

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

Thursday, February 21, 1957

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

Prayer by the Rev. Mr. Philip J. Pekras of Hellenic Orthodox Community Church, Portland.

The journal of the previous session was read and approved.

At this point, the Senate entered the Hall of the House and a Joint Convention was formed.

In Convention

The President of the Senate, Honorable Robert N. Haskell, assumed the Chair and called the Convention to order.

On motion of Mr. Brown of Washington, this was

ORDERED, that a Committee be appointed to wait upon his Excellency, Edmund S. Muskie, Governor of Maine, and inform him that the two branches of the Legislature are in convention assembled in the Hall of the House of Representatives, and extend to him an invitation to attend the Convention with his guest, the Honorable W. C. Daniel, National Commander of the American Legion, and address to the Convention such remarks as either of them may be pleased to make.

Which order was read and passed.

The Chairman appointed as members of such a committee:

Senators:

Brown of Washington
Pike of Oxford
Farley of York

Representatives:

Hatfield of Orrington
Egerly of Sangerville
Vaughan of Hallowell
Day of Shapleigh
Storm of Sherman
Dumais of Lewiston
Thackeray of Mexico

Convention at Ease

Called to order by the Chairman.
Speaker EDGAR: At this time the Chair would like to recognize the presence in the gallery of the House of the eighth grade Civics Class of Notre Dame School of Waterville,

under the escort of Mother Mary Frances and Mother Mary Pauline, and also a group of Girl Scouts, Troop 113 of Cape Elizabeth. On behalf of the House the Chair extends to you young gentlemen and ladies a most hearty and sincere welcome, and we hope that you will both enjoy and profit by your visit with us today. (Applause)

Convention at Ease

Called to order by the Chairman.

The Committee subsequently reported that it had discharged the duties assigned it, and that the Governor and his guests would forthwith attend the Convention.

Thereupon, His Excellency, Governor Edmund S. Muskie, and his guest, the Honorable W. C. Daniel, National Commander of the American Legion, and the members of the Executive Council, entered the Hall of the House amid prolonged applause, the audience rising.

Governor Muskie then addressed the Convention as follows:

Mr. President and Members of the Legislature: I have a distinct privilege this afternoon in welcoming in your behalf and on behalf of the people of the State, a distinguished visitor. Before I present him I would like to present some of the leaders of the American Legion in the State. First of all, an old friend, once from Waterville and now from Portland, the Department Commander, Bernard L. Cratty. (Applause)

And when I use the word old, I am not speaking of the years of the person I am introducing I hope you will understand. Another friend, the National Committeeman, Mr. Merrill, Bob Merrill of Newport. (Applause)

And next a citizen of Maine who has really established himself in the hearts of Legionnaires, the citizens of our joint home city of Waterville, and the State of Maine, a man who has been Department Adjutant, now in his thirty-eighth term, Jim Boyle of Waterville. (Applause)

Bob Haskell told me to be brief this afternoon, and I am going to be, but it is difficult to be and properly introduce at the same time our distinguished visitor. I spent some

time this morning looking over his background, and I can't begin to do it justice. He was born in Chatham, Virginia, is still a native of Virginia. He saw service in the Navy during World War II, and I understand that it took five attempts on his part to convince Uncle Sam that he ought to fight for his country. He had an early history of tuberculosis which prevented it, but with persistence that would do credit to a member of my party in Maine, he finally made it. He has been active all his life in civic work, and his election as National Commander last September culminated twelve years of service in the Legion as a member, and in Post, District, Department and National offices. In whatever I have read about him he has been referred to as one of the most popular and inspiring commanders in recent Legion history. From my brief acquaintance with him this noon, I can see that he has richly merited that description. And so I present to you in your name and in the name of the people of the State, the National Commander of the American Legion, of whom I am sure we will all be proud, Dan Daniel. (Applause)

Honorable W. C. Daniel, National Commander of the American Legion:

Your Excellency, Governor Muskie, Mr. President, Mr. Haskell, Mr. Speaker, Mr. Edgar, and Distinguished Members of the Legislature of Maine:

First of all, I want to tell you how very grateful I am that you have accorded me this privilege to come here this afternoon and speak to you very briefly. And it is all the more so because I know that you did this at considerable inconvenience to yourselves. It is my understanding that it is customary for you to recess at noon on this day of the week. I know that I express the sentiment of all of the Legionnaires of this State when I say to you that we are sincerely and humbly grateful. You do me great honor by allowing me to appear here briefly today.

The honor of speaking to this distinguished body is second only to being a member of your Senate.

There probably are times that you wonder about the honor of your office, as sometimes I do about the honor of mine, especially if you had an experience similar to the representative who was campaigning for reelection and ran into a farmer-constituent for whom he had done many favors over the past years.

"Are you going to vote for me this year?" the representative said.

"Nope," replied the farmer.

And then the representative replied, "Why not? Don't you remember how I helped to get you a loan, how I helped you to find a market for your produce? Don't you remember all the other things I have done for you?"

"No, I haven't forgotten, but what have you done for me lately?"

I am sure the people of Maine are both aware and grateful for the many things you have done and are doing to improve their security and their welfare. Certainly I know this is true of the Maine Legionnaires, who will be the first to admit that the American Legion's record of outstanding service is due in great part to the cooperation and support it has received from the State Legislature.

