

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, April 4, 1957

Senate called to order by the President.

Prayer by Father Burns of Augusta.

On motion by Mr. Curtis of Cumberland, Journal of yesterday read and approved.

Papers from the House

Bill, "An Act Creating the Maine Motor Vehicle Financial Security Act." (H. P. 987) (L. D. 1411)

In House on March 26, referred to the Committee on Transportation.

In Senate, March 28, referred to Committee on Business Legislation in non-concurrence.

Comes from House, referred to Committee on Judiciary in non-concurrence.

In the Senate, the bill was referred to the Committee on Judiciary in concurrence.

Bill, "An Act Relating to Premiums to Commercial Poultry Growers." (H. P. 1019) (L. D. 1453)

Bill, "An Act Relating to Inspection of Slaughterhouses." (H. P. 1020) (L. D. 1454)

Bill, "An Act Relating to Price Controls on Milk." (H. P. 1021) (L. D. 1455)

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

Bill, "An Act Increasing Salary of Members of the Legislature." (H. P. 1023) (L. D. 1456)

"Resolve Appropriating Moneys for Construction of an Airport in Washington County." (H. P. 1024) (L. D. 1457)

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

Bill, "An Act Creating Portland Parking Authority." (H. P. 1025) (L. D. 1465)

Which was referred to the Committee on Legal Affairs in concurrence.

Bill, "An Act Relating to Portland University." (H. P. 1026) (L. D. 1458)

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

Bill, "An Act Relating to Proposed Change of Rates by Public Utility and Suspension Pending Hearing." (H. P. 1027) (L. D. 1459)

Bill, "An Act Relating to Reasonable and Just Charges by Public Utilities." (H. P. 1028) (L. D. 1460)

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

Bill, "An Act Decreasing the Tax on Gasoline." (H. P. 1029) (L. D. 1461)

Which was referred to the Committee on Taxation in concurrence.

Bill, "An Act to Authorize Washington County to Procure Loans and Issue Bonds to Construct an Airport." (H. P. 1030) (L. D. 1462)

Bill, "An Act Increasing Salaries of County Officers in Androscoggin County." (H. P. 1031) (L. D. 1463)

Bill, "An Act to Create a Board of Harbor Commissioners for Penobscot Bay and River." (H. P. 1032) (L. D. 1464)

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

House Committee Reports Ought Not to be Adopted

The Committee on Judiciary on "Joint Resolution Memorializing Congress to Pass Legislation Outlawing Alcoholic Beverage Advertising Over the Air." (H. P. 180) (L. D. 243) reported that the same Ought Not to be Adopted.

Which report was read and accepted in concurrence.

Leave to Withdraw

The same Committee on Bill, "An Act to Enlarge Powers and Purposes of Trustees of Diocesan Funds in Episcopal Diocese of Maine." (H. P. 710) (L. D. 1016) reported that same be granted Leave to Withdraw.

The Committee on Legal Affairs on Bill, "An Act Relating to Licenses for Beano." (H. P. 905) (L. D. 1291) reported that same be granted Leave to Withdraw.

The Committee on Legal Affairs on Bill, "An Act Relating to Regu-

lation of Beano." (H. P. 906) (L. D. 1292) reported that same be granted Leave to Withdraw.

Which reports were severally read and accepted in concurrence.

Ought Not to Pass

The Committee on Agriculture on Bill, "An Act Prohibiting Horse-pulling." (H. P. 496) (L. D. 708) reported that the same Ought not to pass.

The Committee on Legal Affairs on Bill, "An Act Regulating Gambling Devices." (H. P. 903) (L. D. 1289) reported that the same Ought not to pass.

Which reports were severally read and accepted in concurrence.

Ought to Pass

The Committee on Education on Bill, "An Act Relating to Children Residents at Private Tax-exempt Institutions." (H. P. 598) (L. D. 845) reported that the same Ought to pass

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

The Committee on Taxation on Bill, "An Act Relating to Use of Moneys Received Under Sardine Tax Law." (H. P. 516) (L. D. 726) reported that the same Ought to pass

Which report was read and accepted and the bill read once.

Mr. Wyman of Washington presented Senate Amendment A which was adopted without reading, and the bill as so amended was tomorrow assigned for second reading.

