

# 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, March 21, 1957

Senate called to order by the President.

Prayer by Rev. Victor P. Musk of Augusta.

On motion by Mr. Briggs of Aroostook,

Journal of yesterday read and approved.

**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, March 26, 1957, in the forenoon. (S. P. 473)

Which was read and passed.

Sent forthwith to the House.

Subsequently, the foregoing order was returned from the House, having been read and passed in concurrence.

Mrs. Lord of Cumberland presented the following order and moved its passage:

ORDERED, the House concurring, that H. P. 324, L. D. 441, bill, "An Act to Repeal Incorporation of Bridgton Centre Village Corporation and Incorporating Bridgton Water District" be recalled to the Senate from the engrossing department.

Which order received a passage.

Sent forthwith to the House for concurrence.

Bill, "An Act Revising House Papers Tax Law." (H. P. 917) (L. D. 1307)

Which was referred to the Committee on Agriculture in concurrence.

Bill, "An Act Relating to Bank Deposits or Loan and Building Shares in Two or More Names." (H. P. 918) (L. D. 1308)

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

Bill, "An Act Relating to Fishing and Hunting Licenses for Nonresident Students in Maine Colleges." (H. P. 919) (L. D. 1309)

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

Bill, "An Act Relating to Injury to Monuments and Places of Burial." (H. P. 920) (L. D. 1310)

Which was referred to the Committee on Judiciary in concurrence.

Bill, "An Act Classifying Certain Surface Waters in Maine." (H. P. 922) (L. D. 1311)

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

Bill, "An Act to Establish the Wiscasset Sewerage District." (H. P. 923) (L. D. 1312)

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

Bill, "An Act Amending the Law Permitting Municipal Employees to Receive Federal Social Security Benefits." (H. P. 924) (L. D. 1313)

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

Bill, "An Act Relating to Excise Taxes on Motor Vehicles of Those Who Reside on Veterans Administration Facility, Togus." (H. P. 925) (L. D. 1314)

Which was referred to the Committee on Taxation in concurrence.

Bill, "An Act Relating to Burial Expenses for Honorably Discharged Soldiers and Sailors." (H. P. 926) (L. D. 1315)

Which was referred to the Committee on Veterans and Military Affairs in concurrence.

**House Paper Received by Unanimous Consent**

"Resolve in Favor of Mrs. Elwood Gerry of North Yarmouth." (H. P. 928) (L. D. 1316)

Which was received by unanimous consent and referred to the Committee on Claims in concurrence.

**House Committee Reports Ought to Pass**

The Committee on Inland Fisheries and Game on "Resolve Regulating Fishing in Moosehead Lake Trib-

utaries, Somerset and Piscataquis Counties." (H. P. 126) (L. D. 164) reported that the same Ought to pass.

Comes from House, indefinitely postponed.

In the Senate, on motion by Mr. Carpenter of Somerset, the resolve was indefinitely postponed in concurrence.

The Committee on Legal Affairs on Bill, "An Act to Incorporate the Town of Fairfield School District." (H. P. 663) (L. D. 944) reported that the same Ought to pass.

Comes from House, report accepted, House Amendment A (Filing No. 114) adopted, and bill as so amended Passed to be engrossed.

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

The Committee on Business Legislation on Bill, "An Act Relating to Payment of Premium of Insurance Policies under Franchise Plan." (H. P. 591) (L. D. 840) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Par Value of Trust Company Stock." (H. P. 699) (L. D. 1006) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Coercion in Placing Insurance on Real and Personal Property." (H. P. 678) (L. D. 967) reported that the same Ought to pass.

The Committee on Claims on "Resolve in Favor of Alvin W. Coss of Bath." (H. P. 533) (L. D. 1271) reported that the same Ought to pass.

The same Committee on "Resolve to Reimburse Wilson C. Ryder of Dresden." (H. P. 704) (L. D. 1272) reported that the same Ought to pass.

