

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Eighth Legislature

OF THE

STATE OF MAINE

VOLUME I

1957

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Wednesday, March 6, 1957

Senate called to order by the President.

Prayer by Rev. John Crowe of Harrison.

On motion by Mr. Sinclair of Somerset, Journal of yesterday read and approved.

The PRESIDENT: The Chair at this time recognizes in the Senate Chamber, four classes from the Social Studies group of Cape Elizabeth High School, accompanied by Mr. John Whitcomb, Jr. and Miss Ellen Goss.

We welcome you young people to our Senate session and I would ask the Senate if there is objection to the Chair, off the record, going through the Senate calendar casually with this group. The Chair hears no objection and the Chair will try to explain to you the various procedures that might otherwise seem confusing to you.

House Papers

Bill, "An Act Relating to Sale of Pasteurized Milk Only to Certain Institutions." (H. P. 738) (L. D. 1052)

Which was referred to the Committee on Agriculture in concurrence.

Bill, "An Act Relating to Investments of Moneys in State Special Revenue Fund." (H. P. 739) (L. D. 1053)

Which was referred to the Committee on Appropriations and Financial Affairs in concurrence.

Bill, "An Act Relating to Application and Qualification for Real Estate Brokers' Licenses." (H. P. 740) (L. D. 1054)

Bill, "An Act Relating to Amount of Insurance on Life of a Debtor Under Group Life Insurance." (H. P. 741) (L. D. 1055)

Which were referred to the Committee on Business Legislation in concurrence.

Bill, "An Act Relating to Hunting with Bow and Arrow." (H. P. 742) (L. D. 1056)

"Resolve Authorizing the Stocking of Sebago Lake with Togue." (H. P. 743) (L. D. 1057)

Which were referred to the Committee on Inland Fisheries and Game in concurrence.

Bill, "An Act Relating to Penalty for Driving Under the Influence of Intoxicating Liquors." (H. P. 744) (L. D. 1058)

Bill, "An Act Relating to Actions Brought for Injuries Causing Death." (H. P. 745) (L. D. 1059)

"Resolve Giving Recognition to the Eastern Orthodox Church as a Major Faith in Maine." (H. P. 746) (L. D. 1060)

Which were severally referred to the Committee on Judiciary in concurrence.

Bill, "An Act Relating to Limited Medical Services Under Workmen's Compensation Act." (H. P. 747) (L. D. 1061)

Which was referred to the Committee on Labor in concurrence.

Bill, "An Act Relating to Pari Mutuel Horse Racing and the Stipend Fund." (H. P. 748) (L. D. 1062)

Bill, "An Act to Incorporate the Northport School District in Northport." (H. P. 749) (L. D. 1063)

Bill, "An Act Amending Civil Service Provisions of Portland Police Department." (H. P. 750) (L. D. 1064)

Bill, "An Act Relating to Retirement of Members of Portland Police Department not under State Retirement System." (H. P. 751) (L. D. 1065)

Bill, "An Act Relating to Death on Duty of Members of Portland Police Department." (H. P. 752) (L. D. 1066)

Which were severally referred to the Committee on Legal Affairs in concurrence.

Bill, "An Act Relating to Systems of Drainage or Sewerage." (H. P. 753) (L. D. 1067)

"Resolve Authorizing Forest Commissioner to Convey Certain Land in Augusta to City of Augusta." (H. P. 754) (L. D. 1068)

Which were referred to the Committee on Natural Resources in concurrence.

Bill, "An Act Relating to Systems of Water Supply." (H. P. 735) (L. D. 1069)

On motion by Mrs. Lord of Cumberland, the bill was referred to the Committee on Public Utilities in non-concurrence.

Sent down for concurrence.

Bill, "An Act Relating to Service Retirement for State Liquor Inspectors." (H. P. 756) (L. D. 1070)

Which was referred to the Committee on Retirements and Pensions in concurrence.

Bill, "An Act Relating to Head Tax in Towns." (H. P. 757) (L. D. 1071)

Which was referred to the Committee on Taxation in concurrence.

House Papers Received by Unanimous Consent

Bill, "An Act Prohibiting Distracting Signs Upon Public Ways." (H. P. 763) (L. D. 1045)

Which was received by unanimous consent and referred to the Committee on Highways in concurrence.

