

# 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

Wednesday, March 27, 1957

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

Prayer by the Rev. Mr. John Ames of the Congregational Church, Wilton.

The journal of the previous session was read and approved.

The SPEAKER: At this time the Chair would like to recognize the presence in the House of the Senior Class in Problems of Democracy from Buxton High School accompanied by Mrs. George Elwell, and a group of twelve senior and junior students from Colby College accompanied by Mr. Raymond and two members of the faculty. To these visitors, the Chair extends on behalf of the House a most cordial and hearty welcome, and we hope that you will enjoy and profit by your visit with us today. (Applause)

### Papers from the Senate

From the Senate: The following Order: (S. P. 499)

ORDERED, the House concurring, that the following bill be recalled to the Senate from the Engrossing Department:

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

Came from the Senate read and passed.

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

From the Senate:

Bill "An Act relating to Unlicensed Dogs" (S. P. 474) (L. D. 1330)

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 Unfair Retail Sales of Motor Fuel" (S. P. 475) (L. D. 1381)

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 Proposing an Amendment to the Constitution Changing the Tenure of Office of Senators to Four-Year Terms (S. P. 482) (L. D. 1387)

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 Change of Residence of Voter" (S. P. 476) (L. D. 1382)

Bill "An Act to Correct Errors and Inconsistencies in the Public Laws" (S. P. 477) (L. D. 1389)

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 Revising the Law Relating to Peaceful Uses of Atomic Energy" (S. P. 478) (L. D. 1383)

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 Fluoridation of Public Water Supplies" (S. P. 466) (L. D. 1379)

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 relating to Powers of State Board of Education" (S. P. 479) (L. D. 1384)

Bill "An Act relating to Appointment of Commissioner of Education" (S. P. 480) (L. D. 1385)

Bill "An Act relating to Membership in State Board of Education" (S. P. 481) (L. D. 1386)

Came from the Senate referred to the Committee on State Government.

In the House, referred to the Committee on State Government in concurrence.

From the Senate:

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

Came from the Senate received by unanimous consent and referred to the Committee on Veterans and Military Affairs.

In the House, received by unanimous consent and referred to the Committee on Veterans and Military Affairs in concurrence.

#### **Senate Reports of Committees Leave to Withdraw**

Report of the Committee on Business Legislation on Bill "An Act to Incorporate Liberty Finance Company" (S. P. 332) (L. D. 985) reporting Leave to Withdraw.

Report of the Committee on Highways reporting same on Bill "An Act Combining Use of State Aid and Town Road Improvement Funds" (S. P. 96) (L. D. 226)

Report of the Committee on Judiciary reporting same on Bill "An Act relating to Rules of Descent" (S. P. 53) (L. D. 83)

Came from the Senate read and accepted.

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

#### **Ought Not to Pass Recommended**

Report of the Committee on Highways reporting "Ought not to pass" on Bill "An Act relating to Area Directional Signs on Turnpikes" (S. P. 340) (L. D. 919)

Came from the Senate with the Report and Bill recommended to the Committee on Highways.

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

The SPEAKER: At this time the Chair would like to recognize the presence in the House of a group of students from Winslow High School and Waterville High School, under the escort and guidance of Representative Lane, and to these ladies and gentlemen the Chair on behalf of the House extends to you a most hearty and cordial welcome, and we hope you enjoy and profit by your visit with us today. (Applause)

#### **Ought to Pass with Committee Amendment Tabled and Assigned**

Report of the Committee on Inland Fisheries and Game on Resolve Regulating Fishing for White Perch in Certain Counties (S. P. 198) (L. D. 543) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

In the House, the Report was read.

(On motion of Mr. Hughes of St. Albans, tabled pending acceptance of Committee Report and specially assigned for Tuesday, April 2.)

#### **Non-Concurrent Matter**

Bill "An Act relating to Tax Refund on Motor Fuel" (H. P. 934) (L. D. 1327) which was referred to the Committee on Business Legislation in the House on March 20.

Came from the Senate referred to the Committee on Taxation in non-concurrence.

In the House: The House voted to recede and concur with the Senate.

#### **Non-Concurrent Matter**

Resolve relating to Open Water Fishing Season in Certain Waters in Androscoggin County (H. P. 541) (L. D. 768) which was passed to be engrossed as amended by House Amendment "A" in the House on March 12.

Came from the Senate recommended to the Committee on Inland Fisheries and Game in non-concurrence.

In the House: The House voted to recede and concur with the Senate.

#### **Petitions, Bills and Resolves Requiring Reference**

The following 20 Bills and Resolves (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:

### Agriculture

Bill "An Act relating to Killing of Dogs Chasing Livestock or Poultry" (H. P. 990) (Presented by Mr. Curtis of Bowdoinham)

(Ordered Printed)

Sent up for concurrence.

### Appropriations and Financial Affairs

Resolve Authorizing Study of the Problems of the Uninsured Motorist (H. P. 991) (Presented by Mr. Brown of Ellsworth)

(1,000 copies Ordered Printed)

Sent up for concurrence.

### Business Legislation

Bill "An Act relating to Uniform Law for Organization and Supervision of Fraternal Benefit Societies" (H. P. 992) (Presented by Mr. Earles of South Portland)

(Ordered Printed)

Bill "An Act relating to Sales Financing of Motor Vehicles" (H. P. 993) (Presented by Mr. Wade of Auburn)

(1,000 copies Ordered Printed)

Sent up for concurrence.

### Constitutional Amendments

Resolve Proposing an Amendment to the Constitution to Reapportion the House of Representatives by the Superior Court if the Legislature Fails to Act (H. P. 994) (Presented by Mr. Childs of Portland)

(Ordered Printed)

Sent up for concurrence.

