

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

SENATE

Tuesday, February 12, 1957

Senate called to order by the President.

Prayer by Captain Ash of the Salvation Army, Augusta.

On motion by Mr. Hillman of Penobscot, Journal of Thursday, February 7, read and approved.

The PRESIDENT: Rare indeed is the presence in the Senate Chamber of an attractive senatorial wife from the Queen City of the East. That we have this morning; and I would ask the Senator from Somerset, Senator Sinclair, that if, finding such a person, he will escort her to the rostrum.

Thereupon Mrs. Roy U. Sinclair was escorted to the rostrum by Senator Sinclair amid the applause of the Senate, the members rising.

House Papers - Joint Order

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

ORDERED, that said lists be distributed, one to each member of the Senate, House and Council; two to the Executive; one to the Secretary of the Senate; one to the Clerk of the House; and the balance to the State Librarian for exchange purposes. (H. P. 456)

(On motion by Mr. Low of Knox, tabled pending passage.)

House Papers

Bill, "An Act Relating to Teachers for Mentally Retarded Children." (H. P. 336) (L. D. 468)

"Resolve Appropriating Money for Forest Rehabilitation." (H. P. 337) (L. D. 469)

"Resolve in Favor of Town of Newport, Penobscot County." (H. P. 338) (L. D. 470)

"Resolve in Favor of Completion of the Library, Science and Classroom Building at Gorham State Teachers College." (H. P. 339) (L. D. 471)

Which were severally referred to the Committee on Appropriations

and Financial Affairs in concurrence.

Bill, "An Act Relating to Borrowing by Federal Employees' Credit Union of Maine." (H. P. 340) (L. D. 513)

Bill, "An Act Relating to Number of Shares Held by Members of Federal Employees' Credit Union of Maine." (H. P. 341) (L. D. 472)

Bill, "An Act Relating to Investment of Municipal Trust Funds." (H. P. 342) (L. D. 473)

Bill, "An Act Relating to Clarification of Saving Bank Investments." (H. P. 343) (L. D. 474)

Which were severally referred to the Committee on Business Legislation in concurrence.

"Resolve to Reimburse Towns of Smithfield and Mercer." (H. P. 344) (L. D. 475)

"Resolve to Reimburse Old Town School Department for Tuition for Children Living on Indian Island." (H. P. 345) (L. D. 476)

"Resolve to Reimburse Ella Braley of Belfast." (H. P. 346) (L. D. 477)

Which were severally referred to the Committee on Claims in concurrence.

"Resolve Proposing an Amendment to the Constitution to Abolish the Governor's Council." (H. P. 348) (L. D. 478)

Which was referred to the Committee on Constitutional Amendments in concurrence.

Bill, "An Act Relating to Fees of and Duty of Department of Education Concerning Schools of Barbering and Hairdressing and Beauty Culture." (H. P. 349) (L. D. 479)

Bill, "An Act Establishing Poetry Day in Maine." (H. P. 350) (L. D. 480)

Which were referred to the Committee on Education in concurrence.

"Resolve in Favor of the Town of Hermon." (H. P. 351) (L. D. 481)

Which was referred to the Committee on Highways in concurrence.

Bill, "An Act Relating to Rabbit Hunting in Washington County." (H. P. 352) (L. D. 482)

Bill, "An Act Relating to Hunting for Raccoons at Night." (H. P. 353) (L. D. 483)

Bill, "An Act Relating to Free Fishing Licenses to Residents Seventy-Five Years of Age." (H. P. 354) (L. D. 484)

Bill, "An Act Relating to Rabbit Hunting in Waldo County." (H. P. 355) (L. D. 485)

Bill, "An Act Relating to Rabbit Hunting in Hancock County." (H. P. 356) (L. D. 486)

"Resolve Regulating Fishing in Tributaries of Chain of Ponds, Franklin County." (H. P. 357) (L. D. 487)

"Resolve Regulating Fishing in Weymouth Pond and Mower Pond, Penobscot County." (H. P. 358) (L. D. 488)

"Resolve Closing Waters Near Grand Lake Stream Dam to Fishing." (H. P. 359) (L. D. 489)

"Resolve Regulating Fishing in Grand Lake Stream, Washington County." (H. P. 360) (L. D. 490)

Which were severally referred to the Committee on Inland Fisheries and Game in concurrence.