Bill, "An Act Relating to Fishing and Hunting Licenses for Civilian Employees Residing on Loring Air Base." (H. P. 759) (L. D. 1073)

Which was received by unanimous consent and referred to the Committee on Inland Fisheries and Game in concurrence.

"Resolve Directing Boxing Commission to Change Decision on Rocky Marciano Case." (H. P. 765) (L. D. 1047)

Which was received by unanimous consent and referred to the Committee on Legal Affairs in concurrence.

Bill, "An Act Amending the Charter of the Limerick Sewerage District." (H. P. 766) (L. D. 1048)

Which was received by unanimous consent and referred to the Committee on Public Utilities in concurrence.

"Resolve Providing for State Pension for Lillian F. Ready of Brewer." (H. P. 758) (L. D. 1072)

"Resolve Providing for State Pension for Zilda E. Ricker of Buxton." (H. P. 760) (L. D. 1074)

Which were received by unanimous consent and referred to the Committee on Retirements and Pensions in concurrence.

Bill, "An Act Relating to Clerk Hire for Livermore Falls Municipal Court." (H. P. 761) (L. D. 1043)

Which was received by unanimous consent and referred to the Committee on Towns and Counties in concurrence.

Bill, "An Act Relating to Binding of Logs, Lumber and Timber." (H. P. 762) (L. D. 1044)

Bill, "An Act Relating to Fines and Costs for Overweight of Motor Vehicles." (H. P. 764) (L. D. 1046)

Which were received by unanimous consent and referred to the Committee on Transportation in concurrence.

Paper from the House

Bill, "An Act Amending the Maine Fidelity Life Insurance Company." (S. P. 173) (L. D. 452)

In Senate on February 27, passed to be engrossed.

Comes from House, passed to be engrossed as amended by House Amendment A (Filing No. 63) in non-concurrence.

In the Senate, on motion by Mr. Charles of Cumberland, that Body voted to reconsider its former action whereby the bill was passed to be engrossed; House Amendment A was read and adopted in concurrence, and the bill as so amended was passed to be engrossed in concurrence.

House Committee Reports Ought Not to Pass

The Committee on Claims on "Resolve to Reimburse Ella Braley of Belfast." (H. P. 346) (L. D. 477) reported that the same Ought not to pass.

Which report was read and accepted in concurrence.

The same Committee on Bill, "An Act Relating to Taxation of Telephone and Telegraph Companies." (H. P. 518) (L. D. 728) reported that the same Ought not to pass.

Which report was read and accepted in concurrence.

Ought to Pass

The Committee on Business Legislation on Bill, "An Act Relating to Certain Fees Payable to Insurance Commissioner." (H. P. 201) (L. D. 288) reported that the same Ought to pass.

The Committee on Judiciary on Bill, "An Act Relating to Payment to Hancock County Law Library." (H. P. 321) (L. D. 438) reported that the same Ought to pass.

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

Ought to Pass—as Amended

The Committee on Judiciary on Bill, "An Act to Ratify and Make Valid the Incorporation of the Trustees of the Charity and Hall Fund of Riverside Lodge No. 135, F. and A. M., of Jefferson." (H. P. 220) (L. D. 304) reported that the same Ought to pass as amended by Committee Amendment A (Filing 49)

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 - OTP Minority - ONTP

The Majority of the Committee on Inland Fisheries and Game on "Resolve Regulating Fishing in Rangeley River, Franklin County." (H. P. 112) (L. D. 150) reported that the same Ought to pass.

(Signed)

Senator:

HALL of York

Representatives:

HARRIMAN of Lovell
ROSS of Brownville
WHEATON of Princeton
BARTLETT of Belgrade
CARVILLE of Eustis
DUDLEY of Enfield
HARRIS of Greenville

The Minority of the same Committee on the same subject matter,

reported that the resolve Ought not to pass.

(Signed)

Senators:

CARPENTER of Somerset
BRIGGS of Aroostook

Comes from the House, Majority Report accepted and the resolve passed to be engrossed.

In the Senate:

Mr. CARPENTER of Somerset: Mr. President, I move that the Senate accept the minority report in non-concurrence.

Thereupon, on motion by Mr. Butler of Franklin, the bill and accompanying papers were laid upon the table pending motion by the Senator from Somerset, Senator Carpenter, that the Senate accept the Minority Report "Ought Not to Pass" report in nonconcurrence; and the bill was especially assigned for later in today's session.

