

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

HOUSE

Thursday, February 7, 1957

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

Prayer by the Rev. Mr. Harvey Ammerman of Augusta.

The journal of the previous session was read and approved.

The gentleman from Lewiston, Mr. Jalbert, was granted unanimous consent to address the House.

Mr. JALBERT: Mr. Speaker and Members of the House: Under suspension of the rules, I would like to have taken up at this time an enactor on page six of the calendar, An Act to Create the Lewiston Parking District, and ask to speak very briefly on the measure.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, moves that out of order and under suspension of the rules Item two on page six of the calendar under enactors be placed before the House at this time.

The motion prevailed.

The gentleman from Lewiston, Mr. Jalbert, was granted unanimous consent to address the House.

Mr. JALBERT: Mr. Speaker, I would move that this measure be finally passed, enacted and, in defense of that motion, I would state that this bill has an emergency preamble on it. It also has a referendum clause on it. Basically, certainly due to the referendum clause, the entire Lewiston delegation is in accord, which is also refreshing. We have an election a week from Monday and, in order to have this matter placed upon the ballots for the electorate of Lewiston, it would have to be enacted today in both branches and signed by the Governor should it receive passage.

Therefore, I move that it be enacted and also move that it be sent forthwith to the Senate out of order and under suspension of the rules. Thank you very much.

Passed to Be Enacted Emergency Measure

An Act to Create the Lewiston Parking District (H. P. 75) (L. D. 102)

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. 118 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.

Papers from the Senate

The following paper from the Senate not on the Advance Journal:

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, February 12, 1957 at ten o'clock in the morning. (S. P. 231)

Came from the Senate today read and passed.

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

From the Senate:

Bill "An Act to Amend the Amount of Supplement Loans by Maine School Building Authority" (S. P. 153) (L. D. 400)

Bill "An Act to Create the Interstate Highway Matching Fund" (S. P. 154) (L. D. 401)

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:

Bill "An Act Repealing Law Relating to Deposits of Mercantile Employees" (S. P. 155) (L. D. 402)

Came from the Senate referred to the Committee on Business Legislation.

In the House, referred to the Committee on Business Legislation in concurrence.

From the Senate:

Bill "An Act relating to Closed Time on Deer in Oxford County" (S. P. 156) (L. D. 403)

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 relating to Approval of Expenses of Judicial Council" (S. P. 157) (L. D. 404)

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 Employer Defenses in Logging Operations under Workmen's Compensation Law" (S. P. 158) (L. D. 405)

Bill "An Act relating to Right of Appeal under Labor and Industry Chapter" (S. P. 159) (L. D. 406)

Bill "An Act relating to Duties of State Factory Inspector Concerning Mineral Producing Facilities" (S. P. 160) (L. D. 407)

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 relating to Petition for Review of Incapacity under Workmen's Compensation Act" (S. P. 162) (L. D. 409)

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 Organization of Natural Gas Pipe Line Companies" (S. P. 163) (L. D. 410)

Came from the Senate referred to the Committee on Public Utilities.

In the House, referred to the Committee on Public Utilities in concurrence.

From the Senate:

Bill "An Act Creating an Assistant County Attorney for Aroostook County" (S. P. 164) (L. D. 411)

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.

Senate Report of Committee Tabled and Assigned

Report of the Committee on Business Legislation reporting "Ought to Pass" on Bill "An Act Repealing Law Relating to Signs for Re-

tail Prices of Motor Fuel" (S. P. 27) (L. D. 18)

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed.

In the House, the Report was read.

The SPEAKER: The Chair recognizes the gentleman from Cape Elizabeth, Mr. Beyer.

Mr. BEYER: Mr. Speaker, I understand there is a bill which has not yet been printed, but which very closely bears on this subject, and so that the Committee on Business Legislation may have a chance to see the contents of this bill, I move this be tabled and specially assigned for February 14.

The motion prevailed and the Report with accompanying papers was tabled pending acceptance of the Report and specially assigned for Thursday, February 14.

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:

Appropriations and Financial Affairs

Resolve Appropriating Moneys to Effectuate Salary Plan for State Employees (H. P. 405) (Presented by Mr. Stanley of Bangor)

(750 copies Ordered Printed)

Sent up for concurrence.

Claims

Resolve in favor of Robert Elliott of Windham (H. P. 406) (Presented by Mr. Anthoine of Windham)

(Ordered Printed)

Resolve in favor of Maynard Lindsay of Harrington (H. P. 407) (Presented by Mr. Hathaway of Columbia Falls)

(Ordered Printed)

Resolve in favor of Town of Marsardis, Aroostook County (H. P. 408) (Presented by Mr. Prue of Ashland)

(Ordered Printed)

Resolve in favor of Axel Nelson of Thomaston (H. P. 409) (Present-

ed by Mr. Winchenpaw of Friendship)

(Ordered Printed)

Sent up for concurrence.