Bill, "An Act Relating to the Visible Indication of Elapsed Time on Parking Meters." (H. P. 361) (L. D. 491)

Bill, "An Act Relating to Discontinued Schoolhouse Lots." (H. P. 362) (L. D. 492)

Bill, "An Act Relating to Appointment of Trial Justices." (H. P. 363) (L. D. 493)

Bill, "An Act Relating to Negotiable Instruments for Uncompleted Agreements." (H. P. 364) (L. D. 494)

Bill, "An Act Relating to Duties of State Liquor Inspectors." (H. P. 365) (L. D. 495)

Bill, "An Act Relating to Negligently Operating a Motor Vehicle so as to Cause Death." (H. P. 366) (L. D. 496)

Bill, "An Act Repealing the Incorporation of the Master, Wardens and Members of Freeport Lodge." (H. P. 367) (L. D. 497)

Bill, "An Act Increasing Civil Jurisdiction of Municipal Courts." (H. P. 368) (L. D. 498)

Bill, "An Act Relating to Acknowledgement and Validation of Certain Instruments." (H. P. 369) (L. D. 499)

Bill, "An Act Relating to Vacating Land Acquired by Municipalities." (H. P. 370) (L. D. 500)

"Resolve Authorizing Board of Bar Examiners to Permit Albert N. Tardif of Portland to take Bar Examination." (H. P. 371) (L. D. 501)

Which were severally referred to the Committee on Judiciary in concurrence.

Bill, "An Act Relating to Dependency Allowances Under Employment Security Law." (H. P. 372) (L. D. 502)

Bill, "An Act Relating to Weekly Benefits for Total Unemployment Under Employment Security Law." (H. P. 373) (L. D. 503)

Which were referred to the Committee on Labor in concurrence.

Bill, "An Act Relating to Sick Leave Benefits for Employees of the Department of Public Works of the City of Lewiston." (H. P. 374) (L. D. 504)

Bill, "An Act Relating to Vacancy in School Board in City of Eastport." (H. P. 375) (L. D. 505)

Bill, "An Act Relating to Number and Revision of Wards in City of Eastport." (H. P. 376) (L. D. 506)

Bill, "An Act Relating to Vacancy in Board of Assessors in City of Eastport." (H. P. 377) (L. D. 507)

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

Bill, "An Act Relating to Appointment and Meetings of Trustees of Edward Little Institute." (H. P. 380) (L. D. 509)

Which were severally referred to the Committee on Legal Affairs in concurrence.

Bill, "An Act Relating to Sale of Certain Beverages to Minors." (H. P. 381) (L. D. 510)

Which was referred to the Committee on Liquor Control in concurrence.

Bill, "An Act Relating to Aid to Public and Private Hospitals." (H. P. 382) (L. D. 511)

Which was referred to the Committee on Public Health in concurrence.

Bill, "An Act to Incorporate the Cumberland Water District." (H. P. 383) (L. D. 512)

Bill, "An Act to Incorporate Bowdoinham Water District." (H. P. 384) (L. D. 515)

Bill, "An Act Relating to Cancellation of Motor Truck Authority." (H. P. 385) (L. D. 516)

Bill, "An Act to Correct Errors in Laws Relating to Operation of Motor Vehicles for Profit." (H. P. 386) (L. D. 517)

Bill, "An Act to Incorporate the Mexico Sewer District." (H. P. 387) (L. D. 518)

Which were severally referred to the Committee on Public Utilities in concurrence.

"Resolve Granting a Pension to Hubert E. Redding, South Berwick." (H. P. 388) (L. D. 519)

"Resolve in Favor of Mabelle K. Tole of Bangor." (H. P. 389) (L. D. 520)

"Resolve Providing for an Increase in State Pension for Ina J. Alto of Jefferson." (H. P. 390) (L. D. 521)

Which were severally referred to the Committee on Retirements and Pensions in concurrence.

Bill, "An Act Relating to Licensing for Interstate Transportation of Lobsters." (H. P. 391) (L. D. 522)

Which was referred to the Committee on Sea and Shore Fisheries in concurrence.

Bill, "An Act Relating to the Appointment of State Humane Agents." (H. P. 392) (L. D. 523)

Which was referred to the Committee on State Government in concurrence.

