

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Seventh Legislature

OF THE

STATE OF MAINE

1955

DAILY KENNEBEC JOURNAL
Augusta, Maine

HOUSE

Thursday, January 27, 1955

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Austin H. Wright of Augusta.

The journal of the previous session was read and approved.

Papers from the Senate

The SPEAKER: Without objection, a paper from the Senate not on the Advance Journal. The Clerk will read the paper.

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, February 1, at ten o'clock in the morning. (S. P. 106)

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

From the Senate:

Bill "An Act to Provide Training to Organized Fire Companies" (S. P. 73) (L. D. 166)

Resolve Appropriating Funds for the Perambulation of the Maine-New Hampshire Boundary Line (S. P. 72) (L. D. 165)

Came from the Senate referred to the Committee on Appropriations and Financial Affairs.

In the House, referred to the Committee on Appropriations and Financial Affairs in concurrence.

From the Senate:

Bill "An Act to Revise the Laws relating to Savings Banks" (S. P. 74) (L. D. 180)

Bill "An Act relating to the Establishment of a Fund for Fire Fighters" (S. P. 75) (L. D. 167)

Came from the Senate referred to the Committee on Business Legislation.

In the House, referred to the Committee on Business Legislation in concurrence.

From the Senate:

Resolve in favor of Gerard Pomerleau of Portland (S. P. 77) (L. D. 176)

Came from the Senate referred to the Committee on Claims.

In the House, referred to the Committee on Claims in concurrence.

From the Senate:

Bill "An Act relating to Qualifications of Applicants for Registration as Licensed Physicians or Surgeons" (S. P. 64) (L. D. 177)

Bill "An Act relating to Incurable Insanity as a Cause for which a Divorce may be Granted" (S. P. 79) (L. D. 178)

Came from the Senate referred to the Committee on Judiciary.

In the House, referred to the Committee on Judiciary in concurrence.

From the Senate:

Bill "An Act Amending the Mining Law" (S. P. 78) (L. D. 179)

Came from the Senate referred to the Committee on Natural Resources.

In the House:

Mr. McGLAUFILIN: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. McGLAUFILIN: Mr. Speaker, I wish to move that we accept the report of the committee in non-concurrence. I would like to speak briefly on it.

The SPEAKER: The Chair understands that the gentleman from Portland, Mr. McGlaulin, moves that Bill "An Act Amending the Mining Law" be referred to the Committee on Judiciary in non-concurrence with the action of the Senate which referred the Bill to the Committee on Natural Resources.

The gentleman may proceed.

Mr. McGLAUFILIN: Mr. Speaker and Members of the House: This is a measure that some of you heard discussed at the school that was held here last Tuesday evening. It is almost universally acknowledged that when a bill involves a constitutional question, it should go to a full committee of lawyers which is the Judiciary Committee. The attempt has been made to side-track that to some other committee. It is not that the Judiciary Committee cares where this thing goes but we think it rightly belongs to this committee. That is why I make this motion that it should be referred to that committee.

The SPEAKER: The gentleman from Portland, Mr. McGlaufflin, moves that Bill "An Act Amending the Mining Law," Senate Paper 78, Legislative Document 179, be referred to the Committee on Judiciary. Is this the pleasure of the House?

The motion prevailed, and the Bill was referred to the Committee on Judiciary in non-concurrence and sent up for concurrence.

From the Senate:

Bill "An Act relating to Permits for Outdoor Advertising" (S. P. 80) (L. D. 169)

Came from the Senate referred to the Committee on Natural Resources.

In the House, referred to the Committee on Natural Resources in concurrence.

(Items 9A and 9B on the Advance Journal passed over.)

