

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, April 2, 1957

Senate called to order by the President.

Prayer by Rev. Dwain Evans of Augusta.

On motion by Mr. Charles of Cumberland, Journal of last Thursday read and approved.

Papers from the House

Bill, "An Act Relating to Registration Fees on Certain Commercial Vehicles." (S. P. 25) (L. D. 16)

In Senate on February 27, passed to be engrossed.

Comes from House, recommitted to the Committee on Transportation in non-concurrence.

In the Senate, on motion by Mr. Cole of Waldo, that Body voted to recede and concur.

Bill, "An Act to Repeal Incorporation of Bridgton Centre Village Corporation and Incorporating Bridgton Water District." (H. P. 324) (L. D. 441)

In Senate on March 21, passed to be engrossed as amended by Committee Amendment A and as amended by Senate Amendment A in non-concurrence.

Comes from the House, passed to be engrossed as amended by Committee Amendment A, Senate Amendment A and House Amendment A in non-concurrence.

In the Senate, on motion by Mr. Reed of Aroostook, that Body voted to recede and concur.

Bill, "An Act Relating to Killing of Dogs Chasing Livestock or Poultry." (H. P. 990) (L. D. 1419)

Which was referred to the Committee on Agriculture in concurrence.

"Resolve Authorizing Study of the Problems of the Uninsured Motorist." (H. P. 991) (L. D. 1420)

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

Bill, "An Act Relating to Sales Financing of Motor Vehicles." (H. P. 993) (L. D. 1421)

Bill, "An Act Relating to Uniform Law for Organization and Supervision of Fraternal Benefit Societies." (H. P. 992) (L. D. 1438)

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

"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) (L. D. 1422)

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

Bill, "An Act Creating a Salary Grant for Teachers." (H. P. 964) (L. D. 1436)

Which was referred to the Committee on Education in concurrence.

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) (L. D. 1423)

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) (L. D. 1424)

Bill, "An Act to Authorize the Construction of a Bridge Across the Passagassawaueag River at Belfast." (H. P. 997) (L. D. 1425)

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

Bill, "An Act Relating to Open Season on Bull Moose in Hancock and Washington Counties." (H. P. 998) (L. D. 1426)

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

Bill, "An Act Relating to Opening Obstructions in Waters to Maintain Fish Life." (H. P. 999) (L. D. 1427)

Bill, "An Act Relating to Municipal Court and Trial Justice Court Costs and Fines." (H. P. 1000) (L. D. 1428)

Which were referred to the Committee on Judiciary in concurrence.

Bill, "An Act Relating to Operation and Exemptions of Certain Boilers and Unfired Steam Pressure Vessels." (H. P. 1001) (L. D. 1429)

Bill, "An Act to Increase Borrowing Capacity of City of Calais School District." (H. P. 1002) (L. D. 1430)

Bill, "An Act to Create a Public Body in the City of Bangor to be Known as the Urban Renewal Authority." (H. P. 1003) (L. D. 1437)

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

Bill, "An Act Prohibiting Fishing by Trawlers in Sheepscot Bay." (H. P. 1005) (L. D. 1431)

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

Bill, "An Act Relating to Appointment of Deputy Commissioner for Penal Institutions and One for Psychiatric Institutions." (H. P. 1006) (L. D. 1432)

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

Bill, "An Act to Provide Additional Revenue by Severance Taxes on Severer of Timber or Producer of Timber Products." (H. P. 975) (L. D. 1377)

Which was referred to the Committee on Taxation in concurrence.

Bill, "An Act Creating County Offices of Assessment and Mapping." (H. P. 1007) (L. D. 1433)

Bill, "An Act to Increase Clerk Hire for Probation Officers in Androscoggin County." (H. P. 1008) (L. D. 1434)

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

Bill, "An Act Relating to the Appointment of Port Pilots." (H. P. 1009) (L. D. 1435)

Which was referred to the Committee on Transportation in concurrence.

House Committee Reports Leave to Withdraw

The Committee on Natural Resources on Bill, "An Act to Authorize Construction and Maintenance of a Wharf in Long Lake at Naples by John Troup." (H. P. 567) (L. D. 877) reported that the same be granted Leave to Withdraw

The same Committee on Bill, "An Act to Authorize the Construction and Maintenance of a Wharf in Long Lake at Naples by Marie H. Dockum." (H. P. 721) (L. D. 1024) reported that the same be granted Leave to Withdraw

Which reports were read and accepted in concurrence.

