

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

Thursday, February 12, 1953

The Senate was called to order by the President.

Prayer by the Rev. Edwin C. Barton of Augusta.

Journal of yesterday read and approved.

Order

On motion by Mr. Haskell of Penobscot, out of order and under suspension of the rules, it was

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, February 17, 1953, at eleven o'clock in the forenoon. (S. P. 267)

Sent down for concurrence.

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

**House Papers
Committee Report**

The Committee on Legal Affairs on Bill "An Act Relating to Financial Provisions of Rockland School District," (H. P. 32 (L. D. 26) reported that the same ought to pass as amended by Committee Amendment "A".

Comes from the House, passed to be engrossed as amended by Committee Amendment "A" and by House Amendment "A".

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

Referred to Committees

"Resolve Providing Funds for Nursing Attendant Education." (H. P. 480) (L. D. 499)

"Resolve in Favor of Litchfield Academy." (H. P. 481) (L. D. 500)

"Resolve in Favor of Somerset Academy." (H. P. 482) (L. D. 501)

"Resolve for Repairs of Church and Convent at Peter Dana Point and Old Schoolhouse Used for Religious Purposes at Princeton." (H. P. 483) (L. D. 502)

"Resolve in Favor of the Town of Hermon." (H. P. 484) (L. D. 503)

Bill "An Act to Appropriate Monneys for Additional Expenditures in the Treasury Department for the Fiscal Year Ending June 30, 1953." (H. P. 574) (L. D. 504)

"Resolve in Favor of Procuring Testimonials for the Purpose of Marking the Unmarked Graves of the Soldiers of the Revolutionary War." (H. P. 485) (L. D. 505)

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

"Resolve in Favor of the Town of Milo." (H. P. 486) (L. D. 506)

"Resolve to Reimburse the Town of Exeter for Support of Mrs. Methy Sanders and Children." (H. P. 487) (L. D. 507)

"Resolve in Favor of Bert W. Paul, of Skowhegan." (H. P. 488) (L. D. 508)

"Resolve in Favor of Mrs. Ada A. Hiscock, of Farmingdale." (H. P. 490) (L. D. 509)

"Resolve in Favor of the City of Auburn." (H. P. 491) (L. D. 510)

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

"Resolve in Favor of the Town of Friendship." (H. P. 503) (L. D. 511)

"Resolve in Favor of the Towns of Hartland and Athens." (H. P. 504) (L. D. 512)

"Resolve in Favor of the Town of Hudson." (H. P. 505) (L. D. 513)

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

Bill "An Act Relative to Sunday Hunting." (H. P. 506) (L. D. 514)

Bill "An Act Relating to Bass Fishing in Washington County." (H. P. 507) (L. D. 515)

Bill "An Act Relating to Closed Season on Bass in Inland Waters of Maine." (H. P. 508) (L. D. 516)

Bill "An Act Relating to Closed Season on Black Bear." (H. P. 509) (L. D. 517)

Bill "An Act Relative to Moosehorn Game Preserve." (H. P. 512) (L. D. 518)

"Resolve Regulating Fishing in Donnell's Pond Tributaries." (H. P. 514) (L. D. 577)

"Resolve Closing Parker Pond, Cumberland County, to Ice Fishing." (H. P. 513) (L. D. 519)

"Resolve Regulating Fishing in Warren Pond." H. P. 516) (L. D. 579)

"Resolve Relating to Fly Fishing in Certain Waters, Washington County." (H. P. 517) (L. D. 520)

"Resolve Opening Upper Rang Pond, Androscoggin and Cumberland Counties, to Ice Fishing." (H. P. 518) (L. D. 521)

"Resolve Closing Little Round Pond, Penobscot County, to All Fishing." (H. P. 519) (L. D. 559)

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

Bill "An Act Revising the Charter of the Bangor Municipal Court." (H. P. 521) (L. D. 557)

Bill "An Act Amending the Maine School Building Authority." (H. P. 522) (L. D. 556)

Bill "An Act Relating to Return Day for Brunswick Municipal Court." (H. P. 523) (L. D. 561)

Bill "An Act Relating to Registration as Voters of Physically Disabled Persons." (R. P. 524) (L. D. 562)

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

Bill "An Act to Eliminate Double Penalties Under Employment Security Law." (H. P. 526) (L. D. 564)

Which was referred to the Committee on Labor in concurrence.

