

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

Friday, April 12, 1957

Senate called to order by the President.

Prayer by Rev. Harvey F. Amerman of Augusta.

On motion by Mr. Ferguson of Oxford, Journal of yesterday read and approved.

Mr. Bailey of Sagadahoc was granted unanimous consent to address the Senate.

Mr. BAILEY of Sagadahoc: Mr. President and Ladies and Gentlemen of the Senate. I wish to address the Senate for a few moments. In the absence of Senator Charles of Cumberland, who, as I understand made this presentation I wish to state that the poultry business in Maine has reached the number one position in agricultural enterprise in terms of cash receipts from products marketed. In 1955, 66 million dollars was derived from poultry products alone, representing 37 per cent of Maine's total agricultural income. Of this amount, Maine has sold

55,917,000 doz. eggs
33,438,000 commercial broilers
3,966,000 farm chickens
260,000 turkeys

The important features in the development of this industry has been the great opportunity open in Maine for production facilities, top quality and promotional efforts of the industry. There are eight modern poultry processing plants in the State employing about 1,200 persons with a weekly payroll of about \$35,000. Approximately one million broilers are processed weekly and shipped to markets in all New England States, New York, New Jersey, Pennsylvania and Washington, D. C. as major markets. In the Maine market, much of the increase in consumption and sale has been contributed to the efforts of the Maine Department of Agriculture and Maine State Grocers Association and Maine Poultry Associates for their part in conducting Poultry and Eggs merchandising schools for wholesalers and retailers and other users.

In acknowledging this number one Maine agricultural enterprise, the

Senate has been graced this afternoon with a suitable and useable product, a Maine broiler through the courtesy of the Fort Halifax Packing Co. for your taste and pleasure.

Also, ladies and gentlemen, I want to remind you that this is simply an appetizer for what we are going to be called upon to partake of on April 30th in the Augusta State Armory.

The PRESIDENT: On behalf of the Senate the Chair thanks the industry and thanks the Senator from Sagadahoc, Senator Bailey.

The Chair notes to the Senate that since this is the final day of Aroostook Week in this Legislature, there could be no more fitting climax to that Aroostook Week than the action of the Chair in asking the Senator from Aroostook, Senator Rogerson along with his colleague, the Senator from Aroostook, Senator Reed, jointly escort to the Chair one of the very attractive ladies from Aroostook County.

Mrs. John Reed was thereupon escorted to the rostrum by the Senator from Aroostook, Senator Rogerson and the Senator from Aroostook, Senator Reed, amid the applause of the Senate, the members rising.

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, April 16, 1957, in the forenoon. (S. P. 525)

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.

Papers from the House

"Resolve Authorizing State Highway Commission to Study Desirability of Bridge across Saco River." (H. P. 430) (L. D. 653)

The Senate on April 10 accepted in non-concurrence Minority Report, Ought not to pass, from the Committee on Highways.

Comes from House, that body having insisted on its former action whereby the Majority Report, Ought to pass, was accepted and the

bill passed to be engrossed, now asks for a Committee of Conference.

In the Senate, on motion by Mr. Parker of Piscataquis, the Senate voted to insist and join; and the President appointed as Senate conferees of the Committee of Conference, Senators Parker of Piscataquis, Farley of York and Cole of Waldo.

House Committee Reports Ought Not to be Adopted

The Committee on State Government on Joint Resolution Memorializing Congress to Enact Legislation Providing for Federal Aid to Education. (H. P. 726) (L. D. 1030) reported that the same Ought not to be adopted.

Which report was read and accepted in concurrence.

Leave to Withdraw

The Committee on Business Legislation on Bill, "An Act Relating to Group Life Insurance for Certain Municipal Employee Associations." (H. P. 653) (L. D. 934) reported that same be granted Leave to Withdraw

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

The Committee on Transportation on Bill, "An Act Relating to Reciprocal Agreements Concerning Operation, Regulation and Taxation of Motor Vehicles." (H. P. 863) (L. D. 1226) reported that same be granted Leave to Withdraw.

The same Committee on Bill, "An Act Relating to Operation of School Buses," (H. P. 956) (L. D. 1357) reported that the same be granted Leave to withdraw.

Which reports were severally read and accepted in concurrence.