Bill, "An Act Repealing the Gasoline Road Tax on Motor Vehicles." (H. P. 399) (L. D. 529)

Bill, "An Act Relating to Property Tax Exemption for Benevolent and Charitable Institutions." (H. P. 400) (L. D. 530)

Bill, "An Act Exempting Packaging Materials Used by Custom Manufacturers from Sales Tax." (H. P. 401) (L. D. 531)

Bill, "An Act Exempting Sales of American Flag from Sales Tax." (H. P. 402) (L. D. 532)

Which were severally referred to the Committee on Taxation in concurrence.

Bill, "An Act to Establish a Polling Place on Chebeague Island, Cumberland County." (H. P. 393) (L. D. 524)

Bill, "An Act to Increase Salaries of Judge and Recorder of Presque Isle Municipal Court." (H. P. 394) (L. D. 525)

Bill, "An Act Increasing Salary of Recorder of Eastport Municipal Court." (H. P. 395) (L. D. 514)

Bill, "An Act Providing for Clerk Hire for Fort Fairfield Municipal Court." (H. P. 396) (L. D. 526)

Bill, "An Act to Increase the Salaries of the County Commissioners and County Treasurer of Penobscot County." (H. P. 397) (L. D. 527)

Bill, "An Act Relating to Payments of Salary of Judge of Hallowell Municipal Court." (H. P. 398) (L. D. 528)

Which were severally referred to the Committee on Towns and Counties in concurrence.

Bill, "An Act to Revise Certain Motor Vehicle Laws." (H. P. 403) (L. D. 533)

Bill, "An Act Relating to Registration of Farm Trucks." (H. P. 404) (L. D. 534)

Which were referred to the Committee on Transportation in concurrence.

House Committee Reports Ought Not to Pass

The Committee on Claims on "Resolve in Favor of Town of Milo for Aid to John Maki." (H. P. 89) reported that the same Ought Not to Pass.

Which report was read and accepted in concurrence.

Ought to Pass

The Committee on Legal Affairs on Bill, "An Act to Authorize the Town of Brunswick to Provide for the Collection and Disposal of Garbage and Rubbish." (H. P. 137) (L. D. 175) reported that the same Ought to Pass.

The same Committee on Bill, "An Act Relating to Stealing or Killing Dogs." (H. P. 134) (L. D. 172) reported that the same Ought to Pass.

The Committee on Transportation on Bill, "An Act Relating to Method of Giving Hand-and-Arm Signals for Stopping and Turning Motor Vehicles." (H. P. 76) (L. D. 121) reported that the same Ought to Pass.

Which reports were read and accepted in concurrence and the bills read once and tomorrow assigned for second reading.

Senate Papers

The following bills and resolves were received, and on recommendation by the Committee on Reference of Bills, were referred to the following committees:

Appropriations and Financial Affairs

Mr. Curtis of Cumberland presented

Bill, "An Act Relating to Geological Survey Publications." (S. P. 232)

Which was referred to the Committee on Appropriations and Financial Affairs and ordered printed.

Sent down for concurrence.

Claims

Mr. Silsby of Hancock presented "Resolve to Reimburse Town of Franklin for Burial Expenses for Fred M. Robbins." (S. P. 233)

Which was referred to the Committee on Claims.

Sent down for concurrence.

Highways

The same Senator presented Bill, "An Act Relating to Reimbursement to Towns for Snow Removal." (S. P. 234)

Mr. Reed of Aroostook presented "Resolve Authorizing Survey and Plans for a Maine-Quebec Highway." (S. P. 235)

Which were referred to the Committee on Highways and ordered printed.

Sent down for concurrence.

Inland Fisheries and Game

Mr. Hall of York presented "Resolve Regulating Ice Fishing in Lone Pond, York County." (S. P. 236)

Which was referred to the Committee on Inland Fisheries and Game and ordered printed.

Sent down for concurrence.

Judiciary

Mr. Cole of Waldo presented Bill, "An Act Authorizing Inter-local Cooperation." (S. P. 249)

Mr. Woodcock of Penobscot presented

Bill, "An Act Relating to Claims Against Estates of Decedents." (S. P. 237)

Mr. Butler of Franklin presented Bill, "An Act Relating to Enlarging Public Cemeteries." (S. P. 233)

Mr. Low of Knox presented Bill, "An Act to Create the Maine Industrial Building Authority." (S. P. 239)

Mr. Silsby of Hancock presented Bill, "An Act Confirming Title to Harbor Island, Hancock County, in Franklin T. Kurt." (S. P. 240)

The same Senator presented Bill, "An Act Authorizing the Annexation of Harbor Island to the Town of Brooksville." (S. P. 241)

The same Senator presented "Resolve Authorizing Franklin T. Kurt of Huntington, New York to Sue the State of Maine." (S. P. 242)

Which were severally referred to the Committee on Judiciary and ordered printed.

