

# 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, February 5, 1957

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

Prayer by the Rev. Mr. Roger D. Blinn of Gardiner.

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:

Bill "An Act relating to Grading, Packing and Advertising Apples" (S. P. 113) (L. D. 277)

Came from the Senate referred to the Committee on Agriculture.

In the House, referred to the Committee on Agriculture in concurrence.

From the Senate:

Bill "An Act relating to Funeral Expenses in Aid to the Blind and Aid to the Disabled" (S. P. 114) (L. D. 271)

Came from the Senate referred to the Committee on Appropriations and Financial Affairs.

In the House, referred to the Committee on Appropriations and Financial Affairs in concurrence.

From the Senate:

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

Resolve Regulating Fishing in Ragged Pond, Piscataquis County (S. P. 118) (L. D. 264)

Resolve Regulating Fishing in Certain Waters in Aroostook County (S. P. 119) (L. D. 263)

Resolve Regulating Ice Fishing in Certain Waters in Piscataquis County (S. P. 120) (L. D. 262)

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

Resolve Opening Certain Waters in Piscataquis County to Fishing under General Laws (S. P. 122) (L. D. 260)

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

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

Came from the Senate referred to the Committee on Inland Fisheries and Game.

In the House, referred to the Committee on Inland Fisheries and Game in concurrence.

From the Senate:

Bill "An Act Revising the State Civil Defense and Public Safety Law" (S. P. 125) (L. D. 339)

Bill "An Act Authorizing a Mobile Unit for Registering Voters in Municipalities" (S. P. 126) (L. D. 269)

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

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 Right to Vote of Civilian Employees Resident at Togus" (S. P. 130) (L. D. 268)

Came from the Senate referred to the Committee on Judiciary.

In the House, referred to the Committee on Judiciary in concurrence.

From the Senate:

Bill "An Act relating to Minimum Wages" (S. P. 131) (L. D. 341)

Came from the Senate referred to the Committee on Labor.

In the House, referred to the Committee on Labor in concurrence.

From the Senate:

Bill "An Act relating to Payments by Town of Georgetown for MacMahan Island" (S. P. 132) (L. D. 270)

Came from the Senate referred to the Committee on Legal Affairs.

In the House, referred to the Committee on Legal Affairs in concurrence.

From the Senate:

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)

Came from the Senate referred to the Committee on Natural Resources.

In the House, referred to the Committee on Natural Resources in concurrence.

From the Senate:

Bill "An Act relating to Military Leave Credits under Maine State Police Retirement System" (S. P. 134) (L. D. 273)

Came from the Senate referred to the Committee on Retirements and Pensions.

In the House, referred to the Committee on Retirements and Pensions in concurrence.

From the Senate:

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

Bill "An Act relating to Taking Marine Worms in Woolwich, Sagadahoc County" (S. P. 136) (L. D. 266)

Bill "An Act relating to Apprentice Lobster Fishing Licenses" (S. P. 137) (L. D. 274)

Came from the Senate referred to the Committee on Sea and Shore Fisheries.

In the House, referred to the Committee on Sea and Shore Fisheries in concurrence.

From the Senate:

Bill "An Act to Increase Certain County Salaries in Hancock County" (S. P. 138) (L. D. 281)

Came from the Senate referred to the Committee on Towns and Counties.

In the House, referred to the Committee on Towns and Counties in concurrence.

From the Senate:

Bill "An Act relating to License Plates for Motor Vehicle Owners who Operate Amateur Radio Stations" (S. P. 139) (L. D. 276)

Bill "An Act relating to Definition of Way under Motor Vehicle Laws" (S. P. 140) (L. D. 272)

Came from the Senate referred to the Committee on Transportation.

In the House, referred to the Committee on Transportation in concurrence.

From the Senate:

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)

Came from the Senate referred to the Committee on Welfare.

In the House, referred to the Committee on Welfare in concurrence.

### Senate Reports of Committees Ought Not to Pass

Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act relating to Position of Names on Ballots in Primary Elections" (S. P. 32) (L. D. 34)

Report of same Committee reporting same on Bill "An Act relating to the Appointment of Dedimus Justices" (S. P. 44) (L. D. 60)

Came from the Senate read and accepted.

In the House, Reports were read and accepted in concurrence.