The SPEAKER: The Chair at this time would like to recognize the presence in the gallery of the House of a group of eighth grade students from Hartland accompanied by Mrs. Ellen Cooper and Mrs. Elva Ingalls, and the seventh grade from Winthrop Junior High School.

On behalf of the House the Chair extends to you young ladies and gentlemen a most hearty and cordial welcome and we hope you will enjoy and profit by your visit with us today. (Applause)

### Highways

Bill "An Act to Authorize the Issuance of Bonds in the Amount of Twenty Million One Hundred and

Fifty Thousand Dollars on Behalf of the State of Maine for the Purpose of Building State Highways" (H. P. 995) (Presented by Mr. Nadeau of Biddeford)

(Ordered Printed)

Bill "An Act to Authorize the Issuance of Bonds in the Amount of Fifty-Eight Million and Six Hundred Seventy-Three Thousand Dollars on Behalf of the State of Maine for the Purpose of Building State Highways" (H. P. 996) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act to Authorize the Construction of a Bridge Across the Passagassawaukeag River at Belfast" (H. P. 997) (Presented by Mr. Rollins of Belfast)

(Ordered Printed)

Sent up for concurrence.

### Inland Fisheries and Game

Bill "An Act relating to Open Season on Bull Moose in Hancock and Washington Counties" (H. P. 998) (Presented by Mr. Davis of Calais by request)

(Ordered Printed)

Sent up for concurrence.

### Judiciary

Bill "An Act relating to Opening Obstructions in Waters to Maintain Fish Life" (H. P. 999) (Presented by Mr. Dudley of Enfield)

(Ordered Printed)

Bill "An Act relating to Municipal Court and Trial Justice Court Costs and Fines" (H. P. 1000) (Presented by Mr. Ross of Bath)

(750 copies Ordered Printed)

Sent up for concurrence.

### Legal Affairs

Bill "An Act relating to Operation and Exemptions of Certain Boilers and Unfired Steam Pressure Vessels" (H. P. 1001) (Presented by Mr. Curtis of Bowdoinham)

(Ordered Printed)

Bill "An Act to Increase Borrowing Capacity of City of Calais School District" (H. P. 1002) (Presented by Mr. Davis of Calais by request)

(Ordered Printed)

Bill "An Act to Create a Public Body in the City of Bangor to be Known as the Urban Renewal Au-

thority" (H. P. 1003) (Presented by Mr. Stanley of Bangor)  
(Ordered Printed)  
Sent up for concurrence.

#### Public Health

Bill "An Act Permitting Voluntary Admissions and Discharges at Pownal State School" (H. P. 1004) (Presented by Mrs. Knapp of Yarmouth)  
(Ordered Printed)  
Sent up for concurrence.

#### Sea and Shore Fisheries

Bill "An Act Prohibiting Fishing by Trawlers in Sheepscoot Bay" (H. P. 1005) (Presented by Mr. Curtis of Bowdoinham)  
(Ordered Printed)  
Sent up for concurrence.

#### State Government

Bill "An Act relating to Appointment of Deputy Commissioner for Penal Institutions and One for Psychiatric Institutions" (H. P. 1006) (Presented by Mr. Jalbert of Lewiston)  
(Ordered Printed)  
Sent up for concurrence.

The SPEAKER: At this time the Chair recognizes the presence in the gallery of the House of the Social Studies Classes at Anson Academy accompanied by Mr. Robert Hasentus. On behalf of the House the Chair extends to you young ladies and gentlemen a most sincere welcome and we hope you will enjoy and profit by your visit with us here today. (Applause)

#### Towns and Counties

Bill "An Act Creating County Offices of Assessment and Mapping" (H. P. 1007) (Presented by Mr. Childs of Portland by request)  
(Ordered Printed)

Bill "An Act to Increase Clerk Hire for Probation Officers in Androscoggin County" (H. P. 1008) (Presented by Mr. Wade of Auburn)  
(Ordered Printed)  
Sent up for concurrence.

#### Transportation

Bill "An Act relating to the Appointment of Port Pilots" (H. P.

1009) (Presented by Mr. Rollins of Belfast)  
(Ordered Printed)  
Sent up for concurrence.

The SPEAKER: At this time, the Chair requests the Sergeant-at-Arms to escort to the rostrum the gentleman from Rockland, Mr. Stilphen, to serve as Speaker pro tem.

Thereupon, Mr. Stilphen assumed the Chair as Speaker pro tem amid the applause of the House and Speaker Edgar retired from the Hall.

#### Orders

Mr. Hancock of York presented the following Order and moved its passage:

WHEREAS, the members of the House have learned that today is the nineteenth wedding anniversary of Mr. Dudley of Enfield,

NOW BE IT ORDERED, that the House extend congratulations to Mr. and Mrs. Dudley and best wishes for future years.

The Order was read and passed.

On motion of Mr. Hatfield of Orrington, it was

ORDERED, that Mr. Hoyt of Gorham be excused from attendance during his illness.

AND BE IT FURTHER ORDERED, that the Clerk of the House be directed to send flowers, also express to him the regrets of the members of the House that he is ill, together with their hopes for his speedy recovery.

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

#### Tabled

Mr. Morrill of Harrison presented the following Order and moved its passage:

ORDERED, that the use of the hall of the House be granted to the Committee on Business Legislation for the afternoon of Tuesday, April 2.

The Order was read.

(On motion of Mr. Totman of Bangor, tabled pending passage and specially assigned for tomorrow.)

Mr. Bean of Winterport presented the following Order and moved its passage:

WHEREAS, the members of the House of Representatives have learned with deepest regret of the illness of Mrs. Harvey R. Pease, wife of the Clerk of the House;

NOW THEREFORE BE IT ORDERED, that the Assistant Clerk of the House be directed to send flowers to Mrs. Pease from the members and extend to her their sympathy in her illness, together with their hopes that she will soon regain her good health.