Yes, your works are known and appreciated today. However, they may not be tomorrow, for the role of State Governments and of State Legislatures in the affairs of our people is being reduced tremendously by an ever expanding Federal Government.

What will be the consequences of this increasing usurpation of state authority by a centralized government?

They are many and tragic.

Let me quote one authority on the subject who said:

"The Federal Government did not create the States of this Republic. The States created the Federal Government. The creation should not supersede the creator. For if the States lose their meaning our entire system of government loses its meaning and the next step is the rise of the centralized national state in which the seeds of autocracy can take root and grow."

These words were spoken just a little over four years ago by our President, Dwight D. Eisenhower.

Speaking later to the Governor's conference in Seattle, Washington, Mr. Eisenhower said this:

"I am here because of my indestructible conviction that unless we preserve in this country the place of State government with the power of authority, the responsibilities, and the revenues necessary to discharge those responsibilities, then we are not going to have America as we have known it. We are going to have some other type of government."

You may wonder why I have chosen to speak to you on the subject of States Sovereignty. I have done so for two reasons. First, and most important because of your obvious and necessary concern with this matter. And secondly because of the American Legion's strong views on the need for firm action now to preserve the sovereignty and governmental authority of our States.

Our position is expressed most vividly. I think, in a resolution passed by our last convention, which was held in Los Angeles in September.

"Resolved. . . that we deplore the continued usurpation of state authority by the Federal Government, specifically in those matters so clearly spelled out by our founding fathers and in the Bill of Rights and the Constitution. The American Legion therefore wishes to place particular emphasis on the fact that it is firmly believed that the continuation of such practices will eventually result in a socialistic or dictatorial form of government."

In my judgment the arrogation of power by the Federal Government is fast reducing the states to mere municipal dependencies.

This tragic trend must be reversed, not only to preserve our representative form of government, but for our security and survival as a free nation under God.

Make no mistake, the communist movement in this country, in my judgment, has been retarded primarily because of our system of State Sovereignty. So long as our ballot boxes are tucked safely away in our forty-eight state capitals, along with their political subdivisions, and so long as police powers, for example, remain in the hands of the states, then so long will we have

the representative form of government that has provided for us the greatest nation on the face of the earth.

All of us recognize and appreciate the need of our Federal Government with its horizontal balance of legislative, judicial and executive branches. Too few, however, appreciate that equally important in our concept is a vertical balance that must be maintained. It is the balance between the local, the state and the national governments. It is not necessary to emphasize to you that as the Federal Government reaches out into new fields and expands its activities it creates a need for more and more taxes. Inevitably more Federal Taxes mean greater and greater Federal control of our daily lives and perhaps even worse. For it has been said, and truly so, that the power to tax is the power to destroy.

More immediate, however, the consequences of expanded Federal spending and increased Federal taxes is that State and municipal governments are denied a vital source of tax revenues with which to finance their own essential operations.

Because you are confronted with this problem daily, you know that it's not merely a question of the Federal Government taking over a Constitutionally directed responsibility of the State because the Federal Government has the funds denied the State. It's a question of how long we will continue to have government of the people, by the people and for the people.

I am not being melodramatic. The individual citizen retains the greatest control over the government in his own community. The further away from him and from his direct contact the government becomes, the less responsive it is to his desires and to his directions, and the less efficient and effective it is in providing for his welfare and security.

I know that it has become trite to say that America is the crossroads, and yet I believe that is more true today than ever before. These words of our President, which I have quoted twice before, are a frightful warning today. "If the States lose their meaning our en-

tire system of government loses its meaning, and the next step is to arrive at the centralized national state in which the seeds of Autocracy take root and grow." Something must be done to strengthen rather than weaken the adherence to our National Constitution, and I believe that you, the elected representatives of the people, are in a better position than anyone else to remedy the evil that besets us.

In your position of grave responsibility, you are somewhat like the American serviceman who returned from overseas after many months of service. After several days in the demobilization camp he felt he had a right to visit his sweetheart who had come to town to visit with him. After cleaning himself up to perfection he started out only to be halted by a big burly M. P. with a heart of stone. When his pleading seemed to fall on deaf ears, he reached in his pocket and pulled out a long razor and started stropping it on his britches. And when the M. P., rather startled, asked what he was doing, he replied, "Just thinking."

"And what are you thinking about?" the policeman said.

"Well, I was just thinking that I had the sweetest mother on earth, and she is up in heaven now. And I had the meanest uncle on earth, and he is down in hell. And I have the sweetest woman, the sweetest sweetheart in the world waiting for me in town, and I am going to see one of them tonight."

Likewise, it is largely in the hands of the elected representatives on the state and national level to decide which of three courses our nation will pursue. Shall we vacillate backwards and forwards in the realm of governmental uncertainty, or shall we continue the present trend toward dangerous centralized government in Washington, or shall we firmly and courageously follow the pathway of recognition and observance of the Constitutional separation of powers of the Federal Government on the one hand and of the separate states on the other? The choice must be made, as the destiny of our nation and our people depend upon it. This we must do if we are to keep faith with our illustrious predecessors, particularly

those who paid the supreme sacrifice on the glory battlefields of the world, in order that our flag might continue to float free under God.

Far too many of our people have forgotten the fact that this great country of ours didn't just happen. Brave men and women whose very souls were crying for freedom, carved our highways, our railroads, our farms, our factories, our cities and our towns out of the wilderness. They faced death, they underwent hardships and privations, they had few of the material comforts of life, but they were strong in faith and strong in purpose.

