

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

HOUSE

Tuesday, January 8, 1957

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Victor P. Musk of Augusta.

The members stood at attention during the playing of the National Anthem.

The journal of the previous session was read and approved.

Papers From the Senate

From the Senate: The following Order:

ORDERED, the House concurring, that the Secretary of the Senate and the Clerk of the House jointly prepare the Senate and House Register, and that 5,000 copies be printed for the use of the Legislature. (S. P. 10)

Came from the Senate read and passed.

In the House, the Order was read.

Mr. Totman presented House Amendment "A" and moved its adoption.

House Amendment "A" was read by the Clerk as follows:

HOUSE AMENDMENT "A" to Joint Order, S. P. 10, relative to Senate and House Register.

Amend said Order by striking out the figure "5000" in the fourth line thereof, and inserting in place thereof the figure '6500.'

House Amendment "A" was adopted and the Joint Order as amended by House Amendment "A" was passed in non-concurrence and sent up for concurrence.

House At Ease

The House was called to order by the Speaker.

From the Senate: The following Order:

ORDERED, the House concurring, that S. P. 3, a Joint Order relative to Joint Rules of Legislature, be recalled to the Senate from the files. (S. P. 16)

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

Messages and Documents

The following communication: (H. P. 2)

STATE OF MAINE
DEPARTMENT OF HEALTH AND
WELFARE
Augusta

January 3, 1957

President of the Senate and
Speaker of the House of
Representatives
Ninety-Eighth Legislature
State House
Augusta, Maine

Gentlemen:

This is to certify that George Stevens, Jr. at a tribal election held on October 2, 1956 was elected to represent the Passamaquoddy Tribe of Indians at the Legislature from January 1, 1957 to December 31, 1958; also, John Nelson at an election held on September 4, 1956 was elected to represent the Penobscot Tribe of Indians at the Legislature for the same period.

Respectfully submitted,

(Signed)

DEAN FISHER, M. D.
Commissioner

The communication was read, ordered placed on file and sent up for concurrence.

House At Ease

The House was called to order by the Speaker.

Orders

On motion of the gentlewoman from Paris, Mrs. Mann, House Rule 25 was suspended for the remainder of today's session in order to permit smoking.

On motion of Mr. Totman of Bangor, it was

ORDERED, the Senate concurring, that a Joint Select Committee be created to consist of 10 members on the part of the House and 5 members on the part of the Senate to consider the need for constitutional revisions. The Committee so created shall be empowered to consider such bills and resolves as may be referred to it and is also empowered to report to the Legislature such bills and resolves relating to constitutional amendments as the

Committee deems desirable. The Committee shall be designated as the Committee on Constitutional Amendments. (H. P. 1)

Was read and passed and sent up for concurrence.

The Speaker appointed the following members on the part of the House:

Messrs. CURTIS of Bowdoinham
BROWNE of Bangor
BEYER of Cape Elizabeth
EARLES of South Portland
HANCOCK of York
WALKER of Auburn
EMMONS of Kennebunk
TEVANIAN of Portland
BRODERICK of Portland
BEANE of Augusta

On motion of Mr. Totman of Bangor, by unanimous consent, ordered sent forthwith to the Senate.

Subsequently it was announced that the Order had received passage in concurrence in the Senate and that the following members were appointed on its part:

Senators: BUTLER of Franklin
WOODCOCK of Penobscot
LORD of Cumberland
WYMAN of Washington
FOURNIER of York

Orders of the Day

The following papers from the Senate were taken up out of order and under suspension of the rules:

The following Order:

ORDERED, the House concurring, that the Joint Rules of the 97th Legislature be the Joint Rules of this Legislature (S. P. 3) which was recalled from the files earlier in the day by Joint Order. (S. P. 16)

Came from the Senate, read and passed as amended by Senate Amendment "A" as follows:

Amend said Order by adding thereto the following: ". . . except that Rule 1 of the Joint Rules shall include a Committee on State Government."

On motion of Mr. Totman of Bangor, under suspension of the rules, the House reconsidered its action of January 2 whereby the Order was passed. Senate Amendment "A" was read and adopted in concurrence and the Order as amended by Senate Amendment "A" was passed in concurrence.

On further motion of same gentleman, by unanimous consent, was ordered sent forthwith to the Senate.

From the Senate: The following Order:

ORDERED, the House concurring, that there be paid to the members of the Senate and House as advances on account of compensation established by statute, the amount of one hundred twenty dollars (\$120) fortnightly, according to lists certified to the State Controller by the Secretary of the Senate and Clerk of the House respectively; and that the final payrolls bear the approval of the Joint Standing Committee on Appropriations and Financial Affairs. (S. P. 18)

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

House at Ease

The House was called to order by the Speaker.