Education

Bill "An Act relating to Superintending School Committee of Town of Cumberland" (H. P. 410) (Presented by Mr. Call of Cumberland)

(Ordered Printed)

Sent up for concurrence.

Highways

Bill "An Act relating to Compensation for Clothes for State Police Assigned to Bureau of Criminal Investigation" (H. P. 411) (Presented by Mr. Flynn of South Berwick)

(Ordered Printed)

Sent up for concurrence.

Inland Fisheries and Game

Resolve Regulating Ice Fishing in Pleasant Lake, Aroostook County (H. P. 412) (Presented by Mr. Storm of Sherman)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act Recording of Municipal Road Records" (H. P. 413) (Presented by Mr. Call of Cumberland by request)

(Ordered Printed)

Bill "An Act Recording of Action of Municipalities Concerning Land" (H. P. 414) (Presented by same gentleman by request)

(Ordered Printed)

Bill "An Act relating to Careless Shooting of Human Beings While Hunting" (H. P. 415) (Presented by Mr. Davis of Calais)

(Ordered Printed)

Bill "An Act relating to Payments to Piscataquis County Law Library" (H. P. 416) (Presented by Mr. Edgerly of Sangerville by request)

(Ordered Printed)

Bill "An Act relating to Notice of Tax Sale to Real Estate Resident Owners" (H. P. 417) (Presented by Mr. Plante of Old Orchard Beach)

(Ordered Printed)

Bill "An Act relating to Repossession of Property Subject to Conditional Sales Agreement" (H. P. 418) (Presented by Mr. Shaw of Bingham)

(Ordered Printed)

Bill "An Act relating to Closing Municipal Courts in Cumberland County on Saturday" (H. P. 419) (Presented by Mr. Tevanian of Portland)

(Ordered Printed)

Bill "An Act to Incorporate Time, Inc." (H. P. 420) (Presented by Mr. Wade of Auburn)

(Ordered Printed)

Bill "An Act relating to Civil Actions in Western Somerset Municipal Court" (H. P. 421) (Presented by Mr. Whiting of Skowhegan by request)

(Ordered Printed)

Sent up for concurrence.

Labor

Bill "An Act relating to Employment of Females" (H. P. 422) (Presented by Mr. Ross of Bath)

(Ordered Printed)

Bill "An Act relating to Duties and Powers of Department of Labor and Industry" (H. P. 423) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act Authorizing Sunset Real Estate Corporation to Construct a Bridge Across Medomak River" (H. P. 424) (Presented by Mr. Winchenpaw of Friendship) (750 copies Ordered Printed)

Bill "An Act to Grant a Council Manager Charter to the City of Augusta" (H. P. 425) (Presented by Mr. Carey of Augusta by request)

(Ordered Printed)

Bill "An Act to Amend the Charter of the City of Rockland" (H. P. 426) (Presented by Mr. Stilphen of Rockland)

(Ordered Printed)

Bill "An Act relating to Indebtedness of West Gardiner School District" (H. P. 427) (Presented by Mr. Vaughan of Hallowell)

(Ordered Printed)

Bill "An Act to Create the Westbrook Parking Authority" (H. P. 428) (Presented by Mr. Porell of Westbrook)

(Ordered Printed)

Sent up for concurrence.

Liquor Control

Bill "An Act relating to Hours of Selling Liquor" (H. P. 429) (Presented by Mr. Emery of Palmyra)
(Ordered Printed)

Bill "An Act relating to Obstructions in Windows of Liquor Licensed Premises" (H. P. 430) (Presented by Mr. Frazier of Lee)
(Ordered Printed)
Sent up for concurrence.

Natural Resources

Resolve Authorizing Attorney General to Convey Interest of the State in Certain Lands in Cumberland County (H. P. 431) (Presented by Mr. Anthoine of Windham)
(Ordered Printed)
Sent up for concurrence.

Public Utilities

Bill "An Act Amending the Charter of Bingham Water District" (H. P. 432) (Presented by Mr. Shaw of Bingham)
(Ordered Printed)

Bill "An Act Clarifying Procedure Relating to Reconstructing or Altering Railroad Crossings" (H. P. 433) (Presented by Mr. Walter of Waldoboro)
(Ordered Printed)
Sent up for concurrence.

