

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One-Hundredth Legislature*

OF THE

STATE OF MAINE

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and

SPECIAL SESSION

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DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

**SENATE**

Wednesday, May 31, 1961

Senate called to order by the President.

Prayer by Rev. Joseph Craig of Augusta.

On motion by Mr. Gilbert of Kennebec, Journal of Friday was read and approved.

The PRESIDENT: The Chair notes in the Senate Chamber the lovely daughter of Mr. Ronald Speers, member of the Governor's Council and the Chair will ask Miss Elaine Speers and her father to rise so that the Senate may recognize them. It is a pleasure to have you with us, Miss Speers. We hope your stay is enjoyable. (Applause)

**Papers From The House  
Joint Order**

ORDERED, the Senate Concurring, that the Legislative Research Committee is directed to study that phase of the operation of the Bureau of Purchases wherein centralized warehousing and greater standardization of requisitioned materials and supplies by the respective departments and agencies of State Government would be desirable as a means of accomplishing greater economy in the operation of State Government. The Committee shall make such recommendations, if consistent with their findings, as will suggest either statutory amendments or changes in interdepartmental rules and regulations, or both; and be it further

ORDERED, that the Committee report the results of its study to the 101st Legislature. (H. P. 1178)

Comes from the House, read and passed.

In Senate, read and passed in concurrence.

**Non-concurrent Matters**

Bill, "An Act to Create the Development Fund." (S. P. 541) (L. D. 1588)

In Senate, May 24, passed to be engrossed as amended by Senate Amendment "A" (Filing No. S-215)

Comes from the House, Ought not to pass report accepted in non-concurrence.

In the Senate:

Mr. LOVELL of York: Mr. President, there is a Body in this legislature that seems very unprogressive on matters of industrial and recreational development, and it is not the Senate. I would move that the Senate insist and ask for a Committee of Conference.

The motion prevailed, and the President appointed as Senate members of the Committee: Senators: Noyes of Franklin, Marden of Kennebec and Lovell of York.

Resolve, Appropriating Moneys to Provide Promotion for Maine's Industrial Development. (S. P. 102) (L. D. 247)

In Senate, May 25, passed to be engrossed, as amended by Senate Amendment "A" (Filing S-217)

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

In the Senate, on motion by Mr. Lovell of York, the Senate voted to insist on its former action and ask for a Committee on Conference; the President appointed as Senate members of the Committee: Senators: Marden of Kennebec, Noyes of Franklin and Lovell of York.

**House Committee Reports  
Ought to Pass — New Draft**

The Committee on Election Laws on Bill, "An Act Revising the Election Laws." (H. P. 970) (L. D. 1460) reported that the same Ought to pass in New Draft, under the same Title (H. P. 1169) (L. D. 1614)

Which report was read and accepted in concurrence, the Bill, in New Draft, read once, and tomorrow assigned for second reading.

The Committee on Taxation on Bill, "An Act Relating to Harness Racing Officials and Purses." (H. P. 959) (L. D. 1326) reported that the same Ought to pass in New Draft, under new title of: "An Act Relating to Harness Racing Purses." (H. P. 1175) (L. D. 1621)

In House, passed to be engrossed, as amended by House Amendment "A" (Filing H-346)

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

**MAJORITY — Ought Not to Pass  
MINORITY — Ought to Pass in  
New Draft**

The Majority of the Committee on Towns and Counties on Recommended Bill, "An Act Relating to Special Deputies for Kennebec and Penobscot Counties." (H. P. 167) (L. D. 230) reported that the same Ought not to pass.

(Signed)

Senators:

PIKE of Oxford  
ERWIN of York

Representatives:

BEANE of Moscow  
DANES of South Portland  
MacGREGOR of Eastport  
JONES of Farmington  
BAKER of Orrington

The Minority of the same Committee on the same subject matter, reported that the same Ought to pass in New Draft under New Title: "An Act Relating to Special Deputies for Kennebec County." (H. P. 1172) (L. D. 1617)

(Signed)

Senators:

WYMAN of Washington

Representatives:

TWEEDIE of Mars Hill  
SHAW of Chelsea

In House, Bill was substituted for the reports, and passed to be engrossed, as amended by House Amendment "A" (Filing H-337).

