

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 9, 1957

Senate called to order by the President.

Prayer by Captain Ash, Salvation Army, Augusta.

On motion by Mr. Dow of Lincoln, Journal of last Friday read and approved.

Proclamation

WHEREAS, the Almighty has blessed the County of Aroostook with fertile soil, and intelligent population, a smiling sun and ideal farming conditions, and

WHEREAS, the ingenious people of Aroostook have developed the technology of potato cultivation to a high degree, and

WHEREAS, Agricultural scientists have developed and produced a host of varieties of Aroostook potatoes, unsurpassed for seed purposes and a diner's delight at the dinner table, and

WHEREAS, Aroostook County produces for the people of Maine and the United States a tantalizing, taste tempting and terrific tuber for the table, to wit, the Aroostook Spud, and

WHEREAS, Mighty Aroostook County produces countless cords of peerless pulpwood from its tremendous tracts of trees, and

WHEREAS, its rolling countryside has lent itself magnificently to the location of some of the mightiest air bastions in all of the United States Air Force, and

WHEREAS, the fabulous folk of Aroostook have forged forward with true pioneer instinct and are developing new and potentially great industries, such as the processed potato industry and the frozen food industry.

NOW THEREFORE, be it known that I, Waldo Clark, the duly qualified constitutional officer of this Senate, as provided for in Article IV, part Second Section 7 of the Constitution of Maine, do hereby ORDER and proclaim that this Ninth day of April, Nineteen Hundred and Fifty-seven be designated as AROOSTOOK DAY in this Senate Chamber.

Which was read and placed on file.

The PRESIDENT: Consistent with that Proclamation, the Chair would ask the distinguished Senators from Aroostook, Senator Briggs, Senator Reed and Senator Rogerson to assume the rostrum for this legislative day and the Chair would ask the Sergeant at arms to escort to the rostrum, the Senator from Aroostook, Senator Briggs.

This was done amidst the applause of the Senate.

Papers from the House

"Resolve Regulating Fishing for White Perch in Certain Counties." (S. P. 198) (L. D. 543)

In Senate on March 26, passed to be engrossed as amended by Committee Amendment A (Filing 127)

Comes from House, passed to be engrossed, as amended by Committee Amendment A as amended by House Amendment A (Filing 136) thereto, in non-concurrence.

In the Senate, that Body voted to recede and concur.

Bill, "An Act Repealing Law Requiring Convicts to Give Notes for Fines and Costs." (S. P. 403) (L. D. 1099)

The Senate on April 3 accepted report of the Committee on Judiciary that same be granted Leave to Withdraw.

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

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

House Committee Reports

The Committee on State Government pursuant to Joint Order (S. P. 61) reported Bill, "An Act Relating to Duties of the Aeronautics Commission." (H. P. 1040) (L. D. 1473) with recommendation that the same be referred to the Committee on State Government.

Which report was read and accepted and the bill referred to the Committee on State Government, in concurrence.

Ought to Pass—N. D.

The Committee on Taxation on Bill, "An Act Relating to Property Tax Exemption for Benevolent and Charitable Institutions." (H. P. 400)

(L. D. 530) reported same in New Draft (H. P. 1036) (L. D. 1467), same title and that it Ought to pass.

Comes from the House, recommitted to the Committee on Taxation.

In the Senate, the bill was re-committed to the Committee on Taxation in concurrence.

Leave to Withdraw

The Committee on Judiciary on Bill, "An Act Relating to Motor Vehicle Operators' Licenses of Patients in State Hospitals for Mentally Ill." (H. P. 772) (L. D. 1105) reported that the same be granted Leave to Withdraw.

The Committee on Welfare on Bill, "An Act Abolishing Tribal Committee of Penobscot Indians and Transferring Duties to Governor and Council." (H. P. 837) (L. D. 1255) reported that same be granted Leave to Withdraw as covered by other Legislation.

Which reports were read and accepted in concurrence.

Ought Not to Pass

The Committee on Claims on "Resolve to Reimburse the Town of Buxton for Aid Extended to Zilda Ricker." (H. P. 530) (L. D. 758) reported that the same Ought Not to pass.