Majority—ONTP Minority—OTP

The Majority of the Committee on Liquor Control on Bill, "An Act Relating to Hours of Selling Liquor." (H. P. 429) (L. D. 605) reported that the same Ought not to pass. (Signed)

Senators:

CARPENTER of Somerset
WILLEY of Hancock
BOUCHER of Androscoggin

Representatives:

DOSTIE of Winslow
COUTURE of Lewiston
PIERCE of Bucksport
CROCKETT of Freeport

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

Representatives:

CHRISTIE of Presque Isle
RICH of Charleston
ANTHOINE of Windham

Comes from the House, recommended to the Committee on Liquor Control.

In the Senate, the Majority Report "Ought not to pass" was accepted in non-concurrence.

Sent down for concurrence.

Senate Papers

The following bills and resolves were transmitted by the Director of

Legislative Research, pursuant to Joint Order (H. P. 43)

Appropriations and Financial Affairs

Mr. Woodcock of Penobscot presented

"Resolve Appropriating Money for Preparation of Court Rules." (S. P. 404)

Which was referred to the Committee on Appropriations and Financial Affairs and ordered printed.

Sent down for concurrence.

Business Legislation

Mr. Charles of Cumberland presented

Bill, "An Act to Permit Blanket Accident and Sickness Insurance for Newsboys, Sport Teams and Campers." (S. P. 405)

Mr. Pike of Oxford presented

Bill, "An Act Relating to Mortgage Loans by Savings Banks." (S. P. 406)

Which were referred to the Committee on Business Legislation and ordered printed.

Sent down for concurrence.

Claims

Mr. Bailey of Sagadahoc presented

"Resolve in Favor of Ray Campbell of Phippsburg." (S. P. 407)

Which was referred to the Committee on Claims and ordered printed.

Sent down for concurrence.

Judiciary

Mr. Woodcock of Penobscot presented (by request)

Bill, "An Act to Authorize Corporations to Hold Stockholders' Meetings Outside the State." (S. P. 408)

Which was referred to the Committee on Judiciary and ordered printed.

Sent down for concurrence.

Liquor Control

Mr. Carpenter of Somerset presented (by request)

Bill, "An Act to Clarify Certain Liquor Laws." (S. P. 409)

Which was referred to the Committee on Liquor Control and ordered printed.

Sent down for concurrence.

Retirements and Pensions

Mr. Boucher of Androscoggin presented

"Resolve Providing for State Pension for Aurore Auclair of Lewiston." (S. P. 410)

Which was referred to the Committee on Retirements and Pensions and ordered printed.

Sent down for concurrence.

State Government

The same Senator presented

Bill, "An Act Establishing Columbus Day as a Legal Holiday." (S. P. 411)

Which was referred to the Committee on State Government and ordered printed.

Sent down for concurrence.

Taxation

The same Senator presented

Bill, "An Act Repealing the Poll Tax." (S. P. 412)

Which was referred to the Committee on Taxation and ordered printed.

Sent down for concurrence.

Towns and Counties

Mr. Pike of Oxford presented

Bill, "An Act Relating to Fees of Clerks of Courts." (S. P. 413)

Which was referred to the Committee on Towns and Counties and ordered printed.

Sent down for concurrence.

Welfare

Mr. Boucher of Androscoggin presented

Bill, "An Act Relating to Eligibility for Old Age Assistance." (S. P. 414)

Which was referred to the Committee on Welfare and ordered printed.

Sent down for concurrence.

The PRESIDENT: At this time the Chair notes in the Senate gallery a group from Old Orchard Beach Federal School, Grade 8 chaperoned by Miss Catherine G. Neilon, Principal, and Bernard Neveux, Student Teacher. The Chair welcomes you and thanks you for coming over here. We hope that you will enjoy our session and that someday you will wish to be here and do this job yourselves.

Mr. PARKER of Piscataquis presented

"Resolve in Favor of Town of Sebec for Aid Furnished State Paupers" (S. P. 415)

Which was received by unanimous consent and on motion by the same Senator was referred to the Committee on Claims and ordered printed.

Sent down for concurrence.

Senate Committee Reports Leave to Withdraw

Mr. Brown from the Committee on Sea and Shore Fisheries on Bill, "An Act Relating to Taking of Marine Worms in Woolwich, Sagadahoc County." (S. P. 136) (L. D. 266) reported that the same be granted Leave to Withdraw.

Which report was read and accepted.

Sent down for concurrence.

