

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

Monday, May 13, 1957

Senate called to order by the President.

Prayer by Rev. Roger D. Blinn, of Gardiner.

On motion by Mr. St. Pierre of Androscoggin, Journal of last Friday read and approved.

Joint Order

Mr. Low of Knox presented the following order.

ORDERED, the House concurring, that there be recalled to the Senate from the Engrossing Department H. P. 66, L. D. 93, "A Resolve Proposing an Amendment to the Constitution Changing the Date of the General Election," and H. P. 157, L. D. 204, "A Resolve Proposing an Amendment to the Constitution Changing the Tenure of Office of the Governor to Four Year Term." (S. P. 575)

Which was read and passed.

Sent down for concurrence.

Joint Order

Mr. Lessard of Androscoggin presented the following order.

ORDERED, the House concurring, that the Committee on State Government be and hereby is directed to study, forthwith, the question of land acquisition immediately south of the State House and to report by Resolve or otherwise its recommendations. (S. P. 576)

Which was read and passed.

Sent down for concurrence.

**Papers from the House
Conference Committee Report**

The Committee of Conference on the disagreeing action of the two branches on Bill "An Act Relating to Rate of Interest Charged by Licensed Small Loan Agencies." (H. P. 593) (L. D. 842) reported:

First, that the House recede and concur in the indefinite postponement of the bill.

Second, that the House adopt the Joint Order attached and made a part hereto.

Third, the Senate concur with the House in the adoption of the Joint Order.

Joint Order

ORDERED, the Senate concurring, that the Legislative Research Committee be and hereby is authorized and directed to study the "Small Loan" Statutes and via report to the 99th Legislature indicate its recommendations related to amendments, if any, that should be considered that may strengthen and improve the "Small Loan" Statute.

The Committee is particularly requested to report upon the need for uniform and mandatory annual reporting to the State Banking Commissioner by each of the small loan licensees. (H. P. 1090)

Which report was read and accepted, and the Joint Order read and passed in concurrence.

**House Committee Reports
Referred to 99th Legislature**

The Committee on Judiciary on Bill, "An Act Relating to Absent Voting." (H. P. 219) (L. D. 303) reported that same be Referred to the 99th Legislature.

The same Committee on Bill, "An Act Relating to Physical Incapacity Voting." (H. P. 545) (L. D. 772) reported that same be Referred to the 99th Legislature.

Which reports were read and accepted, and the bills referred to the 99th Legislature, in concurrence.

Ought Not to Pass

The Committee on Agriculture on Bill, "An Act Relating to Policy of Milk Commission." (H. P. 304) (L. D. 421) reported that the same Ought not to pass.

Comes from House, report and bill Indefinitely postponed.

In the Senate, on motion by Mr. Boucher of Androscoggin, tabled pending consideration of the report.

The Committee on Judiciary on Bill, "An Act Relating to Injury to Monuments and Places of Burial." (H. P. 920) (L. D. 1310) reported that the same Ought not to pass.

Comes from House, bill substituted for report and passed to be engrossed as amended by House Amendment A (Filing 357).

In the Senate, on motion by Mr. Silsby of Hancock, the ought not to

pass report was accepted in non-concurrence.

Sent down for concurrence.

The Committee on Legal Affairs on Bill, "An Act Relating to Planning Board for City of Lewiston." (H. P. 84) (L. D. 110) reported that same Ought not to pass.

Comes from House, bill substituted for report and passed to be engrossed as amended by House Amendment A (Filing 347).

In the Senate, on motion by Mr. Boucher of Androscoggin, tabled pending consideration of the report.

The Committee on Appropriations and Financial Affairs on "Resolve Creating University of Maine Scholarship Fund." (H. P. 582) (L. D. 831) reported that the same Ought not to pass.

The Committee on Highways on Bill, "An Act Relating to Certain Highways in the State Primary System and Providing Funds Therefor." (H. P. 864) (L. D. 1238) reported that the same Ought not to pass.

Which reports were read and accepted in concurrence.

Ought to Pass—New Draft

The Committee on Labor on Bill, "An Act Relating to Weekly Benefits for Total Unemployment Under Employment Security Law." (H. P. 373) (L. D. 503) reported same in New Draft (H. P. 1089) (L. D. 1573) 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—as amended

The Committee on Labor on Bill, "An Act Amending Employment Security Law as to Disqualification for Benefits." (H. P. 779) (L. D. 1112) reported that the same Ought to Pass as amended by Committee Amendment A (Filing No. 369)

The same Committee on Bill, "An Act Relating to Disqualifications for Benefits Under Employment Security Law." (H. P. 781) (L. D. 1114) reported that the same Ought to Pass as amended by Committee Amendment A (Filing No. 368)

Which reports were read and accepted in concurrence 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 Committee on Legal Affairs on Bill, "An Act Relating to Superintending School Committee of City of Portland." (H. P. 835) (L. D. 1191) reported that the same Ought to Pass as amended by Committee Amendment A (Filing No. 362)

Comes from House, report accepted and the bill passed to be engrossed as amended by Committee Amendment A and as amended by House Amendment A. (Filing No. 383)

In the Senate, on motion by Mrs. Lord of Cumberland, tabled pending consideration of the report.