Retirements and Pensions

Resolve Providing for State Pension for Gladys Dutton of Gardiner (H. P. 434) (Presented by Mr. Hanson of Gardiner)
(Ordered Printed)

Resolve Providing for an Increase in State Pension for Leeman Grant of Columbia Falls (H. P. 435) (Presented by Mr. Hathaway of Columbia Falls)
(Ordered Printed)

Resolve Providing for State Pension for Josephine DeLaitte of Verona (H. P. 436) (Presented by Mr. Pierce of Bucksport)
(Ordered Printed)

Resolve Providing for State Pension for Charles A. Anderson of Bucksport (H. P. 437) (Presented by same gentleman)
(Ordered Printed)

Resolve Providing for an Increase in State Pension for Hilda Ambrose of Masardis (H. P. 438) (Presented by Mr. Prue of Ashland)
(Ordered Printed)

Resolve Providing for State Pension for Mrs. Katie Libby of Charleston (H. P. 439) (Presented by Mr. Rich of Charleston)
(Ordered Printed)

Resolve Providing for a State Pension for Gertrude Craig of Mount Vernon (H. P. 440) (Presented by same gentleman)
(Ordered Printed)

Resolve Providing for State Pension for Mrs. Arthur Preston of Rockland (H. P. 441) (Presented by Mr. Stilphen of Rockland)
(Ordered Printed)
Sent up for concurrence.

Sea and Shore Fisheries

Bill "An Act relating to Taking of Alewives in Tunk River in Town of Steuben" (H. P. 442) (Presented by Mr. Hathaway of Columbia Falls)
(Ordered Printed)

Resolve Regulating the Taking of Clams in Steuben (H. P. 443) (Presented by same gentleman)
(Ordered Printed)
Sent up for concurrence.

Taxation

Bill "An Act to Provide an Allowance to Retailers for Collecting Sales and Use Tax" (H. P. 444) (Presented by Mr. Morrill of Harrison)
(Ordered Printed)
Sent up for concurrence.

Towns and Counties

Bill "An Act relating to Permissive Closing of County Offices on Saturday" (H. P. 445) (Presented by Mr. Baird of North Haven)
(Ordered Printed)

Bill "An Act to Increase the Salary of the Judge of the Western Washington Municipal Court" (H. P. 446) (Presented by Mr. Davis of Calais)
(Ordered Printed)

Bill "An Act to Increase Certain Salaries of Washington County Officials" (H. P. 447) (Presented by same gentleman)
(Ordered Printed)

Bill "An Act to Increase the Salary of the Judge of the Calais Municipal Court" (H. P. 448) (Presented by same gentleman)
(Ordered Printed)

Bill "An Act Increasing Salary of Sheriff of Knox County" (H. P. 450) (Presented by Mr. Stilphen of Rockland)

(Ordered Printed)

Bill "An Act Increasing the Salary of Registers of Deeds of Knox County" (H. P. 451) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act Increasing Salary of Clerk of Courts of Knox County" (H. P. 452) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Closing of County Offices on Saturday" (H. P. 453) (Presented by Mr. Tevanian of Portland)

(Ordered Printed)

Sent up for concurrence.

Transportation

Bill "An Act Prohibiting Motor Vehicles with Excessive Horsepower on Maine Highways" (H. P. 455) (Presented by Mr. Totman of Bangor)

(750 copies Ordered Printed)

Bill "An Act Repealing Law Prohibiting Riding with a Naked Seythe" (H. P. 454) (Presented by Mr. Pierce of Bucksport)

(Ordered Printed)

Sent up for concurrence.

Orders

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

On motion of Mr. Fuller of South Portland, it was

ORDERED, that the Clerk of the House secure for the Legislative Docket Clerk a Robot-Chaindex for the Index of House and Senate Papers.

On motion of Mr. Pierce of Bucksport, it was

ORDERED, the Senate concurring, that the State Controller supply for use of the Legislature two hundred copies of a list of State Employees with their salaries as of December 31, 1956, and be it further

ORDERED, that said lists be distributed, one to each member of

the Senate, House and Council; two to the Executive; one to the Secretary of the Senate; one to the Clerk of the House; and the balance to the State Librarian for exchange purposes. (S. P. 456)

On motion of Mr. Curtis of Bowdoinham, it was

ORDERED, that Rev. Donald Taylor of Second Baptist Church, Bowdoinham, be invited to officiate as Chaplain of the House on Wednesday, February 27, 1957.

Mr. Ross of Bath presented the following Order, read the same, and moved its passage:

WHEREAS, the House is informed of the birth of a daughter this morning, February 7th, 1957, to Alan C. Pease, former Officer of the House, and Mrs. Pease, the former Margaret Murray of Hampden, this new young lady being the granddaughter of Harvey R. Pease, our esteemed Clerk;

AND WHEREAS, the Members of the House are much pleased and wish to extend their heartiest congratulations to all generations of the Pease family;

BE IT ORDERED, that the baby girl be named Kathryn Pease, and that the Assistant Clerk of the House be directed to send to Alan C. Pease and to give to Harvey R. Pease, engrossed copies of this Order.