I submit to you that we have no right to barter away that which they with so much difficulty attained. Those who have died for our country can fail only to the extent that we the living fail them. They gave their all, and we can do no less than to give our best, because when we fail them, we fail our country, we desecrate our heritage, and we betray our posterity.

Four years ago there appeared in the press of America, a picture of a dirty soldier in Korea. On his face was a desperate, haunted look, and in his eyes was a look of courage and determination. When asked by a photographer what he most wanted in this world, he merely replied, "A tomorrow, a tomorrow." And I think in those simple terms he represents the hope of all mankind. We all seek a tomorrow in which life will be more abundantly worth living, a tomorrow in which the principles and ideals that made this nation of ours great, will prevail. And a great challenge to all of us is to continue working toward that tomorrow. (Applause)

Governor MUSKIE: Mr. Commander, thank you very much for your choice of subject and for that sincere expression of principles which are fundamental to our form of government. We have been honored officially to have you with us as a guest in the State of Maine, and in this assembly, and I have been honored personally that I have had this opportunity to meet you and to know you, because to know you, as I understand you, is to know the Legion and what it means to the thousands of veterans over the

country, and to the people of our country at this day and age. I would like to express this word of appreciation also to the Legislature for being so gracious, to the Senate President and the House Speaker and your leaders in making this opportunity available to us and to our guest. With that thought I think I have been brief enough. Another word from the Commander.

Mr. DANIEL: Thank you, your Honor. You know, this job of National Commander doesn't pay too much money. There are a lot of other compensations however, and one of those, of course, is the privilege of traveling over this great nation of ours and meeting so many fine people such as you have here in the great State of Maine. You know, there is really only one frustration that I have as I travel about, particularly in this section of the country, and that is the language barrier. It seems as though every place I go up here everyone has an accent but me.

We had a wonderful party in Portland last evening, and your people were so gracious to me, and I am taking back enough of your products of Maine to last us for a good twelve months if I don't hit another lick, and it is so wonderful to be in that position.

Now, let's reciprocate here for just a moment, to present a gift to one who is not present in person, but I know is present in the hearts and the minds of all of you good people here who represent your State. Governor Muskie, I want to present to you for your little daughter, who was born as I understand it, on the twenty-seventh of December, just two days after Christmas, Melinda, this little token of our love and affection. (Applause)

Governor MUSKIE: You know Jim, you made a mistake in not arranging for Melinda to be here, because I assure you, Commander, that she is fully capable of speaking for herself. Thank you. (Applause)

At the conclusion of the address, the Governor, his distinguished guest and his suite then withdrew amid the prolonged applause of the Convention, the audience rising.

The purpose for which the Convention was assembled having been accomplished, the Chairman declared the same dissolved.

The Senate then retired to their Chamber amid the applause of the House, the members rising.

In the House

The House was called to order by the Speaker.

The SPEAKER: The House has received four matters from the Senate which do not appear on the Advance Journal. The Clerk will read the orders.

Papers from the Senate

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday morning, February 26, 1957, at ten o'clock. (S. P. 337)

Came from the Senate read and passed.

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

From the Senate: The following Order:

ORDERED, the House concurring, that the following resolves be recalled to the Senate from the Governor:

(H. P. 4) (L. D. 3) Resolve to Reimburse the Town of Limestone for Aid Extended to Family of Ines Bradley.

(H. P. 63) (L. D. 92) Resolve to Reimburse the Town of Freeport for Aid Extended to Family of Earl S. Williams. (S. P. 351)

Came from the Senate read and passed.

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

The SPEAKER: The Chair recognizes the gentleman from Freeport, Mr. Crockett.

Mr. CROCKETT: Mr. Speaker, I would like more information on that, I do not understand the process and I would like an explanation on it.

The SPEAKER: Does the gentleman move the House reconsider its previous action whereby it passed the order in concurrence?

Mr. CROCKETT: I do.

The SPEAKER: The gentleman from Freeport, Mr. Crockett, moves

the House reconsider its previous action whereby it passed the Order, Senate Paper 351. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Chair now recognizes the same gentleman and inquires just what the gentleman would wish to do.

Mr. CROCKETT: Mr. Speaker, not being familiar with the Order and this unusual situation, I would like to know what it is all about in regard to Freeport.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Childs.

Mr. CHILDS: Mr. Speaker, I move the Order lie on the table and be specially assigned for next Tuesday so the gentleman from Freeport, Mr. Crockett, may have an opportunity to study it.

The SPEAKER: The House will be at ease a few moments and the motion of the gentleman from Portland, Mr. Childs, will be pending.

House at Ease

The House was called to order by the Speaker.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Childs.

Mr. CHILDS: Mr. Speaker, I now request permission of the House that my previous motion be withdrawn, and I also at this time request permission of the Chair that I may explain to the Members of the House my purpose of the tabling motion.

The SPEAKER: The Chair declares the motion to table as withdrawn, that is within the rights of the gentleman who offered the motion, and the gentleman may proceed.

Mr. CHILDS: Mr. Speaker and Members of the House: My reason for putting this matter on the table is that apparently the gentleman from Freeport, Mr. Crockett, who is the sponsor of the bill, was not aware that this procedure was taking place, and I feel of course that where this gentleman had been fortunate and his bill had gone through both houses and now was on the desk of the Governor, that he was in a fairly favorable position. It is a claim which has a fairly

substantial amount of money involved and naturally if the matter was brought back to the Senate, who knows what would happen then.