Majority—ONTP Minority—OTP

The Majority of the Committee on Highways on Bill, "An Act to Authorize the Construction of a Causeway, Connecting Cousins Island with Littlejohns Island, and a Bridge and Causeway Connecting Littlejohns with Chebeague Island." (H. P. 19) (L. D. 24) reported that the same Ought Not to Pass.

(Signed)

Senators:

PARKER of Piscataquis
FERGUSON of Oxford
COLE of Waldo

Representatives:

TURNER of Auburn
CARTER of Etna
GRAVES of Mt. Desert

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

(Signed)

Representatives:

DENBOW of Lubec
HIGGINS of Scarborough
NADEAU of Biddeford
ELWELL of Brooks

Comes from the House, Minority Report accepted and the bill passed to be engrossed.

In the Senate, on motion by Mr. Cole of Waldo, tabled pending consideration of the report.

Report A—OTP—N.D., New Title
Report B—OTP—N.D., Same Title
Report C—ONTP

Five members of the Committee on Highways on Bill, "An Act to Authorize Ferry Service for North Haven, Vinalhaven, Islesboro and Swan's Island." (H. P. 179) (L. D. 242) reported same (Report A) in New Draft "B" (H. P. 1080) (L. D. 1554) under New Title: "Resolve Authorizing Engineering and Economic Survey of Ferry Service for North Haven, Vinalhaven, Islesboro and Swan's Island." and that it Ought to Pass.

(Signed)

Senators:

PARKER of Piscataquis
 COLE of Waldo
 FERGUSON of Oxford

Representatives:

CARTER of Etna
 NADEAU of Biddeford

Four Members of the same Committee on the same subject matter, reported same (Report B) in New Draft "A" (H. P. 1081) (L. D. 1555) under the Same Title, and that it Ought to Pass.

(Signed)

Representatives:

DENBOW of Lubec
 HIGGINS of Scarborough
 GRAVES of Mt. Desert
 ELWELL of Brooks

One Member of the same Committee on the same subject matter, reported that the bill Ought Not to Pass.

Comes from the House, Report B accepted, and bill in New Draft A passed to be engrossed.

In the Senate, on motion by Mr. Cole of Waldo, tabled pending consideration of the report.

Majority — OTP
Minority — ONTP

The Majority of the Committee on Highways on "Resolve Authorizing Study of Proposed Road from Millinocket to Grindstone." (H. P. 768) (L. D. 1101) reported that the same Ought to pass

(Signed)

Senator

PARKER OF Piscataquis

Representatives:

TURNER of Auburn
 DENBOW of Lubec

HIGGINS of Scarborough
 CARTER of Etna
 NADEAU of Biddeford
 GRAVES of Mt. Desert
 ELWELL of Brooks

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

(Signed)

Senators:

COLE of Waldo
 FERGUSON of Oxford

Comes from the House, Majority Report accepted and the resolve passed to be engrossed.

In the Senate, on motion by Mr. Cole of Waldo, tabled pending consideration of the report.

Majority — ONTP
Minority — OTP

The Majority of the Committee on Taxation on Bill, "An Act Refunding Gasoline and Use Fuel Taxes to Local Transit Operators." (H. P. 953) (L. D. 1354) reported that the same Ought not to pass

(Signed)

Senators:

LOW of Knox
 WYMAN of Washington

Representatives:

IANSON of Gardiner
 ROLLINS of Belfast
 FARMER of Wiscasset
 WALSH of Brunswick
 BESSE of Clinton
 BROWN of Ellsworth

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

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

(Signed)

Senator:

BOUCHER of Androscoggin

Representative:

CYR of Augusta

Comes from the House, Minority Report accepted and the bill passed to be engrossed.

In the Senate, on motion by Mr. Davis of Cumberland tabled pending consideration of the reports.

STATE OF MAINE
HOUSE OF REPRESENTATIVES
Augusta

May 10, 1957

Honorable Chester T. Winslow
Secretary of the Senate
98th Legislature

Sir:

The House today voted to adhere to its former action Bill, "An Act Creating One Racing Commission," H. P. 824, L. D. 1167 on which the House had indefinitely postponed both reports and the bill and the Senate had passed the bill to be engrossed.

Very truly yours,

(Signed)

HARVEY R. PEASE
Clerk of the House

Joint Order

On motion by Mr. Davis of Cumberland,

ORDERED, the House concurring, that the Committee on Retirements and Pensions be and hereby is authorized to report a Resolve providing for a minor Amendment in Chapter 82 of the Resolves of 1957.