In the Senate:

Mr. MARDEN of Kennebec: Mr. President, I move that the Senate substitute the bill for the report.

Thereupon, on motion by Mr. Wyman of Washington, the bill was laid upon the table pending the motion by Mr. Marden of Kennebec.

**Second Readers**

**The Committee on Bills in the  
Second Reading reported the following Bills:**

**House — As Amended**

Bill, "An Act Appropriating Moneys to Effectuate Compensa-

tion for State Employees." (H. P. 565) (L. D. 785)

Bill, "An Act Providing for a Revised Charter for the City of Portland." (H. P. 326) (L. D. 478)

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

Bill, "An Act Relating to Number of Aides-de-Camp Appointed by Governor" (H. P. 1168) (L. D. 1613)

Mr. EDMUNDS of Aroostook: Mr. President, with respect to Item 7-1, I checked here a bit and I do not find any particular need to increase the number of Aides-de-Camp to the Governor. This is a bill that a particular individual wants. I very much doubt it is good legislation for the State of Maine. I definitely see no need for it at this time and I therefore move that the bill and all accompanying papers be indefinitely postponed.

The motion prevailed and the bill was indefinitely postponed in non-concurrence.

Sent down for concurrence.

**ENACTORS**

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

Bill, "An Act Permitting Attorney General to Bring Action for Money Due Indian Tribes." (H. P. 1123) (L. D. 1547)

Bill, "An Act to Bring State Police, Coastal Wardens and Fish and Game Wardens Under Personnel Law." (S. P. 261) (L. D. 778)

(On motion by Mr. Davis of Cumberland, placed on the Special Appropriations Table.)

Bill, "An Act Relating to Inspection of Motor Vehicles." (S. P. 309) (L. D. 897)

Bill, "An Act to Clarify the Liquor Laws." (S. P. 353) (L. D. 1086)

Which bills were passed to be enacted.

Resolve, Regulating Fishing in Spencer Pond, Piscataquis County. (S. P. 70) (L. D. 170)

Which resolve was finally passed.

**Orders of the Day**

The President laid before the Senate the first tabled and today assigned item (H. P. 385) (L. D. 560) House Report, Ought not to pass, from the Committee on Highways on bill, "An Act Appropriating Moneys for Construction of a Road for Elliottsville Plantation"; tabled on May 25 by Senator Parker of Piscataquis pending acceptance of the report.

Mr. ERWIN of York: Mr. President, I was approached by the sponsor of this measure who informed me—Senator Parker is the sponsor and is unable to be here—informed me that it is his feeling that it is no longer necessary to hold up this bill for the purpose for which it was originally held, and I will take the responsibility if it meets with the approval of the Senate, to move that the Senate accept the Ought not to pass report of the Committee.

The motion prevailed and the Ought not to pass report was accepted in concurrence.

The President laid before the Senate the second tabled and today assigned item (S. P. 436) (L. D. 1308) bill, "An Act Relating to Sales of Discontinued Items of Liquor in State Stores"; tabled on May 26 by Senator Mayo of Sagadahoc pending consideration.

Mr. MAYO of Sagadahoc: Mr. President and members of the Senate, I regretfully inform you that I have been unable to contact the commissioners regarding these amendments that have been introduced by the House, and I hope to get this information I need regarding the amendments, before the day is out. I would like to move that the bill be retabled and especially assigned for tomorrow.

The motion to retable and so assign prevailed.

The President laid before the Senate the third tabled and today assigned item (H. P. 1173) Joint Order relative to recalling H. P. 561, L. D. 758 from the Legislative Files to the House; tabled on May 26 by Senator Stilphen of Knox pending passage, and on further motion by that Senator,

the Order received a passage in concurrence.

The President laid before the Senate the 4th tabled and today assigned item (H. P. 995) (L. D. 1382) bill, "An Act Relating to a Power of Sale in a Mortgage and Sale under a Power in a Mortgage"; tabled on May 26 by Senator Lovell of York pending consideration; and that Senator yielded to the Senator from York, Senator Erwin.