The Committee on Inland Fisheries and Game on recommitted "Resolve Regulating Fishing in West Branch Ponds and Tributaries Piscataquis County." (H. P. 275) (L. D. 371) reported that the same Ought to pass.

The Committee on Judiciary on Bill, "An Act Relating to Deposi-

tions in Probate Courts." (H. P. 279) (L. D. 375) reported that the same Ought to pass.

The Committee on State Government on Bill, "An Act Relating to the Appointment of the State Humane Agents." (H. P. 392) (L. D. 523) reported that the same Ought to pass.

The Committee on Welfare on Bill, "An Act Defining Dependent Child in Aid to Dependent Children." (H. P. 649) (L. D. 915) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Old Age Assistance." (H. P. 673) (L. D. 954) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Applications for Aid to the Disabled." (H. P. 674) (L. D. 955) 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 Inland Fisheries and Game on Bill, "An Act Relating to Bounty on Bears." (H. P. 159) (L. D. 206) reported that the same Ought to pass as Amended by Committee Amendment A (Filing No. 70)

Comes from House, recommitted to the Committee on Inland Fisheries and Game.

In the Senate, the bill was recommitted to the Committee on Inland Fisheries and Game in concurrence.

The PRESIDENT: The Chair at this time notes the presence in the Senate Chamber of a group of young people from the fifth and eighth grades of Glenburn, accompanied by Mrs. Leland and Mrs. Bemis. We welcome you here this afternoon and confirm what you already know, that you come from the finest county in the State of Maine. All of us today will try to make the rest of your day a happy one.

#### Ought to Pass—as Amended

The Committee on Claims on "Resolve in Favor of Everett L. Scott of Calais." (H. P. 809) (L. D. 1274) reported that the same Ought

to pass as Amended by Committee Amendment A (Filing No. 101)

The Committee on Inland Fisheries and Game on Bill, "An Act Relating to Open Season on Muskrat in Parts of Oxford County." (H. P. 208) (L. D. 292) reported that the same Ought to pass as Amended by Committee Amendment A (Filing No. 102)

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 so amended, were tomorrow assigned for second reading.

**Majority—OTP**  
**Minority—ONTP**

The Majority of the Committee on Inland Fisheries and Game on "Resolve Regulating Fishing in Kokadjo, Piscataquis County." (H. P. 123) (L. D. 161) reported that the same Ought to pass.

(Signed)

Senator:

HALL of York

Representatives:

HARRIS of Greenville  
CARVILLE of Eustis  
WHEATON of Princeton  
ROSS of Brownville  
BARTLETT of Belgrade  
DUDLEY of Enfield  
HARRIMAN of Lovell

The Minority of the same Committee on the same subject matter reported that the resolve Ought not to pass.

(Signed)

Senators:

BRIGGS of Aroostook  
CARPENTER of Somerset

Comes from House, Majority Report accepted and the resolve passed to be engrossed.

In the Senate:

Mr. CARPENTER of Somerset: Mr. President and members of the Senate, this is another bill similar to those heard yesterday which would extend the fishing season from Sept. 15 to Oct. 1 during the spawning season, which I am definitely opposed to. I shall now move that the Senate accept the Minority ought not to pass report.

The motion prevailed, the minority ought not to pass report was accepted in non-concurrence.

Sent down for concurrence.

**Senate Papers**

The following bills and resolve were transmitted by the Director of Legislative Research, pursuant to Joint Order (H. P. 43)

**Agriculture**

Mr. Ferguson of Oxford presented Bill, "An Act Relating to Unlicensed Dogs." (S. P. 474)

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

Sent down for concurrence.

**Business Legislation**

The same Senator presented Bill, "An Act Relating to Unfair Retail Sales of Motor Fuel." (S. P. 475)

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

Sent down for concurrence.

**Judiciary**

Mr. Charles of Cumberland presented

Bill, "An Act Relating to Change of Residence of Voter." (S. P. 476)

Mr. Silsby of Hancock presented Bill, "An Act to Correct Errors and Inconsistencies in the Public Laws." (S. P. 477)

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

Sent down for concurrence.

