

# 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 9, 1959

Senate called to order by the President.

Prayer by Rev. Alton E. Maxell of Augusta.

On motion by Mr. Noyes of Franklin,

Journal of yesterday read and approved.

The PRESIDENT: The Chair notes in the Senate Chamber the presence of a former distinguished member of this honorable Body and the Chair will ask the Sergeant-at-Arms to escort the Hon. Ralph Farris, Jr., to the rostrum. (Applause, members rising.)

**Papers from the House**

Bill, "An Act to Revise the Inland Fish and Game Laws." (S. P. 205) (L. D. 544)

In Senate on March 25, passed to be engrossed as amended by Committee Amendment A (Filing No. 122)

Comes from the House, recommitted to the Committee on Inland Fisheries and Game in non-concurrence.

In the Senate, the bill was recommitted to the Committee on Inland Fisheries and Game in concurrence.

**Joint Order**

ORDERED, the Senate concurring, that the Legislative Research Committee be and hereby is directed to study methods of stabilizing pension income for members of the Maine State Retirement System. Such study shall include, but is not limited to, investigation into current trends and developments in private and public retirement systems, aimed at keeping benefits in line with inflationary trends, financial factors, and possible investment media. (H. P. 917)

On motion by Mr. Woodcock of Penobscot, the Order was laid upon the table pending passage.

The PRESIDENT: The Chair at this time would like to welcome to the Senate Chamber, the members of the 7th Grade of the Winthrop Jr. High School, accompanied by teachers Mr. Henry Cottrell and Mrs. Doris Davis. On behalf of the Maine Senate we extend a cordial

and hearty welcome to you young folks and your instructors. It is a pleasure to have you here this morning and we hope that you will enjoy your day and find it educational and entertaining. On behalf of the Senate, a cordial welcome to you.

**House Committee Reports  
Leave to Withdraw**

The Committee on Education on Bill, "An Act Relating to Average Daily Membership Required for School Administrative Districts." (H. P. 140) (L. D. 196) reported that same be granted Leave to Withdraw.

Which report was read and accepted in concurrence.

**Ought Not to Pass**

The Committee on Sea and Shore Fisheries on Bill, "An Act Regulating the Use of Otter or Beam Trawls." (H. P. 405) (L. D. 589) reported that the same Ought not to pass.

The Committee on Transportation on Bill, "An Act Relating to Splash Guards on Certain Vehicles Used in Construction Work." (H. P. 800) (L. D. 1132) reported that the same Ought not to pass.

Which reports were read and accepted in concurrence.

The Committee on Claims on "Resolve in Favor of People's Benevolent Hospital at Fort Kent." (H. P. 581) (L. D. 828) reported that the same Ought not to pass.

Comes from the House, Indefinitely Postponed.

In the Senate, the ought not to pass report was accepted.

**Ought to Pass**

The Committee on Judiciary on Bill, "An Act Relating to Tax Collector's Warrant." (H. P. 293) (L. D. 440) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Jurisdiction Over Offshore Waters and Submerged Lands." (H. P. 642) (L. D. 933) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Penalty for Violation of Laws Regulating Operation of Motor Vehicles at Grade Cross-

ings." (H. P. 721) (L. D. 1026) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Parking in Municipalities." (H. P. 860) (L. D. 1228) reported that the same Ought to pass.

(On motion by Mr. Parker of Piscataquis, tabled pending acceptance of the report.)

The same Committee on Bill, "An Act Relating to Petition for Support of Wife or Minor Children." (H. P. 877) (L. D. 1251) reported that the same Ought to pass.

The Committee on Legal Affairs on 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) reported that the same Ought to pass.

The Committee on Liquor Control on Bill, "An Act Relating to Penalty for Furnishing Liquor to Certain Persons." (H. P. 592) (L. D. 838) reported that the same Ought to pass.

The Committee on Taxation on Bill, "An Act Relating to Excise Tax on House Trailers." (H. P. 255) (L. D. 366) 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 — N.D. — New Title**

The Committee on Highways on Bill, "An Act Relating to Maintenance of Wire Bridge in Town of New Portland, Somerset County." (H. P. 688) (L. D. 988) reported same in New Draft (H. P. 915) (L. D. 1291) under New Title: Bill, "An Act Relating to Maintenance and Rehabilitation of Wire Bridge in Town of New Portland, Somerset County." and that it Ought to pass.