I also believe that when matters are to come up before the House, especially a particular matter like this, matters coming directly from the Senate, that the gentleman from Freeport, Mr. Crockett, should have been informed of what was going to happen so he would have an opportunity to act one way or another. That was my only purpose of putting the matter on the table.

As far as procedure is concerned between the Senate and the House, I believe that that is something that the majority floor leader should explain and my understanding is he is going to explain it.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Totman.

Mr. TOTMAN: Mr. Speaker and Members of the House; I believe the gentleman from Portland, Mr. Childs, has covered fairly well the reasons why the tabling motion was made, and has in part covered the reason for this Joint Order recalling the Resolves of the gentleman from Freeport, Mr. Crockett. We must apologize to the House for holding you up while the matter was discussed, but it seems in the interest of previous experience and inter-chamber harmony to follow the procedure which is to take all bills requiring appropriations and to hold them in a group until the end of the session so that money may be decided for the various bills, the most necessary and the most worthy.

The gentleman from Portland, Mr. Childs, has stated that by rights the gentleman from Freeport, Mr. Crockett, could well take his chances and allow these two Resolves to go upon the Governor's desk notwithstanding the preference of the other chamber to hold these measures in toto until later in the session. The gentleman from Freeport, Mr. Crockett, still has that right to allow these bills to remain on the Governor's desk, but I believe he has made the decision to go along with the Joint Order recalling the Resolves.

The SPEAKER: The question before the House at this time is the

passage of the Joint Order recalling these two Resolves from the desk of the Governor. Is it now the pleasure of the House that this Order shall receive passage in concurrence?

The motion prevailed.

Subsequently, on motion of the gentleman from Bangor, Mr. Totman, the Order (S. P. 351) by unanimous consent was sent forthwith to the Senate.

The SPEAKER: The Clerk will proceed with the papers from the Senate.

From the Senate:

Bill "An Act Relating to Constructing a Fishway at Aroostook Falls" (S. P. 360)

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

In the House, received by unanimous consent and referred to the Committee on Inland Fisheries and Game in concurrence.

From the Senate:

Bill "An Act Relating to Enforcement of Water Improvement Commission Orders" (S. P. 359)

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

In the House, received by unanimous consent and referred to the Committee on Natural Resources in concurrence and ordered printed.

From the Senate:

Bill "An Act Increasing Compensation of Clerks of the Law Court" (S. P. 290) (L. D. 789)

Bill "An Act relating to Hydrologic Surveys" (S. P. 291) (L. D. 790)

Bill "An Act relating to Citizens Committee on Survey of State Government" (S. P. 321) (L. D. 817)

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 to Incorporate the Northeastern Acceptance Co." (S. P. 322) (L. D. 818)

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:

Resolve in favor of James Adams, Inc. of Bangor (S. P. 294) (L. D. 791)

Resolve to Reimburse Town of Whiting, Washington County (S. P. 295) (L. D. 792)

Came from the Senate referred to the Committee on Claims.

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

From the Senate:

Resolve Proposing an Amendment to the Constitution Abolishing Offices of Judge and Register of Probate as Constitutional Offices (S. P. 296) (L. D. 793)

Came from the Senate referred to the Committee on Constitutional Amendments.

In the House, referred to the Committee on Constitutional Amendments in concurrence.

From the 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)

Bill "An Act Transferring Portland Junior College to the University of Maine" (S. P. 323) (L. D. 819)

Came from the Senate referred to the Committee on Education.

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

From the Senate:

Bill "An Act Permitting South Berwick to Apply for Aid under the Bridge Act" (S. P. 324) (L. D. 820)

Bill "An Act Designating a Certain Road as 'Mt. Katahdin Trail'" (S. P. 325) (L. D. 821)

Bill "An Act Designating a Certain Road as 'Moosehead Trail'" (S. P. 326) (L. D. 822)

Came from the Senate referred to the Committee on Highways.

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

From the Senate:

Resolve Opening Pineo Pond, Town of Deblois, Washington County, to Fly Fishing Only (S. P. 298) (L. D. 795)

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 Payments to Kennebec Law Library" (S. P. 299) (L. D. 796)

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

Bill "An Act relating to Fees of Conservators" (S. P. 301) (L. D. 798)

Bill "An Act relating to Lien for Inheritance Taxes" (S. P. 302) (L. D. 799)

Bill "An Act relating to Beneficial Devises, Bequests and Legacies to Subscribing Witnesses" (S. P. 303) (L. D. 800)

Bill "An Act relating to the Taxation of General Powers of Appointment" (S. P. 304) (L. D. 801)

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 Hours of Opening and Closing Barber Shops" (S. P. 305) (L. D. 802)

Bill "An Act relating to Compensation for Total Incapacity under Workmen's Compensation Act" (S. P. 319) (L. D. 815)

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 Increasing Indebtedness of Jay School District" (S. P. 327) (L. D. 823)

Bill "An Act Creating a School District for Kingman Township, the Towns of Prentiss, Webster and Others" (S. P. 328) (L. D. 824)

Bill "An Act Amending the Charter of the Rumford Municipal Court" (S. P. 329) (L. D. 825)

Bill "An Act Repealing Certain Provisions of Charter of the Town of Bar Harbor" (S. P. 330) (L. D. 826)

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:

Bill "An Act relating to Display of Maine Alcoholic Beverage Products in State Liquor Stores" (S. P. 306) (L. D. 803)

Came from the Senate referred to the Committee on Liquor Control.

