

# 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, April 2, 1959

Senate called to order by the President.

Prayer by Rev. Malcolm A. MacDuffie of Hallowell.

On motion by Mr. HILLMAN of Penobscot,

Journal of yesterday read and approved.

The PRESIDENT: At this time the Chair notes in the Senate Chamber the presence of a former distinguished member of this Body. We are happy to welcome him here this morning and the Chair would ask the Sergeant-at-Arms to escort the Hon. Roscoe Emery of Eastport to the rostrum.

(Applause, members rising.)

**Papers from the House  
Conference Committee Report**

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill, "An Act Relating to License Plates for Disabled or Paraplegic Veterans." (H. P. 229) (L. D. 319) reported that they are unable to agree.

Comes from the House, report accepted.

In the Senate, the report was accepted in concurrence.

Bill, "An Act Relating to Quinellas at Harness Race Meets." (H. P. 70) (L. D. 108)

In Senate on March 13, passed to be engrossed as amended by Committee Amendment A (Filing No. 56) in concurrence.

Comes from House, passed to be engrossed as amended by Committee Amendment A and as amended by House Amendment A (Filing No. 146) in non-concurrence.

In the Senate, House Amendment A was read, and the Senate voted to recede and concur with the House.

Bill, "An Act Relating to Area Directional Signs." (S. P. 436) (L. D. 1284)

In Senate on March 26, passed to be engrossed as amended by House Amendments A (Filing No. 141) and B (Filing No. 145) in non-concurrence.

In the Senate, the Secretary read House Amendment A.

Mr. NOYES of Franklin: Mr. President, I move that House Amendment A be indefinitely postponed.

Thereupon, on motion by Mr. Charles of Cumberland, the bill and accompanying papers were laid upon the table pending motion by Mr. Noyes to indefinitely postpone House Amendment A; and the bill was assigned for Tuesday, April 7.

**House Committee Reports  
Ought Not to Pass**

The Committee on Election Laws on "Resolve Proposing an Amendment to the Constitution Changing the Date of the General Election." (H. P. 4) (L. D. 13) reported that the same Ought not to pass.

Which report was read and accepted in concurrence.

The Committee on Retirements and Pensions on Bill "An Act Relating to Veterans Under Maine State Retirement Law." (H. P. 730) (L. D. 1035) reported that the same Ought not to pass.

Comes from the House, committed to the Committee on Veterans and Military Affairs.

In the Senate the bill was committed to the Committee on Veterans and Military Affairs in concurrence.

**Ought to Pass**

The Committee on Business Legislation on Bill, "An Act Relating to Examination of Insurance Agents and Brokers." (H. P. 133) (L. D. 191) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Protection from Nuclear Loss in Standard Fire Insurance Policy." (H. P. 533) (L. D. 768) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Powers and Stock of Development Credit Corporation of Maine." (H. P. 804) (L. D. 1143) reported that the same Ought to pass.

The same Committee on Bill, "An Act to Revise the Fraternal Beneficiary Association Law." (H. P. 856) (L. D. 1224) reported that the same Ought to pass.

(On motion by Mr. Boucher of Androscoggin, tabled pending acceptance of the report.)

The Committee on Towns and Counties on Bill, "An Act Relating to Expending Aroostook County Funds for Ricker College." (H. P. 777) (L. D. 1095) reported that the same Ought to pass.

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

#### Ought to Pass — as amended

The Committee on Inland Fisheries and Game on Bill, "An Act Relating to Hunting Deer with Bow and Arrow in Islesboro, Waldo County." (H. P. 620) (L. D. 888) reported that the same Ought to pass as amended with Committee Amendment A (Filing No. 107)

Comes from House, report accepted and bill passed to be engrossed as amended by Committee Amendment A as amended by House Amendment A (Filing No. 140) thereto.

In the Senate, on motion by Mr. Briggs of Aroostook, the bill was laid upon the table pending acceptance of the report.)

The Committee on Transportation on Bill, "An Act Relating to Obstructing Windshields of Motor Vehicles." (H. P. 575) (L. D. 808) reported that the same Ought to pass as amended by Committee Amendment A (Filing No. 90)

Comes from House, report accepted and bill passed to be engrossed as amended by Committee Amendment A as amended by House Amendment A (Filing No. 119), and as amended by House Amendment A (Filing No. 143) to the bill.