Bill "An Act Relating to Structures Used by Spectators in Motor Cycle Racing." (H. P. 527) (L. D. 565)

Bill "An Act Relating to West Washington Community School District." (H. P. 531) (L. D. 568)

Bill "An Act Amending the Charter of the City of Bangor Relative to Changes in Organization, Powers and Duties." (H. P. 534) (L. D. 580)

Bill "An Act Amending the Charter of the City of Bangor Relative to Business and Financial Provisions." (H. P. 533) (L. D. 555)

Bill "An Act to Create the Boothbay-Boothbay Harbor Community School District." (H. P. 536) (L. D. 582)

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

Bill "An Act Relating to the Administration of the Liquor Law." (H. P. 538) (L. D. 554)

Bill "An Act Relating to Entertainment in Licensed Premises." (H. P. 539) (L. D. 571)

Bill "An Act Relating to the Retail Sale of Wine." (H. P. 540) (L. D. 553)

Which were severally referred to the Committee on Liquor Control in concurrence.

Bill "An Act to Establish a State Committee on Aging." (H. P. 541) (L. D. 522)

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

Bill "An Act Relating to Digging Clams and Marine Worms in Edgecomb, County of Lincoln." (H. P. 542) (L. D. 523)

Bill "An Act Relating to the Use of Trawls in Washington County." (H. P. 543) (L. D. 524)

"Resolve Regulating Fishing for Smelts in Damariscotta Bay, Lincoln County." (H. P. 544) (L. D. 525)

Which were severally referred to the Committee on Sea and Shore Fisheries in concurrence.

Bill "An Act to Exempt the Sale of Meals by Hospitals and Nursing Homes." (H. P. 545) (L. D. 526)

Which was referred to the Committee on Taxation in concurrence.

Bill "An Act Amending the Charter of the Municipal Court of the City of Lewiston re Payment of Expenses." (H. P. 547) (L. D. 527)

Bill "An Act to Increase the Salaries of the Judge and Recorder of the Kennebunk Municipal Court." (H. P. 548) (L. D. 528)

Bill "An Act Relating to the Salary of the County Treasurer of Lincoln County." (H. P. 549) (L. D. 529)

Bill "An Act Relating to Salaries of Register of Deeds, Deputy Register of Deeds and Clerk Hire in Registry Office in Cumberland County." (H. P. 550) (L. D. 530)

Bill "An Act Relating to Payment to Lincoln County Law Library." (H. P. 551) (L. D. 531)

Bill "An Act to Increase the Salary of Deputy Clerk of Courts,

Penobscot County." (H. P. 552) (L. D. 532)

Bill "An Act Relating to Salaries of County Attorney and Assistant County Attorney of Penobscot County." (H. P. 553) (L. D. 533)

Bill "An Act to Increase the Salary of the Clerk of Courts of Penobscot County." (H. P. 554) (L. D. 534)

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

Bill "An Act Relating to Civil Defense." (H. P. 556) (L. D. 536)

Which was referred to the Committee on Veterans and Military Affairs in concurrence.

"Resolve Providing for an Increase in State Pension for Curtis Bragdon of Mechanic Falls." (H. P. 613)

"Resolve Providing for State Pension for Bennett Sawyer of Kennebunkport." (H. P. 614)

"Resolve Providing for State Pension for Hubert A. Bowie of Baldwin." (H. P. 615)

"Resolve Providing for an Increase in State Pension for Edna Bickford of Richmond." (H. P. 616)

"Resolve Providing for State Pension for James Kimball of Medway." (H. P. 617)

"Resolve providing for State Pension for Peter J. Perry of Mexico." (H. P. 618)

"Resolve Providing for State Pension for Ared Howard of Mexico." (H. P. 619)

"Resolve Providing for an Increase in State Pension for Bertha F. Foster, of Lewiston." (H. P. 620)

"Resolve Providing for State Pension for Beulah F. Raymond of Westbrook." (H. P. 621)

"Resolve Providing for State Pension for Edith Damren of Mount Vernon." (H. P. 622)

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

House Committee Reports

The Committee on Inland Fisheries and Game on Bill "An Act Relating to Guides for Non-Resident Hunters," (H. P. 9) (L. D. 3) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Possession of Deer in Closed Season," (H. P. 11) (L. D. 5) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Hunting Licenses for Minors," (H. P. 12) (L. D. 6) reported that the same ought not to pass, as it is covered by other legislation.

(On motion by Mr. Dennett of York, tabled pending acceptance of the report.)

The same Committee on Bill "An Act Creating Deputy Inland Fish and Game Wardens," (H. P. 164) (L. D. 163) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Length of Trout," (H. P. 165) (L. D. 164) reported that the same ought not to pass.

The Committee on Judiciary on Bill "An Act Relating to Penalty for Failure to Stop on Signal of Inland Fish and Game Warden," (H. P. 15) (L. D. 9) reported that the same ought not to pass.

The Committee on Legal Affairs on Bill "An Act Revising the Appeal Section of Boxing Commission Law," (H. P. 111) (L. D. 113) reported that the same ought not to pass.

