

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 19, 1957

Senate called to order by the President.

Prayer by Rev. Alton E. Maxell of Augusta.

On motion by Mr. Hurley of Kennebec, Journal of yesterday read and approved.

**Papers from the House
House Committee Reports
Leave to Withdraw**

The Committee on Highways on Bill, "An Act to Authorize the Issuance of Bonds in the Amount of Sixty-six Million and Five Hundred Sixty-three Thousand Dollars on Behalf of the State of Maine for the Purpose of Building State Highways." (H. P. 967) (L. D. 1367) reported that same be granted Leave to Withdraw.

The same Committee on 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) reported that same be granted Leave to Withdraw.

The Committee on Inland Fisheries and Game on Bill, "An Act Establishing the St. Joseph Game Preserve, Cumberland County." (H. P. 969) (L. D. 1369) reported that same be granted Leave to Withdraw.

The same Committee on "Resolve Opening Big Indian Pond, Franklin County, to Ice Fishing." (H. P. 505) (L. D. 715) reported that same be granted Leave to Withdraw.

The Committee on Legal Affairs on Bill, "An Act Amending Charter of City of Saco re Ordinances and Appropriation Resolve." (H. P. 783) (L. D. 1116) reported that same be granted Leave to Withdraw.

The same Committee on Bill, "An Act Amending the Charter of the City of Saco re Elections and School Committee." (H. P. 784) (L. D. 1117) reported that same be granted Leave to Withdraw.

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

reported that same be granted Leave to Withdraw.

The Committee on Retirements and Pensions on Bill, "An Act Relating to Deposit of Contributions by Former Member of State Retirement System." (H. P. 857) (L. D. 1220) reported that same be granted Leave to Withdraw.

The same Committee on "Resolve Providing for an Increase in State Pension for Ina J. Alto of Jefferson." (H. P. 390) (L. D. 521) reported that same be granted Leave to Withdraw.

The same Committee on "Resolve Providing for State Pension for Mary J. Libby of Presque Isle." (H. P. 512) (L. D. 722) reported that same be granted Leave to Withdraw.

The same Committee on "Resolve Providing for State Pension for Isaac Gamble of Prospect." (H. P. 619) (L. D. 866) reported that same be granted Leave to Withdraw.

The same Committee on "Resolve Providing for State Pension for Marion Harvey of Lubec." (H. P. 724) (L. D. 1023) reported that same be granted Leave to Withdraw.

The same Committee on "Resolve Providing for State Pension for Zilda E. Ricker of Buxton." (H. P. 760) (L. D. 1074) reported that same be granted Leave to Withdraw.

Which reports were severally read and accepted in concurrence.

Ought Not to Pass

The Committee on Inland Fisheries and Game on Bill, "An Act Relating to Open Season on Bull Moose in Hancock and Washington Counties." (H. P. 998) (L. D. 1426) reported that same Ought not to pass.

The Committee on Judiciary on Bill, "An Act Revoking License of Operator of Motor Vehicle Used in Commission of a Felony." (H. P. 900) (L. D. 1326) reported that same Ought not to pass.

The Committee on Natural Resources on recommitted "Resolve Authorizing Forest Commissioner to Convey Certain Land in Augusta to City of Augusta." (H. P. 754) (L. D. 1068) reported that same Ought not to pass.

(On motion by Mr. Martin of Kennebec, tabled pending consideration of the ought not to pass report; and

specially assigned for later in today's session.)

The Committee on Retirements and Pensions on recommitted "Resolve Providing for a State Pension for Mrs. Elizabeth Fortier of Middleboro, Massachusetts." (H. P. 237) (L. D. 330)

The same Committee on "Resolve Providing for an Increase in State Pension for Leroy Earle Clewley of Etna." (H. P. 329) (L. D. 414) reported that same Ought not to pass.

The same Committee on "Resolve Providing for State Pension for Mrs. Arthur Preston of Rockland." (H. P. 441) (L. D. 617) reported that same Ought not to pass.

The same Committee on "Resolve Providing for State Pension for Arthur M. Clewley of Etna." (H. P. 620) (L. D. 867) reported that same Ought not to pass.

Which reports were severally read and accepted in concurrence.

Ought to Pass

The Committee on Judiciary on Bill, "An Act Relating to Bail Provisions in Prosecutions Under Liquor Law." (H. P. 940) (L. D. 1333) reported that same Ought to pass.

The Committee on Towns and Counties on Bill, "An Act to Incorporate the Town of West Paris." (H. P. 826) (L. D. 1172) reported that same Ought to pass.

Which reports were 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 Legal Affairs on Bill "An Act Relating to Beano." (H. P. 712) (L. D. 1018) reported same in New Draft (H. P. 1051) (L. D. 1494) under same title, and that it Ought to pass.

