

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Sixth Legislature

OF THE

STATE OF MAINE

1953

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Wednesday, February 11, 1953.

The Senate was called to order by the President.

Prayer by the Rev. Hazen Rigby of Gardiner.

Journal of yesterday read and approved.

House Papers**Referred to Committees**

Bill "An Act Repealing Certain Obsolete Maine Apple Grading Laws." (H. P. 397) (L. D. 451)

Which was referred to the Committee on Agriculture in concurrence.

Bill "An Act Relating to Maine Soldiers and Sailors in the War with Spain." (H. P. 398) (L. D. 452)

"Resolve Relating to Lost Persons." (H. P. 399) (L. D. 492)

"Resolve Appropriating Moneys to Effectuate Salary Plan for State Employees." (H. P. 400) (L. D. 453)

"Resolve Appropriating Money for the Continued Study of the Maine State Liquor Monopoly Operations." (H. P. 479) (L. D. 450)

(On motion by Mr. Chapman of Cumberland, tabled pending reference.)

Which were severally referred to the Committee on Appropriations and Financial Affairs in concurrence.

"Resolve to Reimburse George H. Morong, of Portland." (H. P. 401) (L. D. 454)

Which was referred to the Committee on Claims in concurrence.

"Resolve Authorizing State Highway Commission to Study Desirability of a Bridge Across Jonesport Reach from Town of Jonesport to Town of Beals." (H. P. 405) (L. D. 455)

Which was referred to the Committee on Highways in concurrence.

Bill "An Act Repealing Jefferson and Whitefield Game Preserve." (H. P. 407) (L. D. 456)

Bill "An Act Relative to Closed Season on Pheasants in Penobscot County." (H. P. 408) (L. D. 457)

Bill "An Act Relating to Propagating Wild Rabbits." (H. P. 409) (L. D. 458)

Bill "An Act Relating to Closed Season on Deer on Cranberry Isles, Hancock County." (H. P. 410) (L. D. 459)

"Resolve Opening Pleasant Pond, Oxford County, to Ice Fishing." (H. P. 411) (L. D. 460)

"Resolve Regulating Fishing in the Allagash River." (H. P. 412) (L. D. 493)

"Resolve Regulating Fishing in Sourdnhunk Lake in Piscataquis County." (H. P. 413) (L. D. 461)

"Resolve Closing Sourdnhunk Lake, Piscataquis County, to All Fishing." (H. P. 414) (L. D. 462)

"Resolve Opening Bald Mountain Pond, Somerset County, to Ice Fishing." (H. P. 415) (L. D. 463)

Which were severally referred to the Committee on Inland Fisheries and Game in concurrence.

Bill "An Act Relating to Penalty Provisions of the Narcotic Drug Act." (H. P. 416) (L. D. 464)

Bill "An Act Relating to Taxation of Personal Property Held in Trust." (H. P. 417) (L. D. 465)

Bill "An Act Relating to Employees of University of Maine Receiving Social Security Benefits." (H. P. 418) (L. D. 466)

Bill "An Act to Incorporate the 'Community Finance Corporation.'" (H. P. 419) (L. D. 494)

Bill "An Act Amending the Charter of the City of Portland re Sinking Fund." (H. P. 420) (L. D. 467)

Bill "An Act Relating to Trespass by Cattle and Other Domestic Animals." (H. P. 421) (L. D. 468)

Bill "An Act Relating to Evidence of Intoxication." (H. P. 422) (L. D. 469)

"Resolve Proposing an Amendment to the Constitution Permitting Indians to Vote." (H. P. 423) (L. D. 470)

"Resolve Providing Retirement Pension Increase for Arthur L. Jordan of Augusta." (H. P. 424) (L. D. 471)

"Resolve Granting a Pension to Ida M. Fuller of Mount Vernon." (H. P. 425) (L. D. 472)

Which were severally referred to the Committee on Judiciary in concurrence.