Which reports were severally read and accepted in concurrence.

Ought to Pass

The Committee on Inland Fisheries and Game on "Resolve Relating to Ice Fishing in Adams Pond, Cumberland County," (H. P. 174) (L. D. 169) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Closed Season on Bass in Inland Waters of Cumberland County," (H. P. 14) (L. D. 8) reported that the same ought to pass.

The Committee on Legal Affairs on "Resolve Authorizing State Librarian to Dispose of Certain Newspapers," (H. P. 115) (L. D. 117) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to the Power of the Bridgton Centre Village Corporation to Install Parking Meters," (H. P. 75) (L. D. 71) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Material Borrowed from State Library," (H. P. 108) (L. D. 110) reported that the same ought to pass.

The Committee on Sea and Shore Fisheries on Bill "An Act Relating to Protection of Alewives in the Town of East Machias," (H. P. 119) (L. D. 120) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Classification of Coastal Wardens," (H. P. 149) (L. D. 146) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to the Biennial Revision of Sea and Shore Fisheries Laws," (H. P. 151) (L. D. 148) reported that the same ought to pass.

(On motion by Mr. Littlefield of York, tabled pending acceptance of the report.)

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

Ought to Pass, As Amended

The Committee on Legal Affairs on Bill "An Act Authorizing City of Old Town to Use Certain Lands of State of Maine," (H. P. 109) (L. D. 111) 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.

Mr. CHASE of Cumberland: Mr. President and members of the Senate, I have here and have had for some time a petition of a committee of the town of Cape Elizabeth regarding apportionment, awaiting an opportunity for its introduction for reference to a committee.

For reasons that I can only surmise no committee on apportionment has yet been created. I therefore want to present the petition at this time and in doing so I should like to state briefly a few facts.

Cape Elizabeth, as some of you may know, is in Cumberland County. Cumberland County has 18.5 percent of the population, 21 percent of the valuation and cast 19.4 percent of the vote for President at the last election, contributing 23 percent of the Republican majority. While Cumberland County collects about 23 percent of the sales tax it receives from the state only 12 percent of the equalization school fund. Cumberland County has 15.8 percent of the membership of the House of Representatives and 12.1 percent of the membership of the Senate.

I do not present these statistics either with humility or with pride but because when we speak here of rights our words have meaning only when we have met our concurrent responsibilities and I believe that Cumberland County has fully met its responsibilities for the support of state government.

Mr. President, I offer this petition and move that it lie upon the table pending reference to a committee.

The petition was received and laid upon the table pending reference to a committee.

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:

Appropriations and Financial Affairs

Mr. Haskell of Penobscot presented, by request Bill "An Act Relating to Line Budget for State Appropriations." (S. P. 239)

Mr. Jamieson of Aroostook presented "Resolve in Favor of Northern Maine Sanatorium." (S. P. 240)

Mr. Fuller of Oxford presented "Resolve to Provide for a Survey of Mentally Handicapped Persons." (S. P. 241)

Mr. Butler of Franklin presented Bill "An Act Creating a State Scholarship Fund for Normal School and Teachers' College Students." (S. P. 242)

(Each ordered printed.)

Sent down for concurrence.

Mr. Weeks of Cumberland presented "Resolve to Reimburse the

City of South Portland for Support of Margaret Dawson." (S. P. 243)

Mr. Sinclair of Somerset presented "Resolve to Reimburse the Town of Pittsfield for Support of Dianne K. Edwards." (S. P. 244)

(Each ordered printed.)
Sent down for concurrence.

Claims

Mr. Weeks of Cumberland presented "Resolve in Favor of Wesley Ramsey, of South Portland." (S. P. 245)

Sent down for concurrence.

Inland Fisheries and Game

Mr. Dow of Lincoln presented Bill "An Act Enlarging the Jefferson-Whitefield Game Preserve." (S. P. 246)

(Ordered printed.)
Sent down for concurrence.

Judiciary

Mr. Weeks of Cumberland presented Bill "An Act Relating to Limitation of Actions When Death of Either Party Before Suit Commenced." (S. P. 247)

The same Senator presented Bill "An Act Relating to Application for Writ of Habeas Corpus." (S. P. 248)

Mr. Reid of Kennebec presented Bill "An Act Relating to Temporary Judges for Municipal Courts." (S. P. 249)

The same Senator presented Bill "An Act Relating to the Admissibility of Blood Tests in Criminal Cases." (S. P. 250)

Mr. Silsby of Hancock presented Bill "An Act Relating to the Recording of Chattel Mortgages." (S. P. 251)

The same Senator presented Bill "An Act Relating to the Recording of Conditional Sales Agreements." (S. P. 252)

The same Senator presented Bill "An Act Relating to Court Holidays." (S. P. 253)

(Each ordered printed.)
Sent down for concurrence.