The Resolve so reported shall be exactly in accordance with House Amendment A, which was distributed as Filing No. 296 and which by inadvertence was not offered prior to the final passage of House Paper 550, Legislative Document 777, "Resolve in Favor of George E. Bagnall of Houlton." (S. P. 577)

Which was read and passed.
Sent down for concurrence.

Senate Committee Reports

Mr. Wyman from the Committee on Towns and Counties on Bill, "An Act Increasing Salaries of County Attorney and Assistant County Attorney of Penobscot County." (S. P. 288) (L. D. 747)

Bill, "An Act Increasing Salary of County Attorney of Knox County." (H. P. 797) (L. D. 1149)

Bill, "An Act Increasing Salaries of County Attorney and Assistant County Attorney of Cumberland County." (H. P. 955) (L. D. 1356)

Reported same (by authority of Joint Order (S. P. 526) in a Consolidated Bill (S. P. 572) (L. D. 1575) Under title of:

"An Act Relating to Salaries of County Attorneys and Assistant County Attorneys," and that it ought to pass.

Which report was accepted and the Consolidated Resolve read once.

On motion by Mr. Wyman of Washington, tabled pending assignment for second reading.

Mr. Wyman from the Committee on Towns and Counties on Bill, "An Act to Increase Certain County Salaries in Somerset County." (H. P. 27) (L. D. 32)

Bill, "An Act Increasing Salaries of County Officers and Clerk Hire in Piscataquis County." (H. P. 245) (L. D. 306)

Bill, "An Act to Increase Salary of Clerk of Courts of York County." (H. P. 295) (L. D. 391)

Bill, "An Act to Increase Certain Salaries of Washington County Officials." (H. P. 447) (L. D. 623)

Bill, "An Act Increasing Salary of Sheriff of Knox County." (H. P. 450) (L. D. 625)

Bill, "An Act Increasing the Salary of Register of Deeds of Knox County." (H. P. 451) (L. D. 626)

Bill, "An Act Increasing Salary of Clerk of Courts of Knox County." (H. P. 452) (L. D. 627)

Bill, "An Act to Increase Certain County Salaries in Lincoln County." (H. P. 492) (L. D. 676)

Bill, "An Act Increasing Salary of Clerk of Courts, Sagadahoc County." (H. P. 555) (L. D. 782)

Bill, "An Act Increasing Salaries of County Officers of Franklin County." (H. P. 794) (L. D. 1127)

Bill, "An Act Increasing Salary of Sheriff of Waldo County." (H. P. 847) (L. D. 1201)

Bill, "An Act Increasing Salary of Clerk of Courts of Penobscot County." (H. P. 886) (L. D. 1254)

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

Bill, "An Act Increasing Clerk Hire and Salaries of County Officers of Cumberland County." (S. P. 80) (L. D. 137)

Bill, "An Act to Increase Certain County Salaries in Hancock County." (S. P. 138) (L. D. 281)

Bill, "An Act Relating to Salaries of County Officers of Aroostook County." (S. P. 228) (L. D. 571)

Bill, "An Act Increasing Salaries of Certain Officers of Penobscot County." (S. P. 348) (L. D. 928)

Bill, "An Act to Increase Salaries of Clerk of Courts, Register of Deeds and Register of Probate of Waldo County." (S. P. 429) (L. D. 1212)

Reported same (by authority of Joint Order S. P. 526) in Consolidated Bill (S. P. 574) (L. D. 1577) Under title of:

"An Act Relating to Salaries and Clerk Hire of Certain County Officers." and that it Ought to pass.

Which report was read and accepted, the Consolidated Bill read once, and on motion by Mr. Wyman of Washington, tabled pending assignment for second reading.

Mr. Silsby from the Committee on Judiciary on Bill, "An Act Relating to Minimum Speed of Motor Vehicles." (S. P. 60) (L. D. 90) reported that the same Ought not to pass as Covered by other Legislation.

Which report was read and accepted.

Sent down for concurrence.

Mr. Silsby from the Committee on Judiciary on Bill, "An Act Relating to Speed Regulations for Motor Vehicles." (S. P. 59) (L. D. 89) reported same in New Draft (S. P. 573) (L. D. 1576) Under same title, and that it Ought to pass.