Ought Not to Pass

Mr. Silsby from the Committee on Judiciary on Bill, "An Act Relating to Surviving Trust Companies after Merger or Consolidation." (S. P. 77) (L. D. 134) reported that the same Ought not to pass.

Which report was read and accepted.

Sent down for concurrence.

Ought to Pass

Mr. Parker from the Committee on Highways on Bill, "An Act Permitting South Berwick to Apply for Aid Under the Bridge Act." (S. P. 324) (L. D. 820) reported that the same Ought to Pass.

Mr. Fournier from the Committee on Sea and Shore Fisheries on Bill, "An Act Relating to the Taking of Alewives in the Town of Pembroke, Washington County." (S. P. 147) (L. D. 345) 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. Hurley from the Committee on Business Legislation on Bill, "An Act Relating to Rate of Premiums for Group Life Insurance." (S. P. 174) (L. D. 453) reported that the same Ought to pass as Amended by Committee Amendment A.

Which report was read and accepted and the bill read once. The Secretary read Committee Amendment A. "Amend said bill by striking out the underlined word 'issued' in the 6th line and inserting in place thereof the underlined words 'delivery or issued for delivery'."

Which amendment was adopted and the bill as so amended was tomorrow assigned for second reading.

Second Readers

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

House

Bill, "An Act Relating to Rental for Dexter Municipal Court." (H. P. 298) (L. D. 394)

Bill, "An Act Relating to Vacancy in School Board in City of Eastport." (H. P. 375) (L. D. 505)

Bill, "An Act Relating to Number and Revision of Wards in City of Eastport." (H. P. 376) (L. D. 506)

Bill, "An Act Relating to Vacancy in Board of Assessors in City of Eastport." (H. P. 377) (L. D. 507)

Bill, "An Act Relating to Payments of Salary of Judge of Hallowell Municipal Court." (H. P. 398) (L. D. 528)

Bill, "An Act Relating to Director of Public Works of City of Waterville." (H. P. 472) (L. D. 665)

"Resolve in Favor of City of Ellsworth." (H. P. 100) (L. D. 143)

"Resolve in Favor of Town of Franklin." (H. P. 105) (L. D. 981)

"Resolve in Favor of Philip Krisilos, of Portland." (H. P. 264) (L. D. 982)

"Resolve to Reimburse Town of Mercer for Supplies Furnished Orlando Hunnewell." (H. P. 347) (L. D. 983)

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

House—as Amended

"Resolve to Reimburse Old Town School Department for Tuition for Children Living on Indian Island." (H. P. 345) (L. D. 476)

"Resolve in Favor of Robert Elliott of Windham." (H. P. 406) (L. D. 583)

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

Senate

Bill, "An Act to Repeal the Act Incorporating the Saco Sanitary District." (S. P. 45) (L. D. 61)

Bill, "An Act Relating to Registration of Podiatrists." (S. P. 86) (L. D. 196)

Bill, "An Act Amending the Act of Incorporation of the Associated Hospital Service of Maine." (S. P. 146) (L. D. 344)

Bill, "An Act Relating to Organization of Natural Gas Pipe Line Companies." (S. P. 163) (L. D. 410)

Bill, "An Act Relating to Legal Investments for Savings Banks." (S. P. 253) (L. D. 691)

"Resolve in Favor of Adrian Plouffe of Webster." (S. P. 115)

"Resolve to Reimburse Town of Franklin for Burial Expenses for Fred M. Robbins." (S. P. 233)

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

Sent down for concurrence.

Senate—as Amended

Bill, "An Act Relating to Payment of Wages in Logging and Lumbering Operations and Vacation Pay." (S. P. 161) (L. D. 408)

Bill, "An Act Defining Exemptions Under Laws Relating to Operation of Motor Vehicles for Profit." (S. P. 215) (L. D. 560)

Bill, "An Act Relating to Persons to Whom Liquor Licenses May Not Be Issued." (S. P. 262) (L. D. 701)

Which were severally 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 and resolves:

Bill, "An Act Relating to Transfer of Property in Public Assistance." (S. P. 46) (L. D. 62)

(On motion by Mr. Reed of Aroostook, tabled pending enactment.)

Bill, "An Act Changing the Name of Pownal State School to Pineland Hospital and Training Center." (S. P. 55) (L. D. 85)

Bill, "An Act Relating to Powers of Court Under Uniform Reciprocal Enforcement of Support Act." (S. P. 76) (L. D. 133)

Bill, "An Act Relating to the Appointment of a Deputy Commissioner of Inland Fisheries and Game." (S. P. 106) (L. D. 236)

(On motion by Mr. Carpenter of Somerset, tabled pending enactment.)