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

#### **Ought to Pass — as amended**

The Committee on Legal Affairs on Bill, "An Act Relating to the South Portland Park and Recreation Commission." (H. P. 422) (L. D. 606) reported that the same Ought

to pass as amended by Committee Amendment A (Filing No. 156)

The same Committee on Bill, "An Act Increasing Number of Members of School Board in North Berwick." (H. P. 523) (L. D. 758) reported that the same Ought to pass as amended by Committee Amendment A (Filing No. 155)

The same Committee on Bill, "An Act Increasing Members of Planning Board of City of Belfast." (H. P. 845) (L. D. 1208) reported that the same Ought to pass as amended by Committee Amendment A (Filing No. 157)

The Committee on Sea and Shore Fisheries on recommended Bill, "An Act Repealing the Two Inch Clam Law." (H. P. 177) (L. D. 248) reported that the same Ought to pass as amended by Committee Amendment A (Filing No. 158)

(On motion by Mr. Wyman of Washington, tabled pending acceptance of the report.)

Which reports were severally 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.

#### **Communication**

State of Maine  
HOUSE OF REPRESENTATIVES  
Office of the Clerk  
Augusta

April 8, 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 actions of the Two Branches of the Legislature on:

Bill, "An Act Relating to Licensing and Safety Operation of Boats." (S. P. 79) (L. D. 151)

Messrs. LINNELL of South Portland  
BERMAN of Auburn  
PITTS of Harrison

Respectfully,

(Signed)

HARVEY R. PEASE  
Clerk of the House

Which was read and ordered placed on file.

### Senate Committee Report Ought to Pass

Mr. Weeks from the Committee on Judiciary on Bill, "An Act Relating to Waiver of Indictment." (S. P. 413) (L. D. 1197) reported that the same Ought to pass.

Which report was read and 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 Relating to Interstate Compact on Welfare Services." (H. P. 205) (L. D. 296)

Bill, "An Act Relating to Valuation of Inter Vivos Transfers of Property for Inheritance Tax Purposes." (H. P. 243) (L. D. 354)

Bill, "An Act Relating to Legislative Jurisdiction over Federal Lands Within the State." (H. P. 643) (L. D. 934)

Bill, "An Act Exempting Lambs Under One Year Old from Taxation." (H. P. 672) (L. D. 964)

Bill, "An Act to Revise the Fraternal Beneficiary Association Law." (H. P. 856) (L. D. 1224)

"Resolve Prohibiting Use and Possession of Live Fish as Bait in Auburn Lake, Androscoggin County." (H. P. 495) (L. D. 708)

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

#### Senate

Bill, "An Act Relating to Minimum Sickness Leave for Teachers." (S. P. 399) (L. D. 1167)

Bill, "An Act Relating to Sale of Spirituous Liquor in Class A Restaurants." (S. P. 445) (L. D. 1295)

(On motion by Mr. Hunt of Kennebec, tabled pending passage to be engrossed.)

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

Sent down for concurrence.

#### Senate — as amended

Bill, "An Act Relating to Powers of Ricker Classical Institute and

Ricker College." (S. P. 325) (L. D. 901)

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

Sent down for concurrence.

### Enactors

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

Bill, "An Act Relating to Examination of Insurance Agents and Brokers." (H. P. 133) (L. D. 191)

Bill, "An Act Relating to Protection from Nuclear Loss in Standard Fire Insurance Policy." (H. P. 533) (L. D. 768)

Bill, "An Act Relating to Obstructing Windshields of Motor Vehicles." (H. P. 575) (L. D. 808)

Bill, "An Act Prohibiting Signature or Countersignature by Rubber Stamp or Other Facsimile." (H. P. 630) (L. D. 922)

Bill, "An Act Relating to Expending Aroostook County Funds for Ricker College." (H. P. 777) (L. D. 1095)

Bill, "An Act Relating to Powers and Stock of Development Credit Corporation of Maine." (H. P. 804) (L. D. 1143)

Bill, "An Act Relating to Distribution of Publications Depicting Crime and Torture." (S. P. 249) (L. D. 632)

(On motion by Mr. Weeks of Cumberland, tabled until later in today's session pending passage to be enacted.)