Bill "An Act Relating to Burial Expenses Under Workmen's Com-

pensation Act." (H. P. 426) (L. D. 473)

Bill "An Act Relating to Compensation for Death Under Workmen's Compensation Act." (H. P. 427) (L. D. 474)

Bill "An Act Relating to Compensation for Total Incapacity Under Workmen's Compensation Law." (H. P. 428) (L. D. 475)

Bill "An Act Relating to Total Compensation for Total Incapacity Under Workmen's Compensation Law." (H. P. 429) (L. D. 476)

Which were severally referred to the Committee on Labor in concurrence.

Bill "An Act to Provide a New Charter for the City of Saco." (H. P. 430) (L. D. 477)

Bill "An Act to Repeal the Charter of the Lucerne-in-Maine Village Corporation." (H. P. 431) (L. D. 478)

Bill "An Act Creating a Board of Examiners of Psychologists." (H. P. 432) (L. D. 479)

Bill "An Act Amending the Town of Orono High School District." (H. P. 433) (L. D. 480)

Which were severally referred to the Committee on Legal Affairs in concurrence.

Bill "An Act Utilizing Professional Training for Chiropractors." (H. P. 434) (L. D. 481)

Which was referred to the Committee on Public Health in concurrence.

Bill "An Act to Incorporate the Castine Water District." (H. P. 435) (L. D. 495)

Bill "An Act to Extend the Charter of Castine Water District." (H. P. 436) (L. D. 496)

Bill "An Act Enlarging the Purposes of New Portland and Eustis Telephone and Telegraph Company and Changing Its Name to Somerset Telephone Company." (H. P. 437) (L. D. 497)

Bill "An Act to Incorporate the Madawaska Water District." (H. P. 438) (L. D. 482)

Which were severally referred to the Committee on Public Utilities in concurrence.

Bill "An Act Clarifying the Excise Tax on Aircraft." (H. P. 439) (L. D. 483)

Which was referred to the Committee on Taxation in concurrence.

Bill "An Act Relating to Fees of Jurors." (H. P. 440) (L. D. 484)

Bill "An Act Relating to the County Law Library of Penobscot County." (H. P. 441) (L. D. 485)

Bill "An Act Relating to Fees Payable to Registers of Deeds." (H. P. 442) (L. D. 486)

Bill "An Act Amending Law on Ferry Between Beals and Jonesport." (H. P. 443) (L. D. 487)

Bill "An Act Relating to the Road Repair Tax Fund in the Townships of Alder Stream, Coburn Gore, Chain of Ponds, and Jim Pond." (H. P. 444) (L. D. 498)

Bill "An Act Relating to Rental for the South Portland Municipal Court." (H. P. 445) (L. D. 488)

Bill "An Act Relative to the Salary of the Judge of the Brunswick Municipal Court." (H. P. 446) (L. D. 489)

Bill "An Act Relating to Number of Medical Examiners in Androscoggin County." (H. P. 448) (L. D. 491)

Which were severally referred to the Committee on Towns and Counties in concurrence.

Bill "An Act Relating to Permits to Haul Farm Products Over Certain Highways." (H. P. 449) (L. D. 444)

Bill "An Act to Increase the Fee Allowed Official Motor Vehicle Inspection Stations." (H. P. 450) (L. D. 445)

Bill "An Act to Clarify the Aviation Laws." (H. P. 451) (L. D. 446)

Bill "An Act Relating to Registration Certificates for Airmen, Aircraft and Air Carriers." (H. P. 452) (L. D. 447)

Bill "An Act Relating to Exemptions for Non-Resident Airmen." (H. P. 453) (L. D. 448)

Bill "An Act Relating to Exemptions for Non-Resident Aircraft." (H. P. 454) (L. D. 449)

Which were severally referred to the Committee on Transportation in concurrence.