The SPEAKER: Before announcing the appointments of the joint standing committees, the Chair would like to preface the announcement by a few very brief remarks. It is one of the unhappy lots of the Speaker's office, to try to place people where they would most prefer to serve. I doubt if any Speaker in history has ever fully accomplished that, and your Speaker today is in the same position. I am not making these remarks by way of apology, I am making them by way of explanation. I have tried in every way that I possibly could to give each and every one of you the committee assignment that you most particularly wanted, but because inevitably there are more people who request certain committees than there are vacancies on those committees, it is obviously impossible to grant all requests. For example, there are far many more farmers and agriculturists in the House than there are places on the Committee on Agriculture. There are far more educators both past and present in the House than there are places on the Education Committee. But the Chair merely wants to state that we have placed you as nearly as possible where

you wanted to be, and if we have not, we feel certain that you will serve well and ably on that committee to which you have been appointed. As far as our friends in the minority party are concerned, the Chair has adhered strictly to the requests and recommendations of the leadership of the minority party in making minority party committee appointments. The Chair has fully recognized the numerical proportion of the minority party in the House, and has tried with almost complete success to give the minority party equal representation, that is, equal to their proportion of the House, on each of the standing committees.

The Chair recognizes the gentleman from Brooks, Mr. Elwell.

Mr. ELWELL: Mr. Speaker and Members of the House: On behalf of the Democratic steering committee I should like to congratulate the Speaker on the consideration which he has shown Democratic leadership in the assignment of the individual committees and the total numbers of assignments which he has given to the Democratic Party. Thank you.

The SPEAKER: Thank you, Mr. Elwell. The Chair has one further remark to make. The Chair has been specifically requested by the gentleman from Lewiston, Mr. Jalbert, that he not be assigned to any committee.

The Speaker announced the appointment of the following Joint Standing Committees:

Joint Standing Committees

Agriculture

Senate: Bailey of Sagadahoc
Dow of Lincoln
Reed of Aroostook

House: Caswell of New Sharon
Roberts of Dexter
Brockway of Milo
Frost of Perry
Emery of Palmyra
Lane of Waterville
Violette of Van Buren

Appropriations & Financial Affairs

Senate: Sinclair of Somerset
Davis of Cumberland
Lessard of Androscoggin

House: Bean of Winterport
Stanley of Bangor
Bragdon of Perham
Davis of Calais
Wood of Webster
Edwards of Raymond
Duquette of Biddeford

Business Legislation

Senate: Charles of Cumberland
Pike of Oxford
Hurley of Kennebec

House: Wade of Auburn
Blanchard of Wilton
Hughes of St. Albans
Shepard of Stonington
Morway of Fairfield
Kinch of Livermore Falls
Hilton of Anson

Claims

Senate: Silsby of Hancock
Briggs of Aroostook
Fournier of York

House: Jack of Topsham
Hutchinson of Carthage
Foss of Chapman
Shaw of Bingham
Johnson of Stockholm
Gallant of Eagle Lake
Hickey of Biddeford

Correctional Institutions

Senate: Willey of Hancock
Briggs of Aroostook
Dunn of Kennebec

House: Jones of South Portland
Whiting of Skowhegan
Couture of Bath
Libby of Camden
Davis of Westbrook
Carey of Augusta
Hendricks of Portland

Education

Senate: Low of Knox
Dow of Lincoln
Curtis of Cumberland

House: Fuller of South Portland
Mann of Paris
Carter of Newport
LaCase of Fryeburg
Mathieson of Montville
Cormier of Rumford
Maynard of Portland

Highways

Senate: Parker of Piscataquis
Cole of Waldo
Ferguson of Oxford

House: Turner of Auburn
Carter of Etna
Denbow of Lubec
Higgins of Scarborough
Graves of Mount Desert
Elwell of Brooks
Nadeau of Biddeford

Inland Fisheries & Game

Senate: Carpenter of Somerset
Hillman of Penobscot
Hall of York

House: Harriman of Lovell
Ross of Brownville
Wheaton of Princeton
Bartlett of Belgrade
Carville of Eustis
Dudley of Enfield
Harris of Greenville

Judiciary

Senate: Silsby of Hancock
Woodcock of Penobscot
Butler of Franklin

House: Browne of Bangor
Earles of South Portland
Hancock of York
Needham of Orono
Walker of Auburn
Tevanian of Portland
Broderick of Portland

Labor

Senate: Curtis of Cumberland
Hillman of Penobscot
St. Pierre of Androscoggin

House: Ross of Bath
Winchenpaw of Friendship
Hanscomb of South Portland
Emmons of Kennebunk
Letourneau of Sanford
Karkos of Lisbon
Smith of Portland

Legal Affairs

Senate: Martin of Kennebec
Charles of Cumberland
Reed of Aroostook

House: Childs of Portland
Quinn of Bangor
Maxwell of Winthrop
Smith of Falmouth
Hathaway of Columbia Falls
Bruce of Buxton
Cote of Lewiston

Liquor Control

Senate: Carpenter of Somerset
Wiley of Hancock
Boucher of Androscoggin

House: Rich of Charleston
Christie of Presque Isle
Pierce of Bucksport
Anthoine of Windham
Crockett of Freeport
Dostie of Winslow
Couture of Lewiston

Natural Resources

Senate: Butler of Franklin
Ferguson of Oxford
Farley of York

House: Williams of Hodgdon
Heald of Union
Brewer of Caribou
Burnham of Kittery
Saunders of Bethel
Rowe of Madawaska

(The fifth place house membership has not been filled by the Speaker.)