Ought to Pass—New Draft

The Committee on Judiciary on Bill, "An Act to Increase the Purposes and Powers of Continental Mills and to Authorize it to Acquire the Assets of Continental Mills Co." (H. P. 181) (L. D. 244) reported the same in New Draft (H. P. 1034) (L. D. 1449), and under New Title: "An Act to Increase the Purposes and Powers of Continental Mills." and that it Ought to pass.

The Committee on Business Legislation on Bill, "An Act Providing a Definition of Group Life Insur-

ance." (H. P. 637) (L. D. 904) reported the same in New Draft (H. P. 1033) (L. D. 1448), under New Title: "An Act Relating to Group Life Insurance." and that it Ought to pass.

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

Ought to Pass — as amended

The same Committee on Bill, "An Act Relating to Filing Date of Annual Statement of Insurance Companies." (H. P. 592) (L. D. 841) reported that the same Ought to pass as Amended by Committee Amendment A (Filing 139)

The Committee on Education on Bill, "An Act Relating to Superintending School Committee of Town of Cumberland." (H. P. 410) (L. D. 587) reported that the same Ought to pass as Amended by Committee Amendment A (Filing 140)

The Committee on Legal Affairs on Bill, "An Act Amending the Charter of the City of Bath." (H. P. 836) (L. D. 1192) reported that the same Ought to pass as Amended by Committee Amendment A (Filing No. 129)

Which reports were severally 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.

Senate Committee Reports Leave to Withdraw

Mr. Martin from the Committee on Legal Affairs on Bill, "An Act Increasing Pensions of Retired Members of the Lewiston Police Department." (S. P. 204) (L. D. 549) reported that same be granted Leave to Withdraw

The same Senator from the same Committee on Bill, "An Act Relating to Setting Compensation for Members of Lewiston Police Department." (S. P. 207) (L. D. 552) reported that same be granted Leave to Withdraw

Mr. Dunn from the Committee on Retirements and Pensions on Bill, "An Act Relating to Group Life Insurance for Certain Former Mem-

bers of State Police." (S. P. 449) (L. D. 1268) reported that same be granted Leave to Withdraw—covered by other Legislation.

Which reports were severally read and accepted.

Sent down for concurrence.

Ought Not to Pass

Mr. Davis from the Committee on Retirements and Pensions on "Resolve Providing for State Pension for Eva A. Scammon of Franklin." (S. P. 248) (L. D. 649) reported that the same Ought not to pass

Mr. Low from the same Committee on "Resolve Providing for an Increase in State Pension for Frank Eldridge of Milbridge." (S. P. 390) (L. D. 1086) reported that the same Ought not to pass

Which reports were read and accepted.

Sent down for concurrence.

On motion by Mr. Silsby of Hancock, the Senate voted to reconsider its action just taken whereby it accepted the ought not to pass report on "Resolve Providing for State Pension for Eva A. Scammon of Franklin" (S. P. 248) (L. D. 649) and on further motion by the same Senator, the bill was laid upon the table pending consideration of the report.

Ought to Pass

Mr. Fournier from the Committee on Claims on "Resolve in Favor of Town of Sebec for Aid Furnished State Paupers." (S. P. 415) (L. D. 1148) reported that the same Ought to pass

Mr. Davis from the Committee on Retirements and Pensions on Bill, "An Act Relating to Benefits on Social Security Extending to Employees of National Guard." (S. P. 399) (L. D. 1095) reported that the same Ought to pass

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

Second Readers

The Committee on Bills in Second Reading reported the following

House

Bill, "An Act Relating to Delivery of Absent Voting and Physical Incapacity Voting Ballots." (H. P. 130) (L. D. 168)

Bill, "An Act Relating to Disorderly Conduct." (H. P. 611) (L. D. 858)

Bill, "An Act to Increase Borrowing Capacity of Town of Van Buren School District." (H. P. 691) (L. D. 978)

Bill, "An Act Relating to Binding of Logs, Lumber and Timber." (H. P. 762) (L. D. 1044)

Bill, "An Act to Amend the Charter of the West Branch Driving and Reservoir Dam Company." (H. P. 785) (L. D. 1118)

Bill, "An Act Amending the Charter of the City of Brewer." (H. P. 880) (L. D. 1248)

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

"Resolve Authorizing Arthur W. Bushey and Alice Bushey, both of Waterville, John Tibbetts, Archie Leeman and Oscar Bradstreet, all of Palermo, to Sue the State of Maine." (H. P. 612) (L. D. 859)

"Resolve Authorizing Aeronautics Commission to Determine State Needs for Airports." (H. P. 688) (L. D. 977)

