

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

Special Sessions

OF THE

Ninety-Eighth Legislature

OF THE

STATE OF MAINE

October 28, 1957

January 13, 1958

May 6, 1958

DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

SENATE

Monday, October 23, 1957

In compliance with a Proclamation of His Excellency, Governor Edmund S. Muskie, the Senators convened in the Senate Chamber at four o'clock in the afternoon, Eastern Standard Time, and were called to order by the President.

Prayer by the Rev. Harvey F. Ammerman of Augusta.

The Secretary read the Proclamation:

State of Maine
PROCLAMATION
By the Governor

WHEREAS, it appears advisable that the Legislature of this State should meet in Special Session for the following purposes:

To implement the constitutional amendment authorizing use of the State's credit to guarantee industrial building loans.

To consider any other legislation to promote the general welfare of the State.

NOW, THEREFORE, I, EDMUND S. MUSKIE, Governor of the State of Maine, by virtue of the power vested in me as Governor, convene the Legislature of this State, hereby requiring the Senators and Representatives to assemble in their respective chambers at the Capitol at Augusta on Monday, the twenty-eighth day of October, 1957 at four o'clock in the afternoon in order to receive such communication as may then be made to them and to consider and determine on such measures as in their judgment will best promote the welfare of the State.

(SEAL) Given at the office of the Governor at Augusta and sealed with the Great Seal of the State of Maine, this nineteenth day of September in the year of our Lord One Thousand Nine Hundred and Fifty-seven, and of the Independence of the United States of Ameri-

ca, the One Hundred and Eighty-second.

By the Governor

EDMUND S. MUSKIE
Governor

HAROLD I. GOSS
Secretary of State

A true copy.

Attest

JAMES LORD, Jr.

Deputy Secretary of State

Which was read and ordered placed on file.

The roll being called, the following Senators responded to their names

Senators Bailey, Boucher, Briggs, Brown, Butler, Carpenter, Charles, Cole, Curtis, Davis, Dow, Dunn, Farley, Ferguson, Fournier, Hall Haskell, Hillman, Hurley, Lessard, Lord, Low, Martin, Parker, Pike, Reed, Rogerson, Silsby, Sinclair, St. Pierre, Woodcock, Wyman.

32 Senators having answered to the roll call, the President declared that a quorum was present.

On motion by Mr. Sinclair of Somerset,

ORDERED, that a message be conveyed to the House of Representatives informing that body that a quorum of Senators is present for the consideration of such business as may come before the Senate.

Which was read and passed, and the Senator from Somerset, Senator Sinclair conveyed the message.

On motion by Mr. Low of Knox, ORDERED, that a message be sent to His Excellency, the Governor, informing him that in obedience to his Proclamation a quorum of Senators is assembled in the Senate Chamber for the consideration of such business as may come before the Senate.

Which was read and passed.

The President appointed Senators: Low of Knox, Boucher of Androscoggin and Hall of York, to convey the message.

The Committee retired and subsequently reported that they had delivered the message with which they were charged.

Subsequently, a message was received from the House of Representatives through Representative

Hancock of York informing the Senate that a quorum of the Representatives is present for the consideration of such business as may come before that body.

On motion by Mr. Silsby of Hancock

ORDERED, that a message be sent to the House of Representatives proposing a Joint Convention to be held forthwith in the Hall of the House for the purpose of extending an invitation to the Governor to attend the Convention and present such communication as he may be pleased to make.

The Secretary conveyed the message.

Subsequently, a message was received from the House of Representatives through Mr. Pease, it's Clerk, concurring in the foregoing proposition for a Joint Convention.

The Senate then proceeded to the House of Representatives where a Convention was formed.

(For proceedings of Joint Convention, see House Report.)

In Senate

The Senate was called to order by the President.

On motion by Mr. Low of Knox, out of order and under suspension of the rules,

ORDERED, the House concurring, that unless received by unanimous consent, the only bills and resolves to be considered at this Special Session, shall be those designated Legislative Documents No. 1614 to 1650, inclusive.

This Order shall not refer to such bills or resolves as are intended only to facilitate the business of the Special Session. (S. P. 629)

Which was read and passed.

Sent down for concurrence.

Communication

State Highway Commission
State of Maine
Augusta

October 28, 1957

Honorable Robert N. Haskell
President of the Senate
Honorable Joseph T. Edgar
Speaker of the House
Gentlemen:

The Maine State Highway Commission respectfully suggests concurrent

consideration at the special session of the 98th Legislature of such action as you may wish to take to accomplish a thorough Legislative review of the Commission's plans relating to the Federal Interstate Highway System in Maine.