The Order was read and passed.

**House Reports of Committees  
Leave to Withdraw  
Tabled and Assigned**

Mrs. Harriman from the Committee on Inland Fisheries and Game on Bill "An Act relating to Closed Time on Deer in Franklin County" (H. P. 6) (L. D. 5) reported Leave to Withdraw.

Report was read.

(On motion of Mr. Hutchinson of Carthage, tabled pending acceptance of Committee Report and specially assigned for Tuesday, April 2.)

Mr. Harris from the Committee on Inland Fisheries and Game reported Leave to Withdraw on Bill "An Act relating to Open Season on Deer in Washington County" (H. P. 707) (L. D. 1013)

Mr. Lindsay from the Committee on Retirements and Pensions reported same on Resolve Providing for State Pension for Martha Jewett of Wilton (H. P. 736) (L. D. 1040)

Reports were read and accepted and sent up for concurrence.

**Ought Not to Pass**

Mr. Wheaton from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Resolve Authorizing the Stocking of Sebago Lake with Togue (H. P. 743) (L. D. 1057)

Report was read and accepted and sent up for concurrence.

**Tabled**

Mr. Flynn from the Committee on Retirements and Pensions reported "Ought not to pass" on Bill "An

Act relating to Retirement of Employee Option under Maine State Retirement System" (H. P. 617) (L. D. 864)

Report was read.

(On motion of Mr. Browne of Bangor, tabled pending acceptance of Committee Report and unassigned.)

Mr. Warren from the Committee on Retirements and Pensions reported "Ought not to pass" on Resolve Providing for a State Pension for Regina M. Babine of Bath (H. P. 164) (L. D. 211)

Report was read and accepted and sent up for concurrence.

**Tabled**

Mr. Totman from the Committee on State Government reported "Ought not to pass" on Joint Resolution Memorializing Congress to Enact Legislation Providing for Federal Aid to Education (H. P. 726) (L. D. 1030)

Report was read.

(On motion of Mr. Maynard of Portland, tabled pending acceptance of Committee Report and unassigned.)

**Ought to Pass in New Draft  
New Draft Printed**

Mr. Beyer from the Committee on Transportation on Bill "An Act relating to Splash Guards for Motor Trucks" (H. P. 40) (L. D. 53) reported same in a new draft (H. P. 1010) (L. D. 1414) under same title and that it "Ought to pass"

Report was read and accepted, the New Draft read twice and tomorrow assigned.

**Ought to Pass  
Printed Bills**

Mr. Flynn from the Committee on Retirements and Pensions reported "Ought to pass" on Bill "An Act relating to Restoration to Service under State Retirement System" (H. P. 858) (L. D. 1221)

Mr. Ross from the Committee on State Government reported same on Bill "An Act relating to Fees of the Attorney General" (H. P. 823) (L. D. 1166)

Mr. Wade from same Committee reported same on Bill "An Act relating to State Owned Automobiles

for Liquor Inspectors" (H. P. 793) (L. D. 1126)

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

#### Divided Report Tabled and Assigned

Majority Report of the Committee on Transportation reporting "Ought not to pass" on Bill "An Act relating to Petition for Special License after Convictions for Operating Motor Vehicle under the Influence" (H. P. 556) (L. D. 783)

Report was signed by the following members:

Messrs. ROGERSON of Aroostook  
HALL of York  
COLE of Waldo  
— of the Senate.

Messrs. ALLEN of Chelsea  
BEYER of Cape Elizabeth  
HERSEY of Fort Fairfield  
STILPHEN of Rockland  
TOTMAN of Bangor  
KELLY of Rumford  
— of the House.

Minority Report of same Committee reporting "Ought to pass" on same Bill.

Report was signed by the following member:

Mr. JACQUES of Lewiston  
— of the House.

Reports were read.

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

Mr. TOTMAN: Mr. Speaker, I move that the Majority "Ought not to pass" Report be accepted.

The SPEAKER pro tem: The Chair recognizes the gentleman from Houlton, Mr. Ervin.

Mr. ERVIN: Mr. Speaker, I move this item, item 12, be placed on the table unassigned.

The SPEAKER pro tem: The gentleman from Houlton, Mr. Ervin, moves that this item lie on the table pending the motion of the gentleman from Bangor, Mr. Totman. Is this the pleasure of the House? All those in favor of the motion of the gentleman from Houlton, Mr. Ervin, will say aye, those opposed, no.

A viva voce vote being taken the motion did not prevail.

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

Mr. TOTMAN: Mr. Speaker, out of courtesy to the gentleman from Houlton, Mr. Ervin, I would be willing to move now that this bill be tabled and specifically assigned to Tuesday next.

Thereupon, the Reports with accompanying papers were tabled and specially assigned for Tuesday, April 2.

The SPEAKER pro tem: At this time the Chair would recognize the presence in the gallery of the House of a group of seventh grade pupils from the Garret-Schenck School in Anson, Maine, accompanied by Mrs. Ridlon. We hope that you enjoy your visit with us very much and on behalf of the House the Chair extends to you a most cordial welcome.

