

# 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

*Ninety-Sixth Legislature*

OF THE

STATE OF MAINE

1953

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

**SENATE**

Friday, April 10, 1953.

The Senate was called to order by the President.

Prayer by the Rev. Marvin Palmerlee of Augusta.

Journal of yesterday read and approved.

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, April 14, 1953 at ten o'clock in the forenoon.

Sent down for concurrence.

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

**House Papers**

"Resolve Closing Part of Sebago Lake, Cumberland County, to All Fishing." (H. P. 1238) (L. D. 1433)

Which was received by unanimous consent and referred to the Committee on Inland Fisheries and Game in concurrence.

"Resolve in Favor of the Town of Stoneham." (H. P. 1239) (L. D. 1434)

Which was received by unanimous consent and referred to the Committee on Appropriations and Financial Affairs in concurrence.

The Committee of Conference on the disagreeing action of the two branches of the Legislature on "Resolve to Repeal Certain Special Resolve Pensions," (H. P. 612) (L. D. 732) have had the same under consideration and ask leave to report that the Resolve be recommitted to the Committee on Welfare.

Which report was read and accepted, in concurrence.

The Committee on Appropriations and Financial Affairs on "Resolve, Reimbursing Certain Taxpayers in Indian Township," (H. P. 1165) (L. D. 1320) reported that the same ought to pass.

The same Committee on "Resolve, Reapportioning Certain Moneys Appropriated for Reforma-

tory for Women," (H. P. 1125) (L. D. 1278) reported that the same ought to pass.

The same Committee on "Resolve, Appropriating Money for the Purchase of "The Length and Breadth of Maine,"" (H. P. 313) (L. D. 385) reported that the same ought to pass.

The Committee on Highways on "Resolve, in Favor of the Town of New Limerick," (H. P. 1086) (L. D. 1221) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Reclassification of State Aid Highways as Town Ways," (H. P. 1153) (L. D. 1301) reported that the same ought to pass.

The Committee on Legal Affairs on Bill "An Act Relating to Structures Used by Spectators in Motorcycle Racing," (H. P. 527) (L. D. 565) reported that the same ought to pass.

The same Committee on Bill "An Act to Authorize the Town of Brunswick to Provide for the Collection and Disposal of Garbage and Rubbish," (H. P. 532) (L. D. 569) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Motion Picture Operators," (H. P. 670) (L. D. 713) reported that the same ought to pass.

The same Committee on Bill "An Act Amending the Town of Strong School District," (H. P. 932) (L. D. 1026) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Annual Meeting of Cousins and Littlejohns Islands Village Corporation," (H. P. 978) (L. D. 1066) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Pensions for Firemen of the City of Bangor," (H. P. 980) (L. D. 1068) reported that the same ought to pass.

The Committee on Transportation on Bill "An Act Relating to Signs Yielding Right of Way at Intersections," (H. P. 1005) (L. D. 1048) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Following Motor Vehicles," (H. P. 1006) (L. D. 1092) reported that the same ought to pass.

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

The Committee on Taxation on Bill "An Act to Amend the Sales Tax Law Relative to Packaging and Shipping Materials," (H. P. 688) (L. D. 723) reported the same in a new draft, (H. P. 1232) (L. D. 1426) under the same title, and that it ought to pass.

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

The Committee on Highways on "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), reported the same in a new draft (H. P. 1237) (L. D. 1430) under a new title, "Resolve Authorizing State Highway Commission to Study Desirability of New Transportation Facilities across Jonesport Reach from Town of Jonesport to Town of Beals," and that it ought to pass.

The Committee on Transportation on Bill "An Act Relating to Permits for Moving Over Highways Heavy Objects to be Used on Government Projects," (H. P. 1120) (L. D. 1254) reported the same in a new draft (H. P. 1233) (L. D. 1427) under a new title, Bill "An Act Relating to Permits for Moving Heavy Objects and Loads Over Highways," and that it ought to pass.

Which reports were severally read and accepted in concurrence and the bill and resolve in new draft and under new title were read once and tomorrow assigned for second reading.

The Committee on Appropriations and Financial Affairs on Bill "An Act Relating to Salary of Members of the Legislature," (H. P. 250) (L. D. 280) reported that the same ought to pass as amended by Committee Amendment "A". (Amendment Filing No. 253)

Comes from the House, Committee Amendment "A" indefinitely

postponed, and the bill passed to be engrossed.

In the Senate, on motion by Mr. Collins of Aroostook, tabled pending consideration of the report of the Committee.

The Committee on Legal Affairs on Bill "An Act Relating to Fees of Plumbers," (H. P. 834) (L. D. 864) reported that the same ought to pass.

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

In the Senate, the "ought to pass" report was read and accepted in concurrence and the bill read once; House Amendment A was adopted without reading and the bill as so amended was tomorrow assigned for second reading.