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

Majority — ONTP  
Minority — OTP

The Majority of the Committee on Claims on "Resolve to Reimburse the City of Portland for Support of Joseph A. and Madelon E. Glidden." (H. P. 788) (L. D. 1120) reported that the same Ought not to pass.

(Signed)

Senator

PARKER of Piscataquis

Representatives:

GALLANT of Eagle Lake

JOHNSON of Stockholm

KENNEDY of Milbridge

MATHEWS of Berwick

HUGHES of St. Albans

CURTIS of Bowdoinham

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

(Signed)

Senators:

WEEKS of Cumberland

FOURNIER of York

Representative

DUFOUR of Old Town

Comes from the House, reports and bill Indefinitely Postponed.

Mr. PARKER of Piscataquis: Mr. President, I move that the Senate concur with the House in the indefinite postponement of the bill.

Thereupon, on motion by Mr. Weeks of Cumberland, the bill was laid upon the table and especially assigned for Tuesday next, pending motion by Mr. Parker that the bill be indefinitely postponed in concurrence.

Majority — ONTP

Minority — OTP

The Majority of the Committee on Claims on "Resolve in Favor of Cleveland Sleeper, Jr. of Rockland." (H. P. 805) (L. D. 1144) reported that the same Ought not to pass.

(Signed)

Senators:

WEEKS of Cumberland

PARKER of Piscataquis

Representatives:

CURTIS of Bowdoinham

HUGHES of St. Albans

GALLANT of Eagle Lake

MATHEWS of Berwick

KENNEDY of Milbridge

JOHNSON of Stockholm

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

(Signed)  
 Senator

FOURNIER of York

Representative  
 DUFOUR of Old Town

Comes from the House, reports and bill Indefinitely Postponed.

In the Senate:

Mr. PARKER of Piscataquis: Mr. President, I move that the Senate concur with the House in the indefinite postponement of the bill.

Thereupon, on motion by Mr. Fournier of York, the bill was laid upon the table pending motion by Mr. Parker to indefinitely postpone in concurrence.

Report A — OTP  
 Report B — ONTP

Five members of the Committee on State Government on Bill, "An Act to Reimburse Town of Warren for Loss of Tax Revenue." (H. P. 481) (L. D. 699) reported (Report A) that the same Ought to pass.

(Signed)

Senators:

ROSS of Sagadahoc  
 LESSARD of Androscoggin

Representatives:

WADE of Auburn  
 SANBORN of Gorham  
 BARNETT of Augusta

Five members of the same Committee on the same subject matter, reported (Report B) that the bill Ought Not to pass.

(Signed)

Senator

HILLMAN of Penobscot

Representatives:

SMITH of Exeter  
 COYNE of Waterville  
 DENNETT of Kittery  
 PLANTE of Old Orchard Beach

Comes from the House, reports and bill Indefinitely Postponed.

In the Senate, on motion by Mr. Stilphen of Knox, the bill was laid upon the table pending acceptance of either report.

**Senate Committee Reports  
 Leave to Withdraw**

Mr. Stilphen from the Committee on Highways on Bill, "An Act Re-

lating to Erection of Signs Designating Accommodations." (S. P. 374) (L. D. 1101) reported that same be granted Leave to Withdraw.

Which report was read and accepted.

Sent down for concurrence.

**Ought Not to Pass**

The same Senator from the Committee on Retirements and Pensions on Bill, "An Act Relating to Disability Retirement Benefits Under the Maine State Retirement System." (S. P. 370) (L. D. 1053) reported that the same Ought not to pass.

Which report was read and accepted.

Sent down for concurrence.

**Ought to Pass**

Mrs. Lord from the Committee on Towns and Counties on Bill, "An Act Relating to Appointment of Special Deputy Sheriffs." (S. P. 145) (L. D. 340) reported that the same Ought to pass.

Mr. Wyman from the same Committee on Bill, "An Act Relating to Duty of Full-Time Municipal Health Officers Concerning Tuberculosis." (S. P. 340) (L. D. 916) reported that the same Ought to pass.

Mr. Farley from the same Committee on Bill, "An Act Providing for County Bond Issue for Capital Improvements in Androscoggin County." (S. P. 424) (L. D. 1220) 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 — N.D.**

Mr. Stilphen from the Committee on Highways on Bill, "An Act Relating to Maintenance of Guideposts by Municipalities." (S. P. 327) (L. D. 903) reported same in New Draft (S. P. 442) (L. D. 1289) under the same Title, and that it Ought to pass.