"Resolve Creating an Advisory Committee on Education." (H. P. 727) (L. D. 1031)

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

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

House—as amended

"Resolve Designating East Deering Expressway as Charles J. Loring, Jr. Memorial Highway." (H. P. 805) (L. D. 1136)

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

Senate

Bill, "An Act Amending the Rules of Descent." (S. P. 300) (L. D. 797)

Bill, "An Act Permitting Convicts at State Prison to Attend Funerals Outside." (S. P. 344) (L. D. 924)

Bill, "An Act Relating to Deduction of Sentence of Prisoners in

Maine State Prison." (S. P. 343) (L. D. 925)

Bill, "An Act Increasing Payments to Penobscot County Law Library." (S. P. 371) (L. D. 994)

Bill, "An Act Establishing Columbus Day as a Legal Holiday." (S. P. 411) (L. D. 1144)

Bill, "An Act Relating to Press Facilities in the State House." (S. P. 431) (L. D. 1184)

Which were severally 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:

Bill, "An Act Relating to Violation of Motor Vehicle Laws by Juveniles." (H. P. 128) (L. D. 166)

Bill, "An Act Relating to Definition of Public School Under State Retirement System." (H. P. 142) (L. D. 180)

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

Bill, "An Act Relating to the Wells and York Game Preserve." (H. P. 273) (L. D. 369)

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

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

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. 470) (L. D. 663)

Bill, "An Act Relating to Trial Terms of Superior Court in Cumberland County." (H. P. 506) (L. D. 716)

Bill, "An Act to Incorporate Finance Planning, Inc." (H. P. 977) (L. D. 1362)

Bill, "An Act Relating to Retirement Benefits for Members of City of Portland Police and Fire Departments." (S. P. 179) (L. D. 458)

Which bills were severally passed to be enacted.

Orders of the Day

On motion by Mr. Davis of Cumberland, the Senate voted to take from the table the 20th tabled and unassigned matter (H. P. 504) (L. D. 714) Bill, "An Act Creating the Lake Christopher Game Management Area, Oxford County," tabled by that senator on March 21, 1957, pending passage to be enacted.

On motion by the same senator the rules were suspended to permit reconsideration of the action whereby the bill was passed to be engrossed, and engrossing was reconsidered.

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 striking out the period and single quotation mark at the end and inserting in place thereof the following underlined words and punctuation:

': excepting from that above description such of the area as is within one-quarter mile of said South pond.'"

Senate Amendment "A" was adopted, and on motion by the same senator the bill was passed to be engrossed in non-concurrence.

Sent down for concurrence.

Additional Paper from the House

House Report of the Committee on Inland Fisheries and Game on "Resolve Regulating taking of Smelts in Certain Waters," reporting that the same Ought to pass as amended by Committee Amendment "A".

Comes from the House the report accepted and the bill passed to be engrossed as amended by Committee Amendment "A" and House Amendment "A" in non-concurrence.

In the Senate: The Senate voted to recede and concur.

On motion by Mr. Carpenter of Somerset, the Senate voted to take from the table the fifth tabled and unassigned matter, (H. P. 90) (L. D. 124) House Report "Ought not to pass" from the Committee on Inland Fisheries and Game on "Resolve Regulating Taking of Smelts in Valley Brook, Cumberland Coun-

ty," tabled by that Senator on February 27th pending consideration of the "Ought not to pass" report of the committee; and on further motion by the same senator the resolve and accompanying papers were re-committed to the Committee on Inland Fisheries and Game in non-concurrence.

Sent down for concurrence.

On motion by Mr. Martin of Kennebec, the Senate voted to take from the table House Report ought to pass from the Committee on Legal Affairs on bill, "An Act to Amend the Charter of the City of Hallowell, re Nominations and Elections." (H. P. 225) (L. D. 320) tabled by that Senator on March 14 pending consideration of the report; and on further motion by the same Senator, the

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

On motion by Mr. Parker of Piscataquis, the Senate voted to take from the table bill, "An Act Designating a Certain Road as 'Mt. Katahdin Trail,'" (S. P. 325) (L. D. 821) tabled by that Senator on March 28 pending passage to be engrossed and on further motion by the same Senator, the bill was passed to be engrossed as amended.

Sent down for concurrence.

On motion by Mr. Lessard of Androscoggin

Adjourned until tomorrow afternoon at one o'clock.