"Resolve Providing for State Pension for Mary Hendrickson of Caswell Plantation." (H. P. 557)

"Resolve Providing for an Increase in State Pension for Leroy Earle Clewley of Etna." (H. P. 558)

"Resolve Providing for an Increase in State Pension for Victor E. Mitchell of Etna." (H. P. 559)

"Resolve Providing for State Pension for Roderick Paradis of Fort Kent." (H. P. 560)

"Resolve Providing for State Pension for Alvina Dumond of Fort Kent." (H. P. 561)

"Resolve Providing for an Increase in State Pension for Kenneth Graves of Brewer." (H. P. 562)

"Resolve Providing for State Pension for Ivan Dearborn of Monmouth." (H. P. 563)

"Resolve Providing for an Increase in State Pension for Della Dunn, of North Monmouth." (H. P. 564)

"Resolve Providing for an Increase in State Pension for Charles Ora Butters of Exeter." (H. P. 565)

"Resolve Providing for State Pension for Hanford Ireland of Corinna." (H. P. 566)

"Resolve Providing for State Pension for Harry McKenney of Newport." (H. P. 567)

"Resolve Providing for an Increase in State Pension for Grace Evans of Berwick." (H. P. 568)

"Resolve Providing for State Pension for Minnie Henderson of St. Francis." (H. P. 569)

"Resolve Providing for a State Pension for Effie Hoyt of Warren." (H. P. 570)

"Resolve Providing for an Increase in State Pension for John C. Prescott of East Corinth." (H. P. 571)

"Resolve Providing for an Increase in State Pension for Wilfred Turgeon of Waterboro." (H. P. 572)

"Resolve Providing for State Pension for Fredson Carleton of Boothbay Harbor." (H. P. 573)

Which were severally referred to the Committee on Welfare in concurrence.

"Resolve in Favor of W. Lawrence Doble, of Milo." (H. P. 493)

"Resolve in Favor of Edward Carrier, of Rumford." (H. P. 494)

"Resolve in Favor of Leon C. Roberts and Sons, of Winthrop." (H. P. 495)

"Resolve to Reimburse J. J. Blackmore of Berwick for Damage done by State Wards." (H. P. 496)

"Resolve in Favor of A. P. Russell, of Berwick, for damage done by State Wards." (H. P. 497)

"Resolve in Favor of Rodolphe H. Morais, of South China." (H. P. 498)

"Resolve in Favor of Herbert M. Connelly, of Lewiston." (H. P. 499)

"Resolve in Favor of the Town of Freeport." (H. P. 500)

"Resolve to Reimburse White & Hayes, of Bangor." (H. P. 501)

"Resolve to Reimburse Clark-Mitchell Funeral Homes, of Bangor." (H. P. 502)

Which were severally referred to the Committee on Claims in concurrence.

House Committee Report

The Committee on Judiciary on Bill "An Act Relating to Liens on Logs, Lumber, Wood and Bark," (H. P. 29) (L. D. 23) reported that the same ought to pass as amended by Committee Amendment "A".

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

The PRESIDENT: At this time, the Senator from Cumberland, Senator Chase has called to the attention of the Chair the presence in the balcony of the Senate Chamber, of a group of students from Westbrook High School, accompanied by Mr. Roy Robinson the sub-master. It is always a pleasure to the Senate to have these student groups and we hope that you will come back and visit us again some time in the future.

Senate Papers

The following bills and resolves were received, and on recommendation by the Committee on Reference of Bills, were referred to the following Committees:

Agriculture

Mr. Fuller of Oxford presented Bill "An Act to Control Vesicular Diseases." (S. P. 217)

(Ordered printed.)

Sent down for concurrence.

Business Legislation

Mr. Chase of Cumberland presented Bill "An Act Relating to the Licensing of Life Insurance Agents." (S. P. 218)

(Ordered printed.)

Sent down for concurrence.