**Natural Resources**

Mr. Woodcock of Penobscot presented

Bill, "An Act Revising the Law Relating to Peaceful Uses of Atomic Energy." (S. P. 478)

Which was referred to the Committee on Natural Resources and ordered printed.

Sent down for concurrence.

**State Government**

Mr. Low of Knox presented Bill, "An Act Relating to Powers of State Board of Education." (S. P. 479)

The same Senator presented Bill, "An Act Relating to Appointment of Commissioner of Education." (S. P. 480)

The same Senator presented Bill, "An Act Relating to Membership in State Board of Education." (S. P. 481)

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

Sent down for concurrence.

#### Constitutional Amendments

The same Senator presented "Resolve Proposing an Amendment to the Constitution Changing the Tenure of Office of Senators to Four-Year Terms." (S. P. 482)

Which was referred to the Committee on Constitutional Amendments and ordered printed.

Sent down for concurrence.

Mr. LESSARD of Androscoggin: Mr. President, I rise to ask unanimous consent to introduce a bill, and I would like to make a brief statement inasmuch as I realize it is a late date to ask the Senate for that courtesy.

This bill is an amendment to an act prohibiting the pauperizing of families of veterans. Up to now the word "family" has been construed to mean a soldier, sailor, marine, his wife and children. However, the Attorney General's department had occasion to make a ruling and said that would not apply if the veteran died, that is it would not apply to the widow or children.

This bill is for the purpose of amending the law so that it will provide that widows and children also cannot be pauperized.

Thereupon, bill, "An Act Prohibiting the Pauperizing of Families of Veterans" was received by unanimous consent; and on motion by the same Senator, the bill was referred to the Committee on Veterans Affairs and ordered printed.

Sent down for concurrence.

#### Senate Committee Report Ought to Pass—as amended

Mr. Carpenter from the Committee on Inland Fisheries and Game on "Resolve Regulating Fishing for White Perch in Certain Counties." (S. P. 198) (L. D. 543) reported that

the same Ought to pass as Amended by Committee Amendment A.

Which report was read and accepted and the resolve read once. Committee Amendment A was read and adopted and the resolve as so amended was tomorrow assigned for second reading.

The PRESIDENT: The Chair would announce that there is now in the possession of the Senate, L. D. 441, having been recalled earlier in today's session by Joint Order.

Mrs. Lord of Cumberland presented Senate Amendment A to L. D. 441 and moved its adoption:

The Secretary read Senate Amendment A: "Amend said bill by striking out in the end of the next to the last paragraph the emergency clause, the punctuation and words, 'excluding absentee and disability ballots.'"

Senate Amendment A was adopted, and the bill was passed to be engrossed in non-concurrence.

Sent down for concurrence.

#### Second Readers

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

##### House

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

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 Motor Vehicles Emerging from Alley, Driveway or Building." (H. P. 633) (L. D. 748)

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

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

Bill, "An Act Relating to Board of Trustees of Fort Fairfield School District." (H. P. 693) (L. D. 980)

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

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

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

#### Senate

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

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

Sent down for concurrence.

#### Enactors

**The Committee on Engrossed Bills reported as truly and strictly engrossed, the following bills and resolves:**

Bill, “An Act Relating to Burning of Motor Vehicles and Aircraft.” (H. P. 31) (L. D. 44)

Bill, “An Act Revising Law Relating to Dealer and Transit Motor Vehicle Registration.” (H. P. 41) (L. D. 54)

Bill, “An Act to Amend the Charter of the City of Hallowell Relating to the Election of the City Marshal and Street Commissioner by the City Council.” (H. P. 226) (L. D. 321)

Bill, “An Act Relating to Taking and Use of Herring Under Four Inches in Length.” (H. P. 238) (L. D. 331)

Bill, “An Act Relating to Legal Length of Scallops.” (H. P. 292) (L. D. 388)

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

Bill, “An Act Establishing Poetry Day in Maine.” (H. P. 330) (L. D. 480)

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

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

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

Bill, “An Act Creating the Lake Christopher Game Management Area, Oxford County.” (H. P. 504) (L. D. 714)

(On motion by Mr. Bailey of Sagadahoc, tabled pending enactment.)