Bill, "An Act Relating to Use of Surplus Funds by Counties." (S. P. 300) (L. D. 824)

Bill, "An Act Relating to Time of Public Utility Commission's Orders Concerning Rate Changes for Freight Transportation." (S. P. 369) (L. D. 1052)

Which bills were severally passed to be enacted.

### Emergency

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

Which bill, being an emergency measure, and having received the affirmative vote of 27 members of the Senate, was passed to be enacted.

### Orders of the Day

On motion by Mr. Stilphen of Knox, the Senate voted to take from the table Senate Report from the Committee on Towns and Counties, "Ought not to pass" on bill, "An Act Relating to Uniforms for Deputy Sheriffs." (S. P. 125) (L. D. 274) tabled by that Senator on March 17 pending acceptance of the report; and on further motion by the same Senator, the bill was re-committed to the Committee on Towns and Counties.

Sent down for concurrence.

On motion by Mr. Wyman of Washington, the Senate voted to take from the table Senate Report from the Committee on Taxation "Ought to pass with Committee Amendment A" on bill, "An Act Relating to Taxation of Domestic Fowl" (S. P. 122) (L. D. 272) tabled by that Senator on March 10 pending acceptance; and on further motion by the same Senator, the ought to pass report was accepted, the bill read once, Committee Amendment A read and adopted, and the bill as amended was tomorrow assigned for second reading.

Mr. Lessard of Androscoggin was granted unanimous consent to address the Senate.

Mr. LESSARD: Mr. President and members of the Senate: Yesterday I was in rather bad voice and perhaps many of you did not hear the invitation which I extended to the Senate to attend the final hockey game at the Central Maine Youth Center, Lewiston, because the response was not too great at the Secretary of the Senate's office. This morning I have the tickets with me, and in case that anyone doubted my word that we are going to let you in free I am going to leave the tickets with the Secretary of the Senate today. If there are not enough available I can get some more. I hope that you will be our guests next Sunday afternoon at two o'clock. I am sure it will be worth your while to go down and see a good ice-hockey game. We have two very fine teams coming, one the best team in the Province of Quebec from St. Hyacinthe and a very fine hockey team from the City of Lew-

iston representing the Bates Manufacturing Company. I am sure you will enjoy seeing our beautiful arena and beautiful building built last year to the tune of a million three and a half. I wish I could invite you all for dinner but I just can't afford that. I tried to get my good friend, Senator St. Pierre, to offer some chickens but he didn't have enough notice.

I am going to leave the tickets with the Secretary of the Senate. Please come down next Sunday and be our guests.

The PRESIDENT: The Chair is happy to note that Senator Lessard is back in good voice again. The only question the Chair heard yesterday was whether the tickets were free or not. I am sure that we will be happy to accept the fine invitation of the Senator from Androscoggin, Senator Lessard.

On motion by Mr. Weeks of Cumberland, the Senate voted to take from the table Bill, "An Act Relating to Distribution of Publications Depicting Crime and Torture," (S. P. 249) (L. D. 632) which was tabled by that Senator earlier in today's session pending passage to be enacted.

Mr. WEEKS: Mr. President, I tabled this measure for the purpose of taking such parliamentary action as might be required and for the purpose of possibly offering an amendment. However, I find I must consult further with some of my colleagues, so I move that it be retabled and specially assigned for tomorrow.

The bill was retabled pending passage to be enacted and specially assigned for tomorrow.

On motion by Mr. Hunt of Kennebec, the Senate voted to take from the table Bill, "An Act Relating to Sale of Spirituous Liquor in Class A Restaurants," (S. P. 445) (L. D. 1295) which was tabled by that Senator earlier in today's session pending passage to be engrossed; and on further motion by the same Senator the bill was passed to be engrossed.

On motion by Mr. Parker of Piscataquis,

Adjourned until one o'clock tomorrow afternoon.