Bill, "An Act for Mandatory Disposition of Detainers Within the State of Maine." (S. P. 128) (L. D. 278)

Bill, "An Act Defining 'State' in Uniform Act for Out-of-State Parolee Supervision." (S. P. 129) (L. D. 267)

Bill, "An Act Relating to Burial Expenses for Recipients of Aid to the Blind and Aid to the Disabled." (S. P. 141) (L. D. 275)

Bill, "An Act Relating to the Taking of Alewives in the Town of Woolwich." (S. P. 135) (L. D. 280)

"Resolve, Regulating Fishing for White Perch in Cobbosseecontee Lake, Kennebec County." (S. P. 73) (L. D. 138)

"Resolve, Regulating Fishing in Silver Lake, Kennebec County." (S. P. 74) (L. D. 139)

"Resolve, Prohibiting the Use of Live Fish as Bait in Certain Waters in Somerset County." (S. P. 75) (L. D. 140)

"Resolve, Opening Moose Pond, Cumberland and Oxford Counties, to Ice Fishing." (S. P. 72) (L. D. 141)

"Resolve, Authorizing the State Tax Assessor to Convey by Sale the Interest of the State in Certain Lands in the Unorganized Territory." (S. P. 85) (L. D. 195)

"Resolve, Regulating Fishing in Little Ellis Pond, Oxford County." (S. P. 99) (L. D. 229)

"Resolve, Regulating Ice Fishing for Smelts in Pleasant Lake, Aroostook County." (S. P. 124) (L. D. 258)

"Resolve, Establishing Day Limit and Prohibiting Live Fish as Bait in Certain Waters in Aroostook County." (S. P. 123) (L. D. 259)

"Resolve, Closing Umcolcus Lake, Penobscot County, to Ice Fishing." (S. P. 121) (L. D. 261)

"Resolve, Regulating Ice Fishing in Certain Waters in Aroostook County." (S. P. 117) (L. D. 265)

"Resolve, Authorizing Commissioner of Institutional Service to

Convey Land to Central Maine Power Company for Substations for Electric Power for Augusta State Hospital." (S. P. 133) (L. D. 279)

Which bills were severally passed to be enacted and the resolves finally passed.

On motion by Mr. Sinclair of Somerset the following bill was laid upon the Special Appropriations Table pending enactment: An Act Relating to Charges for Treatment of Patients in State Sanatoriums (S. P. 105) (L. D. 235)

Orders of the Day

The PRESIDENT: Under Orders of the Day the Chair lays before the Senate the first tabled and unassigned matter, being L. D. 150, "Resolve Regulating Fishing in Rangeley River in Franklin County," tabled by the Senator from Franklin, Senator Butler, pending the motion of the Senator from Somerset, Senator Carpenter, that the Senate accept the minority "Ought not to pass" report of the Committee, and the Chair recognizes the Senator from Franklin, Senator Butler.

Mr. BUTLER of Franklin: Mr. President, I yield to the Senator from Somerset, Senator Carpenter, in his request for accepting the "Ought not to pass" report of the committee.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Somerset, Senator Carpenter, that the Senate accept the minority "Ought not to pass" report of the committee. Is the Senate ready for the question?

As many as are in favor of the motion of the Senator from Somerset, Senator Carpenter, that the Senate accept the minority "Ought not to pass" report of the Committee will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed and the minority "Ought not to pass" report of the committee was accepted in non-concurrence and sent down for concurrence.

The PRESIDENT: The Senate is proceeding under Orders of the Day.

Again the Chair expresses on behalf of the Senate our appreciation of the interest and attentiveness of the youngsters who have come to our session. We sincerely hope that you will come back, and we hope that during the rest of the day you will compliment any of us by visiting with us, asking us questions, giving us the privilege of showing you about the State House or showing you any courtesies we can. Thank you again for coming.

Mr. Low of Knox was granted unanimous consent to address the Senate.

Mr. LOW: Mr. President, I would like to remind the Senate again that there will be a joint meeting with the House in the House Chambers tonight at 7:30 to hear explanation and discussion of the educational bill, L. D. 1089.

On motion by Mr. Charles of Cumberland,

Adjourned until 1:00 p.m. tomorrow.