

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

Ninety-Eighth Legislature

OF THE

STATE OF MAINE

VOLUME I

1957

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Friday, April 26, 1957

Senate called to order by the President.

Prayer by Rev. Victor P. Musk of Augusta.

On motion by Mr. Farley of York, Journal of yesterday read and approved.

On motion by Mr. Low of Knox, 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 30, in the forenoon. (S. P. 542)

Which was read and passed.

Sent forthwith to the House.

Subsequently, the foregoing Order was returned to the Senate, having been read and passed in concurrence.

Papers from the House

Bill, "An Act Creating an Interstate Compact on Mental Health." (S. P. 127) (L. D. 340)

In Senate on April 19, passed to be engrossed as amended by Committee Amendment A. (Filing 235)

Comes from House, passed to be engrossed as amended by Committee Amendment A as amended by House Amendment A (Filing 257) thereto, in nonconcurrence.

In the Senate, on motion by Mr. Silsby of Hancock, the Senate voted to recede and concur.

Bill, "An Act Amending the Rules of Descent." (S. P. 300) (L. D. 797)

In Senate on April 4, passed to be engrossed.

Comes from the House, recommended to the Committee on Judiciary in nonconcurrence.

In the Senate, the bill was recommended to the Committee on Judiciary in concurrence.

Bill, "An Act Prohibiting State Employees from Participating in State Politics." (S. P. 467) (L. D. 1347)

In Senate on April 18, passed to be engrossed as amended by Committee Amendment A (Filing 225)

Comes from House, passed to be engrossed as amended by Commit-

tee Amendment A and as amended by House Amendment A (Filing 256) in nonconcurrence.

In the Senate, on motion by Mr. Low of Hancock, tabled pending consideration.

The PRESIDENT: The Chair at this time notes the presence in the Senate Chamber of another Senate wife and the Chair would ask the Senator from Sagadahoc, Senator Bailey to escort Mrs. Bailey to the rostrum.

This was done amid the applause of the Senate, the members rising.

**House Committee Reports
Ought Not to Pass**

The Committee on Business Legislation on Bill, "An Act Relating to the Licensing and Distribution of Trading Stamps." (H. P. 831) (L. D. 1187) reported that the same Ought not to pass.

(On motion by Mr. Reed of Aroostook, tabled pending consideration of the report.)

The same Committee on Bill, "An Act Relating to Fair Trade Practices." (H. P. 933) (L. D. 1326) reported that the same Ought not to pass.

Which reports were read and accepted in concurrence.

The PRESIDENT: The Chair at this time notes the presence in the Senate Chamber of a distinguished student of Maine government. He is also a distinguished newspaper publisher and the Chair would ask that that distinguished citizen of Fort Fairfield rise and that the Sergeant at arms escort that gentleman to the rostrum. The Honorable Kingdom Harvey of Fort Fairfield.

Ought to Pass

The Committee on Legal Affairs on Bill, "An Act to Create a Public Body in the City of Bangor to be known as the Urban Renewal Authority." (H. P. 1003) (L. D. 1437) reported that the same Ought to pass.

The Committee on Sea and Shore Fisheries on Bill, "An Act Relating to Taking of Shellfish in Yarmouth and North Yarmouth." (H. P. 485)

(L. D. 675) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Digging Clams in Kennebunkport, York County." (H. P. 513) (L. D. 723) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to the Taking and Sale of Clams in the Town of Rockport." (H. P. 551) (L. D. 778) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Digging Clams, Quahogs and Mussels in Town of Yarmouth, Cumberland County." (H. P. 571) (L. D. 881) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Penalty for Violation of Interstate Transportation of Shellfish." (H. P. 791) (L. D. 1124) reported that same Ought to pass.

The same Committee on Bill, "An Act Relating to Wholesale Sea Food Dealer's and Processor's License." (H. P. 792) (L. D. 1125) reported that same Ought to pass.

