

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

Ninety-Eighth Legislature

OF THE

STATE OF MAINE

VOLUME I

1957

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Wednesday, February 13, 1957

Senate called to order by the President.

Prayer by Rev. Sartell Moore of Gardiner.

On motion by Mr. Hurley of Kennebec, Journal of yesterday read and approved.

The PRESIDENT: The Chair would remind the Senate that all of us are acquainted with Reed's Rules and we are acquainted with other parliamentary procedure, but in the mid-forties there came to this Legislature a young man who set such precedents and accomplished such perfection that presiding officers have since been referring to the way George Varney did it rather than the way Reed would have it. I note that distinguished citizen from York in the Senate Chamber, and I would ask the Sergeant-at-Arms to compliment the Senate by escorting to the rostrum the former President of the Senate and probably its most distinguished President, the Hon. George Varney.

(Applause, members rising)

Having seated the Senate, I think it would be unfair if we did not ask George Varney to address us.

Mr. GEORGE D. VARNEY: I am sure "Bob" embarrassed me; it was entirely unexpected.

I notice you have made some changes since I used to preside over this Body, especially in the size of the gavel. I had one I thought was large, but it was not as large as this one.

It is truly a pleasure to stand here for just a second once more as I used to do. I think what "Bob" said was a little bit exaggerated, but I hope that the State of Maine and all of us are a little bit better off from our having gone along in an orderly procedure. It is nice to be back. I always love to get down whenever I can, and I would like sometime to be a member of this or the other Body again. Thank you.

House Papers

"Resolve Appropriating Moneys to Effectuate Salary Plan for State Employees." (H. P. 405) (L. D. 582)

Which was referred to the Committee on Appropriations and Financial Affairs in concurrence.

"Resolve in Favor of Robert Elliott of Windham." (H. P. 406) (L. D. 583)

"Resolve in Favor of Maynard Lindsey of Harrington." (H. P. 407) (L. D. 584)

"Resolve in Favor of Town of Masardis, Arrostook County." (H. P. 408) (L. D. 585)

"Resolve in Favor of Axel Nelson of Thomaston." (H. P. 409) (L. D. 586)

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

Bill, "An Act Relating to Superintending School Committee of Town of Cumberland." (H. P. 410) (L. D. 587)

Which was referred to the Committee on Education in concurrence.

Bill, "An Act Relating to Compensation for Clothes for State Police Assigned to Bureau of Criminal Investigation." (H. P. 411) (L. D. 588)

Which was referred to the Committee on Highways in concurrence.

"Resolve Regulating Ice Fishing in Pleasant Lake, Arrostook County." (H. P. 412) (L. D. 589)

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

Bill, "An Act Recording of Municipal Road Records." (H. P. 413) (L. D. 590)

Bill, "An Act Recording of Action of Municipalities Concerning Land." (H. P. 414) (L. D. 591)

Bill, "An Act Relating to Careless Shooting of Human Beings While Hunting." (H. P. 415) (L. D. 592)

Bill, "An Act Relating to Payments to Piscataquis County Law Library." (H. P. 416) (L. D. 593)

Bill, "An Act Relating to Notice of Tax Sale to Real Estate Resident Owners." (H. P. 417) (L. D. 594)

Bill, "An Act Relating to Repossession of Property Subject to Conditional Sales Agreement." (H. P. 418) (L. D. 595)

Bill, "An Act Relating to Closing Municipal Courts in Cumberland

County on Saturday." (H. P. 419) (L. D. 596)

Bill, "An Act to Incorporate Time, Inc." (H. P. 420) (L. D. 597)

Bill, "An Act Relating to Civil Actions in Western Somerset Municipal Court." (H. P. 421) (L. D. 598)

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

Bill, "An Act Relating to Employment of Females." (H. P. 422) (L. D. 599)

Bill, "An Act Relating to Duties and Powers of Department of Labor and Industry." (H. P. 423) (L. D. 600)

Which were referred to the Committee on Labor in concurrence.