Also at this time the Chair would recognize the presence in the gallery of the House of thirty-one pupils from the eighth grade of the Mallet School in Farmington accompanied by Miss Lincoln. We also extend to you a most cordial welcome and hope that your visit with us is most profitable. (Applause)

#### Passed to Be Engrossed

Bill "An Act Increasing Price Adjustment Maximum for Support of Debtor in Jail" (S. P. 267) (L. D. 705)

Bill "An Act relating to Certain Definitions under Liquor Law" (H. P. 228) (L. D. 323)

Bill "An Act relating to Aircraft Dealer Registration Certificates" (H. P. 253) (L. D. 314)

Bill "An Act relating to Compensation of Motor Vehicle Dealer Registration Board" (H. P. 519) (L. D. 729)

Bill "An Act relating to the Department of Development of Industry and Commerce and Changing Its Name to Department of Economic Development" (H. P. 552) (L. D. 779)

Bill "An Act relating to Motor Vehicle Plates for Members of Legislature Who are Automobile Dealers" (H. P. 631) (L. D. 892)

Bill "An Act Amending the Charter of the Kennebunk, Kennebunkport and Wells Water District" (H. P. 637) (L. D. 948)

Bill "An Act relating to Time of Publishing Pamphlet of Rules and



Regulations of Liquor Commission” (H. P. 718) (L. D. 1022)

Bill “An Act relating to Patten Water District” (H. P. 804) (L. D. 1135)

Bill “An Act relating to Issuance of Motor Vehicle Operators’ Licenses from the Anniversary of the Date of Birth” (H. P. 989) (L. D. 1390)

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

### Third Reader Tabled and Assigned

Resolve Authorizing State Highway Commission to Study Desirability of Bridge Across Saco River (H. P. 460) (L. D. 653)

Was reported by the Committee on Bills in the Third Reading.

(On motion of Mr. Plante of Old Orchard Beach, tabled pending second reading and specially assigned for Tuesday, April 2.)

### Amended Bills Third Reader Tabled

Bill “An Act relating to Maturity Date of Bonds of Jay School District” (S. P. 327) (L. D. 823)

Was reported by the Committee on Bills in the Third Reading.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bangor, Mr. Quinn.

Mr. QUINN: Mr. Speaker, in filing 124, Senate Amendment “A”, there appears to be an error. I move this matter be tabled and unassigned for the time being.

Thereupon, the Bill with accompanying papers was tabled pending third reading and unassigned.

Bill “An Act relating to Fishing and Hunting Licenses for Civilian Employees Residing on Federal Military Bases” (H. P. 759) (L. D. 1073)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed as amended by Committee Amendment “A” and sent to the Senate.

At this point, Speaker Edgar returned to the rostrum.

SPEAKER EDGAR: The Chair would like to take this opportunity to thank the gentleman from Rockland, Mr. Stilphen, for his excellent services as Speaker pro tem.

Thereupon, the Sergeant-at-Arms conducted the gentleman from Rockland, Mr. Stilphen, to his seat on the Floor, amid the applause of the House, and Speaker Edgar resumed the Chair.

The SPEAKER: The Chair would note the presence in the gallery of the House of a group of senior and junior students from Westbrook High School accompanied by Mr. Burnham and Mr. Tracy. On behalf of the House the Chair extends to you ladies and gentlemen a most sincere and hearty welcome and we hope you will enjoy and profit by your visit with us here today. (Applause)

### Passed to Be Enacted Emergency Measure

An Act relating to the Duties of the Commissioner of Agriculture Re Sardine Canning Inspection Law and Standards of Contents of Cans (S. P. 263) (L. D. 702)

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. 130 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.

### Emergency Measure

An Act Creating an Assistant County Attorney for Aroostook County (S. P. 471) (L. D. 1320)

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. 129 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.

**Emergency Measure**

Resolve for Laying of the County Taxes for the Years Nineteen Hundred Fifty-seven and Nineteen Hundred Fifty-eight (H. P. 978) (L. D. 1363)

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. 130 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

**Passed to Be Enacted**

An Act relating to Union Highway Districts (S. P. 104) (L. D. 234)

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

An Act relating to Service Retirement under State Retirement System (S. P. 184) (L. D. 463)

An Act Repealing Certain Game Preserves and Sanctuaries (S. P. 195) (L. D. 540)

An Act relating to Payments to County Law Libraries in Aroostook County (S. P. 227) (L. D. 570)

An Act relating to Membership in Maine State Retirement System of Maine National Guard Employees (S. P. 286) (L. D. 745)

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

An Act relating to Purposes of Knox County General Hospital (S. P. 346) (L. D. 926)

An Act Creating a School District for Kingman Township, the Plantations of Prentiss, Webster and Others (S. P. 425) (L. D. 1229)

An Act relating to Unlawful Injuring of or Tampering with Aircraft (H. P. 216) (L. D. 300)

An Act Ratifying Certain Ordinances and By-Laws of Town of Kittery (H. P. 281) (L. D. 377)

An Act relating to Holding Property by Home for Aged Men in Bangor (H. P. 379) (L. D. 508)

An Act relating to Payments to Piscataquis County Law Library (H. P. 416) (L. D. 593)

Were reported by the Committee on Engrossed Bills as truly and

strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

**Enactor****Tabled and Assigned**

An Act relating to Motor Vehicles Emerging from Alley, Driveway or Building (H. P. 633) (L. D. 748)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

(On motion of Mr. Bragdon of Perham, tabled pending passage to be enacted and tomorrow assigned.)

An Act relating to Power to Hold and Purchase Property by the City of Waterville (H. P. 662) (L. D. 943)

An Act relating to Filling Vacancies in Board of Trustees of Boothbay-Boothbay Harbor Cemetery District (H. P. 664) (L. D. 945)

An Act relating to Board of Trustees of Fort Fairfield School District (H. P. 693) (L. D. 980)

An Act relating to Qualifications of Judge of Brunswick Municipal Court (H. P. 890) (L. D. 1230)

An Act relating to Transportation of Fish, Game and Fur-bearing Animals by Aircraft (H. P. 916) (L. D. 1258)

**Finally Passed**

Resolve Providing for State Pension for Mrs. Katie Libby of Charleston (H. P. 439) (L. D. 615)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, Bills passed to be enacted, Resolve finally passed, all signed by the Speaker and sent to the Senate.