Ought Not to Pass

The Committee on Natural Resources on "Resolve Authorizing Attorney General to Investigate Title to Certain Island in B. Pond, Piscataquis County." (H. P. 614) (L. D. 861)

The Committee on Transportation on Bill, "An Act Relating to Mirrors on Certain Motor Vehicles." (H. P. 733) (L. D. 1037) reported that the same Ought not to pass

Which reports were read and accepted in concurrence.

Ought to Pass

The Committee on Retirements and Pensions on Bill, "An Act Relating to Restoration to Service Under State Retirement System." (H. P. 858) (L. D. 1221) reported that the same Ought to pass

The Committee on State Government on Bill, "An Act Relating to Fees of the Attorney General." (H. P. 823) (L. D. 1166) reported that the same Ought to pass

The Committee on Transportation on Bill, "An Act to Eliminate Inspection of Motorcycles." (H. P. 557) (L. D. 784) reported that the same Ought to pass.

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

Ought to Pass — as Amended

The Committee on Towns and Counties on Bill, "An Act to Incorporate the Town of Jackman." (H. P. 60) (L. D. 64) reported that the same Ought to pass with Com-

mittee Amendment A (Filing No. 112)

The same Committee on Bill, "An Act to Incorporate the Town of Moose River." (H. P. 61) (L. D. 63) reported that the same Ought to pass with Committee Amendment A (Filing No. 111)

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.

Majority — ONTP
Minority — OTP

The Majority of the Committee on Judiciary on Bill, "An Act Relating to Discontinued Schoolhouse Lots" (H. P. 362) (L. D. 492) reported that the same Ought not to pass.

(Signed)

Senators:

WOODCOCK of Penobscot
BUTLER of Franklin

Representatives:

BROWNE of Bangor
WALKER of Auburn
EARLES of South Portland

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

(Signed)

Representatives:

NEEDHAM of Orono
HANCOCK of York
BRODERICK of Portland

Comes from House, bill and reports Indefinitely Postponed.

In the Senate, on motion by Mrs. Lord of Cumberland, the bill and accompanying papers were laid upon the table pending consideration of the reports.

Senate Papers

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

**Appropriations and
Financial Affairs**

Mr. Sinclair of Somerset presented

Bill, "An Act Relating to Investment of Certain State Funds." (S. P. 509)

The same Senator presented Bill, "An Act Relating to Disposition of License Fees in the Bee Industry." (S. P. 510)

The same Senator presented "Resolve Providing Additional Funds for the Maine State Office Building." (S. P. 511)

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

Sent down for concurrence.

**Senate Committee Reports
Ought Not To Pass**

Mr. Ferguson from the Committee on Highways on "Resolve Designating 'The Squire Rangeley Trail.'" (S. P. 397) (L. D. 1093) reported that the same Ought not to pass

Which report was read and accepted.

Sent down for concurrence.

Ought to Pass

Mr. Curtis from the Committee on Education on Bill, "An Act Relating to Purpose and Aid for Driver Education." (S. P. 278) (L. D. 737) reported that the same Ought to pass

The same Senator from the same Committee on Bill, "An Act Transferring Portland Junior College to the University of Maine." (S. P. 323) (L. D. 819) reported that the same Ought to pass

Mr. Low from the same Committee on Bill, "An Act Relating to Approval of Institutions Granting Associate Degrees." (S. P. 354) (L. D. 960) reported that the same Ought to pass.

Mr. Wyman from the Committee on Taxation on Bill, "An Act Exempting Bunkering Oil from Sales Tax." (S. P. 358) (L. D. 964) reported that the same Ought to pass

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

Ought to Pass—N.D.

Mr. Hurley from the Committee on Business Legislation on re-committed Bill, "An Act Relating to Employment Offices." (S. P. 41) (L. D. 57) reported same in New

Draft (S. P. 513) (L. D. 1440) with Same Title, and that it Ought to pass

Which report was read and accepted, the bill in New Draft read once and on motion by Mr. Charles of Cumberland, was laid upon the table pending assignment for second reading.

Ought to Pass—as Amended

Mr. Charles from the same Committee on Bill, "An Act to Incorporate the Northeastern Acceptance Co." (S. P. 322) (L. D. 818) reported that the same Ought to pass as Amended by Committee Amendment A

Mr. Low from the Committee on Education on Bill, "An Act Relating to Sale of Unused School Buildings in Unorganized Territory." (S. P. 353) (L. D. 959) reported that the same Ought to pass as Amended by Committee Amendment A

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

Mr. Wyman from the Committee on Taxation on

JOINT RESOLUTION Memorializing Congress to Enact Legislation Concerning Unjustified Price Increases of Crude Oil and Refined Petroleum Products. (S. P. 378) (L. D. 1001) reported that the same Ought to pass as Amended by Committee Amendment A

On motion by Mr. Low of Knox, the Resolution and accompanying papers were laid upon the table pending consideration of the report.