Bill, "An Act Authorizing Sunset Real Estate Corporation to Construct a Bridge Across Medomak River." (H. P. 424) (L. D. 601)

Bill, "An Act to Amend the Charter of the City of Rockland." (H. P. 426) (L. D. 602)

Bill, "An Act Relating to Indebtedness of West Gardiner School District." (H. P. 427) (L. D. 603)

Bill, "An Act to Create the Westbrook Parking Authority." (H. P. 428) (L. D. 604)

Bill, "An Act to Grant a Council-Manager Charter to the City of Augusta." (H. P. 425) (L. D. 632)

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

The PRESIDENT: The Chair notes in the gallery a group of young people from Skowhegan High School, accompanied by Mr. Wallace Cunningham. In behalf of the Senate, it is my privilege to welcome these young men and women. We hope that you have a little better understanding of your state government after visiting us and we hope that some day you will be a part of this civic function. Thank you very much for coming.

Bill, "An Act Relating to Hours of Selling Liquor." (H. P. 429) (L. D. 605)

Bill, "An Act Relating to Obstruction in Windows of Liquor Licensed Premises." (H. P. 430) (L. D. 606)

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

"Resolve Authorizing Attorney General to Convey Interest of the State in Certain Lands in Cumberland County." (H. P. 431) (L. D. 607)

Bill, "An Act Permitting Town of Naples to Construct Wharf." (H. P. 378) (L. D. 631)

Which were referred to the Committee on Natural Resources in concurrence.

Bill, "An Act Amending the Charter of Bingham Water District." (H. P. 432) (L. D. 608)

Bill, "An Act Clarifying Procedure Relating to Reconstructing or Altering Railroad Crossings." (H. P. 433) (L. D. 609)

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

"Resolve Providing for State Pension for Gladys Dutton of Gardiner." (H. P. 434) (L. D. 610)

"Resolve Providing for an Increase in State Pension for Leeman Grant of Columbia Falls." (H. P. 435) (L. D. 611)

"Resolve Providing for State Pension for Josephine DeLaite of Verona." (H. P. 436) (L. D. 612)

"Resolve Providing for State Pension for Charles A. Anderson of Bucksport." (H. P. 437) (L. D. 613)

"Resolve Providing for an Increase in State Pension for Hilda Ambrose of Masardis." (H. P. 438) (L. D. 614)

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

"Resolve Providing for a State Pension for Gertrude Craig of Mount Vernon." (H. P. 440) (L. D. 616)

"Resolve Providing for State Pension for Mrs. Arthur Preston of Rockland." (H. P. 441) (L. D. 617)

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

Bill, "An Act Relating to Taking of Alewives in Tunk River in Town of Steuben." (H. P. 442) (L. D. 618)

“Resolve Regulating the Taking of Clams in Steuben.” (H. P. 443) (L. D. 619)

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

Bill, “An Act to Provide an Allowance to Retailers for Collecting Sales and Use Tax.” (H. P. 444) (L. D. 620)

Which was referred to the Committee on Taxation in concurrence.

Bill, “An Act Relating to Permissive Closing of County Offices on Saturday.” (H. P. 445) (L. D. 621)

Bill, “An Act to Increase the Salary of the Judge of the Western Washington Municipal Court.” (H. P. 446) (L. D. 622)

Bill, “An Act to Increase Certain Salaries of Washington County Officials.” (H. P. 447) (L. D. 623)

Bill, “An Act to Increase the Salary of the Judge of the Calais Municipal Court.” (H. P. 448) (L. D. 624)

Bill, “An Act Increasing Salary of Sheriff of Knox County.” (H. P. 450) (L. D. 625)

Bill, “An Act Increasing the Salary of Register of Deeds of Knox County.” (H. P. 451) (L. D. 626)

Bill, “An Act Increasing Salary of Clerk of Courts of Knox County.” (H. P. 452) (L. D. 627)

Bill, “An Act Relating to Closing of County Offices on Saturday.” (H. P. 453) (L. D. 628)

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

Bill, “An Act Repealing Law Prohibiting Riding with a Naked Scythe.” (H. P. 454) (L. D. 629)

Bill, “An Act Prohibiting Motor Vehicles with Excessive Horsepower on Maine Highways.” (H. P. 455) (L. D. 630)

Which were referred to the Committee on Transportation in concurrence.

**House Committee Reports
Leave to Withdraw**

The Committee on Highways on “Resolve Designating Part of Route No. 9 as a State Highway.” (H. P. 30) (L. D. 43) reported that the same be granted Leave to Withdraw.

Which report was read and accepted in concurrence.

Ought Not to Pass

The Committee on Claims on “Resolve in Favor of Charles A. Dean Hospital for Services to Angus Moroy.” (H. P. 177) reported that the same Ought not to pass.