**Orders of the Day**

The SPEAKER: Under Orders of the Day the Chair now lays before the House the first tabled and today assigned matter, Bill "An Act relating to Registration of Podiatrists", Senate Paper 83, Legislative Document 196, tabled on March 12 by the gentleman from York, Mr. Hancock, pending passage to be engrossed.

The Chair recognizes the gentleman from Cape Elizabeth, Mr. Bayer.

Thereupon, on motion of Mr. Bayer of Cape Elizabeth, the Bill, hav-

ing had its three several readings in the House and the Committee on Bills in the Third Reading having reported that no further verbal amendments were necessary, was passed to be engrossed and sent to the Senate.

The SPEAKER: Under Orders of the Day the Chair now lays before the House the second tabled and today assigned item, House Report "Ought to pass" as amended by Committee Amendment "B" of the Committee on Inland Fisheries and Game on Bill "An Act relating to Rabbit Hunting in Kennebec County", House Paper 209, Legislative Document 293, tabled on March 19 by the gentleman from Enfield, Mr. Dudley, pending acceptance of the Report.

The Chair recognizes the gentleman from Belfast, Mr. Rollins.

Mr. ROLLINS: Mr. Speaker, I now offer House Amendment "A" to Committee Amendment "B", and move its adoption.

The SPEAKER: Is it the pleasure of the House to accept the "Ought to pass" Committee Report on Item 2?

The Chair recognizes the gentleman from Montville, Mr. Mathieson.

Mr. MATHIESON: Mr. Speaker, I would like to have this article laid on the table until April 3rd.

The SPEAKER: The gentleman from Montville, Mr. Mathieson, moves with respect to Item 2, Bill "An Act relating to Rabbit Hunting in Kennebec County", House Paper 209, Legislative Document 293, that this Item and the Report be retabled until April 3 pending acceptance of the Report. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: Under Orders of the Day the Chair now lays before the House Item 3 under tabled and today assigned matters, Bill "An Act relating to Legal Investments for Savings Banks", Senate Paper 253, Legislative Document 691, tabled on March 19 by the gentleman from Portland, Mr. Tevanian, pending passage to be enacted.

Thereupon, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The SPEAKER: Under Orders of the Day the Chair now lays before the House Item 4 under tabled and today assigned matters, Senate Report "Ought to pass" of the Committee on State Government on Bill "An Act relating to Appointment of Institutional Heads in Department of Institutional Services", Senate Paper 186, Legislative Document 465, tabled on March 21 by the gentleman from Bridgton, Mr. Haughn, pending acceptance of the Report in concurrence, and the Chair recognizes that gentleman.

Thereupon, on motion of Mr. Haughn of Bridgton, the Bill with accompanying papers was retabled and specially assigned for Thursday, April 4, pending acceptance of Report in concurrence.

The SPEAKER: Under Orders of the Day the Chair lays before the House Item 5 under tabled and specially assigned items, Resolve Regulating Fishing in Tributaries of Chain of Ponds, Franklin County, House Paper 357, Legislative Document 487, tabled on March 21 by the gentleman from Eustis, Mr. Carville, pending further consideration. (In the Senate the Minority "Ought not to pass" Report was accepted.) (In the House the Majority Report "Ought to pass" was accepted and the Resolve was passed to be engrossed.)

The Chair recognizes the gentleman from Eustis, Mr. Carville.

Thereupon, on motion of Mr. Carville of Eustis, the Bill with accompanying papers was retabled and specially assigned for April 10, pending further consideration.

The SPEAKER: Under Orders of the Day the Chair now lays before the House Item 6 under tabled and today assigned matters, Bill "An Act Creating a Salary Grant for Teachers", House Paper 964, tabled on March 21 by the gentleman from South Portland, Mr. Fuller, pending reference to any committee, and the Chair recognizes that gentleman.

Mr. FULLER: Mr. Speaker and Members of the House: I tabled this Bill for the gentleman from Madawaska, Mr. Rowe, and with your permission I would like to turn it over to him at this time.

The SPEAKER: The Chair recognizes the gentleman from Madawaska, Mr. Rowe.

Mr. ROWE: Mr. Speaker, this Bill has two purposes. Number one, it is hoped that in the long range the quality of the teaching profession will be improved, and number two, consequently the quality of instruction in the public schools. In order to achieve these two long range objectives, a five category formula was set up and designed to carry out this purpose here. It is my feeling and my opinion that this Bill deserves consideration by the Educational Committee, and possibly I hope that the review of the formula that is included in the content of the Bill, that there is possibly an improvement of those formulas.

I do realize, however, that there is a sizable price tag attached to this teachers' salary grant, however, the price tag or the grant itself is incidental to the objective of the Bill. With due respect to the Committee on Reference of Bills and to the Clerk of the House, if I may say, I would refer this Bill to the Education Committee and request that a thousand copies be printed.

The SPEAKER: With respect to Item 6, Bill "An Act Creating a Salary Grant for Teachers", House Paper 964, the gentleman from Madawaska, Mr. Rowe, now moves that this item be referred to the Committee on Education and that 1,000 copies be printed and that it be sent up for concurrence. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: Under Orders of the Day the Chair now lays before the House Item 7 under tabled and today assigned matters, Bill "An Act relating to Retirement Benefits for Members of City of Portland Police and Fire Departments", Senate Paper 179, Legislative Document 458, tabled on March 21 by the gentleman from Portland, Mr. Tevanian, pending passage to be engrossed, and the Chair recognizes that gentleman.