The same Committee on "Resolve to Reimburse the Town of Buxton for Aid Extended to Charles Nason." (H. P. 531) (L. D. 759) reported that the same Ought Not to pass.

The same Committee on "Resolve to Reimburse the Town of Buxton for Aid Extended to Irving and Rose Hodgdon." (H. P. 532) (L. D. 760) reported that the same Ought Not to pass.

The same Committee on "Resolve in Favor of Henry K. Morey of Deer Isle." (H. P. 595) (L. D. 844) reported that the same Ought not to pass.

The same Committee on "Resolve to Reimburse Town of Thomaston for Aid Furnished Mary Hurd." (H. P. 597) reported that the same Ought Not to pass.

The Committee on Welfare on Bill, "An Act Creating Indian Reservations as Unorganized Territory and Repealing Certain Laws Relating to Indians." (H. P. 561) (L. D. 783)

reported that the same Ought Not to pass.

The same Committee on Bill, "An Act Permitting Trust Funds of Penobscot Indians to be Used to Defend Indian Rights." (H. P. 839) (L. D. 1257) reported that the same Ought Not to Pass.

Which reports were severally read and accepted in concurrence.

Ought to Pass

The Committee on Claims on "Resolve in Favor of Henry E. Littlefield of Belfast." (H. P. 1011) (L. D. 1471) reported that the same Ought to pass.

The Committee on Judiciary on Bill, "An Act Relating to the Maine Unitarian Association." (H. P. 657) (L. D. 938) reported that the same Ought to pass.

The Committee on Welfare on Bill, "An Act Relating to Appointment of Indian Constables." (H. P. 553) (L. D. 785) reported that the same Ought to pass.

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

The PRESIDENT pro tem: The Chair will note that it is now his pleasure to yield the rostrum to the distinguished Senator from Aroostook, Senator Reed. The Chair will ask the Sergeant-at-arms to escort that Senator to the rostrum.

This was done amidst the applause of the Senate and the Senator from Aroostook, Senator Reed assumed the Chair, the Senator from Aroostook, Senator Briggs, retiring.

Ought to Pass — N. D.

The Committee on Legal Affairs on recommitted Bill, "An Act relating to Number of Councillors and Members of Superintending School Committee in Town of Fort Fairfield." (H. P. 473) (L. D. 636) reported same in New Draft (H. P. 1033) (L. D. 1469) under same title and that it Ought to pass.

The Committee on Welfare on Bill, "An Act Relating to Indian Voting." (H. P. 560) (L. D. 787) reported same in New Draft (H. P. 1039) (L. D. 1470) under same title and that it Ought to pass.

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

Ought to Pass — as amended

The Committee on Claims on "Resolve in Favor of Mrs. Elwood Gerry of North Yarmouth." (H. P. 928) (L. D. 1316) reported that the same Ought to pass as amended by Committee Amendment A (Filing No. 157)

The same Committee on recommended "Resolve in Favor of Sidney Bragdon of New Gloucester for Damage by Escapees from Pownal State School." (H. P. 204) (L. D. 1472) reported that the same Ought to pass as amended by Committee Amendment A (Filing No. 158)

The Committee on Retirements and Pensions on Bill, "An Act Relating to Membership of Certain Teachers in State Retirement System." (H. P. 483) (L. D. 673) reported that the same Ought to pass as amended by Committee Amendment A (Filing No. 156)

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

Order

On motion by Mr. Carpenter of Somerset

ORDERED, the House concurring, that (H. P. 108) (L. D. 146) Bill, "An Act Increasing the Bounty on Bobcat." be recalled to the Senate from the Legislative files. (S. P. 519)

Which was read and passed.
Sent down for concurrence.

First Reading of Printed Bills

Bill, "An Act Relating to Educational Aid and Reorganization of School Administrative Units." (S. P. 515) (L. D. 1478)

Which was read once and tomorrow assigned for second reading.

Senate Committee Reports Ought Not to Pass

Mr. Ferguson from the Committee on Natural Resources on Bill, "An

Act Authorizing Forest Commissioner to Convey Interest of the State in Jaquish Island, Cumberland County." (S. P. 440) (L. D. 1237) reported that the same Ought not to pass.