### Petitions, Bills and Resolves Requiring Reference

The following Bills and Resolves were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

#### Agriculture

Bill "An Act relating to Policy of the Milk Commission" (H. P. 304) (Presented by Mr. Maxwell of Winthrop)

(750 copies Ordered Printed)

Bill "An Act relating to Sales of Milk on the Producer's Premises" (H. P. 305) (Presented by same gentleman)

(750 copies Ordered Printed)

Bill "An Act relating to Store Sales of Milk" (H. P. 306) (Presented by same gentleman)

(750 copies Ordered Printed)

Bill "An Act relating to Sales of Home Delivered Milk" (H. P. 307) (Presented by same gentleman)

(750 copies Ordered Printed)

Bill "An Act relating to Sales of Milk to Benevolent and Charitable

Institutions" (H. P. 308) (Presented by same gentleman)

(750 copies Ordered Printed)

Bill "An Act relating to Purchase of Milk for Redistribution in Maine" (H. P. 309) (Presented by Mr. Prue of Ashland)

(750 copies Ordered Printed)

Sent up for concurrence.

### **Appropriations and Financial Affairs**

Bill "An Act to Increase Salaries of Justices of Supreme Judicial Court and Superior Court" (H. P. 310) (Presented by Mr. Tevanian of Portland)

(Ordered Printed)

Sent up for concurrence.

### **Education**

Bill "An Act Authorizing State Board of Education to Operate Schools for Practical Nursing" (H. P. 311) (Presented by Miss Cormier of Rumford)

(Ordered Printed)

Sent up for concurrence.

### **Inland Fisheries and Game**

Bill "An Act relating to Trapping Season for Muskrats" (H. P. 312) (Presented by Mr. Denbow of Lubec)

(Ordered Printed)

Resolve Regulating Fishing in South Bog Stream, Franklin County (H. P. 313) (Presented by Mr. Carville of Eustis by request)

(Ordered Printed)

Resolve Regulating Fishing in Bemis Stream, Franklin County (H. P. 314) (Presented by same gentleman by request)

(Ordered Printed)

Resolve Regulating Fishing in Chain of Ponds, Franklin County (H. P. 315) (Presented by same gentleman by request)

(Ordered Printed)

Resolve Regulating Fishing in Richardson Pond, East Richardson Pond and Pepper Pot Pond, Oxford County (H. P. 316) (Presented by same gentleman by request)

(Ordered Printed)

Resolve Regulating Fishing in Little Kennebag Lake, Franklin County (H. P. 317) (Presented by same gentleman by request)

(Ordered Printed)

Resolve Regulating Fishing in Big Kennebag Lake, Franklin County

(H. P. 318) (Presented by same gentleman by request)

(Ordered Printed)

Resolve Regulating Fishing in Ponds of Red River, Aroostook County (H. P. 319) (Presented by Mr. Prue of Ashland)

(Ordered Printed)

Sent up for concurrence.

### **Judiciary**

Bill "An Act Revising the General Laws Relating to Municipalities" (H. P. 320) (Presented by Mr. Browne of Bangor)

(1,000 copies Ordered Printed)

Bill "An Act relating to Payment to Hancock County Law Library" (H. P. 321) (Presented by Mr. Brown of Ellsworth)

(Ordered Printed)

Bill "An Act relating to the Appointment of Clerks of the Judicial Courts by the Chief Justice of the Supreme Judicial Court" (H. P. 322) (Presented by Mr. Emmons of Kennebunk)

(Ordered Printed)

Sent up for concurrence.

### **Labor**

Bill "An Act relating to Definition of Employment under Maine Employment Security Law" (H. P. 323) (Presented by Mr. Brown of Ellsworth by request)

(750 copies Ordered Printed)

Sent up for concurrence.

### **Legal Affairs**

Bill "An Act Increasing Indebtedness of Gardiner School District" (H. P. 335) (Presented by Mr. Hanson of Gardiner)

(Ordered Printed)

Sent up for concurrence.

### **Public Utilities**

Bill "An Act to Repeal Incorporation of Bridgton Centre Village Corporation and Incorporating Bridgton Water District" (H. P. 324) (Presented by Mr. Haughn of Bridgton)

(Ordered Printed)

Bill "An Act in Relation to the Paris Village Corporation and Establishing a Municipal Water System for said Corporation" (H. P. 325) (Presented by Mrs. Mann of Paris)

(Ordered Printed)

Sent up for concurrence.

**Retirements and Pensions**

Bill "An Act Providing for Disability Retirement under State Police Retirement System" (H. P. 326) (Presented by Mr. Beyer of Cape Elizabeth)

(Ordered Printed)

Resolve Providing Disability Retirement Pension Increase for Edward E. Jones of Chelsea (H. P. 327) (Presented by Mr. Allen of Chelsea)

(Ordered Printed)

Resolve Providing for an Increase in State Pension for Victor E. Mitchell of Etna (H. P. 328) (Presented by Mr. Carter of Etna)

(Ordered Printed)

Resolve Providing for an Increase in State Pension for Leroy Earle Clewley of Etna (H. P. 329) (Presented by same gentleman)

(Ordered Printed)

Resolve Providing for State Pension for Mrs. Elizabeth Plourde, of Stockholm (H. P. 330) (Presented by Mr. Johnson of Stockholm)

(Ordered Printed)

Sent up for concurrence.