HOUSE OF REPRESENTATIVES READ AND PASSED

Feb. 7, 1957

Joseph T. Edgar, Speaker
E. May Chapman, Ass't Clerk

On motion of Miss Cormier of Rumford, it was

ORDERED, that Rev. Robert E. Lee of Rumford be invited to officiate as Chaplain of the House on Tuesday, March 12, 1957.

House Reports of Committees Ought to Pass With Committee Amendment

Mr. Maxwell from the Committee on Legal Affairs on Bill "An Act relating to Special Town Meetings in Town of Vassalboro" (H. P. 35) (L. D. 48) 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. 35, L. D. 48, Bill, "An Act Relating to Special Town Meetings in Town of Vassalboro."

Amend said Bill by inserting after the word "Governor" in the 5th line the following words: 'in said town of Vassalboro'

Committee Amendment "A" was adopted and the Bill assigned for third reading the next legislative day.

Mr. Rollins from the Committee on Taxation on Bill "An Act relating to State Liquor Tax" (H. P. 38) (L. D. 51) 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. 38, L. D. 51, Bill, "An Act Relating to State Liquor Tax."

Amend said Bill by striking out in the 7th paragraph of that part designated, Sec. 14, the underlined figure "55 per cent" and inserting in place thereof the underlined figure '55'.

Further amend said Bill by striking out in the last paragraph of said part designated Sec. 14, the underlined word "merchandise" and inserting in place thereof the underlined word 'merchandising.'

Committee Amendment "A" was adopted and the Bill assigned for third reading the next legislative day.

On motion of the gentleman from Lewiston, Mr. Turner, the following Emergency Measure was taken up out of order and under suspension of the rules by unanimous consent:

**Passed to Be Enacted
Emergency Measure**

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

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. 122 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.

Passed to Be Engrossed

Bill "An Act Regulating Traffic by Council of Town of Bar Harbor" (S. P. 37) (L. D. 39)

Bill "An Act relating to Duties of Assistant County Attorney in Waiver of Indictment" (S. P. 43) (L. D. 59)

Bill "An Act relating to Method of Giving Hand-and-Arm Signals for Stopping and Turning Motor Vehicles" (H. P. 76) (L. D. 121)

Bill "An Act relating to Stealing or Killing Dogs" (H. P. 134) (L. D. 172)

Bill "An Act to Authorize the Town of Brunswick to Provide for the Collection and Disposal of Garbage and Rubbish" (H. P. 137) (L. D. 175)

Resolve relating to Sale of Digest of Opinions of the Law Court (S. P. 35) (L. D. 37)

Resolve relating to Sale and Distribution of Index to Private and Special Laws (S. P. 36) (L. D. 38)

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

Orders of the Day

The SPEAKER: The Chair lays before the House the second tabled and today assigned matter, House Report "Ought not to pass" of the Committee on Claims on Resolve in favor of Town of Milo for Aid to John Maki, House Paper 89, tabled on February 5 by the gentleman from Milo, Mr. Brockway, pending acceptance of the Report, and the Chair recognizes that gentleman.

Thereupon, on motion of Mr. Brockway of Milo, the "Ought not to pass" Report of the Committee was accepted and sent up for concurrence.

The SPEAKER: The Chair lays before the House the second 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 on February 5 by the gentleman from Bath, Mr. Ross, pending acceptance of the Report, and the Chair recognizes that gentleman.

Mr. ROSS: Mr. Speaker, this was originally tabled by the gentleman from Mount Desert, Mr. Graves, for the purpose of presenting an amendment. Since he is still absent due to illness and with his assurance that it will be taken up as soon as he returns, I now move it be retabled unassigned.

The SPEAKER: The gentleman from Bath, Mr. Ross, moves that the Report and Resolve be retabled and unassigned. Is this the pleasure of the House?

The motion prevailed and the Report and Resolve were so retabled unassigned.

The SPEAKER: The Chair now lays before the House the third tabled and today assigned matter, Bill "An Act Permitting Town of Naples to Construct Wharf." House Paper 378, tabled on February 6 by the gentleman from Harrison, Mr. Morrill, pending reference, and the Chair recognizes that gentleman.

Thereupon, on motion of Mr. Morrill of Harrison, the Bill was referred to the Committee on Natural Resources, ordered printed and sent up for concurrence.

On motion of Mr. Broderick of Portland,

Adjourned until Tuesday, February 12, at ten o'clock in the morning.