Thereupon, on motion of Mr. Tevanian of Portland, the Bill was retabled and specially assigned for March 28, pending passage to be engrossed.

The SPEAKER: The House is proceeding under Orders of the Day.

On motion of the gentleman from Bangor, Mr. Totman, the House voted to take from the table the fifteenth tabled and unassigned matter, Bill "An Act to Incorporate the Town of Moose River", House Paper 61, Legislative Document 63, tabled on March 20 by that gentleman pending second reading.

On further motion of the same gentleman, the Bill was given its second reading.

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

COMMITTEE AMENDMENT "A" to H. P. 61, L. D. 63, Bill, "An Act To Incorporate the Town of Moose River."

Amend said Bill by striking out all of section 2 thereof and inserting in place thereof the following sections:

**Sec. 2. First meeting, how called.** Any justice of the peace in the county of Somerset may issue his warrant to any legal voter in the plantation of Moose River, directing him to notify the inhabitants thereof to meet at a place specified in said warrant and at a time consistent with the normal annual meeting time in March 1958, giving at least 7 days' notice therefor, for the choice of town officers and to transact such business as towns are authorized to do.

**Sec. 3. Local referendum provided for; election procedure; form of question; certificate to Secretary of State.** This act shall take effect 90 days after adjournment of the Legislature, only for the purpose of permitting its submission to the legal voters within the territory embraced within the limits of said proposed town of Moose River, voting by ballot at an election to be specially called and held for the purpose within 7 months of the effective date of this act. The meeting shall be called, advertised and conducted according to the law relating to municipal elections; provided, however, that the board of assessors in said proposed town of Moose River shall not be required to prepare for posting, nor the plantation clerk to post, a new list of voters, and for the purpose of registration of vot-

ers, said board shall be in session the 3 secular days next preceding such special meeting, the 1st and 2nd days thereof to be devoted to the registration of voters and the 3rd day to enable the board to verify the corrections of said list and to complete and close up their records of said sessions. The plantation clerk shall prepare the required ballots, on which he shall reduce the subject matter of this act to the following question: "Shall 'An Act to Incorporate the Town of Moose River,' passed by the 98th Legislature, 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. Upon its acceptance by a majority of the legal voters voting at said meeting, this act shall take effect for all the purposes hereof at the annual meeting in March 1958; provided that the total number of votes cast for and against the acceptance of this act at said meeting equaled or exceeded 50 per cent of the total number of the qualified voters within said territory.

The result of the vote shall be declared by the board of assessors of the plantation of Moose River, and due certificate thereof shall be filed by the plantation clerk with the Secretary of State.'

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

On motion of the gentleman from Bangor, Mr. Totman, the House voted to take from the table the sixteenth tabled and unassigned matter, Bill "An Act to Incorporate the Town of Jackman", House Paper 60, Legislative Document 64, tabled on March 20 by that gentleman pending second reading.

On further motion of the same gentleman, the Bill was given its second reading.

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

COMMITTEE AMENDMENT "A" to H. P. 60, L. D. 64, Bill, "An Act to Incorporate the Town of Jackman."

Amend said Bill by striking out all of section 2 thereof and inserting in place thereof the following sections:

**'Sec. 2. First meeting, how called.**

Any justice of the peace in the county of Somerset may issue his warrant to any legal voter in the plantation of Jackman, directing him to notify the inhabitants thereof to meet at a place specified in said warrant and at a time consistent with the normal annual meeting time in March 1958, giving at least 7 days' notice therefor, for the choice of town officers and to transact such business as towns are authorized to do.

**Sec. 3. Local referendum provided for; election procedure; form of question; certificate to Secretary of State.** This act shall take effect 90 days after adjournment of the Legislature, only for the purpose of permitting its submission to the legal voters within the territory embraced within the limits of said proposed town of Jackman, voting by ballot at an election to be specially called and held for the purpose within 7 months of the effective date of this act. The meeting shall be called, advertised and conducted according to the law relating to municipal elections; provided, however, that the board of assessors in said proposed town of Jackman shall not be required to prepare for posting, nor the plantation 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 special meeting, the 1st and 2nd days thereof to be devoted to the registration of voters and the 3rd day to enable the board to verify the corrections of said list and to complete and close up their records of said sessions. The plantation clerk shall prepare the required ballots, on which he shall reduce the subject matter of this act to the following question: "Shall 'An Act to Incorporate the Town of Jackman,' passed by the 98th Legislature, 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. Upon its acceptance by a majority of the legal voters voting at said meeting, this act shall take effect for all the purposes hereof at the annual meeting in March 1958; provided that the total number of votes cast for and against the acceptance of

this act at said meeting equaled or exceeded 50 per cent of the total number of the qualified voters within said territory.

The result of the vote shall be declared by the board of assessors of the plantation of Jackman, and due certificate thereof shall be filed by the plantation clerk with the Secretary of State.'

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

The SPEAKER: The House is proceeding under Orders of the Day.

The gentleman from Bingham, Mr. Shaw, was granted unanimous consent to address the House.

Mr. SHAW: On behalf of the Retirements and Pensions Committee, I would like to take this opportunity to present to the House some of the problems and some of the conclusions that your Joint Standing Committee on Retirements and Pensions have concluded in relationship to the legislative pensions, a problem currently involving some two hundred and fifty existing grants that are costing around \$75,000 per year.

Although most of these facts may be known to many of you, I would first like to review the general concept of Legislative Pensions. As you know, we have at the State level eight general types of welfare problems that directly or indirectly involve cash payments by some one of the State agencies.

The first four are those commonly called the categories and these are the programs related to Old Age Assistance, Aid to the Blind, Aid to Dependent Children and Aid to the Disabled. Each of these programs have costs that are federally shared and in general the division is about sixty per cent federal funds as opposed to forty per cent contribution on behalf of the State.