Ought Not to Pass

The Committee on Legal Affairs on Bill, "An Act Relating to Quinellas at Harness Race Meets." (H. P. 818) (L. D. 1161) reported that the same Ought not to pass.

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

In the Senate, on motion by Mr. Reed of Aroostook, the bill was laid upon the table pending consideration of the report.

The Committee on Taxation on Bill, "An Act to Provide an Allowance to Retailers for Collecting Sales Tax." (H. P. 44) (L. D. 620) reported that the same Ought not to pass.

Comes from House, bill and report indefinitely postponed.

In the Senate, bill and report indefinitely postponed in concurrence.

The Committee on Judiciary on Bill, "An Act Relating to Actions for Injuries Causing Death." (H. P. 608) (L. D. 855) reported that same Ought not to pass, as covered by other legislation.

The same Committee on Bill, "An Act Relating to Actions Brought for Injuries Causing Death." (H. P. 745) (L. D. 1059) reported that same Ought not to pass, as covered by other legislation.

Which reports were read and accepted in concurrence.

Ought to Pass

The same Committee on Bill, "An Act Repealing the Incorporation of the Master, Wardens and Members of Freeport Lodge." (H. P. 367) (L. D. 497) reported that the same Ought to pass.

The same Committee on Bill, "An Act Relating to Disposition of Trust Income Earned During Period of Administration." (H. P. 543) (L. D. 770) reported that the same Ought to pass.

The Committee on Legal Affairs on Bill, "An Act to Create the Westbrook Parking Authority." (H. P. 428) (L. D. 604) reported that the same Ought to pass.

The Committee on Taxation on Bill, "An Act Relating to Time for Requesting Tax Exemptions by Veterans' Widows." (H. P. 885) (L. D. 1253) 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—N.D.—same title

The Committee on Towns and Counties on Bill, "An Act Relating to Requests for Secret Balloting at Town Meetings." (H. P. 914) (L. D. 1275) reported same in New Draft

(H. P. 1042) (L. D. 1481) under same title, and that it Ought to pass.

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

Ought to Pass—N.D.—New Title

The Committee on Transportation on Bill, "An Act Regulating Motor Vehicles at Traffic Circles." (H. P. 732) (L. D. 1036) reported same in New Draft (H. P. 1043) (L. D. 1482) with New Title: "An Act Regulating Motor Vehicles at Traffic Circles or Rotary Intersections." and that it Ought to pass.

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

Ought to Pass—N.D.—New Title

The Committee on Legal Affairs on Bill, "An Act to Provide a Representative-Manager Form of Government for the Town of Lincoln, County of Penobscot." (H. P. 642) (L. D. 909) reported the same in New Draft (H. P. 1044) (L. D. 1483) under new title: "An Act Amending the Charter of the Town of Lincoln." and that it Ought to pass.

Comes from House, report accepted and bill in New Draft passed to be engrossed as amended by House Amendment A (Filing 180)

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

Ought to Pass—as amended

The Committee on Claims on "Resolve in Favor of Donald LaPierre of Westbrook." (H. P. 694) (L. D. 1480) reported that same Ought to pass as Amended by Committee Amendment A (Filing 172)

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

Majority — ONTP

Minority — OTP

A Majority of the Committee on Taxation on re-committed Bill, "An

Act Relating to State Liquor Tax." (H. P. 38) (L. D. 51) reported that the same Ought not to pass

(Signed)

(Senators:

LOW of Knox

WYMAN of Washington

BOUCHER of Androscoggin

Representatives:

HANSON of Gardiner

ROLLINS of Belfast

FARMER of Wiscasset

BROWN of Ellsworth

BESSE of Clinton

WALSH of Brunswick

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

(Signed)

Representative

CYR of Augusta

Comes from House, Majority Report accepted.

In the Senate, on motion by Mr. Low of Knox, the Majority Report ought not to pass was accepted in concurrence.