The Commission's recommendations covering this phase of our activities were first announced in a press release on December 20, 1956. You will undoubtedly recall that the Commission's plans for the construction of the Interstate System in Maine were subject to rather exhaustive legislative consideration during your regular session and apparently had at least majority legislative approval.

The Commission recognizes the right of any individual or group of individuals or any local area of interest to be critical of its plans. Such a right is an inherent part of our democratic form of government. On the other hand, the Legislature has by statute placed in the Maine State Highway Commission certain responsibilities in connection with the expenditure of highway funds. We wish to be certain that the Commission is discharging those responsibilities in the matter of the construction of the Interstate System in Maine in a satisfactory and acceptable manner.

While the Commission has no wish to appear presumptuous to the extent of attempting to prescribe legislative procedures, we are hopeful that you may assist us in the discharge of our responsibilities to the Legislature and the taxpayers of the State by designating a legislative group to review our plans relating to the Federal Interstate Highway System in Maine.

The Commission is thoroughly convinced that the plans for construction of the Interstate System which it announced in December 1956 and which it has been following since that date in as expeditious a manner as possible are correct and based on factual data which can be readily supported. Our sole purpose in suggesting a legislative review of these plans is to provide a means for a committee of the Legislature to review these plans to the extent that all concerned may have another opportunity to become convinced of the soundness of the Commission's

approach to this problem. Assuming that the Legislature does designate a legislative committee, such committee would be in a position to follow the progress of the program, to advise the Commission relative to it, to inform the public with respect to it, and to thereby assist in expediting the construction of the integrated highway system.

Respectfully yours,

MAINE STATE HIGHWAY
COMMISSION

David H. Stevens,
Chairman

Clarence S. Crosby,
Member

Harold B. Emery, Member

By David H. Stevens, Chairman
(Signed)

David H. Stevens, Chairman

Which was read and ordered placed on file.

On motion by Mr. Parker of Piscataquis, out of order and under suspension of the rules,

ORDERED, the House concurring, that the Legislative Research Committee be and hereby is directed to hold forthwith a public hearing or public hearings which shall ascertain the current progress of Federal Interstate Highway planning and construction in Maine.

They are directed to study any and all phases of the problem to the end that the interest of the entire state may best be served by the Federal Interstate System.

The Committee shall make a full and complete report of its finding and recommendations to the recessed session of this Special Session or to any Special Session next following. (S. P. 631)

Which was read and passed.

Sent down for concurrence.

Senate Papers Appropriations and Financial Affairs

Mr Lessard of Androscoggin presented "Resolve Authorizing Preliminary Surveys of Ferry Service for North Haven, Vinalhaven, Isleboro and Swan's Island, and Operational Expenses of Advisory Committee." (S. P. 622) (L. D. 1617)

Which was referred to the Committee on Appropriations and

Financial Affairs and ordered printed.

Sent down for concurrence.

Education

Mr. Sinclair of Somerset presented Bill, "An Act Providing for Payment of the 1957 Education Subsidies to Municipalities." (S. P. 628) (L. D. 1622)

Which was referred to the Committee on Education and 2000 copies ordered printed.

Sent down for concurrence.

Judiciary

Mr. Silsby of Hancock presented Bill, "An Act to Correct Errors and Inconsistencies in the Public Laws." (S. P. 621) (L. D. 1615)

The same Senator presented Bill, "An Act Clarifying Probation Procedure Under Probation and Parole Law." (S. P. 623) (L. D. 1621)

Mr. Butler of Franklin presented Bill, "An Act Relating to Speed of Motor Vehicles." (S. P. 624) (L. D. 1625)

Mr. Woodcock of Penobscot presented Bill, "An Act Relating to Measuring Speed of Motor Vehicles by Radar." (S. P. 626) (L. D. 1623)

Which were severally referred to the Committee on Judiciary and ordered printed.

Sent down for concurrence.

Legal Affairs

Mr. Reed of Aroostook presented Bill, "An Act Relating to Castle Hill - Chapman - Mapleton Community School District." (S. P. 627) (L. D. 1630)

Which was referred to the Committee on Legal Affairs and ordered printed.

Sent down for concurrence.

Retirements and Pensions

Mr. Davis of Cumberland presented Bill, "An Act Relating to Contribution and Eligibility of Survivor Benefits and Membership of Certain Teachers under Maine State Retirement Law." (S. P. 625) (L. D. 1627)

Which was referred to the Committee on Retirements and Pensions and ordered printed.

Sent down for concurrence.