**State Government**

Bill "An Act relating to Milk Commission Membership" (H. P. 331) (Presented by Mr. Maxwell of Winthrop)

(750 copies Ordered Printed)

Sent up for concurrence.

**Taxation**

Bill "An Act relating to Excise Tax on Motor Vehicles" (H. P. 332) (Presented by Mr. Prue of Ashland)

(Ordered Printed)

Sent up for concurrence.

**Towns and Counties**

Bill "An Act Authorizing Bond Issue for Cumberland County for Capital Expenditures for Civil Defense" (H. P. 333) (Presented by Mr. Earles of South Portland)

(Ordered Printed)

Bill "An Act to Increase Salaries of Judge and Recorder of Northern Aroostook Municipal Court" (H. P. 334) (Presented by Mr. Roy of Fort Kent by request)

(Ordered Printed)

Sent up for concurrence.

**Orders**

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

On motion of Mr. Storm of Sherman, it was

ORDERED, that Rev. M. Ronald Beinema of the Congregational Church at Sherman, be invited to officiate as Chaplain of the House on Wednesday, February 20, 1957.

On motion of Mr. Crockett of Freeport, it was

ORDERED, that Rev. James E. Baker of Church of the Nazarene, Freeport, be invited to officiate as Chaplain of the House on Tuesday, February 12, 1957.

On motion of Mr. Cole of Sumner, it was

ORDERED, that Mr. Ervin of Houlton be excused from attendance this week because of urgent business.

On motion of Mr. Call of Cumberland, it was

ORDERED, that Rev. Valton V. Morse of Congregational Parish, Cumberland Center, be invited to officiate as Chaplain of the House on Tuesday, February 19, 1957.

**House Reports of Committees  
Ought Not to Pass**

Mr. Gallant from the Committee on Claims reported "Ought not to pass" on Resolve in favor of John O. Cain of Masardis (H. P. 104)

Mr. Hickey from same Committee reported same on Resolve to Reimburse Saul Jandreau of St. Francis Plantation for Beaver Damage (H. P. 16) (L. D. 21)

Mr. Jack from same Committee reported same on Resolve to Reimburse St. Francis Plantation for Certain Pauper Supplies (H. P. 17) (L. D. 22)

Reports were read and accepted and sent up for concurrence.

**Tabled and Assigned**

Mr. Johnson from the Committee on Claims reported "Ought not to pass" on Resolve in favor of Town

of Milo for Aid to John Maki (H. P. 89)

Report was read.

(On motion of Mr. Brockway of Milo, the Report with accompanying papers was tabled pending acceptance of the Report and specially assigned for Thursday, February 7.)

Mr. Shaw from the Committee on Claims reported "Ought not to pass" on Resolve to Reimburse the Town of Orrington for Support of Family of Perley Maroney, State Paupers (H. P. 64)

Mr. Graves from the Committee on Highways reported same on Resolve in favor of St. Francis Plantation (H. P. 67) (L. D. 94)

Reports were read and accepted and sent up for concurrence.

#### **Ought to Pass Printed Bills**

Mr. Hutchinson from the Committee on Claims reported "Ought to pass" on Resolve to Reimburse the Town of Freeport for Aid Extended to Family of Earl S. Williams (H. P. 63) (L. D. 92)

Mr. Williams from the Committee on Natural Resources reported same on Bill "An Act to Change the Name of Independence Island, Lincoln County, to Cabbage Island" (H. P. 11) (L. D. 10)

Mr. Roy from the Committee on Public Utilities reported same on Bill "An Act Amending the Charter of the Caribou Utilities District" (H. P. 77) (L. D. 103)

Reports were read and accepted, the Bills read twice, Resolve read once and tomorrow assigned.

#### **Tabled and Assigned**

Mr. Hutchinson from the Committee on Claims on Resolve Reimbursing Town of Bristol for Certain Pauper Claims (H. P. 46) (L. D. 77) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

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

COMMITTEE AMENDMENT "A" to H. P. 46, L. D. 77, Resolve Reimbursing Town of Bristol for Certain Pauper Claims.

Amend said Resolve by striking out in the 2nd line in said Resolve "\$933.74" and inserting in place thereof '\$562.10'.

(On motion of Mr. Rankin of Southport, the Resolve with accompanying papers was tabled pending adoption of Committee Amendment "A" and specially assigned for Tuesday, February 12.)

#### **Ought to Pass with Committee Amendment**

Mr. Johnson from the Committee on Claims on Resolve to Reimburse the Town of Limestone for Aid Extended to Family of Ines Bradley (H. P. 4) (L. D. 3) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

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

COMMITTEE AMENDMENT "A" to H. P. 4, L. D. 3, Resolve to Reimburse the Town of Limestone for Aid Extended to Family of Ines Bradley.