From the Senate:

Bill "An Act relating to Clerk Hire in the Office of the Recorder of the Portland Municipal Court" (S. P. 81) (L. D. 170)

Bill "An Act relating to Fee for Permits Granted by Board of Harbor Commissioners for Harbor of Portland" (S. P. 82) (L. D. 171)

Bill "An Act relating to the Salaries of the County Commissioners of Cumberland County" (S. P. 83) (L. D. 172)

Bill "An Act relating to the Salary of the Judge and the Recorder of the Portland Municipal Court" (S. P. 84) (L. D. 173)

Bill "An Act relating to Transfer of Certain Property to Lincoln County Cultural and Historical Association" (S. P. 85) (L. D. 174)

Bill "An Act relating to Fees of Deputy Sheriffs in Attendance at Court" (S. P. 86) (L. D. 175)

Came from the Senate referred to the Committee on Towns and Counties.

In the House, referred to the Committee on Towns and Counties in concurrence.

From the Senate:

Bill "An Act relating to Motor Vehicles Used for Driver Education in Secondary Schools" (S. P. 87) (L. D. 168)

Came from the Senate referred to the Committee on Transportation.

In the House, referred to the Committee on Transportation in concurrence.

From the Senate: The following Communication: (S. P. 65)

MAINE STATE LIBRARY AUGUSTA

January 24, 1955

To the Senate and House of Representatives of the 97th Legislature

In accordance with law, I submit to the Senate and House of Representatives of the State of Maine the report of the Maine State Library for the period July 1, 1952 to June 30, 1954.

(Signed) MARION B. STUBBS

Librarian

Came from the Senate read and with accompanying report ordered placed on file.

In the House, the Communication was read and with accompanying report was ordered placed on file in concurrence.

From the Senate: The following Order:

ORDERED, the House concurring, that the Committee on Highways be and hereby is authorized and directed to report to the Legislature such recommendations as may seem proper with respect to proposed reclassification of highways.

The recommendations shall be directly related to the several plans presented informally by the Highway Commission in its series of statewide meetings on highway problems (S. P. 105)

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

Petitions, Bills and Resolves Requiring Reference

The following Bills and Resolves were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

Agriculture

Bill "An Act relating to Commercial Fertilizers" (H. P. 246) (Presented by Mr. Foss of Chapman)
(Ordered Printed)
Sent up for concurrence.

Claims

Resolve in favor of Fred Smith of Newport (H. P. 247) (Presented by Mr. Carter of Newport)
(Ordered Printed)

Resolve in favor of Henry Michaud, of South Berwick (H. P. 248) (Presented by Mr. Flynn of South Berwick)
(Ordered Printed)

Resolve in favor of J. C. Haynes of Millinocket (H. P. 249) (Presented by Mr. Walls of Millinocket by request)
(Ordered Printed)

Resolve in favor of Charles Lumbert, Brunswick (H. P. 250) (Presented by Mr. Babineau of Brunswick by request)

Resolve in favor of the Town of Bowdoin (H. P. 251) (Presented by Mr. Curtis of Bowdoinham)

Resolve in favor of Robert S. Robinson of Westbrook (H. P. 252) (Presented by Mr. Porell of Westbrook)

Sent up for concurrence.

Highways

Bill "An Act relating to Construction of Entrances to Highways" (H. P. 253) (Presented by Mr. Dunn of Poland)
(Ordered Printed)

Resolve Authorizing State Highway Commission to Study Desirability of Bridge and Causeways connecting Littlejohn's Island and Chebeague Island in Casco Bay with the Mainland (H. P. 254) (Presented by Mr. Call of Cumberland)
(Ordered Printed)

Sent up for concurrence.

Inland Fisheries and Game

Bill "An Act relating to Closed Time on Deer" (H. P. 255) (Presented by Mr. Brown of Baileyville)
(Ordered Printed)

Bill "An Act relating to Open Season for Black Bass" (H. P. 256) (Presented by same gentleman)
(Ordered Printed)

(Item 12 on Advance Journal passed over.)