On motion by Mr. Erwin of York, the bill was retabled and especially assigned for later today.

The President laid before the Senate the 9th tabled item (S. P. 311) (L. D. 899) bill, "An Act to Transfer Northern Maine Sanatorium to Central Maine Sanatorium"; tabled on May 26 by Senator Edmunds of Aroostook pending passage to be engrossed; and on further motion by the same Senator, the bill was retabled and especially assigned for Friday of this week.

The PRESIDENT: In the balcony we have twenty students from Rockport High School, Rockport, Maine, the American History Class, accompanied by Social Studies teacher, Vernon Hunter. Mr. Hunter is the coach of the Western Maine Champion small school basketball team from Rockport High School. It is nice to have Mr. Hunter and his group of students visit with us. We hope your stay is enjoyable and we hope that some day you will be taking your place in the Senate Chamber serving the county in which you live.

At this time I would like to introduce the Senator from Knox County, Senator Stilphen. (Applause)

On motion by Mr. Noyes of Franklin, Recessed until 1:00 P. M.

**After Recess**

Called to order by the President.

The President laid before the Senate (H. P. 995) (L. D. 1382) Bill, "An Act Relating to a Power

of Sale in a Mortgage and Sale under a Power in a Mortgage" which was tabled earlier in today's session by the Senator from York, Senator Erwin, pending consideration.

On motion by Mr. Erwin of York, under suspension of the rules the Senate voted to reconsider its action whereby the bill was passed to be engrossed as amended.

Mr. Erwin then offered Senate Amendment "A" to Senate Amendment "A" and moved its adoption.

Mr. ERWIN: Mr. President, before the vote is taken I would simply like to state that there are many of us who still feel that this is a good bill and, in a final attempt to try to salvage it, we have tried to make it more plain, if possible, and to state that this does not refer to residences or homesteads, so-called, in order to remove the stigma that this is intended to take homesteads away from poor people.

The Senate then voted to reconsider its action whereby Senate Amendment "A" was adopted. Senate Amendment "A" to Senate Amendment "A" as amended by Senate Amendment "A" was adopted and the bill was passed to be engrossed as amended.

#### Order Out Of Order

Mr. Noyes of Franklin, out of order and under suspension of the rules presented the following order and moved its passage:

ORDERED, the House concurring, that H. P. 13, L. D. 32, Bill, "An Act Relating to Certain Standards for Nursing Homes," be recalled from the Governor to the Senate.

Mr. EDGAR of Hancock: Mr. President and members of the Senate: If I understand correctly, this is an order recalling from the files a bill which we debated at some length in the Senate, having to do with nursing homes meeting requirements of the fire code.

As you will all undoubtedly recall, a happy compromise was reached in which the present law was changed to revise it upward to meet the objections of some. I killed the bill when it was intro-

duced because it was too stringent, and the bill, which we finally passed was, as I understood, a compromise which was satisfactory to everyone. I do not know what the reasons behind the recall order are, but on the face of it I would certainly say we had settled this bill to everyone's satisfaction, and I would oppose the passage of the order.

The PRESIDENT: Would the Senator approach the rostrum?

(Conference at rostrum)

Thereupon the order received passage and was sent forthwith to the House.

On motion by Mr. Wyman of Washington, the Senate voted to take from the table Item 6-3 Divided Report from the Committee on Towns and Counties: Majority report, Ought not to pass; Minority report, Ought to pass in new draft on bill, "An Act Relating to Special Deputies for Kennebec and Penobscot Counties" (H. P. 167) (L. D. 230); tabled by that Senator earlier in today's session pending motion by Senator Marden of Kennebec to substitute the bill for the report.

Subsequently the motion prevailed, the bill was substituted for the report, House Amendment A was read and adopted, and the bill was tomorrow assigned for second reading.