Judiciary

Mr. Silsby of Hancock presented Bill "An Act Relating to Court Records and Official Court Reporters." (S. P. 219)

Mr. Squire of Kennebec presented "Resolve Authorizing Arthur W. Bushey of Waterville, John Tibbetts, Archie Leeman and Oscar Bradstreet, all of Palermo, to Sue the State of Maine." (S. P. 220)

Mr. Tabb of Kennebec presented Bill "An Act Removing Violations of the Liquor Law from the Criminal Law." (S. P. 221)

Mr. Chase of Cumberland presented Bill "An Act Amending the Law Creating the Legislative Research Committee." (S. P. 222)

(Each ordered printed.)

Sent down for concurrence.

Liquor Control

Mr. Tabb of Kennebec presented Bill "An Act Relating to Liquor Commission Functions." (S. P. 223)

The same Senator presented Bill "An Act Relating to Delisting and Discontinuance of Purchasing Liquor by the Commission." (S. P. 224)

The same Senator presented Bill "An Act Relating to Hours of Sale of Liquor in State Stores." (S. P. 225)

The same Senator presented Bill "An Act Relating to Liquor Commission Discussions and Decisions." (S. P. 226)

The same Senator presented Bill "An Act Relating to Numbers Boards in State Stores." (S. P. 227)

(Each ordered printed.)

Sent down for concurrence.

Sea and Shore Fisheries

Mr. Dunham of Hancock presented Bill "An Act Relating to the Taking of Clams and Quahogs." (S. P. 228)

(Ordered printed.)

Sent down for concurrence.

Towns and Counties

Mr. Broggi of York presented Bill "An Act to Determine Liability

and Responsibility of Drivers of Fire Apparatus." (S. P. 229)

Mr. Dunham of Hancock presented Bill "An Act to Increase the Salary of the Register of Probate of Hancock County." (S. P. 230)

Mr. Weeks of Cumberland presented Bill "An Act Relating to Advance to Officers for Interstate Travel Expenses Incurred in the Administration of Criminal Justice." (S. P. 231)

The same Senator presented Bill "An Act to Increase the Salary of the Treasurer of Cumberland County." (S. P. 232)

The same Senator presented Bill "An Act Relating to Salary of the Deputy Treasurer of the County of Cumberland." (S. P. 233)

Mr. Haskell of Penobscot presented Bill "An Act Repealing Law on Measure and Sale of Charcoal." (S. P. 234)

The same Senator presented Bill "An Act Repealing Laws on Street Sprinkling." (S. P. 235)

Mr. Silsby of Hancock presented Bill "An Act Relating to the Salary of Register of Probate of Hancock County." (S. P. 236)

Mr. Fuller of Oxford presented Bill "An Act Increasing Salary of Clerks in Office of Register of Deeds, Oxford County." (S. P. 237)

(Each ordered printed.)

Sent down for concurrence.

Passed to be Engrossed

Bill "An Act Relating to Definition of 'Base Period' Under Employment Security Law" (S. P. 34) (L. D. 37)

Bill "An Act Relating to Guide's License." (S. P. 78) (L. D. 185)

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

Sent down for concurrence.

Orders of the Day

On motion by Mr. Reid of Kennebec, the Senate voted to take from the table House Order re Advertising in Weekly Newspapers of the State, Public Hearings on Bills and Resolves (H. P. 478) tabled by that Senator on February 10 pending motion by the Senator from Penobscot, Senator Haskell, that the Order be indefinitely postponed.

Mr. REID of Kennebec: Mr. President, I expect that when the vote is taken you will vote in favor of

the motion to indefinitely postpone this House Order. If it is indefinitely postponed I intend thereafter to introduce an Order out of order, with reference to the same subject matter, for this reason.

It appears that there are quite a number of weekly newspapers which are seriously interested in being able to a certain degree to publish notices of hearings. The difficulty has been explained why we cannot operate under this order which was tabled. Some of the larger committees certainly cannot predict two weeks in advance what bills they are going to have hearings on, and so the following program has been tentatively worked out and will be included in the order which I will introduce. Taking six committees — I have talked with the chairmen of five of the six, with the exception of the Senator from Penobscot, Senator Wight, the six committees being the Committees on Agriculture, Education, Inland Fisheries and Game, Sea and Shore Fisheries, Taxation and Towns and Counties. Those committees were selected on the theory that public hearings before them would be more likely to interest those people who read only the weeklies and do not bother with the dailies.