Majority — OTP
Minority — ONTP

The Majority of the Committee on Transportation on Bill, "An Act Relating to Weight Tolerances for Motor Vehicles Carrying Firewood, Pulpwood, Logs or Bolts." (S. P. 90) (L. D. 200) reported that the same Ought to pass

(Signed)

Senators:

ROGERSON of Aroostook
HALL of York

Representatives:

ALLEN of Chelsea
STILPHEN of Rockland
JACQUES of Lewiston
KELLY of Rumford

The Minority of the same Committee on the same subject matter, reported that the bill Ought not to pass

(Signed)

Senator:

COLE of Waldo

Representatives:

HERSEY of Fort Fairfield
BEYER of Cape Elizabeth
TOTMAN of Bangor

On motion by Mr. Ferguson of Oxford, tabled pending consideration of the reports.

Second Readers

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

House

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

Bill, "An Act Relating to Certain Definitions Under Liquor Law." (H. P. 228) (L. D. 323)

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. 667) (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)

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

House — as amended

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

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

Senate

Bill, "An Act Relating to Employer Defenses in Logging Operations Under Workmen's Compensation Law." (S. P. 158) (L. D. 405)

Bill, "An Act Relating to Payments to Kennebec Law Library." (S. P. 299) (L. D. 796)

Bill, "An Act Relating to Fees of Conservators." (S. P. 301) (L. D. 798)

Bill, "An Act Amending the Charter of the Rumford Municipal Court." (S. P. 329) (L. D. 825)

Bill, "An Act Creating the Town of Milbridge School District." (S. P. 420) (L. D. 1179)

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

Sent down for concurrence.

Senate — as amended

Bill, "An Act Relating to the Department of Finance and Administration." (S. P. 150) (L. D. 347)

"Resolve Authorizing the State Forest Commissioner to Convey Certain Lands and Right of Way in Augusta to Cumberland Securities Corporation." (S. P. 307) (L. D. 804)

"Resolve Authorizing Department of Inland Fisheries and Game to Acquire Certain Lands and Water Rights in Town of Pembroke." (S. P. 373) (L. D. 996)

(On motion by Mr. Butler of Franklin, tabled pending passage to be engrossed.)

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

Sent down for concurrence.

Enactors

The Committee on Engrossed Bills reported as truly and strictly En-

grossed, the following Bills and Resolves:

Bill, "An Act Relating to Open Season on Muskrat in Parts of Oxford County." (H. P. 208) (L. D. 292)

Bill, "An Act Relating to Depositions in Probate Courts." (H. P. 279) (L. D. 375)

Bill, "An Act Relating to Payment of Premium of Insurance Policies under Franchise Plan." (H. P. 591) (L. D. 840)

Bill, "An Act Relating to Old Age Assistance." (H. P. 673) (L. D. 954)

Bill, "An Act Relating to Applications for Aid to the Disabled." (H. P. 674) (L. D. 955)

Bill, "An Act Relating to Coercion in Placing Insurance on Real and Personal Property." (H. P. 678) (L. D. 967)

Bill, "An Act Relating to Par Value of Trust Company Stock." (H. P. 699) (L. D. 1006)

Bill, "An Act Repealing the Merit Award Board." (S. P. 24) (L. D. 15)

(On motion by Mr. Butler of Franklin, tabled pending passage to be enacted.)

Bill, "An Act Relating to Payment of Wages in Logging and Lumbering Operations and Vacation Pay." (S. P. 161) (L. D. 408)

Bill, "An Act Relating to Establishment of Game Management Areas." (S. P. 192) (L. D. 538)

Bill, "An Act Relating to Branding of Potatoes." (S. P. 273) (L. D. 731)

"Resolve, Regulating Fishing in West Branch Ponds and Tributaries, Piscataquis County." (H. P. 275) (L. D. 371)

"Resolve, in Favor of Alvin W. Coss of Bath." (H. P. 533) (L. D. 1271)

Which bills were severally passed to be enacted and Resolves were finally passed.

