the Senate voted to recede and concur.

**Conference Committee Report**

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Relating to Licensing and Safety in Operation of Boats." (S. P. 79) (L. D. 151) reported that the Senate recede and concur in referring the bill to the Committee on Judiciary.

Comes from House, report accepted.

In the Senate, the Conference Committee Report was accepted in concurrence and the bill was referred to the Committee on Judiciary.

**House Committee Reports  
Leave to Withdraw**

The Committee on Labor on Bill, "An Act Eliminating Waiting Period Under Employment Security Law." (H. P. 117) (L. D. 172) reported that the same be granted Leave to Withdraw.

The Committee on Retirements and Pensions on "Resolve Providing for State Pension for William Pelky of Winn." (H. P. 697) (L. D. 997) reported that the same be granted Leave to Withdraw.

The Committee on Transportation on Bill, "An Act Relating to Age of Motor Vehicle Operators." (H. P. 571) (L. D. 804) 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 Relating to Discharge of Chattel Mortgages and Conditional Sales." (H. P. 878) (L. D. 1252) reported that the same Ought not to pass.

The Committee on Labor on Bill, "An Act Relating to Application of Workmen's Compensation Act to Certain Employers." (H. P. 355) (L. D. 514) reported that the same Ought not to pass.

The same Committee on Bill, "An Act Relating to Disqualification for Benefits Under Employment Security Law." (H. P. 589) (L. D. 836) reported that the same Ought not to pass.

The same Committee on Bill, "An Act Relating to Disqualification for Unemployment Compensation." (H. P. 650) (L. D. 941) reported that the same Ought not to pass.

The same Committee on Bill, "An Act Relating to Definition of Wages Under Employment Security Law." (H. P. 753) (L. D. 1071) reported that the same Ought not to pass.

Which reports were severally read and accepted in concurrence.

**Ought to Pass — as amended**

The Committee on Education on Bill, "An Act Relating to Teachers and Other School Personnel for Mentally Retarded Children." (H. P. 142) (L. D. 198) reported that the same Ought to pass as amended by Committee Amendment A (Filing No. 162)

The Committee on Election Laws on Bill, "An Act Revising Certain Election Laws." (H. P. 857) (L. D. 1225) reported that the same Ought to pass as amended by Committee Amendment A (Filing No. 167)

Which reports were 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.

Majority — ONTP  
Minority — OTP

The Majority of the Committee on State Government on "Resolve Proposing an Amendment to the Constitution to Abolish the Council and Make Changes in the Matter of Gubernatorial Appointments and Their Confirmation." (H. P. 850) (L. D. 1213) reported that the same Ought not to pass.

(Signed)

**Senators:**

ROSS of Sagadahoc  
HILLMAN of Penobscot

**Representatives:**

WADE of Auburn  
SANBORN of Gorham  
SMITH of Exeter  
DENNETT of Kittery

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

(Signed)

**Senator**

LESSARD of Androscoggin

**Representatives:**

BARNETT of Augusta  
COYNE of Waterville  
PLANTE

of Old Orchard Beach

In House, reports and resolve Indefinitely Postponed.

In the Senate:

Mr. HILLMAN of Penobscot: Mr. President, I move that the bill be indefinitely postponed in concurrence.

Thereupon, on motion by Mr. Lessard of Androscoggin, the bill and report were laid upon the table pending motion by Mr. Hillman of Penobscot to indefinitely postpone.

**Communication**

State of Maine  
HOUSE OF REPRESENTATIVES  
Office of the Clerk  
Augusta

April 9, 1959

Honorable Chester T. Winslow  
Secretary of the Senate  
99th Legislature

Sir:

The Speaker of the House today appointed the following Conferees on the part of the House on the disagreeing action of the Two Branches of the Legislature on:

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

Messrs. CARON of Biddeford  
BROWN of Bangor  
MAYO of Bath

Respectfully,

(Signed)

HARVEY R. PEASE  
Clerk of the House

Which was read and ordered placed on file.