Sent down for concurrence.

Legal Affairs

The same Senator presented Bill, "An Act to Revise the Laws Relating to Registration of Accountants." (S. P. 243)

Mr. Reed of Aroostook presented Bill, "An Act Relating to Time for Harness Race Meets." (S. P. 244)

The same Senator presented Bill, "An Act Relating to the Issuance of License for Harness Racing." (S. P. 245)

Which were severally referred to the Committee on Legal Affairs and ordered printed.

Sent down for concurrence.

Public Health

Mr. Charles of Cumberland presented

Bill, "An Act Relating to Examinations for Certain Persons to Practice Barbering." (S. P. 246)

Which was referred to the Committee on Public Health and ordered printed.

Sent down for concurrence.

Public Utilities

Mr. Cole of Waldo presented Bill, "An Act Relating to Condemnation Proceedings by Belfast Water District." (S. P. 247)

Which was referred to the Committee on Public Utilities and ordered printed.

Sent down for concurrence.

Retirements and Pensions

Mr. Silsby of Hancock presented "Resolve Providing for State Pension for Eva A. Scammon of Franklin." (S. P. 248)

Which was referred to the Committee on Retirements and Pensions and ordered printed.

Sent down for concurrence.

Senate Committee Reports Ought Not to Pass

Mr. Hall from the Committee on Inland Fisheries and Game on Bill, "An Act Relating to Definition of Beaver Dams." (S. P. 42) (L. D. 53) reported that the same Ought not to pass.

On motion by Mr. Woodcock of Penobscot, tabled pending consideration of the report.

Ought to Pass

Mr. Cole from the Committee on Highways on Bill, "An Act Relating to Time of Payments by Counties and Towns Under Bridge Act." (S. P. 50) (L. D. 81) reported that the same Ought to pass.

Mr. Woodcock from the Committee on Judiciary on Bill, "An Act to Incorporate the General Finance Co." (S. P. 67) (L. D. 115) reported that the same Ought to pass.

Mr. Lessard from the Committee on State Government on Bill, "An Act Relating to Cremation of Old State Bonds." (S. P. 38) (L. D. 40) reported that the same Ought to pass.

Which reports were read and accepted, the bills read once and tomorrow assigned for second reading.

Second Readers

The Committee on Bills in the Second Reading reported the following bills and resolves:

House

Bill, "An Act Amending the Charter of the Caribou Utilities District." (H. P. 77) (L. D. 103)

Bill, "An Act to Change the Name of Independence Island, Lincoln County, to Cabbage Island." (H. P. 11) (L. D. 10)

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

Which were severally read a second time and passed to be engrossed in concurrence.

House—as Amended

Bill, "An Act Amending the Charter of the Kennebunk Sewer District." (H. P. 95) (L. D. 131)

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

Which were read a second time and passed to be engrossed, as amended, in concurrence.

Senate—as Amended

Bill, "An Act to Increase the Borrowing Capacity of the Town of Hartland School District." (S. P. 54) (L. D. 84)

Which was read a second time and passed to be engrossed, as amended.

Sent down for concurrence.

Orders of the Day

Mr. Woodcock of Penobscot was granted unanimous consent to address the Senate.

Mr. WOODCOCK: Mr. President and members of the Senate: It is fitting and proper, it seems to me, today that we pause to remember the life and greatness of him whom we honor today, and to this end I should like to read to you two items, the first of which appears in this morning's edition of the Bangor Daily News and is entitled "Lincoln the Philosopher."

"Abraham Lincoln's greatness is reflected in his words as well as his deeds. Well known to all Americans is his stirring Gettysburg address. Equally lasting are portions of his second inaugural address, particularly: 'with malice toward none, with charity for all; with

firmness in the right, as God gives us to see the right.'

But all through his life Lincoln spun threads of philosophy. He understood the virtues and frailties of human nature, including his own. He set them forth plainly from time to time. Here are a few:

'Why should there not be a patient confidence in the ultimate justice of the people? Is there any better or equal hope in the world?'

'As I would not be a slave, so I would not be a master. This expresses my idea of democracy. Whatever differs from this, to the extent of the difference is no democracy.'