The same Committee on Bill, "An Act Regulating Fishing for Tuna." (H. P. 839) (L. D. 1193) reported that same Ought to pass.

The same Committee on Bill, "An Act Relating to Sale of Lobster Meat Received from Outside the State." (H. P. 909) (L. D. 1298) reported that same Ought to pass.

The same Committee on "Resolve Regulating the Taking of Clams in Steuben." (H. P. 443) (L. D. 619) reported that same Ought to pass.

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

Ought to Pass N.D. — New Title

The Committee on Legal Affairs on Bill, "An Act Permitting Towns to Collect Sewer Charges." (H. P. 283) (L. D. 379) reported same in New Draft (H. P. 1058) (L. D. 1513) under same title, and that it Ought to pass.

On motion by Mr. Martin of Kennebec, tabled pending consideration of the report.

Ought to Pass N.D. — New Title

The Committee on Legal Affairs on Bill, "An Act Relating to the Operation of Bicycles and Play Vehicles." (H. P. 53) (L. D. 71) reported same in New Draft (H. P. 1062) (L. D. 1517), under New Title: "An Act Relating to the Operation of Bicycles." and that it Ought to pass.

The Committee on Sea and Shore Fisheries on "Resolve Relating to Taking of Alewives in the Outlet of Long Pond in Town of Mount Desert." (H. P. 860) (L. D. 1223) reported same in New Draft (H. P. 1060) (L. D. 1515) under New Title: "An Act Regulating Taking of Alewives in Town of Mount Desert." and that it Ought to pass.

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

Ought to Pass—as amended

The Committee on Agriculture on Bill, "An Act Creating the Maine Commercial Feed Law." (H. P. 254) (L. D. 352) reported that the same Ought to pass as Amended by Committee Amendment A (Filing 227).

The Committee on Sea and Shore Fisheries on Bill, "An Act Prohibiting Certain Implements and Devices in Certain Waters in Washington County." (H. P. 769) (L. D. 1102) reported that the same Ought to pass as Amended by Committee Amendment A (Filing 246).

The same Committee on "Resolve Regulating Digging of Quahogs in Middle Bay, Cumberland County." (H. P. 517) (L. D. 727) reported that the same Ought to pass as Amended by Committee Amendment A (Filing 245).

The Committee on Towns and Counties on Bill, "An Act Increasing Salaries of Judge and Recorder of the Yorkshire Municipal Court." (H. P. 862) (L. D. 1225) reported that the same Ought to pass as Amended by Committee Amendment A (Filing 243).

Which reports were severally read and accepted in concurrence and the bills and resolve read once. Committee Amendments A were read and adopted in concurrence, and the bills and resolve as so

amended were tomorrow assigned for second reading.

Majority — ONTP

Minority — OTP in N.D., New Title

The Majority of the Committee on Inland Fisheries and Game on re-committed Bill, "An Act Increasing the Bounty on Bobcat." (H. P. 108) (L. D. 146) reported that the same Ought not to pass

(Signed)

Senator

HALL of York

Representatives:

HARRIS of Greenville

ROSS of Brownville

DUDLEY of Enfield

HARRIMAN of Lovell

WHEATON of Princeton

CARVILLE of Eustis

BARTLETT of Belgrade

The Minority of the same Committee on the same subject matter, reported the bill in New Draft (H. P. 1064) (L. D. 1522) under New Title: "An Act Repealing the Bounty on Bobcat." and that it Ought to pass

(Signed)

Senators:

CARPENTER of Somerset

BRIGGS of Aroostook

Comes from House, Majority Report accepted.

On motion by Mr. Carpenter of Somerset, tabled pending consideration of the reports.