In the House, referred to the Committee on Liquor Control in concurrence.

From the Senate:

Resolve Authorizing the State Forest Commissioner to Convey Certain Lands and Right of Way in Augusta to Cumberland Securities Corporation (S. P. 307) (L. D. 804)

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 Issue of Stocks, Bonds and Notes by Public Utilities" (S. P. 308) (L. D. 805)

Bill "An Act relating to Application for Permits to Operate Motor Vehicles for Profit" (S. P. 309) (L. D. 806)

Bill "An Act Repealing Laws Relating to Street Railroads" (S. P. 310) (L. D. 807)

Bill "An Act relating to Orders of and Appeal from Public Utilities Commission re Automatic Signals at Railroad Crossings" (S. P. 311) (L. D. 808)

Bill "An Act to Increase Capitalization of Seal Harbor Water Supply Company" (S. P. 331) (L. D. 816)

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:

Resolve State Pension for Alec Reynolds, of Houlton (S. P. 312) (L. D. 809)

Resolve Providing for State Pension for Grace B. Veilleux of Biddeford (S. P. 313) (L. D. 810)

Resolve Providing for State Pension for Elizabeth F. Courtois of Saco (S. P. 314) (L. D. 811)

Resolve in favor of a Retirement Allowance for Robert Hall of Lubec (S. P. 315) (L. D. 812)

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 Inheritance Taxes on Property Passing to Brothers and Sisters" (S. P. 316) (L. D. 813)

Came from the Senate referred to the Committee on Taxation.

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

From the Senate:

Bill "An Act relating to Fees of Deputy Sheriffs in Attendance at Court" (S. P. 317) (L. D. 814)

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 Reports of Committees Ought to Pass

Report of the Committee on Judiciary reporting "Ought to pass" on Bill "An Act relating to Powers of Court under Uniform Reciprocal Enforcement of Support Act" (S. P. 76) (L. D. 133)

Report of same Committee reporting same on Bill "An Act Increasing Debt Limit under Small Claims Law" (S. P. 102) (L. D. 232)

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

Report of same Committee reporting same on Bill "An Act for Mandatory Disposition of Detainers within the State of Maine" (S. P. 128) (L. D. 278)

Report of same Committee reporting same on Bill "An Act Defining 'State' in Uniform Act for Out-of-

State Parolee Supervision" (S. P. 129) (L. D. 267)

Report of the Committee on Natural Resources reporting same on 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)

Report of the Committee on Sea and Shoe Fisheries reporting same on Bill "An Act relating to the Taking of Alewives in the Town of Woolwich" (S. P. 135) (L. D. 280)

Report of the Committee on State Government reporting same on Bill "An Act relating to the Appointment of a Deputy Commissioner of Inland Fisheries and Game" (S. P. 106) (L. D. 236)

Report of the Committee on Welfare reporting same on 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 with the Reports read and accepted and the Bills and Resolve passed to be engrossed.

In the House, the Reports were read and accepted in concurrence, the Bills read twice, Resolve read once, and assigned the next legislative day.

Ought to Pass with Committee Amendment

Report of the Committee on Natural Resources on 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) reporting "Ought to pass" as amended by Committee Amendment "B" submitted therewith.

Came from the Senate with the Report read and accepted and the Resolve passed to be engrossed as amended by Committee Amendment "B".

In the House, Report was read and accepted in concurrence and the Resolve read once.

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

COMMITTEE AMENDMENT "B" to S. P. 85, L. D. 195, Resolve, Authorizing the State Tax Assessor to Convey by Sale the Interest of

the State in Certain Lands in the Unorganized Territory.

Amend said Resolve in that part designated "**Sand Bar Tract, Somerset County**" by striking out the 2nd paragraph and inserting in place thereof the following:

'Sell to Frances G. Houghton and Dorothy S. Glen, as tenants in common, for \$67.48.'

Committee Amendment "B" was adopted and the Resolve assigned for second reading the next legislative day.

Report of the Committee on Welfare on Bill "An Act relating to Transfer of Property in Public Assistance" (S. P. 46) (L. D. 62) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A".

In the House, Report was read and accepted in concurrence and the Bill read twice.

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

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

Amend said Bill in the 3rd from last line by striking out the underlined figure "3" before the underlined word "years" and inserting in place thereof the underlined figure '2'

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

Messages and Documents

The following Communication:

STATE OF MAINE
SENATE CHAMBER
OFFICE OF THE SECRETARY

February 20, 1957

Honorable Harvey R. Pease
Clerk of the House of Representatives
98th Legislature

Sir:

The President of the Senate today appointed the following members of the Senate to serve on the

Joint Select Committee on Street Parking:

Senators:

MARTIN of Kennebec
BUTLER of Franklin

At the same time the President appointed the following members of the Senate to serve on the Joint Select Committee on State House Renovations:

Senators:

SINCLAIR of Somerset
BOUCHER of Androscoggin

Respectfully,

(Signed) CHESTER T. WINSLOW
Secretary of the Senate

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: At this time the Chair would like to appoint the following three House Members to the Joint Select Committee on State House Renovations:

Messrs. ROSS of Bath
STANLEY of Bangor
Miss CORMIER of Rumford

Petitions, Bills and Resolves Requiring Reference

The following 24 Bills (transmitted by the Director of Legislative Research pursuant to Joint Order H. P. 43) were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

Appropriations and Financial Affairs

Bill "An Act Providing Funds for the Promotion of Maine" (H. P. 652) (Presented by Mr. Stilphen of Rockland)

(Ordered Printed)

Sent up for concurrence.