Mr. Wyman from the Committee on Towns and Counties on Bill, "An Act Increasing Salaries of Jury Commissioners." (S. P. 182) (L. D. 425) reported same in New Draft (S. P. 441) (L. D. 1288) under the same Title, and that it Ought to pass.

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

#### Ought to Pass — as amended

Mr. Ross from the Committee on Labor on Bill, "An Act Relating to Weekly Benefit for Partial Unemployment." (S. P. 72) (L. D. 122) reported that the same Ought to pass as amended by Committee Amendment A.

Mr. Noyes from the Committee on Retirements and Pensions on "Resolve in Favor of a Survivor Benefit Allowance for Otelia M. Race of Guilford." (S. P. 293) (L. D. 817) reported that the same Ought to pass as amended by Committee Amendment A.

Mr. Ross from the Committee on State Government on "Resolve Proposing an Amendment to the Constitution Pledging Credit of State for Guaranteed Loans for Recreational Purposes." (S. P. 178) (L. D. 422) reported that the same Ought to pass as amended by Committee Amendment A.

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

Mr. CARPENTER of Somerset: Mr. President, I rise to a point of order.

The PRESIDENT: The Senator may state his point.

Mr. CARPENTER: Mr. President, I note under Item 6-7 Report from the Committee on Towns and Counties on Bill "An Act Increasing Salaries of Jury Commissioners" that the New Draft number is stated as L. D. 1281. L. D. 1281 relates to Bill "An Act relating to local option for sale of malt liquor in Clubs and part-time Motels." I would like to inquire of the Senator from Washington, Senator Wyman.

The PRESIDENT: The Senator from Washington, Senator Wyman, may answer if he chooses.

Mr. WYMAN of Washington: Mr. President, that apparently is a clerical error. I think if you will look at L. D. 1288, that will answer the Senator's question.

The PRESIDENT: The Chair thanks the Senator from Washington, Senator Wyman for answering the inquiry of the Senator from Somerset, Senator Carpenter.

#### Second Readers

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

#### House

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

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

#### House — as amended

Bill, "An Act Relating to License Fees in Fire Prevention Laws." (H. P. 657) (L. D. 949)

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

#### Enactors

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

Bill, "An Act Relating to Local Option for a Certain Liquor Question." (H. P. 213) (L. D. 304)

Bill, "An Act Relating to Speed of Motor Vehicles." (H. P. 375) (L. D. 533)

Bill, "An Act Permitting Certain Public Utility Corporations to Hold Stockholders Meetings Outside the State." (H. P. 440) (L. D. 646)

Bill, "An Act Relating to Withdrawal of Town from School Supervisory Union." (H. P. 541) (L. D. 776)

Bill, "An Act Relating to Acceptance of Surety Company Bonds in Lieu of Bail Bonds or Other Sureties." (H. P. 556) (L. D. 790)

Bill, "An Act Relating to Use of Prior Convictions in Motor Vehicle Registration and License Suspensions." (H. P. 558) (L. D. 792)

Bill, "An Act Increasing Payment to Washington County Law Library." (H. P. 617) (L. D. 885)

Bill, "An Act Relating to Pre-arranged Payments for Funerals or Burial Plans." (H. P. 631) (L. D. 923)

Bill, "An Act Relating to Dissolution of Corporations for Non-use of

Corporate Powers." (H. P. 645) (L. D. 936)

Bill, "An Act Relating to Cost of Furnishing Copies of Insurance Laws and Related Information." (H. P. 682) (L. D. 982)

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

(On motion by Mr. Farley of York, tabled pending passage to be enacted.)

Bill, "An Act Relating to Local Option for Sale of Malt Liquor in Clubs and Part-time Hotels." (H. P. 722) (L. D. 1027)

Bill, "An Act Relating to Transfer to State of Maine of Portland Bridge, Cumberland County." (H. P. 745) (L. D. 1064)

Bill, "An Act Pertaining to Fire, Marine and Inland Marine Insurance Rate Regulation and Casualty and Surety Insurance Rate Regulation." (H. P. 787) (L. D. 1119)

Bill, "An Act Relating to Loan and Building Associations." (H. P. 803) (L. D. 1142)

Bill, "An Act Relating to Local Option for Sale of Malt Liquor by Hotels and Clubs." (H. P. 909) (L. D. 1281)