**Senate Order**

On motion by Mr. Pierce of Hancock

ORDERED, that the Committee on Appropriations and Financial Affairs be authorized to have printed 300 copies of the Detail of Acts and Resolves requiring Appropriations from the General Fund.

Which was read and passed.

**Senate Committee Reports**

Mr. Duquette from the Committee on Appropriations and Financial Affairs on "Resolve Appropriating Money for Copies of Constitution of Maine." (S. P. 151) (L. D. 372) reported that same be granted Leave to Withdraw.

Which report was read and accepted.

Sent down for concurrence.

**Ought Not to Pass**

Mr. Weeks from the Committee on Claims on "Resolve in Favor of Ronald and Nancy Bradstreet of

Beverly, Massachusetts.” (S. P. 353) (L. D. 1008) reported that the same Ought not to pass.

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

Mr. Coffin from the Committee on Education on Bill, “An Act Relating to Salaries of Superintendents of Schools.” (S. P. 271) (L. D. 733) reported that the same Ought not to pass.

Mr. Lessard from the Committee on Judiciary on Bill, “An Act Relating to Appointments for Legal Service by Nonresident Hunting Licenses.” (S. P. 333) (L. D. 909) reported that the same Ought not to pass.

(On motion by Mr. Noyes of Franklin, tabled pending acceptance of the report.)

Which reports were severally read and accepted.

Sent down for concurrence.

**Ought to Pass**

Mr. Duquette from the Committee on Appropriations and Financial Affairs on Bill, “An Act Relating to Expenditures from Aeronautical Fund.” (S. P. 149) (L. D. 370) reported that the same Ought to pass.

Mr. Dow from the Committee on Education on Bill, “An Act Relating to Conferring Degrees by Thomas Junior College.” (S. P. 111) (L. D. 261) reported that the same Ought to pass.

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

**Ought to Pass — as amended**

Mr. Pierce from the Committee on Appropriations and Financial Affairs on Bill, “An Act Relating to Construction of a Building for Maine Employment Security Commission.” (S. P. 244) (L. D. 627) reported that the same Ought to pass as amended by Committee Amendment A.

Mr. Dow from the Committee on Education on Bill, “An Act to Authorize the Addition of the Towns of Cushing, Rockport, St. George, Thomaston and Warren to School Administrative District No. 5.” (S. P. 291) (L. D. 815) reported that the same Ought to pass as amended by Committee Amendment A.

Mr. Lessard from the Committee on Judiciary on Bill, “An Act Relating to the Suspension and Revocation of Liquor Licenses.” (S. P. 164) (L. D. 385) 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 amended were tomorrow assigned for second reading.

Majority — ONTP  
 Minority — OTP

The Majority of the Committee on Education on Bill, “An Act Relating to Minimum Salaries of Secondary School Principals.” (S. P. 157) (L. D. 378) reported that the same Ought not to pass.

(Signed)

Senators:

DOW of Lincoln  
 BATES of Penobscot  
 COFFIN of Cumberland

Representatives:

MATHIESON of Montville  
 ERVIN of Houlton  
 FRAZIER of Lee  
 CLARK of Scarborough  
 HANSON of Lebanon  
 CORMIER of Rumford

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

Representative

ROWE of Madawaska

On motion by Mr. Dow of Lincoln, the Majority Report “Ought not to pass” was accepted.

Sent down for concurrence.

Majority — ONTP  
 Minority — OTP

The Majority of the Committee on Judiciary on Bill, “An Act Providing for a Motor Vehicle Liability Insurance Law.” (S. P. 257) (L. D. 670) reported that the same Ought not to pass.

(Signed)

Senators:

WEEKS of Cumberland  
 WOODCOCK of Penobscot

Representatives:

EARLES of South Portland  
 EMMONS of Kennebunk  
 COX of Dexter

BERMAN of Auburn  
KNIGHT of Rockland  
BEANE of Augusta

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

Senator

LESSARD of Androscoggin

Representative

CARON of Biddeford

On motion by Mr. Lessard of Androscoggin, tabled pending acceptance of either report.