"Resolve, to Reimburse Wilson C. Ryder of Dresden." (H. P. 704) (L. D. 1272)

"Resolve, in Favor of Everett L. Scott of Calais." (H. P. 809) (L. D. 1274)

"Resolve, Reimbursing Knox County General Hospital for Certain Aid." (S. P. 339) (L. D. 917)

“Resolve, Reimbursing Knox County for Certain Court Expenses.” (S. P. 338) (L. D. 918)

On motion by Mr. Sinclair of Somerset, the above resolves were laid upon the Special Appropriations Table pending passage to be enacted.

“Resolve, to Reimburse Town of Whiting, Washington County.” (S. P. 459) (L. D. 1259)

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

Emergency Measures

Bill, “An Act Defining Dependent Child in Aid to Dependent Children.” (H. P. 649) (L. D. 915)

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

Bill, “An Act to Incorporate the Town of Fairfield School District.” (H. P. 663) (L. D. 944)

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

Orders of the Day

On motion by Mr. Butler of Franklin, the Senate voted to take from the table “Resolve Authorizing Department of Inland Fisheries and Game to Acquire Certain Lands and Water Rights in Town of Pembroke.” (S. P. 373) (L. D. 996) tabled by that senator earlier in today’s session.

The same senator then presented Senate Amendment “A” and moved its adoption.

Senate Amendment “A” was read by the Secretary as follows:

Amend said Resolve by striking out the words “Town of Pembroke” in the Title and inserting in place thereof the words ‘the Towns of Pembroke, and Charlotte.’

Further amend said Resolve by inserting after the word and punctuation “Washington,” in the 5th line thereof the following words and punctuation ‘and certain flowage lands on Pennamaquan Lake and in the town of Charlotte, County of Washington.’

Senate Amendment “A” was adopted and the resolve was passed to be engrossed as amended.

Sent down for concurrence.

On motion by Mr. Rogerson of Aroostook, the Senate voted to take from the table, the 29th tabled and unassigned matter, Bill, “An Act Relating to Removal of Persons from Service in Department of Inland Fisheries and Game,” (S. P. 503) (L. D. 1412) tabled by that senator on March 28th, pending passage to be engrossed.

The same senator then presented Senate Amendment “A” and moved its adoption.

Senate Amendment “A” was read by the Secretary as follows:

“Amend said bill by inserting after the underlined words “**adjudication of**” in the last line of the 2nd paragraph of that part designated “Sec. 32” the underlined word and punctuation ‘**acquittal.**’

Senate Amendment “A” was adopted, and the bill having had its two several readings was passed to be engrossed as amended.

Sent down for concurrence.

On motion by Mr. Charles of Cumberland, the Senate voted to take from the table Bill, “An Act Relating to Employment Offices.” (S. P. 41) (L. D. 57) New Draft (S. P. 513) (L. D. 1440) which was tabled by that senator earlier in today’s session pending assignment for second reading.

The same senator then presented Senate Amendment “A” and moved its adoption.

Senate Amendment “A” was read by the Secretary as follows: Senate Amendment “A”, Additional, Sec. 3. R. S., c. 100, P. 148-A, additional. Chapter 100 of the Revised Statutes is hereby amended by adding thereto a new section, to be numbered 148-A, to read as follows:

‘Sec. 148-A. Method of payment of fee for placement. If placement fee is paid weekly, 1-6 of such fee shall be paid each week for the first 6 weeks of employment; if paid semi-monthly, 1-3 of the fee shall be paid for the first 3 paydays; if paid monthly ½ of the fee shall be paid for the first 2 paydays.’

Senate Amendment “A” was adopted, and the bill was assigned

for second reading on the next legislative day.

On motion by Mr. Sinclair of Somerset, the Senate voted to take from the table bill, "An Act Increasing Surety Bond for Treasurer of State" (S. P. 401) (L. D. 1097) tabled by that Senator on March 28 pending passage to be engrossed, and that Senator yielded to the Senator from Aroostook, Senator Rogerson.

On motion by Mr. Rogerson of Aroostook, Committee Amendment A to L. D. 1097 was indefinitely postponed and that Senator presented Senate Amendment A and moved its adoption.

The Secretary read Senate Amendment A.

"Amend said bill by striking out the figure '\$750' in the next to the last line and inserting in place thereof the figure '\$1,450' and by striking out the figure '1958' in the same line and inserting in place thereof the figure '1959'."

Which amendment was adopted and the bill as so amended was passed to be engrossed.

Sent down for concurrence.

On motion by Mr. St. Pierre of Androscoggin

Adjourned until tomorrow morning at ten o'clock.