Bill, "An Act Relating to Credit Between Malt Beverage Manufacturers and Wholesalers." (H. P. 910) (L. D. 1282)

Bill, "An Act Relating to Gifts of Securities and Money to Minors." (S. P. 169) (L. D. 413)

Bill, "An Act Clarifying Laws Relating to the Maine Industrial Building Authority." (S. P. 215) (L. D. 554)

Bill, "An Act Relating to Municipal Court Dockets." (S. P. 331) (L. D. 907)

Bill, "An Act to Revise the Dealer Registration Law." (S. P. 342) (L. D. 918)

Bill, "An Act Prohibiting the Sale of Near Beer to Minors." (S. P. 368) (L. D. 1051)

Bill, "An Act to Authorize Independent or Internal Bank Auditors in Lieu of Directors' Examinations." (S. P. 373) (L. D. 1100)

Bill, "An Act Relating to Definition of Retail Sale Under Liquor Laws." (S. P. 382) (L. D. 1108)

Which bills were severally passed to be enacted.

"Resolve Authorizing the State Tax Assessor to Convey by Sale the Interest of the State in Certain Lands in the Unorganized Territory." (S. P. 137) (L. D. 332)

"Resolve Appropriating Money for Completion of Court Rules." (S. P. 323) (L. D. 899)

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

Which resolves were finally passed.

### Emergency

Bill, "An Act Relating to Planting Forest Nursery Tree Seedlings." (H. P. 127) (L. D. 185)

Which bill, being an emergency measure, and having received the affirmative vote of 28 members of the Senate, was passed to be enacted.

### Orders of the Day

On motion by Mr. Carpenter of Somerset, the Senate voted to take from the table bill, "An Act Relating to Licensing and Safety in Operation of Boats." (S. P. 79) (L. D. 151) tabled by that Senator on February 3 pending consideration; and that Senator moved the pending question.

The Secretary read the endorsements on the bill as follows:

In the Senate, on Jan. 27 referred to the Committee on Inland Fisheries and Game.

Comes from the House, on Jan. 29, having been referred to the Committee on Judiciary in non-concurrence.

The motion prevailed, and the Senate voted to insist on its former action.

Mr. Coffin of Cumberland was granted unanimous consent to address the Senate.

Mr. COFFIN: Mr. President and ladies and gentlemen: As you know, I am a member of the Sea and Shore Fisheries Committee, and for some reason or other I have made a few friends down on the coast here and yesterday they showed up here with half a bushel of clams and several pounds of lobsters. They had heard through the grapevine that I wanted to put on a chowder for the Senate. I had not intended to do it this

week. However, with the ingredients so expensive and they being given to me, I think it will be necessary for me to do this tomorrow. I would say also that this is due to the fact that my good friend, the Senator from Hancock, Senator Pierce, induced someone to give us the bowls.

I am not going to give you a full-scale dinner tomorrow, but I am going to give you all the chowder you would like to eat as well as crackers and pickles.

This will be done down in Room 228 on the second floor between the hours of 11:30 and 12:30. I also invite all of the officials who are connected with the Senate. Thank you. (Applause)

The PRESIDENT: The Chair believes that the applause accompanying the remarks of the Senator from Cumberland, Senator Coffin, indicates the universal acceptance of his offer, and the Chair predicts that all of us will be present tomorrow.

On motion by Mr. Carpenter of Somerset, the Senate voted to take from the table the 31st tabled and unassigned matter, (H. P. 630) (L. D. 922) Bill, "An Act Prohibiting Signature or Countersignature by Rubber Stamp or Other Facsimile," which was tabled by that Senator on March 20th pending passage to be engrossed.

The same Senator then presented Senate Amendment "A" and moved its adoption.

Senate Amendment "A" was read by the Secretary and adopted and the bill was passed to be engrossed as amended in non-concurrence.

Sent down for concurrence.

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table the 12th tabled and unassigned matter, (S. P. 28) (L. D. 8) Bill, "An Act Relating to Definition of Liquor Under Liquor Laws," which was tabled by that Senator on March 11th pending enactment; and on further motion by the same Senator the bill was passed to be enacted.

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table the 16th tabled and unassigned matter, (H. P. 324) (L. D. 471) Bill, "An Act Relating to County Parking Areas," which was tabled by that Senator on March 12th pending enactment; and on further motion by the same Senator the bill was passed to be enacted.

On motion by Mr. Martin of Kennebec,

Adjourned until one o'clock tomorrow.