

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

Thursday, February 14, 1957

Senate called to order by the President.

Prayer by Rev. Richard Hulburt of Hallowell.

On motion by Mr. Lessard of Androscoggin, Journal of yesterday read and approved.

The PRESIDENT: The Chair notes with peculiar satisfaction, this being Valentine's Day, the presence in the Senate Chamber of certainly one of the most attractive Senator's wives; and the Chair would ask the Senator from Penobscot to escort the beautiful lady to the rostrum.

Thereupon Mrs. Alan Woodcock was escorted to the rostrum by Senator Woodcock amid the applause of the Senate, the members rising.

Order

On motion by Mr. Low of Knox, out of order and under suspension of the rules:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, February 19, 1957, at 10:00 a. m. (S. P. 272)

Which was read and passed.
Sent forthwith to the House.

**Papers from the House
Joint Order**

ORDERED, the Senate concurring, that a Joint Select Committee on State House Renovations be appointed to consist of the President of the Senate, and the Speaker of the House, ex officio, two members of the Senate and three members of the House.

This Committee shall represent the Legislature in such discussions as the Governor and the Executive Council may wish to have on the problems related to the completion of renovations and changes in the State House and in other State office buildings.

The Committee shall report its findings together with such Bill, Resolve, or Order as it deems necessary and desirable. (H. P. 520)

Which was read and passed in concurrence.

House Papers

Bill, "An Act Increasing Salaries of Various Department Heads and Commissions." (H. P. 449) (L. D. 685)

Bill, "An Act Appropriating Monies for Supplemental Appropriation for Treasurer of State." (H. P. 457) (L. D. 650)

"Resolve for Repairs to Teachers' House at Peter Dana Point, Washington County." (H. P. 458) (L. D. 651)

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

Bill, "An Act to Incorporate the 'Able Loan Co.'" (H. P. 459) (L. D. 652)

Which was referred to the Committee on Business Legislation in concurrence.

"Resolve in Favor of Arthur R. Gould Memorial Hospital, Presque Isle." (H. P. 502)

"Resolve in Favor of Leona Sanborn of Fryeburg." (H. P. 503)

Which were referred to the Committee on Claims in concurrence.

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

Which was referred to the Committee on Highways in concurrence.

Bill, "An Act Repealing Law Relating to Transportation of Fish, Game and Fur-bearing Animals by Aircraft." (H. P. 461) (L. D. 654)

Bill, "An Act Relating to Stocking Certain Waters With Brown Trout." (H. P. 462) (L. D. 655)

"Resolve Opening Chemquasabamticook Lake, Piscataquis County, to Ice Fishing." (H. P. 463) (L. D. 656)

"Resolve Regulating Fishing in Milliken Pond and Tributaries, York County." (H. P. 464) (L. D. 657)

"Resolve Opening Cold Stream, Penobscot County, to Ice Fishing." (H. P. 465) (L. D. 658)

"Resolve Closing Sebago Lake, Cumberland County, to Taking Smelts." (H. P. 466) (L. D. 659)

"Resolve Closing Tributaries of Sebago Lake, Cumberland County to Taking Smelts." (H. P. 467) (L. D. 660)

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

Bill, "An Act Relating to the Taking of Certificates of Sureties by Bail Commissioners." (H. P. 468) (L. D. 661)

Bill, "An Act Relating to Cheverus Columbus Club." (H. P. 469) (L. D. 662)

Bill, "An Act Changing Name of 'Town of Madawaska Municipal Court' to 'Madawaska Municipal Court.'" (H. P. 479) (L. D. 663)

Bill, "An Act Relating to Appeal on the Taking of Land for School Purposes." (H. P. 471) (L. D. 664)

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

Bill, "An Act Relating to Director of Public Works of City of Waterville." (H. P. 472) (L. D. 665)

Bill, "An Act Relating to Number of Councillors in Town of Fort Fairfield." (H. P. 473) (L. D. 666)

Bill, "An Act Relating to the Board of Harbor Commissioners for the Harbor of Portland and its Powers." (H. P. 474) (L. D. 667)