Communication

HOUSE OF REPRESENTATIVES

April 11, 1957

Honorable Chester T. Winslow

Secretary of the Senate

98th Legislature

Sir:

The Speaker of the House today appointed the following conferees on the part of the House on the disagreeing actions of the two Branches of the Legislature on:

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

Representatives:

SAUNDERS of Bethel

MANN of West Paris

FULLER of South Portland

"Resolve Regulating Fishing in Tributaries of Chain of Ponds, Franklin County." (H. P. 357) (L. D. 487)

Representatives:

CARVILLE of Eustis

CASWELL of New Sharon

BLANCHARD of Wilton

Respectfully,

HARVEY R. PEASE

Clerk of the House

Which was read and ordered placed on file.

Orders

On motion by Mr. Butler of Franklin

ORDERED, that 1500 copies of a report to the Legislature on proposed surface water classification by the Water Improvement Commission be printed in document form.

Which was read and passed.

Senate Committee Reports Ought Not to Pass

Mr. Hurley from the Committee on Business Legislation on Bill, "An Act Creating a Hospital Lien Law." (S. P. 443) (L. D. 1261) reported that the same Ought not to pass.

Which report was read and accepted.

Sent down for concurrence.

Ought to Pass

Mr. Martin from the Committee on Legal Affairs on Bill, "An Act Relating to the Primary Law in the City of Biddeford." (S. P. 489) (L. D. 1397) reported that the same Ought to pass.

Mr. St. Pierre from the Committee on Public Health on Bill, "An Act Relating to Certificate of Commitment to the State Hospitals." (S. P. 183) (L. D. 462) reported that the same Ought to pass.

The same Senator from the same Committee on Bill, "An Act Revising Laws Regulating Registered Nurses." (S. P. 374) (L. D. 997) 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—As Amended

Mr. Reed from the Committee on Legal Affairs on Bill, "An Act Relating to Qualifications for Disability Pension for Members of the Lewiston Police Department." (S. P. 209) (L. D. 554) reported that the same Ought to pass as amended by Committee Amendment A.

Mr. Charles from the same Committee on Bill, "An Act Relating to Sick Leave Benefits for Members

of the Lewiston Police Department." (S. P. 211) (L. D. 556) reported that the same Ought to pass as amended by Committee Amendment A.

Which reports were severally 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.

The same Senator from the same Committee on Bill "An Act to Revise the Laws Relating to Registration of Accountants." (S. P. 243) (L. D. 644) reported that the same Ought to pass as amended by Committee Amendment A.

Which report was read and accepted and the bill read once. On motion of Mr. Silsby of Hancock, the bill was laid upon the table pending adoption of Committee Amendment A.

Second Readers

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

House

Bill, "An Act Relating to Certain Expenses of Town Assessors." (H. P. 194) (L. D. 257)

Bill, "An Act Relating to Fees of Town Clerks." (H. P. 248) (L. D. 369)

Bill, "An Act Relating to Fees to Town Clerks or Certified Copies of Election Check Lists." (H. P. 249) (L. D. 310)

(On motion by Mr. Boucher of Androscoggin, tabled pending passage to be engrossed.)

Bill, "An Act Relating to Statement of Contributions and Expenses by Certain Municipal Candidates." (H. P. 250) (L. D. 311)

Bill, "An Act Repealing Obsolete Laws Relating to Industrial or Mechanical Drawing and Manual Training." (H. P. 267) (L. D. 363)

Bill, "An Act Increasing Salary of Recorder of Eastport Municipal Court." (H. P. 395) (L. D. 514)

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

Bill, "An Act Relating to the Employment of a Physician by Municipalities." (H. P. 630) (L. D. 891)

Bill, "An Act Relating to Town Representation on Community School Committee." (H. P. 683) (L. D. 972)

Bill, "An Act Relating to Suspension of Penalties Pending Appeal of Order of Water Improvement Commission." (H. P. 722) (L. D. 1026)

Bill, "An Act Relating to Furnishing Forest Tree Seedlings by Forest Commissioner." (H. P. 787) (L. D. 1120)

Bill, "An Act to Exclude Town of Cooper, Washington County, from Maine Forestry District." (H. P. 821) (L. D. 1164)

Bill, "An Act Relating to Pledging Securities by Banking Institutions in which State Funds are Deposited." (H. P. 893) (L. D. 1279)

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

House—As Amended

Bill, "An Act to Provide Fire Protection for Township 17, Range 5, Aroostook County." (H. P. 81) (L. D. 107)

Bill, "An Act Increasing the Salary of the County Attorney of York County." (H. P. 192) (L. D. 255)

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

"Resolve to Reimburse Estate of Harriet B. W. Chalfant for Certain Inheritance Taxes Paid State." (H. P. 682) (L. D. 971)

Which resolve was read a second time.