#### First Reading of a Printed Bill

Bill "An Act to Provide Public Services for Certain Deorganized Townships." (S. P. 529) (L. D. 1432)

Which was read once, and on motion by Mr. Ward of Penobscot, the bill was laid upon the table pending assignment for second reading.

#### Senate Committee Reports

Mr. St. Pierre from the Committee on Labor on Bill "An Act Relating to Discharging of Employees," (S. P. 505) (L. D. 1385) reported that leave be granted to withdraw the same.

Mr. Haskell from the Committee on Appropriations and Financial Affairs on "Resolve in Favor of Addition to Animal Science Building at University of Maine," (S. P. 87) (L. D. 151) reported that the same ought not to pass.

(On motion by Mr. Parker of Piscataquis, tabled pending consideration of the committee report.)

The same Senator from the same Committee on "Resolve in Favor of Apple Storage and Packing Room at Highmoor Farm," (S. P. 93) (L. D. 230) reported that the same ought not to pass.

(On motion by Mr. Fuller of Oxford, tabled pending consideration of the committee report.)

Mr. Collins from the same Committee on "Resolve in Favor of the Town of Gouldsboro," (S. P.

287) (L. D. 956) reported that the same ought not to pass.

The same Senator from the same Committee on "Resolve Appropriating Funds for 1952 Educational Subsidy to Towns," (S. P. 392) (L. D. 1096) reported that the same ought not to pass.

(On motion by Mr. Greeley of Waldo, tabled pending consideration of the report of the committee.

Mr. Ward from the Committee on Labor on Bill "An Act Relating to Payment of Wages," (S. P. 179) (L. D. 420) reported that the same ought not to pass.

Which reports were severally read and accepted.

Sent down for concurrence.

Mr. Weeks from the Committee on Towns and Counties on Bill "An Act Relating to Fees of Sheriffs and Deputies," (S. P. 381) (L. D. 1043) reported the same in a new draft, (S. P. 534) under the same title, and that it ought to pass.

Mr. Ward from the Committee on Labor on Bill "An Act Relating to Inspection of Boilers," (S. P. 315) (L. D. 805) reported the same in a new draft (S. P. 535) under the same title, and that it ought to pass.

Which reports were severally read and accepted, and the bills in new draft were laid upon the table for printing under Joint Rule No. 10.

Mr. Reid from the Committee on Labor on Bill "An Act Relating to Inspection of Construction Projects," (S. P. 50) (L. D. 78) reported the same in a new draft (S. P. 536) under a new title, "Resolve to Create a Special Committee to Study Safeguards in Construction Projects," and that it ought to pass.

Which report was read and accepted, and the bill in new draft and under the new title was laid upon the table for printing under Joint Rule No. 10.

Mr. Tabb from the Committee on Liquor Control on Bill "An Act to Clarify the Liquor Laws," (S. P. 439) (L. D. 1207) reported that the same ought to pass as amended by Committee Amendment "A".

Which report was read and accepted and the bills read once; Committee Amendment "A" was

adopted, and the bill as so amended was tomorrow assigned for second reading.

Mr. Robbins from the Committee on Highways on Bill "An Act to Authorize the Issuance of Bonds in the Amount of Three Hundred and Fifteen Thousand Dollars on Behalf of the State of Maine for the Purpose of Taking Over the Westport-Wiscasset Bridge," (S. P. 372) (L. D. 1036) reported that the same ought not to pass.

(On motion by Mr. Robbins of Aroostook, tabled pending consideration of the committee report, and especially assigned for Tuesday, April 14.)

Mr. Dennett from the Committee on Liquor Control to which was recommitted Bill "An Act to Make Uniform the Legal Hours for Sale of Liquor," (S. P. 137) (L. D. 235) reported that the same ought to pass without amendments.

Under suspension of the rules, the Senate voted to reconsider its former action whereby the foregoing bill was previously passed to be engrossed as amended by Committee Amendment A as amended by Senate Amendment A thereto; Committee Amendment A as amended by Senate Amendment A was indefinitely postponed and the bill was passed to be engrossed without amendments.

Sent down for concurrence.

The Majority of the Committee on Judiciary on "Resolve Proposing an Amendment to the Constitution to Provide for Appointment of Attorney General by the Governor," (S. P. 437) (L. D. 1205) reported that the same ought not to pass.

(signed)

Senators:

HARDING of Knox  
REID of Kennebec  
WARD of Penobscot

Representatives:

LOW of South Portland  
McGLAUFILIN of Portland  
MARTIN of Augusta  
FITANIDES of Saco  
TRAFTON of Auburn

The Minority of the same Committee on the same subject matter

reported that the same ought to pass.