Bill, "An Act Granting a New Charter to the Town of Old Orchard Beach." (H. P. 476) (L. D. 668)

Bill, "An Act Amending the Charter of Baileyville School District." (H. P. 477) (L. D. 669)

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

Bill, "An Act Relating to Merchandise Maintained by Retail Store Licensees." (H. P. 478) (L. D. 670)

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

Bill, "An Act Relating to Working on Trees." (H. P. 479) (L. D. 671)

"Resolve Authorizing a Right of Way for a Pipeline over Land of State School for Boys." (H. P. 480) (L. D. 672)

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

Bill, "An Act Relating to Assessments against Lots Benefited by

Waterville Sewerage District." (H. P. 481) (L. D. 687)

Bill, "An Act Relating to Enforcement of Collection of Sewerage Rates by Waterville Sewerage District." (H. P. 482) (L. D. 688)

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

Bill, "An Act Relating to Membership of Certain Teachers in State Retirement System." (H. P. 483) (L. D. 673)

"Resolve in Favor of Evelyn Bell Rowe of Sanford." (H. P. 484) (L. D. 674)

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

Bill, "An Act Relating to Taking of Shellfish in Yarmouth and North Yarmouth." (H. P. 485) (L. D. 675)

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

Bill, "An Act Relating to Giving of Notice Under Sales and Use Tax Law." (H. P. 487) (L. D. 680)

Bill, "An Act Relating to Deficiency Assessments Under the Sales and Use Tax Law." (H. P. 488) (L. D. 681)

Bill, "An Act Relating to Certificates under Sales Tax Law for Dissolution of Corporations." (H. P. 489) (L. D. 682)

Bill, "An Act Relating to Penalty for Failure to File Use Fuel Dealer's Report." (H. P. 490) (L. D. 683)

Bill, "An Act Defining Real Estate for the Purposes of Taxation." (H. P. 491) (L. D. 684)

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

Bill, "An Act to Increase Certain County Salaries in Lincoln County." (H. P. 492) (L. D. 676)

Bill, "An Act Increasing Salaries of Judge and Recorder of Lincoln Municipal Court, Lincoln County." (H. P. 493) (L. D. 677)

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

Bill, "An Act Relating to Sirens on Automobiles Operated by State

Liquor Inspectors." (H. P. 494) (L. D. 678)

Which was referred to the Committee on Transportation in concurrence.

Bill, "An Act Relating to Expense of Care of Neglected Children." (H. P. 495) (L. D. 679)

Which was referred to the Committee on Welfare in concurrence.

House Committee Reports

The Committee on Claims on "Resolve to Compensate William H. Barker of Waterford for Injuries While Training with National Guard." (H. P. 18) (L. D. 23) reported that the same Ought not to pass.

Which report was read and accepted in concurrence.

The Committee on Inland Fisheries and Game on

"Resolve Closing Chain of Tacoma Lakes to Ice Fishing." (H. P. 132) (L. D. 170) reported that the same Ought not to pass.

Comes from the House, Resolve substituted for the report and passed to be engrossed.

In the Senate, on motion by Mr. Martin of Kennebec, tabled pending consideration of the report.

Ought to Pass

The Committee on Claims on "Resolve in Favor of Martin Brothers of Van Buren." (H. P. 65) (L. D. 577) reported that the same Ought to pass.

The same Committee on "Resolve in Favor of Town of Milo for Aid to Emile Thibodeau." (H. P. 87) (L. D. 578) reported that the same Ought to pass.

The same Committee on "Resolve in Favor of Norman M. Dyer of Ellsworth." (H. P. 101) (L. D. 579) reported that the same Ought to pass.

The same Committee on "Resolve to Reimburse Town of Limestone for Aid Extended to Marion Joseph of Limestone." (H. P. 103) (L. D. 580) reported that the same Ought to pass.

The same Committee on "Resolve in Favor of Town of Milo for Aid to Mabelle Brawn."

(H. P. 156) (L. D. 581) reported that the same Ought to pass.