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

Second Readers

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

House

Bill, "An Act to Reactivate a Maine Committee on Problems of the Mentally Retarded." (H. P. 195) (L. D. 282)

Bill, "An Act Relating to Teachers for Mentally Retarded Children." (H. P. 336) (L. D. 468)

Bill, "An Act Relating to Expenses of Members of State Liquor Commission." (H. P. 695) (L. D. 1002)

"Resolve Authorizing Preparation and Sale of Index to Private and

Special Laws." (H. P. 62) (L. D. 91)

"Resolve Appropriating Moneys for Testing Tanks for State Sealer of Weights and Measures." (H. P. 586) (L. D. 835)

"Resolve Relating to Construction of a Road and Terminal in City of Rockland." (H. P. 587) (L. D. 936)

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

House—As Amended

Bill, "An Act Relating to Taxation of Domestic Fowl." (H. P. 190) (L. D. 253)

Bill, An Act Authorizing Sunset Real Estate Corporation to Construct a Bridge Across Medomak River." (H. P. 424) (L. D. 601)

(On motion by Mr. Willey of Hancock, tabled pending passage to be engrossed.)

Bill, "An Act to Revise the Laws Relating to Vital Statistics." (H. P. 774) (L. D. 1107)

Bill, "An Act Revising Law Relating to Pharmacists." (H. P. 951) (L. D. 1352)

Bill, "An Act Relating to Retirement of Members of Portland Police and Fire Department not under State Retirement System." (H. P. 1057) (L. D. 1512)

"Resolve Reimbursing Certain Municipalities on Account of Property Tax Exemptions of Veterans." (H. P. 99) (L. D. 142)

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

Senate—As Amended

Bill, "An Act to Correct Inconsistencies in State Highway Laws." (S. P. 66) (L. D. 113)

(On motion by Mr. Silsby of Hancock, tabled pending passage to be engrossed.)

Bill, "An Act Relating to Tenure of Office of Members of Highway Commission." (S. P. 540) (L. D. 1519)

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 Relating to Legal Length of Lobsters." (S. P. 422) (L. D. 1181)

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

Orders of the Day

Mr. LOW of Knox: Mr. President, may I ask whether the Senate has in its possession L. D. 93, Resolve proposing an amendment to the Constitution Changing the Date of the General Election?

The PRESIDENT: The Chair will state that the bill is in the possession of the Senate, having been recalled by Joint Order this Legislative Day.

Thereupon, on motion by Mr. Low of Knox, the rules were suspended and the Senate voted to reconsider its former action whereby the bill was passed to be engrossed; and the same Senator presented Senate Amendment A.

The Secretary read Senate Amendment A.

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

Sent down for concurrence.

Mr. LOW of Knox: Mr. President, may I ask if L. D. 204, Resolve Proposing an Amendment to the Constitution Changing the Tenure of Office of the Governor to Four Year Terms, is in the possession of the Senate.

The PRESIDENT: The Chair will state that the bill is in the possession of the Senate, having been recalled by the same Joint Order.

Thereupon, on motion by Mr. Low of Knox, the rules were suspended and the Senate voted to reconsider its former action whereby the resolve was passed to be engrossed; and the same Senator presented Senate Amendment A and moved its adoption.

The Secretary read Senate Amendment A.

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

Sent down for concurrence.

On motion by Mr. Wyman of Washington, the Senate voted to

take from the table the 52nd tabled and unassigned matter, (H. P. 515) (L. D. 725) House Reports: Majority "Ought to pass," Minority "Ought not to pass"; from the Committee on Sea and Shore Fisheries, on Bill, "An Act Regulating Size of Mesh Used in Otter Trawls in Waters of Hancock County," which was tabled on that Senator on May 2nd pending consideration of reports.

On motion by Mr. Bailey of Sagadahoc, the majority "Ought to pass" report of the committee was accepted and the bill was given its first reading and tomorrow assigned for second reading.

On motion by Mr. Cole of Knox, the Senate voted to take from the table the 45th tabled and unassigned matter, "Resolve Authorizing the State Highway Commission to Make a Study of the Public Ways of the State," (S. P. 545) (L. D. 1531) which was tabled on April 30th by that Senator 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 and adopted and the resolve as amended by Senate Amendment "A" was passed to be engrossed in non-concurrence and sent down for concurrence.

On motion by Mrs. Lord of Cumberland, the Senate voted to take from the table the 63rd tabled and unassigned matter (S. P. 94) (L. D. 222) Senate Report: "Ought not to pass," from the Committee on Appropriations and Financial Affairs, on "Resolve Providing for a Traveling Clinic for Education of Mentally Retarded Children," which was tabled by that Senator on May 8th pending consideration of report; and on further motion by the same Senator the "Ought not to pass" report of the Committee was accepted.

Sent down for concurrence.

The PRESIDENT: The Chair would note that the Secretary of the Senate did this afternoon enter a Lewiston hospital for what all of us hope is only a routine physical

check-up, and the Chair on behalf of the Senate thanks the gracious lady Marjorie L. Sewell who has taken over the reading and who has done very well. (Applause)

On motion by Mr. Boucher of Androscoggin,

Adjourned until ten o'clock tomorrow morning.