(On motion by Mr. Davis of Cumberland, tabled pending consideration of the report.)

Mr. Farley from the Committee on Towns and Counties on Bill, "An Act Relating to Sessions of Boards of Registration." (S. P. 268) (L. D. 704) reported that the same Ought not to pass.

Mrs. Lord from the same Committee on Bill, "An Act Permitting County Commissioners to Lay Out Public Right of Way to Great Ponds." (S. P. 266) (L. D. 706) reported that the same Ought not to pass.

(On motion by Mr. Martin of Kennebec, tabled pending consideration of the report.)

Mr. Lessard from the Committee on State Government on Bill, "An Act Relating to Organization and Duties of Maine Mining Bureau." (S. P. 433) (L. D. 1235) reported that the same Ought not to pass.

Which reports were severally read and accepted.

Sent down for concurrence.

Ought to Pass

Mr. Pike from the Committee on Business Legislation on Bill, "An Act to Permit Blanket Accident and Sickness Insurance for Newsboys, Sport Teams and Campers." (S. P. 405) (L. D. 1138) reported that the same Ought to pass.

Mr. Farley from the Committee on Towns and Counties on Bill, "An Act Relating to County or Municipal Capital Reserve Funds." (S. P. 229) (L. D. 572) reported that the same Ought to pass.

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

Ought to Pass—N. D.

Mrs. Lord from the same Committee on Bill, "An Act Relating to Municipal Accounting and Audit." (S. P. 107) (L. D. 237) reported the same in New Draft (S. P. 517) (L. D. 1475) same title, and that it Ought to pass.

Mrs. Lord from the same Committee on Bill, "An Act Relating to Fees for Accounting for Fees by Registers of Probate." (S. P. 335) (L. D. 901) reported the same in New Draft (S. P. 518) (L. D. 1476) same title, and that it Ought to pass.

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

The PRESIDENT pro tem: At this time it gives me great pleasure to call upon my eminent colleague, the Senator from Aroostook, Senator Rogerson and the Chair will ask the Sergeant at arms to escort that Senator to the rostrum.

This was done amidst the applause of the Senate, and Senator Rogerson of Aroostook assumed the Chair, Senator Reed of Aroostook retiring.

Second Readers

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

House

"Resolve Closing Sebago Lake, Cumberland County to T a k i n g Smelts." (H. P. 466) (L. D. 659)

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

House—as amended

Bill, "An Act Relating to Taxation Exemption of Certain Property of Veterans." (H. P. 97) (L. D. 127)

Bill, "An Act Relating to Part-Time Liquor Licenses." (H. P. 163) (L. D. 210)

Bill, "An Act Relating to Rabbit Hunting in Kennebec, H a n c o c k, Washington and York Counties." (H. P. 209) (L. D. 293)

"Resolve Authorizing B o x i n g Commission to Change Decision on Rocky Marciano Case." (H. P. 765) (L. D. 1047)

(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, in concurrence.

Senate

Bill, "An Act Relating to Eligibility for Old Age Assistance." (S. P. 414) (L. D. 1147)

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

Sent down for concurrence.

Senate—as amended

"Resolve in Favor of Francis J. Arnold of Providence, Rhode Island." (S. P. 191) (L. D. 537)

Which was 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 engrossed, the following bills and resolve:

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

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 to Eliminate Inspection of Motor Cycles." (H. P. 557) (L. D. 784)

Bill, "An Act to Incorporate the Farrar Brown Finance Company." (H. P. 590) (L. D. 839)

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

Bill, "An Act Relating to Patten Water District." (H. P. 804) (L. D. 1135)

Bill, "An Act Relating to Fees of the Attorney General." (H. P. 823) (L. D. 1166)

Bill, "An Act Relating to Restoration to Service Under State Retirement System." (H. P. 858) (L. D. 1221)

Bill, "An Act Empowering the Supreme Judicial Court of Maine to Prescribe Rules." (S. P. 178) (L. D. 457)

(On motion by Mr. Woodcock, tabled pending enactment.)