The Committee on Inland Fisheries and Game on

"Resolve Regulating Fishing in Haley Pond, Franklin County." (H. P. 113) (L. D. 151) reported that the same Ought to pass.

The same Committee on "Resolve Prohibiting Live Fish as Bait in Spring Lake, Somerset County." (H. P. 115) (L. D. 153) reported that the same Ought to pass.

The same Committee on "Resolve Regulating Fishing in Tim Pond, Franklin County." (H. P. 117) (L. D. 155) reported that the same Ought to pass.

The Committee on Judiciary on Bill, "An Act Relating to Procedure of Municipal Tax Collectors in Issuing Warrants of Distress." (H. P. 70) (L. D. 97) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Procedure for Municipal Tax Collectors in Settling Accounts When Removing from Municipalities." (H. P. 71) (L. D. 98) reported that the same Ought to pass.

The Committee on Legal Affairs on

Bill, "An Act Relating to Examination of Dog Shelters by State Humane Agents." (H. P. 133) (L. D. 171) reported that the same Ought to pass.

The Committee on State Government on

Bill, "An Act Relating to Administration of Fire Prevention Laws." (H. P. 37) (L. D. 50) reported that the same Ought to pass.

The Committee on Towns and Counties on

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

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

Ought to Pass—as Amended

The Committee on Claims on "Resolve Reimbursing Town of Bristol for Certain Pauper Claims." (H. P. 46) (L. D. 77) reported that the same Ought to pass as amended

by Committee Amendment A (Filing No. 6)

The Committee on Legal Affairs on

Bill, "An Act to Repeal the Act Creating the Dixfield Village Corporation." (H. P. 34) (L. D. 47) reported that the same Ought to pass as amended by Committee Amendment A (Filing No. 14)

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

The Committee on Taxation on Bill, "An Act Relating to State Liquor Tax." (H. P. 38) (L. D. 51) reported that the same Ought to pass as amended by Committee Amendment A (Filing No. 12)

Comes from the House, report accepted; subsequently recommitted to the Committee on Taxation.

In the Senate, the bill and report were recommitted to the Committee on Taxation in concurrence.

Ought To Pass

The Committee on Highways on "Resolve Designating Part of Route 111 as Carl Broggi Memorial Highway." (H. P. 5) (L. D. 4) reported that the same Ought to pass.

Comes from the House, report accepted, House Amendment A (Filing No. 8) adopted, and the resolve as so amended, passed to be engrossed. (House Amendment A changes title)

In the Senate, the report was read and accepted, the resolve read once, House Amendment A read and adopted in concurrence, and the resolve as so amended was tomorrow assigned for second reading.

Majority—ONTP

Minority—OTP

The Majority of the Committee on Claims on "Resolve to Reimburse the Town of Limestone for Aid Extended to Frederick Bell." (H. P. 3) (L. D. 2) reported that the same Ought not to Pass.
(Signed)

Senators:

SILSBY of Hancock
HILLMAN of Penobscot
FOURNIER of York

Representatives:

JACK of Topsham
HUTCHINSON of Carthage
FOSS of Chapman
SHAW of Bingham

The Minority of the same Committee on the same subject matter, reported that the resolve Ought to pass.

(Signed)

Representatives:

JOHNSON of Stockholm
HICKEY of Biddeford
GALLANT of Eagle Lake

Comes from the House, Majority report read and accepted.

In the Senate, on motion by Mr. Silsby of Hancock, the Majority Report "Ought Not to Pass" was accepted in 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:

Agriculture

Mr. Reed of Arroostook presented Bill, "An Act Relating to Branding of Potatoes." (S. P. 273)

The same Senator presented Bill, "An Act Creating the Maine Weights and Measures Law." (S. P. 274)

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

Sent down for concurrence.

Appropriations and Financial Affairs

Mr. Davis of Cumberland presented

"Resolve Appropriating Moneys for Science Laboratories at Portland Junior College." (S. P. 275)

Mr. Woodcock of Penobscot presented

"Resolve in Favor of Brewer Band Parents Association." (S. P. 289)

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

Sent down for concurrence.