Business Legislation

Bill "An Act relating to Group Life Insurance for Certain Municipal Employee Associations" (H. P. 653) (Presented by Mr. Stanley of Bangor)

(Ordered Printed)

Sent up for concurrence.

Education

Bill "An Act Excluding Federal Aid as an Incidental Receipt in State Subsidy Allocation" (H. P. 654) (Presented by Mr. Hancock of York)
 (Ordered Printed)
 Sent up for concurrence.

Judiciary

Bill "An Act relating to Qualifications for Admission to Practice Law" (H. P. 655) (Presented by Mr. Broderick of Portland)
 (Ordered Printed)

Bill "An Act relating to Determination of Damages Caused by Taking of Land for Highway Purposes" (H. P. 656) (Presented by Mr. Quinn of Bangor)
 (Ordered Printed)

Bill "An Act relating to the Maine Unitarian Association" (H. P. 657) (Presented by Mr. Vaughan of Hallowell)

(Ordered Printed)
 Sent up for concurrence.

Labor

Bill "An Act relating to Weekly Benefits for Total Unemployment under Employment Security Law" (H. P. 658) (Presented by Mr. Couture of Bath)

(Ordered Printed)

Bill "An Act relating to Definition of Wages under Employment Security Law" (H. P. 659) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Definition of Annual Payroll under Employment Security Law" (H. P. 660) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Dependency Allowances under Employment Security Law" (H. P. 661) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act relating to Power to Hold and Purchase Property by the City of Waterville" (H. P. 662) (Presented by Mr. Lane of Waterville)

(Ordered Printed)

Bill "An Act to Incorporate the Town of Fairfield School District"

(H. P. 663) (Presented by Mr. Morway of Fairfield)

(Ordered Printed)

Bill "An Act relating to Filling Vacancies in Board of Trustees of Boothbay-Boothbay Harbor Cemetery District" (H. P. 664) (Presented by Mr. Rankin of Southport)

(Ordered Printed)

Sent up for concurrence.

Liquor Control

Bill "An Act relating to Local Option for Sale of Liquor by Certain Part-time Hotels" (H. P. 665) (Presented by Mr. Hancock of York)

(Ordered Printed)

Bill "An Act Providing Penalty for Sale of Liquor to Certain Persons" (H. P. 666) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

Public Utilities

Bill "An Act Amending the Charter of the Kennebunk, Kennebunkport and Wells Water District" (H. P. 667) (Presented by Mr. Emmons of Kennebunk)

(Ordered Printed)

Bill "An Act to Repeal the Westbrook Sewerage District" (H. P. 668) (Presented by Mr. Porell of Westbrook)

(Ordered Printed)

Bill "An Act to Create the Falmouth Sewer District" (H. P. 669) (Presented by Mrs. Smith of Falmouth)

(Ordered Printed)

Sent up for concurrence.

Sea and Shore Fisheries

Bill "An Act Authorizing Towns to Control Shellfish Resources" (H. P. 670) (Presented by Mr. Miller of Portland)

(Ordered Printed)

Sent up for concurrence.

Towns and Counties

Bill "An Act relating to Disposal of Fees Paid to City or Town Clerks" (H. P. 671) (Presented by Mrs. Burnham of Kittery)

(Ordered Printed)

Bill "An Act relating to Salaries of Judge and Recorder of Bath Mu-

municipal Court" (H. P. 672) (Presented by Mr. Couture of Bath)
(Ordered Printed)
Sent up for concurrence.

Welfare

Bill "An Act relating to Old Age Assistance" (H. P. 673) (Presented by Mr. Miller of Portland)
(Ordered Printed)

Bill "An Act relating to Applications for Aid to the Disabled" (H. P. 674) (Presented by same gentleman)
(Ordered Printed)

Bill "An Act relating to Applications for Aid to the Blind" (H. P. 675) (Presented by same gentleman)
(Ordered Printed)
Sent up for concurrence.

Orders

On motion of Mr. Emery of Palmyra, it was

ORDERED, that Rev. Ray Blachly of the Pittsfield Nazarene Church, be invited to officiate as Chaplain of the House on Wednesday, March 20, 1957.

On motion of Mr. Lane of Waterville, it was

ORDERED, that Rabbi David Prince of Waterville, be invited to officiate as Chaplain of the House on Wednesday, March 6, 1957.

House Reports of Committees Leave to Withdraw

Mr. Bartlett from the Committee on Inland Fisheries and Game on Resolve Regulating Taking of Alewives from Dyer River, Lincoln County (H. P. 277) (L. D. 373) reported Leave to Withdraw as it is covered by other legislation.

Mr. Carville from same Committee on Resolve Regulating Fishing in Big Kennebago Lake, Franklin County (H. P. 318) (L. D. 435) reported Leave to Withdraw.