Majority — OTP

Minority — ONTP

The Majority of the Committee on State Government on Bill, "An Act Relating to Automobile Travel by State Employees." (S. P. 408) (L. D. 1176) reported that the same Ought to pass.

(Signed)

Senators:

HILLMAN of Penobscot  
LESSARD of Androscoggin

Representatives:

SANBORN of Gorham  
SMITH of Exeter  
BARNETT of Augusta  
WADE of Auburn

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

(Signed)

Senator

ROSS of Sagadahoc

Representatives:

PLANTE  
of Old Orchard Beach  
COYNE of Waterville  
DENNETT of Kittery

On motion by Mr. Charles of Cumberland, tabled pending acceptance of either report.

Majority — OTP

Minority — ONTP

The Majority of the Committee on State Government on Bill, "An Act Relating to State Owned Automobiles for Liquor Inspectors." (S. P. 420) (L. D. 1204) reported that the same Ought to pass.

(Signed)

Senators:

HILLMAN of Penobscot

ROSS of Sagadahoc  
LESSARD of Androscoggin

Representatives:

SMITH of Exeter  
DENNETT of Kittery  
BARNETT of Augusta  
SANBORN of Gorham  
PLANTE

of Old Orchard Beach

WADE of Auburn

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

(Signed)

Representative

COYNE of Waterville

On motion by Mr. Hillman of Penobscot, the 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:

#### House

Bill, "An Act Relating to Excise Tax on House Trailers." (H. P. 225) (L. D. 366)

Bill, "An Act Relating to Tax Collector's Warrant." (H. P. 293) (L. D. 440)

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

Bill, "An Act Relating to Jurisdiction Over Offshore Waters and Submerged Lands." (H. P. 642) (L. D. 933)

Bill, "An Act Relating to Penalty for Violation of Laws Regulating Operation of Motor Vehicles at Grade Crossings." (H. P. 721) (L. D. 1026)

Bill, "An Act to Provide Pensions for Widows and Children of Deceased Public Works Employees of City of Lewiston." (H. P. 764) (L. D. 1082)

Bill, "An Act Relating to Petition for Support of Wife or Minor Children." (H. P. 877) (L. D. 1251)

Bill, "An Act Relating to Maintenance and Rehabilitation of Wire Bridge in Town of New Portland, Somerset County." (H. P. 9155) (L. D. 1291)

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

**House — as amended**

Bill, "An Act Relating to the South Portland Park and Recreation Commission." (H. P. 422) (L. D. 606)

Bill, "An Act Increasing Number of Members of School Board in North Berwick." (H. P. 523) (L. D. 758)

Bill, "An Act Increasing Members of Planning Board of City of Belfast." (H. P. 845) (L. D. 1208)

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

**Senate**

Bill, "An Act Relating to Waiver of Indictment." (S. P. 413) (L. D. 1197)

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

Sent down for concurrence.

**Senate — as amended**

Bill, "An Act Relating to Taxation of Domestic Fowl." (S. P. 122) (L. D. 272)

Which was 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 Time of Enrollment of Voters." (H. P. 858) (L. D. 1226)

On motion by Mr. Wyman of Washington, tabled pending passage to be enacted.

The President laid before the Senate the 1st tabled and especially assigned matter being bill, "An Act Relating to Distribution and Sale of Publications Depicting Crime and Torture." (S. P. 249) (L. D. 632) tabled on April 9 by the Senator from Cumberland, Senator Weeks, pending enactment; and that Senator yielded to the Senator from Kennebec, Senator Martin.

On motion by Mr. Martin of Kennebec, the bill was retabled pending enactment.

On motion by Mr. Cole of Waldo, the Senate voted to reconsider its action taken earlier in today's session whereby Bill, "An Act Relating to Taxation of Domestic Fowl," (S. P. 122) (L. D. 272) was passed to be engrossed; and on further motion by the same senator the bill was tabled pending passage to be engrossed.

On motion by Mr. Woodcock of Penobscot,

Adjourned until 10:00 A.M. next Tuesday.