Business Legislation

Mr. Curtis of Cumberland presented

Bill, "An Act Regulating Public Utilities Engaged in Non-Utility Business" (S. P. 276)

Mr. St. Pierre of Androscoggin presented (by request)

Bill, "An Act Relating to Trustee Process of Wages." (S. P. 277)

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

Sent down for concurrence.

Education

Mr. Wyman of Washington presented

Bill, "An Act Relating to Purpose and Aid for Driver Education." (S. P. 278)

Which was referred to the Committee on Education and ordered printed.

Sent down for concurrence.

Highways

Mr. Davis of Cumberland presented (by request)

Bill, "An Act Authorizing County Commissioners to Act as Advisory Boards to the State Highway Commission." (S. P. 279)

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

Sent down for concurrence.

Inland Fisheries and Game

Mr. Briggs of Aroostook presented Bill, "An Act Relating to Closed Time on Deer in Certain Counties." (S. P. 280)

The same Senator presented

Bill, "An Act Relating to Closed Time on Deer in Certain Counties." (S. P. 281)

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

Sent down for concurrence.

Judiciary

Mrs. Lord of Cumberland presented

Bill, "An Act Relating to the Distribution and Sale of Publications Depicting Crime and Torture." (S. P. 282)

Which was referred to the Committee on Judiciary and ordered printed.

Sent down for concurrence.

Labor

Mr. Martin of Kennebec presented Bill, "An Act Relating to Equipment of Rail Track Motorcars Used by Railroad Transport Employees." (S. P. 283)

Mr. Woodcock of Penobscot presented

Bill, "An Act Relating to Compensation for Eye Impairment Under Workmens Compensation Act." (S. P. 284)

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

Sent down for concurrence.

Public Utilities

Mr. Martin of Kennebec presented Bill, "An Act Relating to Authority of Public Utilities Commission over Construction of Water Supply Systems." (S. P. 285)

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

Sent down for concurrence.

Retirements and Pensions

Mr. Butler of Franklin presented Bill, "An Act Relating to Membership in Maine State Retirement System of Maine National Guard Employees." (S. P. 286)

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

Sent down for concurrence.

State Government

Mr. Dow of Lincoln presented "Resolve Declaring the Chinook the Official Dog of Maine." (S. P. 287)

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

Sent down for concurrence.

Towns and Counties

Mr. Woodcock of Penobscot presented

Bill, "An Act Increasing Salaries of County Attorney and Assistant County Attorney of Penobscot County." (S. P. 288)

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

Sent down for concurrence.

Senate Committee Reports Ought Not to Pass

Mr. Carpenter from the Committee on Inland Fisheries and Game on Bill, "An Act Relating to Sunday Hunting." (S. P. 97) (L. D. 227) reported that the same Ought not to pass.

Mr. Briggs from the same Committee on "Resolve Regulating Fishing in Umbagog Lake, Oxford County." reported that the same Ought not to pass.

Which reports were read and accepted.

Sent down for concurrence.

Ought to Pass

Mr. Hall from the Committee on Inland Fisheries and Game on "Resolve Regulating Fishing for White Perch in Cobbosseecontee Lake, Kennebec County." (S. P. 73) (L. D. 138) reported that the same Ought to Pass.

Mr. Carpenter from the same Committee on "Resolve Regulating Fishing in Silver Lake, Kennebec County." (S. P. 74) (L. D. 139) reported that the same Ought to pass.

The same Senator from the same Committee on "Resolve Prohibiting the Use of Live Fish as Bait in Certain Waters in Somerset County." (S. P. 75) (L. D. 140) reported that the same Ought to pass.

The same Senator from the same Committee on "Resolve Opening Moose Pond, Cumberland and Oxford Counties to Ice Fishing." (S. P. 72) (L. D. 141) reported that the same Ought to pass.

Mr. Hall from the same Committee on "Resolve Regulating Fishing in Little Ellis Pond, Oxford County." (S. P. 99) (L. D. 229) reported that the same Ought to Pass.