The fifth program is the one that takes care of committed children and finances the board and care for children committed into the custody of the State by the Courts. This program is financed entirely with State funds.

The sixth appropriation provides for the general relief program and generally, except for the home at Jefferson, these expenditures are

represented in reimbursements made to the various cities and towns for city and town relief, and these relief expenditures are attributed for the indigent non-settled persons, citizens and non-citizens.

The seventh program is apart from the Department of Welfare and is the program wherein veterans and their families are given financial aid by the Bureau of Veterans Affairs from State funds, and this, also, is financed with State dollars.

The eighth program, and the one that I would like to talk with you about this morning is the special legislative pension procedure.

I am not too well acquainted with the early origin of this program, but from what little study I have been able to do, this is very much a creation of the Legislature and at no time does it appear that statutory landmarks have been established to guide the program from one session to another, or to give to a legislative committee any set, broad principles that the committee should follow. Today, our statutes are silent as to eligibility rules, so one Legislature after another makes its own rules.

It is interesting to note that in the 1920 session there were but three legislative pensions granted and the three of them in total amounted to only \$360 per year, or \$30 per month, divided among three recipients at that time. The 1931 session laws reveal an appropriation of only \$1200 for special legislative pensions. I am only guessing at the next assumption but through the depression years of the early and mid '30's, there appears to have been a general legislative effort to place onto the Legislative pension rolls more and more people, and this in spite of the adoption in the late '30's of three of the category programs. However that may have been, the 1943 session laws show that one hundred and one individuals were either granted pensions or had legislative approval for an increase in their existing pensions, and the appropriation measure called, in 1943, for about \$20,000 per year. In 1948 the cost had reached \$76,000; in 1949 it went to \$82,000, and so on up until in 1954 an appropriation was

required of nearly \$120,000, the peak of legislative spending for legislative pensions.

At the Special Session called September 21, 1954, the 96th Legislature became the forty-third state to adopt the Aid to the Disabled program as the fourth categorical program and in adopting that progressive legislation, we were told its adoption would substantially eliminate the special pensions needed by providing for the disabled.

As enacted, the program became effective on January 1, 1955 but was not in use until May of 1955. The end result of the year ending June 30, 1955 saw a slight downward trend to \$116,000.

Still another very significant fact is recorded in the 1955 year. Under the able chairmanship of the Senator from Franklin, Senator Butler, the Committee on Retirements and Pensions made a most sincere effort, and a successful effort I may say, to establish sound and reasonable principles in the granting of pensions. Whereas, the 1945 session had seventy-nine names on the special pension resolve, 1947 had one hundred and ten, and on upward until 1953 when it totaled one hundred and forty-eight. The 1955 resolve had less than sixty names and only a handful of those names represented new pension grants, the remainder were increases.

The reflection of this more rational treatment shows 1956 expenditures down to \$82,600 and it is estimated this year there will be a further reduction to less than \$75,000. These reductions reflect, as your committee views it, three main factors. First, there is the impact in the growth of the Aid to the Disabled program, which from time to time gives grants under that program and takes the recipient from the special pension list. To be specific, there have been fifty-nine suspensions resulting from the recipients going on to the Aid to the Disabled program. Another sixty-three special resolve recipients have had their special resolve amounts reduced because of an Aid to the Disabled grant. Still another factor is the operation of the statutory authority whereby the Welfare Department, upon study and investigation, can reduce or suspend legis-

lative pensions for those deemed no longer in need of it, and the third factor is the normal mortality in the list. So that all of these factors together are serving to reduce the cost of this program and if we can continue the policies of the last session or even if we can refine those policies and still be consistent with fairness and justice, it is the thought of your committee that we will be doing the thing expected of us by the Legislature.

And this brings me to the real meat of my discussion with you this morning, which is a general summary of just what our philosophy should be in regard to these special grants.

At the very outset, I want to assure the Members of the House that we are well aware of your constitutional rights and the rights of your citizens and of this State to petition this Great General Court on any matter that he wishes and if that wish is for a legislative pension, then certainly we have no thought that our action should seek to rule out such resolves.

Second, and of more importance, we recognize the constitutional rights of every member of both branches of this Legislature to disagree either in the principles we seek to establish or to disagree in the application of our principles to any resolve involving any individual. In other words, we have no illusions that this committee or any other committee can of itself determine for the majority of both branches any policy or principle. That is your right and not for one moment do we think that we can take it away from you.

On the other hand, we would ask your sympathy and understanding of the problem and ask you to give serious consideration to supporting what we who have studied the program think may reflect fairness and justice to all of the taxpayers at all levels of government in the State of Maine.

With that worthy objective, I summarize that which I think are committee current thoughts.

1. We see little justification in accepting the special resolve pensions as a means of relieving a relatively few municipalities of a part of what is a normal municipal relief expen-

diture. We see great inequities both among committees and among recipients in granting to a handful of communities what is really municipal relief. We believe that with all of the broad general assistance programs available to the citizens of all Maine communities to pick out a few individuals in a few committees reflects little fairness.

2. Carrying this principle a bit beyond that stage, we see little or no justice in picking up a municipal relief expenditure only because that particular community has an unusual relief burden with respect to one particular family or individual.

3. Another group that seems to be with little justification, if we wish to accomplish fairness and equity, is that type of resolve wherein the applicant just does not wish to make application for one of the categorical programs. We recognize that there may be well justified reasons, yet with some 15,000 or 20,000 Maine citizens going through procedures that are not at all unreasonable, we doubt the fairness of opening up a path that in many cases is taken only to avoid that which has been followed by so many thousands of other citizens needing and receiving public assistance.