The Committee on Public Health on Bill "An Act Relating to Age of Admission to State Hospitals." (H. P. 850) (L. D. 1203) reported same in New Draft (H. P. 1048) (L. D. 1490) under same title, and that it Ought to pass.

The Committee on Taxation on Bill "An Act Relating to Computation of Tax on Telegraph Companies." (H. P. 840) (L. D. 1194) reported same in New Draft (H. P.

1052) (L. D. 1495) under same title, and that it Ought to pass.

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

The Committee on Taxation on Bill "An Act Relating to Sales and Use Tax on Certain Boats Sold to Nonresidents." (H. P. 910) (L. D. 1295) reported same in New Draft (H. P. 1050) (L. D. 1493) under same title, and that it Ought to pass.

Comes from the House, report accepted, House Amendment A (Filing No. 220) adopted, and the bill in New Draft, passed to be engrossed as amended by House Amendment A.

In the Senate, the report was read and accepted, House Amendment A was read and adopted and the bill read once; on motion by Mr. Low of Knox, the rules were suspended and the bill was given its second reading and passed to be engrossed in concurrence.

Ought to Pass — as amended

The Committee on Public Health on Bill "An Act Relating to Age of Applicants to Pownal State School." (H. P. 94) (L. D. 125) reported that same Ought to pass with Committee Amendment A (Filing No. 192)

Comes from House, report accepted Committee Amendment A and House Amendment A (Filing No. 219) adopted, and the bill as so amended, passed to be engrossed.

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

The Committee on Business Legislation on Bill "An Act Relating to Uniform Law for Organization and Supervision of Fraternal Benefit Societies." (H. P. 992) (L. D. 1438) reported that the same Ought to pass as amended by Committee Amendment A (Filing No. 207).

(On motion by Mr. Boucher of Androscoggin, tabled pending consideration of the ought to pass report.)

The Committee on Public Utilities on Bill "An Act to Establish the Wiscasset Sewerage District." (H. P. 923) (L. D. 1312) reported that the same Ought to pass with Committee Amendment A (Filing No. 209)

The Committee on Taxation on Bill "An Act Imposing a Tax on Dry Beans." (H. P. 486) (L. D. 736) reported that the same Ought to pass as amended by Committee Amendment A (Filing No. 171)

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 readings.

State of Maine

HOUSE OF REPRESENTATIVES
Office of the Clerk
Augusta

April 18, 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 Establishing Columbus Day as a Legal Holiday." (S. P. 411) (L. D. 1144)

Messrs. BEYER of Cape Elizabeth
BRAGDON of Perham
STANLEY of Bangor

Bill, "An Act Relating to the Visible Indication of Elapsed Time on Parking Meters." (H. P. 361) (L. D. 491)

Messrs. BROWN of Ellsworth
TURNER of Auburn
HAUGHN of Bridgton

Respectfully,

(Signed) HARVEY R. PEASE
Clerk of the House

Which communication was read and placed on file.

The President appointed as Senate conferees on the Committee of Conference on Bill, "An Act Estab-

lishing Columbus Day as a Legal Holiday," (S. P. 411) (L. D. 1144)

Senators:

BOUCHER of Androscoggin
CARPENTER of Somerset
MARTIN of Kennebec

Resolve Received by Unanimous Consent

Mr. Martin of Kennebec presented "Resolve Authorizing Aeronautics Commission to Conduct an Augusta-Waterville Airport Survey." (S. P. 536)

Mr. MARTIN of Kennebec: Mr. President and members of the Senate: Very briefly, as most of you have on your desks letters from the Mayors of Augusta and Waterville, I would like to say that this is a resolve asking for an appropriation of \$15,000 to be made for a study of two or more possible sites for the location of an airport between the two cities. We find that the airports in both cities cannot be enlarged and therefore we suffer both from lack of adequate passenger service and freight service. We feel that the study is necessary, and that is what this resolve calls for. I hope this resolve may be introduced.

Thereupon, the resolve was received by unanimous consent, referred to the Committee on Appropriations and Financial Affairs and ordered printed.

Sent down for concurrence.

Senate Committee Reports Leave to Withdraw

Mr. Carpenter from the Committee on Inland Fisheries and Game on "Resolve Opening Chub Pond, Somerset County, to Ice Fishing." (S. P. 368) (L. D. 991) reported that same be granted Leave to Withdraw.

Mr. Davis from the Committee on Retirements and Pensions on "Resolve Providing for State Pension for Vertine E. Ellis, St. Albans." (S. P. 220) (L. D. 564) reported that same be granted Leave to Withdraw.

Mr. Low from the same Committee on "Resolve for State Pension for Alec Reynolds, of Houlton." (S. P. 312) (L. D. 809) reported that same be granted Leave to Withdraw.

Which reports were severally read and accepted.

Sent down for concurrence.