Mr. Briggs from the same Committee on "Resolve Regulating Ice Fishing for Smelts in Pleasant Lake, Aroostook County." (S. P. 124) (L. D. 258) reported that the same Ought to pass.

The same Senator from the same Committee on "Resolve Establishing Day Limit and Prohibiting Live Fish as Bait in Certain Waters in Aroostook County." (S. P. 123) (L. D. 259) reported that the same Ought to pass.

The same Senator from the same Committee on "Resolve Closing Um-

colcus Lake, Penobscot County, to Ice Fishing." (S. P. 121) (L. D. 261) reported that the same Ought to pass.

The same Senator from the same Committee on "Resolve Regulating Ice Fishing in Certain Waters in Aroostook County." (S. P. 117) (L. D. 265) reported that the same Ought to pass.

The same Senator from the Committee on Public Health on Bill, "An Act Changing the Name of Pownal State School to Pineland Hospital and Training Center." (S. P. 55) (L. D. 85) reported that the same Ought to pass.

The same Senator from the same Committee on Bill, "An Act Relating to Charges for Treatment for Patients in State Sanatoriums." (S. P. 105) (L. D. 235) reported that the same Ought to pass.

Mr. Davis from the Committee on Retirements and Pensions on Bill, "An Act to Correct Inconsistencies in Maine State Retirement System Law." (S. P. 87) (L. D. 197) reported that the same Ought to pass.

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

Second Readers

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

House

Bill, "An Act to Incorporate the Winter Harbor School District." (H. P. 93) (L. D. 130)

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

House—as amended

Bill, "An Act Relating to Special Town Meetings in Town of Vassalboro." (H. P. 35) (L. D. 48)

Bill, "An Act Relating to Castle Hill-Chapman-Mapleton Community School District." (H. P. 135) (L. D. 173)

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

The PRESIDENT: Will the Senator from Androscoggin, Senator

Lessard, approach the rostrum please?

The PRESIDENT: Is it the pleasure of the Senate that there be deleted from this day's Senate record all reference to Enactors?

Mr. Lessard of Androscoggin was gratified unanimous consent to address the Senate.

Mr. LESSARD: May it please the Senate: The reason that we would like to postpone these enactors is because Governor Muskie, as you know, has gone away for a short time and probably won't be back for a few days, so, rather than having these enactors lying around and we not knowing the exact date when the Governor will be back, which will be rather shortly perhaps, I think it would be better if we do not pass them to be enacted until we know the definite date that the Governor will be back, as they might be lost because he was not there to sign them.

Thereupon, on motion by Mr. Lessard of Androscoggin the Enactors, (Items 1 to 9) were tabled pending enactment.

**Order
(Out of Order)**

On motion by Mr. Davis of Cumberland, out of order and under suspension of the rules:

ORDERED, the House concurring, that the Joint Standing Committee on Retirements and Pensions be and hereby is directed to investigate all special resolve pensions presently existing and that upon completion of such study the committee be directed to report their findings and conclusions to this Legislature.

Which was read and passed.

Sent down for concurrence.

House Order

The following House order was taken up out of order and under suspension of the rules:

ORDERED, the Senate concurring, that a Joint Select Committee be appointed, to be known as Committee on Street Parking, consisting of three members on the part of the House with such as the Senate may join. The President of the Senate and Speaker of the House shall serve as members ex officio of said committee. The committee shall be charged with the responsibility of meeting with appropriate City of Augusta Officials and the Augusta Parking District to discuss such problems as may exist in the use of City of Augusta Streets.

In the House, read and passed.

In the Senate: The order received passage in concurrence.

Orders of the Day

On motion by Mr. Woodcock of Penobscot, the Senate voted to take from the table Senate Report "Ought Not to Pass" from the Committee on Business Legislation on bill, "An Act Relating to Employment Offices" (S. P. 41) (L. D. 57) tabled by that Senator on February 5 pending consideration of the report; and on further motion by the same Senator, the bill and report were recommitted to the Committee on Business Legislation.

Sent down for concurrence.

On motion by Mr. Fournier of York

Adjourned until Tuesday, February 19 at 10 o'clock in the morning.