The same Committee on “Resolve to Reimburse the Town of Oakland for Supplies Furnished Ervin C. Palmer.” (H. P. 203) reported that the same Ought not to pass.

The same Committee on “Resolve in Favor of John W. Hodgman of South Windham.” (H. P. 205) reported that the same Ought not to pass.

The same Committee on “Resolve to Reimburse Mrs. George Dumond of New Canada Plantation for Beaver Damage.” (H. P. 102) reported that the same Ought not to pass.

The same Committee on “Resolve in Favor of the Charles A. Dean Hospital.” (H. P. 178) reported that the same Ought not to pass.

The same Committee on Bill, “An Act Increasing the Bounty on Bobcat.” (H. P. 103) (L. D. 146) reported that the same Ought not to pass.

The same Committee on “Resolve Regulating Fishing in Red River Chain of Lakes, Aroostook County.” (H. P. 21) (L. D. 26) reported that the same Ought not to pass.

The same Committee on “Resolve to Clean Salmon Spawn Beds at Square Lake Thoroughfare.” (H. P. 69) (L. D. 96) reported that the same Ought not to pass.

The same Committee on “Resolve Closing Haley Brook, Franklin County, to all Fishing.” (H. P. 116) (L. D. 154) reported that the same Ought not to pass.

The same Committee on “Resolve Prohibiting Outboard Motors when Fishing in Grindstone Pond, Piscataquis County.” (H. P. 125) (L. D. 163) reported that the same Ought not to pass.

Which reports were severally read and accepted in concurrence.

Ought to Pass

The Committee on Legal Affairs on

Bill, “An Act to Incorporate the Winter Harbor School District.” (H.

P. 93) (L. D. 130) reported that the same Ought to pass.

Which report was read and accepted in concurrence, the bill read once and tomorrow assigned for second reading.

Ought to Pass—as Amended

The Committee on Legal Affairs on

Bill, "An Act Relating to Special Town Meetings in Town of Vassalboro." (H. P. 35) (L. D. 48) reported that the same Ought to pass with Committee Amendment A (Filing No. 11).

The same Committee on

Bill, "An Act Relating to Castle Hill - Chapman - Mapleton Community School District." (H. P. 135) (L. D. 173) reported that the same Ought to pass with Committee Amendment A (Filing No. 13).

Which reports were read and accepted in concurrence and the bills read once. Committee Amendments A were read and adopted in concurrence, and the bills, as so amended, were tomorrow assigned for second reading.

Communications

STATE OF MAINE
OFFICE OF THE GOVERNOR
Augusta

February 12, 1957

The Honorable President of the Senate

The Honorable Speaker of the House
Ninth-eighth Legislature

Gentlemen:

I am happy to transmit to you the report of the Maine Citizens Committee on the Survey of State Government which was made by the Public Administration Service of Chicago. I also attach the text of my formal statement to the Committee on January 29, 1957, commenting upon its work.

I would like to take this opportunity to express my appreciation to former Chief Justice Raymond Fells and the members of his committee for their selfless application to the task of analyzing the P. A. S. report and developing recommendations for this session of the Legislature. They have performed a distinct and significant public serv-

ice. Their efforts, in my opinion, have earned the serious consideration of the Legislature and justify the continuation of the Committee as suggested in my Inaugural Address.

Respectfully submitted,

(Signed) EDMUND S. MUSKIE
(S. P. 269)

Which communication was read and 500 copies of report and communication ordered printed in pamphlet form.

Sent down for concurrence.

MAINE STATE LIBRARY
Augusta

February 12, 1957

To the Senate and House of Representatives of the 98th Legislature:

In accordance with law, I submit to the Senate and House of Representatives of the State of Maine the report of the Maine State Library for the period July 1, 1954, to June 30, 1956.

(Signed) MARION B. STUBBS
Librarian

(S. P. 270)

Which was read and ordered placed on file.

Sent down for concurrence.

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. Davis of Cumberland presented

"Resolve to Construct Dormitory for Women at Gorham State Teachers College." (S. P. 251)

The same Senator presented

"Resolve Appropriating Moneys for Auto Mechanics Shop at Maine Vocational Technical Institute." (S. P. 252)

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

Sent down for concurrence.