Ought Not to Pass

Mr. Carpenter from the Committee on Inland Fisheries and Game on Bill, "An Act Relating to Open Season on Moose." (S. P. 445) (L. D. 1264) reported that the same Ought not to pass.

Mr. Hall from the same Committee on Bill, "An Act Relating to Closed Season on Partridge." (S. P. 501) (L. D. 1415) reported that same Ought not to pass.

Mr. Rogerson from the Committee on Public Utilities on Bill, "An Act Authorizing Rules and Regulations of Public Utilities Commission for Safety and Health of Employees." (S. P. 421) (L. D. 1180) reported that same Ought not to pass.

Which reports were severally read and accepted.

Sent down for concurrence.

Mr. Rogerson from the Committee on State Government, pursuant to Joint Order (S. P. 61) reported Bill, "An Act to Create a State Committee on Mental Health." (S. P. 534) with recommendation that the same be referred to the Committee on State Government.

The same Senator from the same Committee, pursuant to Joint Order (S. P. 61) reported Bill, "An Act Transferring School for the Deaf from Department of Institutional Service to Department of Education." (S. P. 535) with recommendation that the same be referred to the Committee on State Government.

Which reports were read and accepted. The bills referred to the Committee on State Government and ordered printed.

Sent down for concurrence.

Mr. Rogerson from the Committee on State Government, pursuant to Joint Order (S. P. 61) reported Bill, "An Act Authorizing Governor and Council to Sell or Lease State Property." (S. P. 537) with recommendation that the same be referred to the Committee on State Government.

The same Senator from the same Committee, pursuant to Joint Order (S. P. 61) reported Bill, "An Act

Relating to Construction of a Building for Maine Employment Security Commission." (S. P. 538) with the recommendation that the same be referred to the Committee on State Government.

Which reports were read and accepted, the bills referred to the Committee on State Government, and ordered printed.

Sent down for concurrence.

Ought to Pass

Mr. Martin from the Committee on Public Utilities on Bill, "An Act Relating to Application for Permits to Operate Motor Vehicles for Profit." (S. P. 309) (L. D. 806) reported that the same Ought to pass.

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

Ought to pass— N. D.

Mr. Bailey from the Committee on Agriculture on Bill, "An Act relating to Grading, Packing and Advertising Apples." (S. P. 113) (L. D. 277) reported same in New Draft (S. P. 532) (L. D. 1502) same title, and that it Ought to pass.

Mr. Parker from the Committee on Highways on Bill, "An Act to Make Allocations from the General Highway Fund for the Fiscal Year Ending June 30, 1958 and June 30, 1959." (S. P. 68) (L. D. 114) reported same in New Draft (S. P. 533) same title, and that it Ought to pass.

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

Ought to Pass — as amended

Mr. Reed from the Committee on Agriculture on Bill, "An Act Creating the Maine Weights and Measures Law." (S. P. 274) (L. D. 732) reported that the same Ought to pass as amended by Committee Amendment A.

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

Second Readers

The Committee on Bills in the Second Reading reported the following Bills:

House

Bill, "An Act Relating to Assessments against Lots Benefited by Waterville Sewerage District." (H. P. 481) (L. D. 687)

Bill, "An Act to Incorporate the Topsham Sewer District." (H. P. 569) (L. D. 879)

Bill, "An Act Increasing Compensation of Boards of Registration in Cities." (H. P. 645) (L. D. 912)

Bill, "An Act Providing for a Tax on Quahogs." (H. P. 861) (L. D. 1224)

Bill, "An Act Relating to Costs in Actions on Small Claims." (H. P. 943) (L. D. 1336)

Bill, "An Act Creating a Highway Safety Committee." (H. P. 974) (L. D. 1374)

Bill, "An Act Clarifying Procedure Relating to Reconstructing or Altering Railroad Crossings." (H. P. 1049) (L. D. 1492)

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

Senate

Bill, "An Act Revising the Law Relating to Peaceful Uses of Atomic Energy." (S. P. 478) (L. D. 1383)

Bill, "An Act Relating to Crimes Committed on the Maine Turnpike." (S. P. 530) (L. D. 1497)

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

Sent down for concurrence.

Bill, "An Act Relating to Cost of Relocating Facilities in Federal-Aid Interstate Highway Projects." (S. P. 385) (L. D. 1081)

Mr. Cole of Waldo presented Senate Amendment A and moved its adoption.

Mr. COLE: Mr. President, this new draft in amendment form is in complete accordance with the wishes of the Highway Department.

Thereupon, on motion by Mr. Butler of Franklin, the bill and accompanying papers were laid upon the table pending motion by the Senator from Waldo, Senator Cole, that

the Senate adopt Senate Amendment A.