The proposition is this, and at no expense to the state. If the clerks of those six committees will make every reasonable effort to supply information with respect to those bills to be heard the following week, to just one man in the state house, Floyd Newt, he will see to it that all these weeklies are telephoned, by a chain telephone system which they will work out. The information will be phoned to the interested weekly newspapers who will then be able to go to press with that information. They will be perfectly satisfied with that, that these committees are the ones which will most interest the readers of the weeklies. I wish to apologize to the Senator from Penobscot, Senator Wight, in not being able to ask his consent, but the other five chairmen think that this is a workable idea.

As I said, there will be no cost to the state. The order will read that the information be delivered to the Clerk of the House of Rep-

resentatives, but actually the information will be picked up by Floyd Newt and he will carry on from there.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Penobscot, Senator Haskell, that the Order be indefinitely postponed. Is this the pleasure of the Senate?

The motion prevailed and House Paper 478 was indefinitely postponed in non-concurrence.

Sent down for concurrence.

Order (Out of Order)

Mr. Reid presented the following order, out of order and under suspension of the rules, and moved its passage:

ORDERED, the House concurring, that the chairmen of the Committees on Agriculture, Education, Inland Fisheries and Game, Sea and Shore Fisheries, Taxation and Towns and Counties, be requested to make every reasonable effort to have prepared, not later than 2 P. M. on each Wednesday, such bills as they will hear in public hearings during the following week. The listings so prepared shall be given to the Clerk of the House for delivery to such weekly newspapers as may desire to use the information as a public service to their subscribers.

Mr. COLLINS of Aroostook: Mr. President, I would like to ask the Senator from Kennebec a question. If this plan is followed, whether or not the notices will also be given to the daily papers on these same hearings. If they are, why of course, it does mean additional printing expense to the state on the weekly papers. While I have not too much objection to that, I wonder whether we would get complete enough coverage through the weekly papers to satisfy the entire state.

Mr. REID of Kennebec: Mr. President, in answer to the Senator's question, this order contemplates no change whatsoever with the existing routine, with respect to the daily papers. It is entirely separate from them. I assume that the clerks will operate just as they have been operating in the past. This is simply a service for the weeklies. There is no commitment

on the part of the legislature or on the part of the committees to give the full and complete story, but just that they use every reasonable effort.

In other words, if a clerk of one of these committees knows by two o'clock Wednesday that certain bills are to have public hearing, he will provide that information to Floyd Newt. It may be that the next day the committee will decide to have further hearings for that week, and these listings will go as usual to the dailies but will be too late for the weekly newspapers. They are perfectly satisfied with this arrangement. Does that answer the Senator's question?

Mr. COLLINS: Mr. President, I am very well satisfied with the explanation but of course it does involve the actual printing in the papers. That will be an additional cost to the state.

Mr. REID: Mr. President, the several clerks of these committees will give the information orally or by printed lists, to Floyd Newt. He will telephone the weekly papers who are interested. They will print what he gives them, at their own expense, and there will be no telephone expense to the state. They will accept that expense.

Mr. SILSBY of Hancock: Mr. President, I would like to inquire of the Senator from Kennebec, Senator Reid, if the notices that are to be printed in the weekly papers will appear on the Wednesday following their receipt of the information. I have in mind that quite a number of weekly papers are printed on Wednesday.

Mr. REID: Mr. President, I would say that probably the papers which are printed on Wednesday would not receive the information in time, and there is no practical way to include them. You can't expect the clerks of these committees to have that information on Tuesdays. They have to have until Wednesday and so the only weekly papers who benefit would be those that go to press on Thursday. This will provide a limited service to the weeklies at no cost to the state.