Mr. Silsby of Hancock presented Senate Amendment A and moved its adoption:

"Senate Amendment A. Amend said resolve by striking out in the third line in said resolve the words, 'plus interest'."

Which amendment was adopted and the bill as so amended was passed to be engrossed in non-concurrence.

Sent down for concurrence.

Mr. BUTLER of Franklin: Mr. President, I move that Item 12, L. D. 1164 be laid upon the table pending passage to be engrossed.

The PRESIDENT: The Chair regrets to inform the Senator, that his motion is out of order.

Mr. BUTLER: Mr. President, out of order and under suspension of the rules, I move that the Senate reconsider its action whereby the bill was passed to be engrossed.

The PRESIDENT: The Chair would note that the rules do not need to be suspended.

Thereupon, on motion by Mr. Butler of Franklin, the Senate voted to reconsider its former action whereby it passed to be engrossed bill, "An Act to Exclude Town of Cooper, Washington County, from Maine Forestry District." (H. P. 821) (L. D. 1164) and on further motion by the same Senator, the bill was laid upon the table pending passage to be engrossed.

Senate

Bill, "An Act Relating to Payments by Town of Georgetown for MacMahan Island." (S. P. 132) (L. D. 270)

Bill, "An Act Relating to Vacations for Members of the Lewiston Police Department." (S. P. 205) (L. D. 550)

Bill, "An Act Relating to Uniforms for Members of the Police Department of the City of Lewiston." (S. P. 206) (L. D. 551)

Bill, "An Act Pertaining to Retirement Benefits for Members of the Lewiston Police Department not under the Maine State Retirement System." (S. P. 212) (L. D. 557)

Bill, "An Act Relating to Registration of Dealers in Boat Trailers and Temporary Registration Plates." (S. P. 391) (L. D. 1087)

(On motion by Mr. Cole of Waldo, tabled pending passage to be engrossed.)

Bill, "An Act Relating to Unlicensed Dogs." (S. P. 474) (L. D. 1380)

Bill, "An Act Relating to Pensions for Widows and Children of Deceased Policemen of the City of Lewiston." (S. P. 523) (L. D. 1485)

(On motion by Mr. Lessard of Androscoggin, tabled pending passage to be engrossed.)

Bill, "An Act Relating to Survivor Benefits Under Maine State Retirement Law." (S. P. 524) (L. D. 1486)

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

Sent down for concurrence.

Senate — as amended

Bill, "An Act to Authorize the State of Maine to Enter Into a Compact with the States of Vermont and New Hampshire to Establish a Tri-State Regional Medical Needs Board." (S. P. 256) (L. D. 694)

Bill, "An Act Relating to Persons Qualified to Serve as Jurors." (S. P. 369) (L. D. 992)

Which were 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 bill:

Bill, "An Act Amending the Charter of the City of Portland." (S. P. 203) (L. D. 548)

Which bill was passed to be enacted.

Orders of the Day

On motion by Mr. Silsby of Hancock, the Senate voted to take from the table Senate Committee Report of the Committee on Legal Affairs reporting Ought to pass as amended by Committee Amendment "A" on Bill, "An Act to Revise the Laws Relating to Registration of Accountants," (S. P. 243) (L. D. 644) tabled by that Senator earlier in today's

session pending adoption of Committee Amendment "A"; and on further motion by the same Senator Committee Amendment "A" was adopted and the bill as amended was tomorrow assigned for second reading.

On motion by Mr. Lessard of Androscoggin, the Senate voted to take from the table Bill, "An Act Relating to Pensions for Widows and Children of Deceased Policemen of the City of Lewiston," (S. P. 523) (L. D. 1485) which was tabled by that Senator earlier in today's session 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 in the 7th line by striking out the underlined word 'or' after the underlined word and punctuation 'duty.'"

Senate Amendment "A" was adopted and the bill was passed to be engrossed as amended by Senate Amendment "A" and sent down for concurrence.

On motion by Mr. Martin of Kennebec,

Adjourned until 10:00 A.M. next Tuesday.