'It is difficult to make a man miserable while he feels he is worthy of himself and claims kindred to the great God who made him.'

'I shall try to correct errors where shown to be errors, and I shall adopt new views as fast as they shall appear to be true views.'

'Truth is generally the best vindication against slander.'

'Friend, the Lord prefers common-looking people. That is the reason he makes so many of them.'

These are neat kernels of humor and humility, of wisdom and faith. They explain why Abe Lincoln comes as close to being immortal as any mortal can.'

In closing these brief remarks concerning one of the truly great spirits of all time and who now does belong to the ages, I should like to read to you the letter he wrote to a mother who had lost sons in the Civil War. In style and beauty of expression, as well as in depth of feeling, this is one of the finest expressions in all the history of literature.

"Executive Mansion,

Washington, November 21, 1864

To Mrs. Bixby, Boston, Mass.

Dear Madam:

I have been shown in the files of the War Department a statement of the Adjutant General of Massachusetts that you are the mother of five sons who have died gloriously on the field of battle. I feel how weak and fruitless must be any word of mine which should attempt to beguile you from a grief of loss so overwhelming. But I cannot refrain from tend-

ering you the consolation that may be found in the thanks of the republic they died to save. I pray that our Heavenly Father may assuage the anguish of your bereavement and may leave you only the cherished memory of the loved and lost, and the solemn pride that must be yours to have laid so costly a sacrifice upon the altar of freedom.

Yours very sincerely
and respectfully,

A. Lincoln."

Mr. Silsby of Hancock presented the following order:

ORDERED, the House concurring, that:

WHEREAS, the Ninety-eighth Legislature indicates its pleasure and desire that the alterations presently being carried on in the State House be of such a nature that the beauty and dignity of the State House shall be maintained, and

WHEREAS, consistent with the above expressed desire, the Ninety-eighth Legislature believes that the installation of 'smoke doors' on the second and third floors of the State House would substantially mar the dignity and beauty of the building, and

WHEREAS, for over a century the State House has properly functioned, without such "smoke doors," even though space was inadequate to properly care for State employees permanently housed in the building, and installation of such smoke doors after the passage of over a hundred years, and after relocation of numerous employees in the new State Office Building, seems to be a gesture, having little or no justification, be it therefore

ORDERED, that the Governor and Council, the Superintendent of Public Buildings, and the Insurance Commissioner be advised that it is the recommendation of the Ninety-eighth Legislature that the aforementioned "smoke doors" not be installed on the second and third floors of the State House.

It is hereby directed that copies of this Order be sent to the Governor, the Executive Council, the Superintendent of Public Buildings, and the Insurance Commissioner.

Mr. SILSBY of Hancock: Mr. President and members of the Senate, some three weeks ago, I believe you listened patiently to me in my discourse in the matter of opposition to the smoke doors being installed on this third floor and on the second floor, and as a result of my investigation at that time and subsequently followed up with a further investigation, I feel rather duty bound to inform you that I have in no particular any criticisms to offer in behalf of the Governor and Council or the Insurance Commissioner or any of his deputies but for your information, I did find through good authority that there was some question as to what repairs or alterations should be made to this building after the employees of various offices moved over to the other building. Architects were consulted and plans were drafted, and architects being rather technical did recommend so called smoke doors and the Governor and Council and others in charge did not feel that it was within their jurisdiction to eliminate the fire doors or smoke doors; that it was wholly the problem of this legislature.

That in substance is what my further investigation has been and I want to say to you members of the Senate that with the Order I have presented, two things can be done:

One, it can be sent to a committee for further investigation, or a motion would be in order for its passage. I thank you.

Thereupon, on motion by Mr. Reed of Aroostook, the Order received a passage.

Sent down for concurrence.

The PRESIDENT: The Chair notes only two Senate absentees on this legislative day and would hope again that unless some member now present knows for certain that he cannot be here tomorrow, that we may again try to have our Senate picture tomorrow. Does any Senator know that he will not be here tomorrow?

If not, the Chair will designate the Senator from Washington, Senator Wyman to see that his colleague knows of our hopes, and the Chair would designate the Senator from Cumberland, Senator Lord to notify the missing Senator from Cumberland of our hopes for tomorrow.

The Chair also welcomes back the Senator from Androscoggin, Senator Boucher and hopes that his recovery is complete.

On motion by Mr. Woodcock of Penobscot

Adjourned until tomorrow morning at ten o'clock.