Mr. Harris from same Committee reported same on Bill "An Act relating to Notification to Trappers of Land Closed to Beaver Trapping" (H. P. 274) (L. D. 370)

Same gentleman from same Committee reported same on Resolve Regulating Fishing in Ponds of Red River, Aroostook County (H. P. 319) (L. D. 436)

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass Tabled and Assigned

Mr. Carville from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Bill "An Act relating to Hunting for Raccoons at Night" (H. P. 353) (L. D. 483)

Report was read.

(On motion of the gentleman from Buxton, Mr. Bruce, the Report with accompanying papers was tabled pending acceptance of the Report and specially assigned for Wednesday, February 27.)

Mr. Harris from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Bill "An Act relating to Free Fishing Licenses to Residents Seventy-five Years of Age" (H. P. 354) (L. D. 484)

Mr. Brown from the Committee on Taxation reported same on Bill "An Act relating to Excise Tax on Motor Vehicles" (H. P. 332) (L. D. 417)

Mr. Cyr from same Committee reported same on Bill "An Act relating to Cigarette Stamp Discounts to Licensed Distributors" (H. P. 294) (L. D. 390)

Mr. Farmer from same Committee reported same on Bill "An Act Repealing the Gasoline Road Tax on Motor Vehicles" (H. P. 399) (L. D. 529)

Reports were read and accepted and sent up for concurrence.

Tabled and Assigned

Mr. Hanson from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Bill "An Act relating to Taxation of Certain Construction Machinery and Equipment" (H. P. 191) (L. D. 254)

Report was read.

(On motion of the gentleman from Sherman, Mr. Storm, the Report with accompanying papers was tabled pending acceptance of the Report and specially assigned for Thursday March 7.)

**Ought to Pass
Printed Bills**

Tabled and Assigned

Mr. Bartlett from the Committee on Inland Fisheries and Game reported "Ought to pass" on Bill "An Act relating to Rabbit Hunting in Waldo County" (H. P. 355) (L. D. 485)

Report was read.

(On motion of the gentleman from Montville, Mr. Mathieson, the Report with accompanying papers was tabled pending acceptance of the Report and specially assigned for Thursday, February 28.)

Mr. Bartlett from the Committee on Inland Fisheries and Game reported "Ought to pass" on Resolve Regulating Fishing in Chain of Ponds, Franklin County (H. P. 315) (L. D. 432)

Mr. Carville from same Committee reported same on Resolve Regulating Fishing in South Bog Stream, Franklin County (H. P. 313) (L. D. 430)

Mrs. Harriman from same Committee reported same on Bill "An Act relating to Rabbit Hunting in Washington County" (H. P. 352) (L. D. 482)

Same member from same Committee reported same on Bill "An Act relating to Rabbit Hunting in Hancock County" (H. P. 356) (L. D. 486)

Same member from same Committee reported same on Resolve Regulating Fishing in Big Island Pond, Franklin County (H. P. 120) (L. D. 158)

Mr. Harris from same Committee reported same on Resolve Regulating Fishing in Saddleback Stream and its Tributaries, Franklin County (H. P. 114) (L. D. 152)

Mr. Ross from same Committee reported same on Resolve Regulating Fishing in Blanchard Ponds, Franklin County (H. P. 118) (L. D. 156)

Same gentleman from same Committee reported same on Resolve Regulating Fishing in Little Kennebago Lake, Franklin County (H. P. 317) (L. D. 434)

Mr. Wheaton from same Committee reported same on Resolve Regulating Fishing in Tributaries to Bak-

er Pond, Somerset County (H. P. 119) (L. D. 157)

Mr. Ross from the Committee on Labor reported same on Bill "An Act relating to Employment of Females" (H. P. 422) (L. D. 599)

Reports were read and accepted, the Bills read twice, Resolves read once, and assigned the next legislative day.

Passed to Be Engrossed

Mr. Bruce from the Committee on Legal Affairs reported "Ought to pass" on Bill "An Act relating to the Moderator, Board of Assessors, Authority of the Town Council, Board of Registration, and Secret Ballot in the Town of Caribou (H. P. 91) (L. D. 129)

Report was read and accepted, the Bill read twice, and on motion of the gentleman from Caribou, Mr. Brewer, under suspension of the rules the Bill was given its third reading, passed to be engrossed and sent to the Senate.

Mr. Bruce from the Committee on Legal Affairs reported "Ought to pass" on Bill "An Act to Establish Representative Town Meetings in the Town of Caribou" (H. P. 92) (L. D. 132)

Report was read and accepted, the Bill read twice, and on motion of the gentleman from Caribou, Mr. Brewer, under suspension of the rules the Bill was given its third reading, passed to be engrossed and sent to the Senate.

Ought to Pass

with Committee Amendment

Mr. Bartlett from the Committee on Inland Fisheries and Game on Resolve Regulating White Perch Fishing in Sebec Lake, Piscataquis County (H. P. 162) (L. D. 209) 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. 162, L. D. 209, Resolve, Regulating White Perch Fishing in Sebec Lake, Piscataquis County.

Amend said Resolve by striking out the Title and inserting in place

thereof the following new title: 'Resolve Regulating White Perch Fishing in Sebec Lake and Tributaries, Piscataquis County.'

Further amend said Resolve by inserting before the comma in the last line the words 'and tributaries'

Committee Amendment "A" was adopted and the Resolve assigned for second reading the next legislative day.