Amend said Resolve by striking out in the 2nd line in said Resolve "\$2,465.79" and inserting in place thereof '\$1,936.93'.

Committee Amendment "A" was adopted and the Resolve assigned for second reading tomorrow morning.

Mr. Haughn from the Committee on Public Utilities on Bill "An Act Amending the Charter of the Kennebunk Sewer District" (H. P. 95) (L. D. 131) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 95, L. D. 131, "An Act Amending the Charter of the Kennebunk Sewer District."

Amend Sec. 2 of said bill by inserting in the 9th line thereof after the underlined word **and** the underlined words **a sum equal to**.

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow morning.

### Passed to Be Engrossed

Mr. Cote from the Committee on Legal Affairs on Bill "An Act to Create the Lewiston Parking District" (H. P. 75) (L. D. 102) reported "Ought to pass" as amended by Committee Amendment "A" and Committee Amendment "B" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 75, L. D. 102, Bill "An Act to Create the Lewiston Parking District."

Amend Section 4 of said Bill by adding at the end of paragraph (9) of subsection (a) the following: 'provided, however, that no products used in or for the servicing of motor vehicles shall be sold or dispensed at or in connection with public off-street parking facilities by the district or any lessee thereof;'

Committee Amendment "A" was adopted.

Committee Amendment "B" was then read by the Clerk as follows:

COMMITTEE AMENDMENT "B" to H. P. 75, L. D. 102, Bill, "An Act to Create the Lewiston Parking District."

Amend said Bill by inserting before the period at the end of section 5 the following:

‘, or to take by right of eminent domain any of the presently owned lands, canals, structures or facilities of the Union Water Company or lands, canals, structures or facilities which may hereafter be acquired by said Union Water Power Company for the purpose of supplying water or power to present or future users’

Committee Amendment "B" was adopted, and on motion of the gentleman from Lewiston, Mr. Rancourt, under suspension of the rules, the Bill was given its third reading, passed to be engrossed as amended by Committee Amendment "A" and Committee Amendment "B" and sent to the Senate.

### Passed to Be Engrossed

Bill "An Act to Allocate Money from the General Highway Fund for State Aid Construction" (S. P. 19) (L. D. 1)

Bill "An Act relating to Indebtedness of Dover-Foxcroft School District" (H. P. 51) (L. D. 73)

Bill "An Act Amending the Charter of the City of Gardiner" (H. P. 52) (L. D. 72)

Bill "An Act relating to Registration of Fire Department Vehicles" (H. P. 82) (L. D. 108)

Resolve in favor of Georgianna Berthiaume of Oakland (H. P. 47) (L. D. 315)

Were reported by the Committee on Bills in the Third Reading, Bills read the third time, Resolve read the second time, all passed to be engrossed and sent to the Senate.

### Passed to Be Engrossed Emergency Measure

An Act relating to Payment of Salaries of Members of the Legislature (S. P. 111) (L. D. 238)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 127 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

### Orders of The Day

The SPEAKER: Under Orders of the Day, the Chair lays before the House the first tabled and today assigned matter, House Report "Ought to pass" of the Committee on Highways on Resolve Designating Part of Route 111 as Carl Broggi Memorial Highway, House Paper 5, Legislative Document 4, tabled January 29 by the gentleman from Northeast Harbor, Mr. Graves, pending acceptance of the Report.

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

Mr. ROSS: Mr. Speaker, in the absence of the gentleman from Northeast Harbor, Mr. Graves, I move this item be retabled until Thursday, February 7.

The motion prevailed and the Report with accompanying papers was retabled and specially assigned for Thursday, February 7.

The SPEAKER: The Chair now lays before the House the second



tabled and today assigned matter, Bill "An Act relating to Speed of Commercial Vehicles", House Paper 300, Legislative Document 398, tabled on January 31 by the gentleman from Bangor, Mr. Browne, pending reference to any committee.

On motion of the gentleman from Bangor, Mr. Browne, the Bill was referred to the Committee on Judiciary and sent up for concurrence.

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The gentleman from Bath, Mr. Ross, was granted unanimous consent to address the House.

Mr. ROSS: Mr. Speaker and Members of the House: Several persons have inquired this morning about a

Republican caucus scheduled for tonight. This announcement did appear as a news item over the week end. This was in error. Perhaps it was wishful thinking on the part of the press, but a caucus had neither been planned nor contemplated. When the next one is scheduled, it will be announced from the floor of this House far enough in advance so the members can make their plans accordingly.

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On motion of Mr. Bragdon of Perham,

Adjourned until ten o'clock tomorrow morning.