Public Health

Senate: Lord of Cumberland
Briggs of Aroostook
St. Pierre of Androscoggin

House: Knapp of Yarmouth
Curtis of Bowdoinham
Rowe of Limerick
Harrington of Patten
Emerson of Millinocket
Coyne of Waterville
Hendricks of Portland

Public Utilities

Senate: Martin of Kennebec
Rogerson of Aroostook
Lessard of Androscoggin

House: Haughn of Bridgton
Rollins of Belfast
Walter of Waldoboro
Frazier of Lee
Roy of Fort Kent
Plante of Old Orchard Beach
Beane of Augusta

Reference of Bills

Senate: The President Ex Officio
Low of Knox
Boucher of Androscoggin

House: The Speaker Ex Officio
Totman of Bangor
Ross of Bath
Walsh of Brunswick

Retirements and Pensions

Senate: Davis of Cumberland
Low of Knox
Dunn of Kennebec

House: Flynn of South Berwick
Lindsay of Brewer

Shaw of Bingham
 Jewell of Monticello
 Call of Cumberland
 Warren of Saco
 Desmarais of Sanford

Sea & Shore Fisheries

Senate: Brown of Washington
 Bailey of Sagadahoc
 Hurley of Kennebec

House: Tarbox of Gouldsboro
 Baird of North Haven
 Brewster of Wells
 Rankin of Southport
 Vaughan of Hallowell
 Andrews of Jonesboro
 Miller of Portland

Taxation

Senate: Low of Knox
 Wyman of Washington
 Boucher of Androscoggin

House: Hanson of Gardiner
 Rollins of Belfast
 Besse of Clinton
 Brown of Ellsworth
 Farmer of Wiscasset
 Walsh of Brunswick
 Cyr of Augusta

Towns and Counties

Senate: Wyman of Washington
 Lord of Cumberland
 Farley of York

House: Leathers of Hermon
 Webber of South China
 Ervin of Houlton
 Hoyt of Gorham
 Hendsbee of Madison
 Porell of Westbrook
 Prue of Ashland

Transportation

Senate: Cole of Waldo
 Rogerson of Aroostook
 Hall of York

House: Totman of Bangor
 Allen of Chelsea
 Stilphen of Rockland
 Beyer of Cape Elizabeth
 Kelly of Rumford
 Jacques of Lewiston
 Hersey of Fort Fairfield

Veterans and Military Affairs

Senate: Brown of Washington
 Pike of Oxford
 Farley of York

House: Hatfield of Orrington
 Edgerley of Sangerville
 Vaughan of Hallowell

Day of Shapleigh
 Storm of Sherman
 Dumais of Lewiston
 Thackeray of Mexico

Welfare

Senate: Reed of Aroostook
 Cole of Waldo
 Boucher of Androscoggin

House: Cole of Summer
 Storm of Sherman
 Sanborn of Baldwin
 Hatch of Minot
 Latno of Old Town
 Babineau of Brunswick
 Rancourt of Lewiston

The Speaker announced the appointment of the following members to serve on the new Joint Standing Committee on State Government:

House: Totman of Bangor
 Ross of Bath
 Wade of Auburn
 Bragdon of Perham
 Childs of Portland
 Walsh of Brunswick
 Elwell of Brooks

Subsequently Senate members on that Committee were announced as follows:

Senate: Butler of Franklin
 Woodcock of Penobscot
 Lord of Cumberland
 Wyman of Washington
 Fournier of York

The following paper from the Senate was taken up out of order and under suspension of the rules:

The following communication:
 (S. P. 17)

STATE OF MAINE EXECUTIVE CHAMBER

Augusta, Maine
 January 2, 1957

To the Honorable Senate and House of Representatives:

In compliance with the Constitution of the State I herewith communicate to the Legislature each case of reprieve, remission of penalty, commutation or pardon granted during the years, 1955 and 1956, stating the name of the convict, the crime of which he was convicted, the sentence and its date, the date of reprieve, remission, commutation of sentence, and the condition, if

any, upon which the same was granted.

(Signed) Edmund S. Muskie
Governor

Came from the Senate read and ordered placed on file.

In the House, the communication was read and ordered placed on file in concurrence.

The SPEAKER: The Clerk will read the notices.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. Ross.

Mr. ROSS: I have two announcements I would like to make at this time.

The SPEAKER: The gentleman may proceed.

Mr. ROSS: The first one is, there will be a Republican conference to-

night at 7:30. All Republican House members are asked to attend this very brief but very important organizational meeting. The second announcement is made at this time to help members plan their evening schedules. Tomorrow evening Wednesday at 7:30, there will be a bi-partisan school for both old and new Legislators. This is the first of a series of training sessions on parliamentary procedure, on handling legislation, on the introducing of a bill, through to its final passage, and other salient points relative to State Government, tomorrow evening for both Republicans and Democrats. Thank you.

On motion of Mr. Totman of Bangor,

Adjourned until ten o'clock tomorrow morning.