Senate—As Amended

Bill, "An Act Creating an Interstate Compact on Mental Health." (S. P. 127) (L. D. 340)

Bill, "An Act Relating to Joint Bank Accounts and Joint Building and Loan Shares." (S. P. 145) (L. D. 343)

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

Bill, "An Act to Clarify Certain Liquor Laws." (S. P. 409) (L. D. 1142)

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 engrossed, the following bills and resolves:

Bill, "An Act Repealing the Incorporation of the Master, Wardens and Members of Freeport Lodge." (H. P. 367) (L. D. 497)

Bill, "An Act Relating to Disposition of Trust Income Earned During Period of Administration." (H. P. 543) (L. D. 770)

Bill, "An Act Relating to Requests for Secret Balloting at Town Meetings." (H. P. 1042) (L. D. 1481)

Bill, "An Act Regulating Motor Vehicles at Traffic Circles or Rotary Intersections." (H. P. 1043) (L. D. 1482)

Bill, "An Act Amending the Charter of the Town of Lincoln." (H. P. 1044) (L. D. 1483)

Bill, "An Act Relating to Time of Payment of Fees by Clerks of the Judicial Courts." (S. P. 58) (L. D. 88)

Bill, "An Act Relating to Exemption of Volunteer Fire Departments from Sales Tax." (S. P. 79) (L. D. 136)

(On motion by Mr. Sinclair of Somerset, tabled pending passage to be enacted.)

Bill, "An Act Relating to Appointment of Deputy County Treasurers." (S. P. 225) (L. D. 568)

Bill, "An Act Relating to the Taxation of General Powers of Appointment." (S. P. 304) (L. D. 801)

Bill, "An Act Relating to Stenographic Services in Cases Before Referees." (S. P. 377) (L. D. 1000)

Bill, "An Act Relating to Raising Compensation of Mayor and Councilmen of City of Biddeford." (S. P. 522) (L. D. 1484)

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

(On motion by Mr. Sinclair of Somerset, tabled pending final passage.)

"Resolve in Favor of Donald LaPierre of Westbrook." (H. P. 694) (L. D. 1480)

(On motion by Mr. Sinclair of Somerset, tabled pending final passage.)

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

Orders of the Day

The PRESIDENT: Under Orders of the day the Chair lays before the Senate the first tabled and specially assigned matter, being "Resolve Authorizing Forest Commissioner to Convey Certain Land in Augusta to City of Augusta." (H. P. 754) (L. D. 1068) which was tabled earlier in today's session by the Senator from Kennebec, Senator Martin, pending consideration of the report of the committee.

On motion by Mr. Martin of Kennebec, the "Ought not to pass" report of the committee was accepted in concurrence.

Mr. DAVIS of Cumberland: Mr. President, I would like to inquire if S. P. 440, L. D. 1237 is in the possession of the Senate?

The PRESIDENT: The Chair will state that S. P. 440, L. D. 1237, "An Act Authorizing Forest Commissioner to Convey Interest of the State in Jaquish Island, Cumberland County," is in the possession of the Senate, having been held at the request of the Senator from Cumberland, Senator Davis.

On motion by Mr. Davis of Cumberland, the Senate voted to reconsider its action of the last legislative day whereby it accepted the "Ought

not to pass" report of the committee; and on further motion by the same Senator the resolve and accompanying papers were tabled pending consideration of the "Ought not to pass" report of the committee.

On motion by Mr. Butler of Franklin, the Senate voted to take from the table the 8th item on today's list of Senate enactors, Bill, "An Act Relating to Cost of Relocating Facilities in Federal-Aid Interstate Highway Projects." (S. P. 385) (L. D. 1081) which was tabled by that Senator earlier in today's session pending the motion of the Senator from Waldo, Senator Cole, that the Senate adopt Senate Amendment "A".

On motion by Mr. Butler of Franklin, Senate Amendment "A" was adopted; and on further motion by the same Senator the bill and accompanying papers were tabled pending passage to be engrossed as amended by Senate Amendment "A".

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table the 23rd tabled and unassigned matter, (H. P. 68) (L. D. 95) House Report "Ought not to pass" from the Committee on Highways on "Resolve Authorizing State Highway Commission to Study Desirability of a Bridge Across the Androscoggin River," which was tabled by that Senator on April 3rd, pending consideration of report; and on further motion by the same Senator the "Ought not to pass" report of the committee was accepted in concurrence.

Emergency Measure

"Resolve Providing Additional Funds for the Remodeling and Equipping of the Statehouse offices and Highway-Health Building."

Which resolve being an emergency measure, and having received the affirmative vote of 26 members of the Senate, was finally passed.

On motion by Mr. Butler of Franklin, the Senate voted to take from

the table Bill, "An Act Relating to Town Representation on Community School Committee." (H. P. 683) (L. D. 972) tabled by that Senator on April 18 pending passage to be enacted; and on further motion by the

same Senator, the bill was passed to be enacted.

On motion by Mr. Cole of Waldo

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