On motion by Mr. Wyman of Washington, the Senate voted to take from the table the 11th tabled item (H. P. 887) (L. D. 1267) bill, "An Act Increasing Certain Sheriff Fees"; tabled on May 26 by Senator Wyman of Washington pending enactment; and on further motion by the same senator, the rules were suspended and the Senate voted to reconsider its former action whereby the bill was passed to be engrossed; and the same senator presented Senate Amendment A.

Mr. WYMAN of Washington: Mr. President, in explanation of this amendment, this bill was heard before the Committee on Towns and Counties, with very little if any opposition, and we passed it out Ought to pass. Since

then there has been considerable opposition to the increases in salary fees and after talking with several attorneys, we have scaled them down so there is an increase but not as much as originally provided.

Thereupon Senate Amendment A was adopted, and the bill was passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Noyes of Franklin, recessed until the sound of the gong.

#### After Recess

The Senate was called to order by the President.

The President laid before the Senate the 8th tabled item (H. P. 603) (L. D. 862) House Reports from the Committee on Labor on bill, "An Act to Amend the Employment Security Law"; Minority Report B, Ought not to pass; Minority Report A, Ought to pass with Committee Amendment B; Majority report, Ought to pass with Committee Amendment A; tabled on May 26 by Senator Wyman of Washington pending acceptance of either report; and on further motion by the same Senator, the Minority Report A, Ought to pass with Committee Amendment B was accepted, the bill read once, Committee Amendment B read and adopted and the bill tomorrow assigned for second reading.

Subsequently, on motion by Mr. Wyman of Washington, the Senate voted to reconsider its action whereby it assigned the bill for second reading and the same senator presented Senate Amendment A and moved its adoption.

The Secretary read Senate Amendment A.

Mr. EDMUNDS of Aroostook: Mr. President, I notice that the Chairman of the Labor Committee has just come in and since he has not heard the discussion that preceded the offering of this amendment and the fact that the Senate has accepted Report A, I might say that I believe I am correct in stating that the Labor Committee is perfectly content to go along

with Committee Amendment B and I believe I am also correct that the Committee is content to go along with the amendment just offered by the Senator from Washington, Senator Wyman.

Thereupon, Senate Amendment A was adopted.

Mr. Wyman of Washington presented Senate Amendment A to Committee Amendment B and moved its adoption.

The Senate voted to reconsider its action whereby it adopted Committee Amendment B; Senate Amendment A to Committee Amendment B was read and adopted; Committee Amendment B as amended by Senate Amendment A was adopted, and the bill as amended was tomorrow assigned for second reading.

On motion by Mr. Davis of Cumberland, the Senate voted to take from the Special Appropriations Table (H. P. 15) (L. D. 34) "An Act to Create a Law Revision Commission; and on further motion by the same Senator, the Senate voted to reconsider its action whereby the bill was passed to be engrossed; the same senator presented Senate Amendment A and moved its adoption.

Which Amendment was read and adopted and the bill passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Davis of Cumberland, the Senate voted to take from the Special Appropriations Table (H. P. 184) (L. D. 280) "An Act Authorizing Completion and Printing of a Digest of the Opinions of the Law Court; and on further motion by the same senator, the Senate voted to reconsider its former action whereby the bill was passed to be engrossed; the same senator presented Senate Amendment A and moved its adoption.

Which amendment was adopted and the bill was passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Davis of Cumberland, the Senate voted to take from the Special Appropriations

Table H. P. 321, L. D. 473, "An Act Providing for Municipal Court Conferences, and on further motion by the same Senator, the rules were suspended and the Senate voted to reconsider its former action whereby the bill was passed to be engrossed; the same Senator presented Senate Amendment A and moved its adoption.

Which amendment was read and adopted, and the bill was passed to be engrossed.

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On motion by Mr. Mayo of Sagadahoc, the Senate voted to reconsider its action taken earlier in

today's session whereby (H. P. 603) (L. D. 862) Bill, "An Act to Amend the Employment Security Law," was assigned for second reading on the next legislative day.

On further motion by the same Senator, under suspension of the rules, the bill was given its second reading and passed to be engrossed in non-concurrence.

Sent down for concurrence.

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On motion by Mr. Noyes of Franklin,

Adjourned until 9:30 A.M. tomorrow.