Majority — OTP — as amended

Minority — ONTP

The Majority of the Committee on Inland Fisheries and Game on re-committed Bill, "An Act Relating to Bounty on Bears." (H. P. 159) (L. D. 206) reported that the same Ought to pass as Amended with Committee Amendment B (Filing No. 244)

(Signed)

Senator

HALL of York

Representatives:

BARTLETT of Belgrade

CARVILLE of Eustis

ROSS of Brownville

HARRIMAN of Lovell

WHEATON of Princeton

HARRIS of Greenville

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

(Signed)

Senators:

CARPENTER of Somerset

BRIGGS of Aroostook

Representative

DUDLEY of Enfield

Comes from House, Majority Report accepted and bill passed to be engrossed as amended by Committee Amendment B.

In the Senate, on motion by Mr. Carpenter of Somerset, tabled pending consideration of the reports.

The PRESIDENT: The Chair at this time notes the presence in the Senate Chamber of a group of young people from Edward Little High School in Auburn, accompanied by Mr. Wimmer. We welcome you to our session today and we will promise to you all of our time and attention in trying to show you about our legislative procedures. It is a pleasure to have you here and we hope that out of our proceedings at least a few of you may have the determination to become a part of this whole procedure some day. Thank you again for coming.

Majority — OTP as amended

Minority — ONTP

The Majority of the Committee on Legal Affairs on Bill, "An Act Relating to Election and Salaries of Council Members of City of Portland." (H. P. 10) (L. D. 9) reported that the same Ought to pass as Amended by Committee Amendment A (Filing No. 247)

(Signed)

Senator

MARTIN of Kennebec

Representatives:

COTE of Lewiston

MAXWELL of Winthrop

HATHAWAY of Columbia Falls

CHILDS of Portland

SMITH of Falmouth

BRUCE of Buxton

QUINN of Bangor

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

reported that the bill Ought not to pass.

(Signed)

Senators:

CHARLES of Cumberland
REED of Aroostook

Comes from the House, Majority Report accepted and the bill passed to be engrossed as amended by Committee Amendment A.

In the Senate:

Mrs. LORD of Cumberland: Mr. President, I move that the Senate accept the minority report in non-concurrence.

Thereupon, on motion of Mr. Martin of Kennebec, the bill and accompanying papers were laid upon the table pending motion of the Senator from Cumberland, Senator Lord, that the Senate accept the minority Ought not to pass report.

Communication

STATE OF MAINE
SUPREME JUDICIAL COURT
AUGUSTA

April 26, 1957

Honorable Chester T. Winslow
Secretary of the Senate
State House
Augusta, Maine

Dear Mr. Winslow:

There is enclosed the Answer of the Justices to the Question of April 17, 1957 relative to An Act Relating to Industrial Development in City of Bangor.

Respectfully yours,

(Signed) ROBERT B. WILLIAMSON
Chief Justice

Enclosure

On motion by Mr. Martin of Kennebec, the Communication was received and placed on file; and on further motion by the same Senator, the advisory opinion of the Court was ordered printed in document form.

Senate Committee Reports Leave to Withdraw

Mr. Butler from the Committee on Judiciary on Bill, "An Act Authorizing Pilots of Aircraft to Restrain Certain Persons." (S. P. 199) (L. D. 544) reported that same be granted Leave to withdraw

Which report was read and accepted.

Sent down for concurrence.

Mr. Woodcock from the Committee on Judiciary on Bill, "An Act Relating to Persons Subject to Imprisonment for Life." (S. P. 103) (L. D. 233) reported that the same Ought not to pass as Covered by Other Legislation

Mr. Butler from the same Committee on Bill, "An Act Relating to Transfers to the State Prison." (S. P. 202) (L. D. 547) reported that the same Ought not to pass

Which reports were read and accepted.

Sent down for concurrence.

Ought to Pass

Mr. Woodcock from the same Committee on Recommended Bill, "An Act Repealing Law Requiring Convicts to Give Notes for Fines and Costs." (S. P. 403) (L. D. 1099) reported that the same Ought to pass

Mr. Farley from the Committee on Towns and Counties on Bill, "An Act Increasing Certain Fees of Sheriffs and their Deputies." (S. P. 226) (L. D. 569) 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

N. D.—Same Title

Mr. Carpenter from the Committee on Liquor Control on Bill, "An Act Relating to Display of Maine Alcoholic Beverage Products in State Liquor Stores." (S. P. 306) (L. D. 803) reported same in New Draft (S. P. 543) under the Same Title, and that it Ought to pass

Which report was read and accepted and the bill read once.