4. We view with particular alarm the large number of pension resolves which state as their justifications the fact that they have been denied aid under one of the several categories and having been found ineligible they seek the legislative pension. I am reasonably sure that of all of the denials made consistent with the statutes, well under one per cent of those denials come to the Legislature seeking special treatment; to grant those requests would create a gross injustice to the other ninety-nine per cent not using us as an appeal court.

5. There is still another small group seeking legislative pensions because the categorical grant is inadequate. Again, I am sure that something over ninety-nine per cent of those persons do not seek that supplemental aid from legislative pensions and to grant such aid creates the same gross inequity with respect to the many who do in fact receive their supplemental aid from the cities and towns.

6. Among both the applicants and recipients, there are a few who seek a legislative pension not as an assistance grant but as a private special amendment to the State Retirement Law. As an example—a retired State employee may be unhappy with his wage level at date of retirement, thinking that the wage level should have been higher thereby increasing the level of his retirement pension. We have one example of that among our present recipients wherein some past Legislature did supplement the normal retirement pension by creating a special pension and today that special pension is being paid without any regard or respect to need and with no fairness to thousands of others who have no supplement to their retirement pension. We believe that tying retirement system into the legislative pension procedures is unfair, unjust and completely unsound.

There are other categories within the area of our problem but I think we have treated most of them.

I would like to conclude this rather lengthy presentation of our problem by speaking a bit about the administration of the program. I am convinced that the Department is doing an excellent job carrying out the wishes of the Legislature by making reasonable investigations and suspensions where indicated. I believe that it would be sound policy to repeal dozens and dozens of pensions authorized by prior Legislatures but suspended from as far back as 1946. I believe, too, that given a second legislative session of encouragement, such as the last Legislature gave to the Department, they will give much more effective administration to these special pension resolves.

I would ask your sympathetic understanding that the Department is specifically charged with effecting these suspensions and it would be my hope before the session is over to tell the Department of my personal conviction of legislative intent to the end that in time, legislative pensions will have gone the way of road resolves and the more orderly concept of assistance programs will in fact prevail.

Certainly, this isn't the most important problem facing this Legis-



lative Session and it certainly isn't the intent of the Committee to fill the Record with long debates on every pension resolve that we may turn down with an "Ought not to pass" report. The House has the Committee assurance that it will reflect what we believe to be sound, long term principles.

And, in closing, Ladies and Gentlemen, in regard to your constituents who have appeared before our Committee in great need, our heartfelt sympathies are certainly with them, we are sorry that we do not have a solution, and to point up perhaps our grievance in regard to their situation, perhaps there is some parallel drawn from the words of Helen Keller. When Helen Keller was being recognized for her great humanitarian acts in Boston they asked her as to her motivation, and she replied, if I may quote, "I was grieved because I had no shoes until I met a man who had no feet." Thank you. (Applause)

Mr. Rollins of Belfast was granted unanimous consent to address the House briefly.

Mr. ROLLINS: Mr. Speaker and Members of the House: I seem to be surrounded by dogs and rabbits today, but there is an incident that happened last week over in my city where a game warden shot and killed one dog and wounded another, and he was in error. The Department of Inland Fisheries and Game wished me to present a Resolve to reimburse the man for the dog that was killed in the amount of one hundred and fifty dollars, notwithstanding the cloture rule. I now present this Resolve and move its acceptance.

The SPEAKER: The gentleman from Belfast, Mr. Rollins, requests unanimous consent to introduce a Resolve notwithstanding the cloture order. The Clerk will read the title of the Resolve.

The CLERK: Resolve in favor of Henry E. Littlefield of Belfast.

The SPEAKER: Does the Chair hear objection to the reception of the Resolve notwithstanding the cloture order?

The Chair hears none and the Resolve is received.

Thereupon, on motion of Mr. Rollins of Belfast, the Resolve (H. P. 1011) was referred to the Commit-

tee on Claims, and sent up for concurrence.

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

Mr. TOTMAN: I would request unanimous consent to make a brief announcement.

The SPEAKER: The gentleman may proceed. The Chair would ask if this is on or off the record?

Mr. TOTMAN: On the record. There will be a brief meeting of the House Republican Committee in the Speaker's office following the morning session.

The SPEAKER: The House is proceeding under Orders of the Day.

On motion of the gentleman from Portland, Mr. Childs, the House voted to take from the table the twentieth tabled and unassigned matter, House Report "Ought to pass" of the Committee on Transportation on Bill "An Act to Eliminate Inspection of Motorcycles", House Paper 557, Legislative Document 784, tabled on March 26 by that gentleman pending acceptance of Report and the Chair recognizes that gentleman.

Mr. CHILDS: Mr. Speaker and Members of the House: Basically, I am somewhat opposed that motorcycles should not be inspected as other motor vehicles, but after having checked the law, I can easily see that it is almost an impossible thing to do, especially where there are no facilities in the State to inspect motorcycles.

And because of those two reasons I will now move acceptance of the Majority Report.

Thereupon, the Majority "Ought to pass" Report was accepted, the Bill read twice and tomorrow assigned.

Mr. Bean of Winterport was granted unanimous consent to address the House.

Mr. BEAN: Mr. Speaker and Members of the House: There has been placed on the desks of all the members this list which I hold in my hand of all the bills and resolves carrying appropriation of money as of the close of business on Wednes-

day, March 20, both from the general fund and from the unappropriated surplus, in order that the members might know some of the money problems that are before the Members of this Legislature.

There are other bills yet which will be presented and which you will receive copies of as soon as they

are received by the proper Committees.

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The SPEAKER: The House is proceeding under Orders of the Day.

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On motion of Mr. Emmons of Kennebunk,

Adjourned until one o'clock tomorrow afternoon.