(signed)

Representatives:

CIANCHETTE of Pittsfield  
FULLER of Bangor

Thereupon, the Majority "Ought Not to Pass" report of the committee was accepted.

Sent down for concurrence.

#### Passed to be Engrossed

Bill "An Act Relating to the Polling Place in Connor, Aroostook County." (H. P. 358) (L. D. 374)

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

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

"Resolve Regulating Fishing in Cobbosseecontee Stream in the County of Kennebec." (H. P. 648) (L. D. 690)

"Resolve Regulating Fishing in Certain Waters in Oxford County." (H. P. 733) (L. D. 751)

"Resolve Regulating Fishing in Pushaw Pond in the County of Penobscot." (H. P. 783) (L. D. 776)

Bill "An Act Relating to the Kennebunk Light and Power District." (H. P. 846) (L. D. 950)

"Resolve to Change Daily Bag Limit of Trout in Franklin County." (H. P. 921) (L. D. 1022)

Bill "An Act Relating to Operating Headlights on Motor Vehicles Following Another." (H. P. 951) (L. D. 1005)

Bill "An Act Relating to Form of Guarantee Filed with Highway Commission." (H. P. 965) (L. D. 1053)

Bill "An Act Relating to the Exemption from Taxation of Agricultural Fair Associations." (H. P. 993) (L. D. 1080)

"Resolve Closing Thompson Pond to Ice Fishing for Salmon." (H. P. 1046) (L. D. 1187)

Bill "An Act Relating to Number of Selectmen of Town of Dover-Foxcroft." (H. P. 1123) (L. D. 1256)

Bill "An Act Relating to Clarification of Municipal School Appropriations." (H. P. 1160) (L. D. 1308)

Bill "An Act Relating to County Law Library of Washington County." (H. P. 1175) (L. D. 1329)

Bill "An Act Amending Maine Apple Grading Laws." (H. P. 1226) (L. D. 1410)

"Resolve in Favor of the Towns of Dennysville, and Bingham." (H. P. 1227) (L. D. 1411)

Bill "An Act Relating to Sale of Certain Game Fish." (H. P. 1228) (L. D. 1412)

Bill "An Act Relating to Number and Salary of Trustees of Brunswick and Topsham Water District." (H. P. 1229) (L. D. 1414)

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

Bill "An Act Relating to the Appointment of Guardians and Conservators for Adults." (H. P. 69) (L. D. 65)

Bill "An Act Relating to Appeals from Probate Court." (H. P. 177) (L. D. 172)

Bill "An Act to Abolish the Polling Place in Rockwood in Somerset County." (H. P. 243) (L. D. 224)

Bill "An Act Relating to Permits for Moving Heavy Objects over Highways." (H. P. 288) (L. D. 273)

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)

"Resolve Regulating Fishing in Webb Lake Tributaries." (H. P. 591) (L. D. 613)

"Resolve Regulating Fishing for Smallmouth Black Bass on Mount Desert Island." (H. P. 738) (L. D. 755)

Bill "An Act to Incorporate the Saco Sanitary District." (H. P. 845) (L. D. 949)

Bill "An Act to Create the Jackman Sewerage District." (H. P. 849) (L. D. 951)

Bill "An Act Relating to Payment of Blood Tests in Certain Motor Vehicle Cases." (H. P. 1003) (L. D. 1090)

Bill "An Act Relating to Apportionment to Towns for State Aid Roads." (H. P. 1084) (L. D. 1219)

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

"Resolve Proposing an Amendment to the Constitution to Liberal-

ize Limitation of Municipal Indebtedness." (S. P. 313) (L. D. 912)

"Resolve for a Recess Committee to Study All Phases of the Maine State Retirement System and Related Titles of the Social Security Act." (S. P. 454) (L. D. 1264)

Bill "An Act Relating to Collection of Exercise Taxes in Unorganized Territory." (S. P. 523) (L. D. 1420)

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

Sent down for concurrence.

Bill "An Act Relating to Members of Executive Council and Manner of Selection." (S. P. 68) (L. D. 154)

(On motion by Mr. Collins of Aroostook, tabled pending passage to be engrossed.)

Bill "An Act Removing Violations of the Liquor Law from the Criminal Law." (S. P. 221) (L. D. 587)

Bill "An Act Relating to Pauper Settlement of Parents of Children Receiving Aid to Dependent Children." (S. P. 299) (L. D. 915)

Bill "An Act Permitting Re-assignment of Justice in Equity Matters." (S. P. 484) (L. D. 1342)

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

Sent down for concurrence.

### Orders of the Day

Mr. DUNHAM of Hancock: Mr. President and members of the Senate, at the request of the Chairman of Sea and Shore Fisheries Committee I would like to introduce an order and move its passage.