Bill, “An Act Relating to Closing of Roads in Unorganized Territory by County Commissioners.” (H. P. 539) (L. D. 766)

(On motion by Mr. Silsby of Hancock, tabled pending enactment.)

Bill, “An Act Relating to Taking of Smelts in Certain Waters.” (H. P. 602) (L. D. 849)

Bill, “An Act Closing Cranberry Isles to all Deer Hunting.” (H. P. 603) (L. D. 850)

Bill, “An Act Amending the Charter of the Relief Association of the Portland Fire Department.” (H. P. 566) (L. D. 876)

Bill, “An Act Excluding Employers of Certain Female Employees from Keeping a Record of Hours Worked.” (H. P. 685) (L. D. 974)

Bill, “An Act Relating to Limitations on Overtaking Motor Vehicles on the Left.” (H. P. 837) (L. D. 1173)

Bill, “An Act Relating to Agreements and Cooperative Arrangements by Commissioner of Agriculture.” (S. P. 31) (L. D. 33)

Bill, “An Act Relating to Transfer of Property in Public Assistance.” (S. P. 46) (L. D. 62)

Bill, “An Act Relating to the Taking of Alewives in the Town of Pembroke, Washington County.” (S. P. 147) (L. D. 345)

Bill, “An Act Relating to Rate of Premiums for Group Life Insurance.” (S. P. 174) (L. D. 453)

Bill, “An Act Relating to Accident Reports.” (S. P. 230) (L. D. 573)

Bill, “An Act Creating the Oak Grove Management Area.” (S. P. 255) (L. D. 692)

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

“Resolve Repealing Law Relating to Taking of Herring in Town of Cutler.” (H. P. 241) (L. D. 334)

“Resolve Regulating Fishing in Grand Lake Stream, Washington County.” (H. P. 363) (L. D. 490)

“Resolve Regulating Ice Fishing in Pleasant Lake, Aroostook County.” (H. P. 412) (L. D. 589)

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

“Resolve Regulating Fishing in Milliken’s Mill Pond and Tributary

ies, York County." (H. P. 464) (L. D. 657)

"Resolve Regulating Fishing in Howard Pond, Oxford County." (S. P. 100) (L. D. 230)

"Resolve Opening Wentworth Pond, Somerset County, to Ice Fishing." (S. P. 196) (L. D. 541)

"Resolve in Favor of Adrian Plouffe of Webster." (S. P. 115) (L. D. 1174)

(On motion by Mr. Sinclair of Somerset, the resolve was laid upon the Special Appropriations Table pending enactment.)

"Resolve to Reimburse Town of Franklin for Burial Expenses for Fred M. Robbins." (S. P. 233) (L. D. 1175)

(On motion by Mr. Sinclair of Somerset, the resolve was laid upon the Special Appropriations Table pending enactment.)

Which bills were severally passed to be enacted and the resolves finally passed.

#### Emergency

Bill, "An Act Increasing Indebtedness of George H. Robertson School District of Belfast." (H. P. 287) (L. D. 383)

Which bill, being an emergency measure, and having received the affirmative vote of 30 members of the Senate, was Passed to be enacted.

#### Emergency

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

Which bill, being an emergency measure, and having received the affirmative vote of 31 members of the Senate, was Passed to be enacted.

#### Emergency

Bill, "An Act Relating to Permit Before Examination for Applicant to Practice Hairdressing and Beauty Culture." (H. P. 548) (L. D. 775)

Which bill, being an emergency measure, and having received the affirmative vote of 31 members of the Senate, was Passed to be enacted.

#### Emergency

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

Which resolve, being an emergency measure, and having received the affirmative vote of 31 members of the Senate, was Finally passed.

#### Emergency

"Resolve, Prohibiting Taking of Smelts from Auburn Lake and Little Wilson Pond, Androscoggin County." (H. P. 542) (L. D. 769)

Which resolve, being an emergency measure, and having received the affirmative vote of 31 members of the Senate, was Finally passed.