Mr. Ross from the Committee on Inland Fisheries and Game on Resolve Regulating Fishing in Bell Pond, Piscataquis County (H. P. 124) (L. D. 162) 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. 124, L. D. 162, Resolve, Regulating Fishing in Bell Pond, Piscataquis County.

Amend said Resolve by striking out the figure "3" in the last line and inserting in place thereof the figure '5'

Committee Amendment "A" was adopted and the Resolve assigned for second reading the next legislative day.

The SPEAKER: The Chair would like to remind the Members of the House that there are several Emergency Measures to be enacted. The Chair notes that there are a great many vacant seats in the House and because an Emergency Measure requires a vote of two-thirds of all the elected Members, the Chair would urge that if you possibly can, please remain in the House until we have reached these Emergency Enactors.

Mr. Wheaton from the Committee on Inland Fisheries and Game on Bill "An Act relating to Rabbit Hunting in Kennebec County" (H. P. 209) (L. D. 293) 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. 209, L. D. 293, Bill, "An Act Relating to Rabbit Hunting in Kennebec County."

Amend the Title of said Bill by striking out the word "County" at the end and inserting in place thereof the words 'and York Counties.'

Amend said Bill by striking out the 2nd and 3rd lines from the end and inserting in place thereof the following:

'Kennebec, Knox, Somerset, Penobscot, Piscataquis, and Aroostook and York, where there shall be a closed season from the 1st day of'

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

Mr. Wheaton from the Committee on Inland Fisheries and Game on Resolve Regulating Black Bass Fishing in Sebec Lake, Piscataquis County (H. P. 161) (L. D. 208) 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. 161, L. D. 208, Resolve, Regulating Black Bass Fishing in Sebec Lake, Piscataquis County.

Amend said Resolve by striking out the Title and inserting in place thereof the following new title: 'Resolve Regulating Black Bass Fishing in Sebec Lake and Tributaries, Piscataquis County.'

Further amend said Resolve by inserting before the comma at the end of the next to last line the words 'and tributaries'

Committee Amendment "A" was adopted and the Resolve assigned for second reading the next legislative day.

Mr. Letourneau from the Committee on Labor on Bill "An Act relating to Duties and Powers of Department of Labor and Industry" (H. P. 423) (L. D. 600) 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. 423, L. D. 600, Bill, "An Act Relating to Duties and Powers of Department of Labor and Industry.

Amend said Bill in "Sec. 3" by striking out in the 4th line the underlined words "It shall be the duty of any employer" and inserting in place thereof the following underlined words 'The employer shall use due care'

Further amend said Bill in "Sec. 3" by striking out in the 7th line the 2nd underlined word "any" and inserting in place thereof the underlined word 'an'

Further amend said Bill by adding thereto another section to be numbered section 4 to read as follows:

"Sec. 4. R. S., c. 30, §5-A, additional. Chapter 30 of the Revised Statutes, as amended, is hereby further amended by adding thereto a new section, to be numbered 5-A, to read as follows:

"Sec. 5-A. Application of sections 4 and 5. The provisions of sections 4 and 5 shall not apply to any activity wherein no more than 8 persons are employed; nor to agriculture, private residences, commercial fishing, logging nor any activity carried on by the Federal Government or any political subdivision thereof, nor any activity subject to the control of the Interstate Commerce Commission or the Public Utilities Commission.' "

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

Passed to Be Engrossed

Mr. Quinn from the Committee on Legal Affairs on Bill "An Act Amending the Charter of the City of Brewer High School District" (H. P. 234) (L. D. 330) 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. 284, L. D. 330, Bill, "An Act Amending the Charter of the City of Brewer High School District."

Amend said Bill by striking out the Emergency Clause at the end and inserting in place thereof the following Referendum:

'Emergency clause: effective date; referendum. In view of the emergency cited in the preamble, this act shall take effect when approved, only for the purpose of permitting its submission to the legal voters of the territory within the limits of the before-defined district at any regular election or at any special election called and held for that purpose, or at any election called for the purpose of voting upon any state referendum. Such election shall be called, advertised and conducted before December 31, 1957 according to the law relating to municipal elections; provided, however, that the board of registration in said city of Brewer shall not be required to prepare for posting, nor the city clerk to post, a new list of voters, and for the purpose of registration of voters, said board shall be in session the 3 secular days next preceding such election, the first 2 days thereof to be devoted to registration of voters, and the last day to enable the board to verify the corrections of said lists and to complete and close up their records of said sessions. The city clerk shall reduce the subject matter of this act to the following question: "Shall the Act Amending the Charter of the City of Brewer High School District be accepted?" and the voters shall indicate by a cross or check mark placed against the words, "Yes" or "No", their opinion of the same. If a majority of the votes cast by the legal voters of said territory are in favor of the acceptance of this act, this act shall take full effect; provided that the total number of votes cast for and against the acceptance of this act at said election equals or exceeds 20 per cent of the total vote for all candidates for Governor in said city at the next previous gubernatorial election. The result in said district shall be de-

clared by the municipal officers of the city of Brewer and due certificate filed by the city clerk with the Secretary of State.'

Committee Amendment "A" was adopted and on motion of the gentleman from Brewer, Mr. Lindsay, under suspension of the rules the bill was given its third reading, passed

to be engrossed and sent to the Senate.

On motion of Mr. Totman of Bangor,

Adjourned until Tuesday, February 26, at ten o'clock in the morning.