Thereupon, out of order and under suspension of the rules, Mr. Dunham of Hancock presented the following order:

ORDERED, the House concurring, that bill "An Act Repealing Law on Canning of Clams and Mussels (H. P. 1112) (L. D. 1247) be recalled from the Legislative files to the Senate for further consideration."

Thereupon the order was adopted and sent down for concurrence.

On motion by Mr. Collins of Aroostook, the Senate voted to take from the table, bill An Act relating to the Biennial Revision of Sea and Shore Fisheries Laws (H. P. 151) (L. D. 148) tabled by that Senator

on March 12 pending passage to be enacted.

Mr. COLLINS: Mr. President, this act was tabled because at the time it was up for enactment it was our understanding that it took away certain revenues from the State. We now find that that was not the case and I therefore move the pending question.

Thereupon the bill was passed to be enacted.

On motion by Mr. Haskell of Penobscot the Senate voted to take from the table, bill, An Act relating to Salaries and Travel of Superintendents of Schools (H. P. 325) (L. D. 393), tabled by that Senator on April 9, pending first reading.

Thereupon, on motion by Mr. Dunham of Hancock the bill was given its first reading, Committee Amendment "A" was adopted without reading, the Rules were suspended and the bill as so amended was passed to be engrossed in concurrence.

On motion by Mr. Boucher of Androscoggin the Senate voted to reconsider its former action taken earlier in today's session whereby bill, An Act Amending the Charter of the Municipal Court of the City of Lewiston (H. P. 547) (L. D. 527) was passed to be engrossed, and on further motion by the same Senator the bill was laid upon the table pending passage to be engrossed.

On motion by Mr. Haskell of Penobscot the Senate voted to take from the table Resolve Providing for the Printing of MAINE POLLEN SURVEY (S. P. 478) (L. D. 1333) tabled by that Senator on April 9th pending passage to be engrossed.

Mr. HASKELL of Penobscot: Mr. President, I offer Senate Amendment "A" and move its adoption. In support of that motion I will say that this amendment has the unanimous approval of the Appropriations Committee and further that it does not change materially the bill.

Thereupon, Senate Amendment "A" to L. D. 1333 was adopted without reading and the resolve as so amended was passed to be engrossed.

Sent down for concurrence.

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

**ORDERED** that whereas the concurring action of the two branches has indicated that general funds income must be restated to account for the lower income from sales taxes on motor vehicles, be it therefore

**ORDERED** that the Senate members of the Committee on Appropriations and Financial Affairs present to each Senate member on the next legislative day a tabulation that would indicate the changes in the appropriation measure that to them would be most acceptable as a means of accomplishing a balanced general fund budget.

Sent down for concurrence.

On motion by Mr. Chapman of Cumberland, the Senate voted to reconsider its action taken earlier in today's session whereby it passed to be engrossed, bill, An Act Removing Violations of the Liquor Law from the Criminal Law (S. P. 221) (L. D. 587); and on further motion by the same Senator, the bill was laid upon the table pending passage to be engrossed.

Mr. Butler of Hancock received unanimous consent to address the Senate.

Mr. BUTLER of Franklin: Mr. President and members of the Senate, I wish to call to your attention that at the public hearing held April 1 by the Natural Resources Committee of which I happen to be Chairman, I was then requested for permission to take a tape recording of the proceedings by one of the proponents of the Turner Bill. This request was refused by myself. I have since found out that that proponent on his own initiative, unbeknown to your Chairman has had a tape recording of the proceedings made and that same proponent has made remarks concerning the laxity of the proceedings of our hearings in that we are

not paying strict attention to what is being done therein.

The Chairman has been informed that the mike in question was set up outside of the room. While I am not condoning or recommending this procedure, I simply wanted it on the record so that in case of a future occasion of this sort it would then be preferred that permission to take this recording was not from the Chairman.

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

Mr. HASKELL: Mr. President and members of the Senate, were I the presiding officer I think probably I would immediately bang the gavel and tell the Senator that he is out of order in suggesting what I am about to suggest.

It seems to me that if, in an informal way and with the assistance of our very efficient Secretary and his various secretaries and clerks, we could split up this tabled section of our calendar and give to the Senator from Aroostook, Senator Collins, the tail end of the calendar for his exclusive list, giving an exclusive numbering sequence and leaving the rest of the tabled matters for items that are not related to his dispositions on the appropriations measure, we would have a much less confusing calendar. I realize that all of the rules and regulations are to the contrary but in an informal way I think it would make for a less confusing calendar if the Secretary could arrange that, probably by a nod of his smiling countenance.

The PRESIDENT: The Chair will state that the Secretary is perfectly willing to co-operate in every way possible.

On motion by Mrs. Kavanagh of Androscoggin

Adjourned until Tuesday, April 14th, at ten o'clock in the forenoon.