Business Legislation

Mr. Martin of Kennebec presented Bill, "An Act Relating to Legal Investments for Savings Banks." (S. P. 253)

Which was referred to the Committee on Business Legislation and ordered printed.

Sent down for concurrence.

Inland Fisheries and Game

Mr. Briggs of Aroostook presented Bill, "An Act Relating to the Use of Artificial Lights for Lighting Game." (S. P. 254)

Mr. Martin of Kennebec presented Bill, "An Act Creating the Oak Grove Management Area." (S. P. 255)

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

Sent down for concurrence.

Judiciary

Mr. Silsby of Hancock presented Bill, "An Act Establishing a Juvenile Probation System." (S. P. 271)

Mr. Martin of Kennebec presented Bill, "An Act to Authorize the State of Maine to Enter Into a Compact with the States of Vermont and New Hampshire to Establish a Tri-State Regional Medical Needs Board." (S. P. 256)

Mr. Lessard of Androscoggin presented

"Resolve Providing for Judicial Review of Certain Criminal Judgments." (S. P. 257)

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

Sent down for concurrence.

Labor

Mr. Woodcock of Penobscot presented

Bill, "An Act Relating to Claims for Compensation for Hernia." (S. P. 258)

The same Senator presented

Bill, "An Act Relating to Time Limitations for Filing Petitions Under Workmen's Compensation Act." (S. P. 259)

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

Sent down for concurrence.

Legal Affairs

Mr. Cole of Waldo presented Bill, "An Act Relating to Payments by Town of Northport to Northport Village Corporation." (S. P. 260)

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

Liquor Control

Mr. Carpenter presented (by request)

Bill, "An Act Relating to Applications for Liquor Licenses." (S. P. 261)

The same Senator presented (by request)

Bill, "An Act Relating to Persons to Whom Liquor Licenses May not be Issued." (S. P. 262)

Which were referred to the Committee on Liquor Control and ordered printed.

Sent down for concurrence.

Sea and Shore Fisheries

Mr. Wyman of Washington presented

Bill, "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)

Which was referred to the Committee on Sea and Shore Fisheries and ordered printed.

Sent down for concurrence.

State Government

Mr. Carpenter of Somerset presented

Bill, "An Act Relating to Removal of Persons from Service in Department of Inland Fisheries and Game." (S. P. 264)

Which was referred to the Committee on State Government and ordered printed.

Sent down for concurrence.

Towns and Counties

Mr. Carpenter of Somerset presented

Bill, "An Act Relating to Closing of Somerset County Offices on Saturdays." (S. P. 265)

Mr. Hall of York presented

Bill, "An Act Permitting County Commissioners to Lay Out Public Right of Way to Great Ponds." (S. P. 266)

Mr. Lessard of Androscoggin presented

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

Mr. Woodcock of Penobscot presented

Bill, "An Act Relating to Sessions of Boards of Registration." (S. P. 268)

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

Sent down for concurrence.

Second Readers

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

House

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

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

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

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

Senate

Bill, "An Act Relating to Cremation of Old State Bonds." (S. P. 38) (L. D. 40)

Bill, "An Act Relating to Time of Payments by Counties and Towns Under Bridge Act." (S. P. 50) (L. D. 81)

Bill, "An Act to Incorporate the General Finance Co." (S. P. 67) (L. D. 115)

Which were severally read a second time and passed to be engrossed. Sent down for concurrence.

Orders of the Day

On motion by Mr. Low of Knox, the Senate voted to take from the table Joint Order, Relative to Authorizing Distribution of Lists of State Employees Salaries (H. P. 456) tabled by that Senator on February 12, pending passage.

Mr. LOW of Knox: Mr. President and members of the Senate, I think very little of this order. It accomplishes practically nothing and it costs \$500. On the other hand, there does not seem to be any practical way of stopping it and I therefore move its passage in concurrence.

The motion prevailed and the order was passed in concurrence.

The PRESIDENT: The Chair would note the absence because of illness, of the Senator from Hancock, Senator Willey, and the Chair hopes the illness is not serious. Because of the Senator's absence, we will again postpone taking the Senate picture.

The PRESIDENT: At this time the Chair would ask the Senators from York, Penobscot, and Franklin, the Senators from the coastal counties to remain in their seats after adjournment, for a moment or two.

On motion by Mr. Hall of York

Adjourned until tomorrow afternoon at one o'clock.