On motion by Mr. Boucher of Androscoggin, tabled pending assignment for second reading.

Mr. Cole from the Committee on Transportation on recommended Bill, "An Act Relating to Registration Fees on Certain Commercial Vehicles." (S. P. 25) (L. D. 16) reported same in New Draft (S. P. 544) under the Same Title, and that it Ought to pass

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

Ought to Pass
N.D. — New Title

Mr. Cole from the Committee on Highways on "Resolve Authorizing Legislative Research Committee to Make Study of Public Ways of the State." (S. P. 350) (L. D. 920) reported same in New Draft (S. P. 545) and Under a New Title:

"Resolve Authorizing the State Highway Commission to Make a Study of the Public Ways of the State." and that the same Ought to pass

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

Ought to Pass—as amended

Mr. Cole from the Committee on Highways on Bill, "An Act Clarifying the Outdoor Advertising Law." (S. P. 418) (L. D. 117) reported that the same Ought to pass as Amended by Committee Amendment A

Mr. Woodcock from the Committee on Judiciary on Bill, "An Act to Correct Inconsistencies in State Prison Sentences." (S. P. 201) (L. D. 546) reported that the same Ought to pass as Amended by Committee Amendment A

Mr. Hillman from the Committee on Labor on Bill, "An Act Relating to Compensation for Eye Impairment Under Workmen's Compensation Act." (S. P. 284) (L. D. 743) reported that the same Ought to pass as Amended by Committee Amendment A

Which reports were read and accepted, Committee Amendments A read and adopted and the bills tomorrow assigned for second reading.

Majority — OTP with amendment
Minority — ONTP

The Majority of the Committee on Labor on Bill, "An Act Relating to Medical Services Under Workmen's Compensation Act." (S. P. 448) (L. D. 1267) reported that the same Ought to pass with Committee Amendment A

(Signed)

Senators:

CURTIS of Cumberland
of Androscoggin
ST. PIERRE
of Androscoggin

Representatives:

HANSCOMB

of South Portland
ROSS of Bath
EMMONS of Kennebunk
LETOURNEAU of Sanford
SMITH of Portland
KARKOS of Lisbon

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

(Signed)

Senator:

HILLMAN of Penobscot

Representative:

WINCHENPAW

of Friendship

Mr. LESSARD of Androscoggin: Mr. President, I move that the Senate accept the Majority ought to pass as amended report.

Thereupon, on motion by Mr. Reed of Aroostook, the bill and accompanying papers were laid upon the table pending motion by Mr. Lessard of Androscoggin that the Senate accept the Majority report.

Majority — OTP — as amended
Minority — ONTP

The Majority of the Committee on Transportation on Bill, "An Act Relating to License Plates for Motor Vehicle Owners Who Operate Amateur Radio Stations." (S. P. 139) (L. D. 276) reported that the same Ought to pass as Amended by Committee Amendment A.

(Signed)

Senators:

ROGERSON of Aroostook
COLE of Waldo
HALL of York

Representatives:

STILPHEN of Rockland
KELLY of Rumford
ALLEN of Chelsea

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

(Signed)

Representatives:

TOTMAN of Bangor
BEYER of Cape Elizabeth
HERSEY of Fort Fairfield
JACQUES of Lewiston

On motion by Mr. Cole of Waldo, the bill and accompanying papers were laid upon the table pending consideration of the reports.

Second Readers

The Committee on Bills in the Second Reading reported the following bills and resolve.