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, I speak only for the purposes of the record. I shall vote for the motion but I would like to state my

understanding of the reasons I am voting for the passage of the order. The reasons are that a duly accredited representative of the weekly newspapers has presented to the Senate a plan designed by the weekly newspapers that the weekly newspapers are willing to undertake at their own expense. And in voting for the order we are attempting to meet their specifications, reserving to ourselves our own judgment as to whether or not it is entirely practical to give to any newspaper a partial list of hearings, recognizing the responsibility of the weekly newspapers for printing partial lists and recognizing that an inference that may be drawn from that list that such a list is a complete listing of all legislative hearings is entirely that of the weekly papers, that the plan is not conceived by the Senate nor that the plan as given to the weekly papers is all-inclusive and that will give to their readers a complete list of all the hearings.

I hope the weekly newspapers will make that clear to their readers so that none of them, having scanned such incomplete lists and not looking up the listings in the daily papers, will believe they have full listings of all hearings.

Mr. REID of Kennebec: Mr. President, I would like to say to the members of the Senate that the order was introduced by me endorsing the reservation of the Senator from Penobscot (Senator Haskell) and I would like to further state if this is not satisfactory to the weekly newspapers we can do no more and if they don't like it the way it is we cannot even do that.

The PRESIDENT: The question before the Senate is on the passage of the order, out of order and under suspension of the rules. Is it the pleasure of the Senate that, out of order and under suspension of the rules, the order receive passage?

The order received passage.

The PRESIDENT: The Senate is proceeding under Orders of the Day.

Mr. HASKELL of Penobscot: Mr. President, I ask unanimous consent to address the Senate. The subject will be a very brief summary of the position of the various committees with reference to the public hear-

ings. I assure the Senate it will not take more than two or three minutes.

Unanimous consent to address the Senate was granted.

Mr. HASKELL: Mr. President and members of the Senate, the order that we passed yesterday provided that the committee clerks would turn in to Waldo Clark a summary of their standings to date. Please believe me that I do not read this with even the remotest thought of criticism but only in order that each one of us in the Senate may have a general idea of the situation and I am not sure that it wouldn't be a good idea to have in the record each week some similar listing so that as the weeks go on we may have an idea of where we stand. This listing is subject to obvious errors that may have crept in and I do not vouch for its accuracy.

The Committee on Appropriations, for instance, has advertised all but 17 out of 47 bills; the Committee on Agriculture has advertised all their bills; the Committee on Business Legislation hasn't had but a few bills and neither has the Committee on Correctional Institutions; the Committee on Claims has advertised all but 9 out of 24 bills; the Committee on Education I don't think has as yet advertised any of the bills they have received; the Committee on Judiciary has unadvertised 39 out of 85 bills; the Committee on Fish and Game has 35 out of 58 bills not advertised; the Committee on Highways is yet to have advertised a public hearing, I think; the Legal Affairs Commit-

tee has advertised all but 5 out of 35 bills; the Committee on Labor has 5 remaining to be advertised out of 11; the Committee on Liquor Control has advertised just half of their bills, and the Committee on Natural Resources, a third of their bills; the Committee on Public Health I do not think has as yet had a public hearing; the Committee on Sea and Shore Fisheries have advertised all 12 of the bills they have had; the Committee on Taxation have 18 out of their 26 bills still unadvertised; Town and Counties, 16 out of their 26 bills unadvertised; and the Committee on Welfare have had 125 bills and have unadvertised 67.

I would hesitate to do this if we had a long calendar but that is where we all stand at present and I am sure that some comparison with prior years would indicate that we are going about our business in advertising hearings and holding executive sessions all to the end that we may have an orderly but not too long session.

The PRESIDENT: The Senate is proceeding under Orders of the Day.

Mr. HASKELL: Mr. President, I move that when the Senate adjourns, we adjourn until two o'clock tomorrow afternoon.

The motion prevailed, and on motion by Mr. Parker of Piscataquis,

Adjourned until tomorrow at two o'clock in the afternoon.