#### Orders of the Day

On motion by Mr. Martin of Kennebec, the Senate voted to take from the table, bill, "An Act Increasing Indebtedness of Jay School District." (S. P. 327) (L. D. 823) tabled by that Senator on March 12 pending consideration of Committee Amendment A; and that Senator moved the pending question.

Thereupon, Committee Amendment A was adopted.

The Senator from Franklin, Senator Butler, presented Senate Amendment A to the bill and moved its adoption.

The Secretary read Senate Amendment A:

"Amend said bill by striking out all of the title thereof and inserting in place thereof the following: 'An Act Relating to Maturity Date of Bonds of Jay School District.'

Further amend said bill by striking out all of Section 1 thereof. Further amend said bill by striking out in the 9th line the underlined abbreviation and number 'Sec. 2.'"

Which amendment was adopted and on further motion by the same Senator, the rules were suspended, the bill was read a second time and passed to be engrossed as amended by Committee Amendment A and Senate Amendment A.

Sent down for concurrence.

On motion by Mr. Briggs of Aroostook, the Senate voted to take from the table bill, "An Act Relating to the Appointment of a



Deputy Commissioner of Inland Fisheries and Game" (S. P. 106) (L. D. 236) tabled by that Senator on March 13 pending enactment; and on further motion by the same Senator, the bill was passed to be enacted.

On motion by Mr. Briggs of Aroostook, the Senate voted to take from the table bill, "An Act Relating to Fluoridation of Public Water Supplies" (S. P. 466) tabled by that Senator on March 20 pending reference to a committee; and on further motion by the same Senator, the bill was referred to the Committee on Public Utilities and ordered printed.

Sent down for concurrence.

On motion by Mr. Carpenter of Somerset, the Senate voted to take from the table House Report from the Committee on Inland Fisheries and Game — Majority Report, ought to pass, Minority report ought not to pass—on "Resolve Regulating Fishing in Kennebec River, Somerset and Piscataquis Counties" (H. P. 121) (L. D. 159) tabled by that Senator on March 14 pending consideration of the reports.

Mr. CARPENTER of Somerset: Mr. President and members of the Senate, this is another one of those fishing deals where, by its passage, the season will be extended from Sept. 15 to Oct. 1 for fishing on the spawning beds. I therefore move that the minority ought not to pass report be accepted.

The motion prevailed and the Senate accepted the minority ought not to pass report of the committee.

Sent down for concurrence.

On motion by Mr. Carpenter of Somerset, the Senate voted to take from the table House Report from the Committee on Inland Fisheries and Game — Majority report Ought

to pass; Minority report Ought not to pass on "Resolve Regulating Fishing in Moose River, Piscataquis County." (H. P. 122) (L. D. 160) tabled by that Senator on March 13 pending consideration of the reports.

Mr. CARPENTER of Somerset: Mr. President, the same conditions apply to this bill as to the previous one. I therefore move acceptance of the minority report.

Mr. FARLEY of York: Mr. President I request a division.

A division of the Senate was had. Twenty-three having voted in the affirmative and eight opposed, the majority report ought not to pass was accepted.

Sent down for concurrence.

Mr. Briggs of Aroostook presented the following order and moved its passage:

ORDERED, the House concurring, that the following bill be recalled from the Governor to the Senate: bill, "An Act Relating to Investment of Municipal Trust Funds" (L. D. 473)

Thereupon the Order received a passage.

Sent forthwith to the House.

Subsequently the above order was returned from the House having been passed in concurrence.

On motion by Mr. Briggs of Aroostook, the Senate voted to reconsider its former action on bill, "An Act Relating to Investment of Municipal Trust Funds" (L. D. 473) whereby the bill was passed to be enacted; and on motion by the same Senator the bill was laid upon the table pending enactment.

On motion by Mr. Briggs of Aroostook,

Adjourned until Tuesday next at ten o'clock in the morning.