Bill, "An Act Repealing Certain Duty of Liquor Commission." (S. P. 181) (L. D. 460)

Bill, "An Act Relating to Claims Against Estates of Decedents." (S. P. 237) (L. D. 638)

Bill, "An Act Relating to Applications for Liquor Licenses." (S. P. 261) (L. D. 700)

Bill, "An Act Relating to Maturity Date of Bonds of Jay School District." (S. P. 327) (L. D. 823)

Bill, "An Act to Incorporate the Liberty Loan Corporation of Bangor." (S. P. 363) (L. D. 986)

Bill, "An Act to Incorporate the Liberty Loan Corporation of Cumberland." (S. P. 364) (L. D. 987)

Bill, "An Act to Incorporate the Liberty Loan Corporation of Caribou." (S. P. 365) (L. D. 988)

Bill, "An Act to Incorporate the Liberty Loan Corporation of Auburn." (S. P. 366) (L. D. 989)

Bill, "An Act to Incorporate the Liberty Loan Corporation of Augusta." (S. P. 367) (L. D. 990)

Bill, "An Act Designating Department of Education as State Agency for Surplus Property." (S. P. 423) (L. D. 1182)

"Resolve Regulating Fishing in Certain Waters in Piscataquis County." (S. P. 497) (L. D. 1378)

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

Orders of the Day

On motion by Mr. Briggs of Aroostook, the Senate voted to take from the table the second tabled and unassigned matter, (S. P. 320) Bill, "An Act Appropriating Money to Construct a Fishway at Aroostook Falls," tabled by that senator on February 20th, pending reference; and on further motion by the same Senator the bill was referred to the Committee on Appropriations and Financial Affairs and sent down for concurrence.

On motion by Mr. Martin of Kennebec, the Senate voted to take from the table the twenty-second tabled and unassigned matter, (S. P. 132) (L. D. 268) Senate Report "Ought not to pass" from the Committee on Judiciary on Bill, "An Act Relating to Right to Vote of Civilian Employees Resident at Togus," tabled by that Senator on March 28th pending consideration of report.

Mr. MARTIN of Kennebec; Mr. President and members of the Senate: I will start out by saying that I shall, at the end of my brief talk, move that we accept the "Ought not

to pass" report of the committee. However, I would like to call to the attention of the Senate that there are many citizens in this State who, by reason of the fact that they reside on and part of their employment is on the Federal Reservation at Togus, have been disfranchised. We have out in Togus on the Federal Reservation a number of citizens, perhaps up to a hundred, who cannot vote in any election. In fact, one girl born on the reservation has never been able to vote. Many of these people come from out-of-state, and after they reside on the reservation so many years the state from whence they came disfranchises them. It is a serious problem, because we all know everyone should have the right to vote. However, this Legislature, and I think perhaps the Committee on Judiciary, was correct in that this was not the answer. I might state that the United States Congress has a committee investigating the same subject.

I will present after this an order, but at this time I would move that the committee report be accepted.

The PRESIDENT pro tem: The Senator from Kennebec, Senator Martin, moves that the "Ought not to pass" report of the committee be accepted. Is this the pleasure of the Senate?

The motion prevailed and the "Ought not to pass" report of the committee was accepted and sent down for concurrence.

Mr. MARTIN of Kennebec presented the following order and moved its passage:

ORDERED, the House concurring, that the Legislative Research Committee be and hereby is directed to study and to report to the 99th Legislature on the privilege of voting for those civilians who reside on federally-owned property in Maine.

On motion by Mr. Butler of Franklin, the order was tabled pending passage.

The PRESIDENT pro tem: If there is no further business to come before the Senate, the President pro tem will relinquish the gavel in favor of the President of the Senate.

The President pro tem, Mr. Rogerson of Aroostook, then retired amidst the applause of the Senate. President Haskell resumed the Chair.

The PRESIDENT: The Chair at this time would note his pleasure in sharing the rostrum with the distinguished citizens of Aroostook, and the Chair would call to the attention

of every other member of the Senate the Chair's honest and sincere desire that any member assume the Chair at any time he wishes.

On motion by Mr. Rogerson of Aroostook,

Adjourned until ten o'clock tomorrow morning.