State Government

Mr. Low of Knox presented Bill, "An Act to Create the Maine Industrial Building Authority." (S. P. 620) (L. D. 1614)

Which was referred to the Committee on State Government and 2000 copies ordered printed.

Sent down for concurrence.

Orders

On motion of Mr. Low of Knox, ORDERED, WHEREAS, it appears to the Senate of the Ninety-eighth Legislature that the following is an important question of law and the occasion is a solemn one; and

WHEREAS, the Ninety-Eighth Legislature proposed an amendment to the Constitution of Maine by the provisions of Chapter 159 of the Resolves of the Ninety-eighth Legislature, which act was favorably voted on by the people at a special election held on September 9, 1957, and by the proclamation of the Governor became Section 14-A of Article IX of the Constitution of Maine on September 19, 1957; and

WHEREAS, under the authority of the amendment aforesaid there has been introduced and there is now pending before the Legislature, Senate Paper 620, Legislative Document Number 1614, "An Act to Create the Maine Industrial Building Authority"; and

WHEREAS, it is important that the Legislature be informed as to the constitutionality of the proposed bill,

ORDERED, that in accordance with Section 3 of Article VI of the Constitution of Maine, the Justices of the Supreme Judicial Court are hereby respectfully requested to give the Senate their opinion on the following question:

Would Senate Paper 620, Legislative Document Number 1614, "An Act to Create the Maine Industrial Building Authority" if enacted in its present form, be constitutional?

Which was read and passed.

On motion by Mr. Charles of Cumberland

ORDERED, The House concurring, that three hundred and fifty copies of the Legislative Record for this Special Session of 1957, convened on October 28, be printed and

bound, one copy each for the members and officers of the Senate and House of Representatives, and the remainder to be deposited in the State Library for exchange and library purposes; and be it further

ORDERED, that three hundred and fifty copies of the Legislative Record be printed in pamphlet form for distribution from day to day to members of the Legislature and the Departments, under the direction of the Document Clerk. (S. P. 630)

Which was read and passed.

Sent down for concurrence.

Subsequently, the foregoing Order was returned from the House, having been read and passed in concurrence.

On motion by Mr. Hurley of Kennebec,

ORDERED, that one thousand copies of the Governor's Message be printed.

Which was read and passed.

On motion by Mr. Wyman of Washington,

ORDERED, the House concurring, that free telephone service be provided for each member and officer of the Senate and House to the number of fifteen (15) calls of reasonable duration from Augusta to points within the limits of the State of Maine, and that each member and officer of the Senate and House be provided with a card to be certified by the Secretary of the Senate and the Clerk of the House, respectively; the cost of this service to be paid to the New England Telephone and Telegraph Company at regular tariff rates; and be it further

ORDERED, that free telegraph service be provided to the number of five messages of reasonable length, from Augusta to points within the limits of the State of Maine, and that each member and officer of the Senate and House be provided with a card, to be certified by the Secretary of the Senate and Clerk of the House; the cost of this service to be paid to Western Union Telegraph Company at regular tariff rates. (SP 632)

Which was read and passed.

Sent down for concurrence.

On motion by Mr. Woodcock of Penobscot,

ORDERED, the House concurring, that the Secretary of the Senate and the Clerk of the House be directed to furnish to each member and officer of the Senate and House, a copy of the State newspaper each morning during the present Special Session of the Legislature. (SP 633)

Which was read and passed.

Sent down for concurrence.

Subsequently, the foregoing Order was returned from the House, having been read and passed in concurrence.

Mr. CARPENTER of Somerset: Mr. President, I ask unanimous consent to introduce a bill, and in support of my request I will state that it is a bill on the area directional signs and this simply includes Kennebec and Somerset sections which were omitted from the bill passed in the last regular session. I fully appreciate that unanimous consent for the introduction of bills such as this should not be requested in this

special session, but I assure you that this bill will not defer the early adjournment of this Legislature.

The PRESIDENT: The Senator from Somerset, Senator Carpenter, asks unanimous consent for the introduction of a bill. The Secretary will read the bill by title only.

The SECRETARY: "An Act Relating to Area Directional Signs."

The PRESIDENT: Is there objection to the reception of the bill? The Chair hears none and the bill is received.

On motion by Mr. Carpenter, the bill was referred to the Committee on Highways, ordered printed and sent down for concurrence.

On motion by Mr. Lessard of Androscoggin,

Recessed to the sound of the gong.

After Recess

On motion by Mr. Silsby of Hancock,

Adjourned until tomorrow morning at ten o'clock.