House

Bill, "An Act Relating to Aid to Public and Private Hospitals." (H. P. 382) (L. D. 511)

Bill, "An Act Relating to Repairs of Roads in Unorganized Territory and Deorganized Towns." (H. P. 599) (L. D. 846)

Bill, "An Act Repealing Certain Limitations in Hunting with Bow and Arrow." (H. P. 898) (L. D. 1284)

Bill, "An Act Relating to Duties of the Aeronautics Commission." (H. P. 1040) (L. D. 1473)

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

House — as amended

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

Bill, "An Act Licensing Pin Ball Machines." (H. P. 904) (L. D. 1290)

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

Senate

Bill, "An Act Relating to Board of Pupils Who Reside on a Coast Island Attending School Away From Home." (S. P. 297) (L. D. 794)

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

Bill, "An Act Relating to Registration Fees for Farm Trucks." (S. P. 349) (L. D. 929)

(On motion by Mr. Cole of Waldo, tabled pending passage to be engrossed.)

Bill, "An Act Relating to Membership in Maine School Building Authority." (S. P. 384) (L. D. 1080)

Bill, "An Act Prohibiting the Pauperizing of Families of Veterans." (S. P. 494) (L. D. 1388)

Bill, "An Act Relating to Weight Tolerances for Motor Vehicles

Carrying Firewood, Pulpwood, Logs or Bolts." (S. P. 529) (L. D. 1496)

Bill, "An Act to Appropriate Monies for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1958 and June 30, 1959." (S. P. 541) (L. D. 1520)

(On motion by Mr. Sinclair of Somerset, tabled pending passage to be engrossed.)

"Resolve Opening Certain Brooks and Tributaries in Somerset County to Fishing." (S. P. 386) (L. D. 1082)

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

Sent down for concurrence.

Enactors

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

Bill, "An Act Relating to Time Limit for Adjusting and Paying Fire Losses." (S. P. 45) (L. D. 78)

Bill, "An Act Increasing Compensation of Boards of Registration in Cities." (H. P. 645) (L. D. 912)

Bill, "An Act Relating to Costs in Actions on Small Claims." (H. P. 943) (L. D. 1336)

Bill, "An Act Relating to the Importation of Liquors Used in Manufacture." (S. P. 180) (L. D. 459)

Bill, "An Act to Revise the Laws Relating to Registration of Accountants." (S. P. 243) (L. D. 644)

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

Bill, "An Act Relating to Compensation under Workmen's Compensation Act for Loss of Distal Phalanx of Thumb, Finger or Toe." (S. P. 465) (L. D. 1346)

Which bills were severally passed to be enacted.

Emergency

Bill, "An Act Relating to Sales and Use Tax on Certain Boats Sold to Non-residents." (H. P. 1050) (L. D. 1493)

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

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

Mr. LOW: Mr. President and members of the Senate: As of this morning there were still in committee 383 bills. I believe there are no hearings scheduled beyond next Tuesday, and the plan is to use the rest of next week for the purpose of holding executive sessions. If we can get all of these bills reported out next week it seems reasonable to expect we can finish our work here in a total of three weeks, that is two weeks after next week, but if we are not able to get these bills out of committee at that time it is almost sure we will be here for a total of four weeks more. I hope all committee chairmen will do their best to get their bills out of committee next week.

The PRESIDENT: The Senate may be at ease until the adjournment order, which must be concurred with in the other branch, is received.

At Ease

Called to order by the President.

On motion by Mr. Martin of Kennebec, the Senate voted to take from the table House Committee Reports, Majority "Ought to pass as amended," Minority "Ought not to pass," on Bill "An Act Relating to Election and Salaries of Council Members of City of Portland." (H. P. 10) (L. D. 9) which was tabled by that Senator earlier in today's session pending the motion of the Senator from Cumberland, Senator Lord, that the Senate accept the minority "Ought not to pass" report of the committee.

Thereupon the minority "Ought not to pass" report of the committee was accepted in non-concurrence and sent down for concurrence.

On motion by Mrs. Lord of Cumberland,

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