Mr. Butler of Franklin presented Bill "An Act Relating to Facilities Furnished by Public Utilities." (S. P. 254)

(1000 copies ordered printed.)
Sent down for concurrence.

Legal Affairs

Mr. Weeks of Cumberland presented Bill "An Act Relating to

Displays of Fireworks." (S. P. 255)

The same Senator presented Bill "An Act Relating to Fire Escapes." (S. P. 256)

The same Senator presented Bill "An Act Relating to Notice of Defects in Buildings." (S. P. 257)

The same Senator presented Bill "An Act Relating to Motor Vehicle Racing." (S. P. 258)

(Each ordered printed.)
Sent down for concurrence.

Taxation

Mr. Chase of Cumberland presented, by request Bill "An Act Relating to Taxation of Insurance Companies." (S. P. 259)

(Ordered printed.)
Sent down for concurrence.

Towns and Counties

Mr. Weeks of Cumberland presented Bill "An Act Relating to Salaries of County Attorney and Assistant County Attorney of Cumberland County." (S. P. 260)

The same Senator presented Bill "An Act Relating to Clerk Hire in Office of Register of Probate, Cumberland County." (S. P. 261)

The same Senator presented Bill "An Act Relating to Fire Wards." (S. P. 262)

The same Senator presented Bill "An Act Relating to the Salary of Register of Probate, Cumberland County." (S. P. 263)

(Ordered Printed.)
Sent down for concurrence.

Welfare

Mr. Collins of Aroostook presented "Resolve Providing for an Increase in State Pension for Ray Morris of St. Francis." (S. P. 264)

Mr. Parker of Piscataquis presented "Resolve Providing for State Pension for Colby Whittemore of Sebec." (S. P. 255)

The same Senator presented "Resolve Providing for State Pension for Earl Whittemore of Sebec." (S. P. 266)

Sent down for concurrence.

Passed to be Engrossed

Bill "An Act Relating to Liens on Logs, Lumber, Wood and Bark." (H. P. 29) (L. D. 23)

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

Emergency Measures

Bill "An Act Relating to the Form of Unregistered State Bonds." (H. P. 47) (L. D. 48)

Which bill, being an emergency measure, having received the affirmative vote of 26 members of the Senate, and none opposed was passed to be enacted.

Bill "An Act Relating to Maine Forestry District Taxes." (H. P. 121) (L. D. 86)

Which bill being an emergency measure and having received the affirmative vote of 26 members of the Senate, and none opposed was passed to be enacted.

Bill "An Act Increasing Old Age Assistance and Aid to the Blind." (S. P. 25) (L. D. 13)

Which bill being an emergency measure, and having received the affirmative vote of 26 members of the Senate, and none opposed was passed to be enacted.

Orders of the Day

On motion by Mr. Tabb of Kennebec, the Senate voted to take from the table bill, An Act Relating to Salary of Judge of the Winthrop Municipal Court (H. P. 285) (L. D. 270) tabled by that Senator on February 5 pending reference to a committee; and on further motion by the same Senator, the bill was referred to the Committee on Towns and Counties in concurrence.

On motion by Mr. Parker of Piscataquis, the Senate voted to take from the table bill, An Act Relating to Hunting with Bow and Arrow (H. P. 256) (L. D. 286) tabled by that Senator on February 5 pending reference to a committee; and on further motion by the same Senator, the bill was referred to the Committee on Inland Fisheries and Game in concurrence.

Mr. Haskell of Penobscot was granted unanimous consent to address the Senate:

Mr. HASKELL of Penobscot: Mr. President and members of the Senate, so far as I have learned, the program of having three calendars and three half days of sessions during the Tuesday, Wednesday, Thursday period has been carried out this week without any strenuous objections and it seems to me that we have had three good calendars and have had three good half days of hearings. I hope we can do that again next week but to do it again next week successfully, requires that the Committee chairmen do again schedule a good full Thursday morning. I don't think I need to go through the procedure of asking whether or not we are going to do that, but I do hope that all three of our half days next week will have good committee hearings, and for one I am convinced we are making just as much progress as though we came down Monday afternoon and stayed until Friday morning.

Mr. Boucher of Androscoggin was granted unanimous consent to address the Senate.

Mr. BOUCHER of Androscoggin: Mr. President and members of the Senate, I am perfectly willing to go along with the majority leader as we have half day sessions and half day hearings, but I wish he would talk to the Chairman of the Liquor Control Committee who makes it from noon until about midnight on his hearings, and we have a day and a half in one day.

On motion by Mr. Haskell of Penobscot,

Adjourned until Tuesday next, February 17 at eleven o'clock in the forenoon.