Resolve Regulating Fishing for White Perch in Washington County (H. P. 258) (Presented by Mr. Brown of Baileyville)
(Ordered Printed)

Resolve Regulating Fishing for Black Bass in Washington County (H. P. 259) (Presented by same gentleman)
(Ordered Printed)

Resolve Closing Little Jim Pond in Franklin and Somerset Counties to Fishing Except Fly Fishing (H. P. 260) (Presented by Mr. Harnden of Rangeley)
(Ordered Printed)

Resolve Regulating White Perch Fishing in Cochnewagon Pond (H. P. 261) (Presented by Mr. Maxwell of Winthrop)
(Ordered Printed)

Resolve Regulating White Perch Fishing in Cobbosseecontee Lake (H. P. 262) (Presented by same gentleman)
(Ordered Printed)

Resolve Regulating White Perch Fishing in Annabessacook Lake (H. P. 263) (Presented by same gentleman)
(Ordered Printed)

Resolve Regulating White Perch Fishing in Wilson Pond (H. P. 264) (Presented by same gentleman)
(Ordered Printed)

Resolve Regulating White Perch Fishing in Maranacook Lake (H. P. 265) (Presented by same gentleman)
(Ordered Printed)

Resolve Regulating Fishing for White Perch in Penobscot County (H. P. 266) (Presented by Mr. Potter of Medway)
(Ordered Printed)

Resolve Regulating Fishing in Mousam Lake, York County (H. P. 267) (Presented by Mr. Valley of Sanford)
(Ordered Printed)

Resolve Regulating Fishing in Square Pond, York County (H. P. 268) (Presented by same gentleman)
(Ordered Printed)

Resolve Regulating Fishing in Goose Pond, York County (H. P. 269) (Presented by same gentleman)
(Ordered Printed)

Resolve Regulating Fishing in Little Ossipee Pond (H. P. 270) (Presented by same gentleman) (Ordered Printed) Sent up for concurrence.

Judiciary

Bill "An Act relating to a Revolving Fund to Satisfy Judgments from Motor Vehicle Accidents" (H. P. 271) (Presented by Mr. Childs of Portland)

(Ordered Printed)

Bill "An Act relating to Service on Foreign Corporations" (H. P. 272) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act Amending the Law relating to Factors' Liens" (H. P. 273) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to the Joint Board under the Bridge Act" (H. P. 274) (Presented by Mr. Higgins of Scarborough)

(Ordered Printed)

Bill "An Act Establishing Maximum Speed Limit for Motor Vehicles" (H. P. 275) (Presented by Mr. Totman of Bangor)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act relating to Time of Report of Harness Racing Commission" (H. P. 276) (Presented by Mr. Briggs of Caribou)

(Ordered Printed)

Bill "An Act relating to Election and Salary of Corporation Counsel of the City of Lewiston" (H. P. 277) (Presented by Mr. Cote of Lewiston)

(Ordered Printed)

Bill "An Act Amending the Charter of the City of Westbrook" (H. P. 278) (Presented by Mr. Davis of Westbrook)

(Ordered Printed)

Bill "An Act Creating an Airfield Zoning Ordinance for the Unorganized Territory of Aroostook County" (H. P. 279) (Presented by Mr. Getchell of Limestone)

(Ordered Printed)

Sent up for concurrence.

Public Utilities

Bill "An Act Defining Vessel under Public Utility Law" (H. P. 280)

(Presented by Mr. Cook of Portage Lake)

(Ordered Printed)

Sent up for concurrence.

Towns and Counties

Bill "An Act to Amend the Charter of the Town of Mount Desert to Give the Selectmen Authority to Make Ordinances" (H. P. 281) (Presented by Mr. Reynolds of Mount Desert)

(Ordered Printed)

Bill "An Act to Incorporate the Town of Harpswell Neck" (H. P. 282) (Presented by Mr. Skolfield of Harpswell by request)

(Ordered Printed)

Sent up for concurrence.

Transportation

Bill "An Act relating to Height of Letters on Signs on School Buses" (H. P. 283) (Presented by Mr. McCluskey of Warren)

(Ordered Printed)

Sent up for concurrence.

The SPEAKER: The Chair wishes to announce that Items 39 to 69 on the Advance Journal have been withheld by the Committee on Reference of Bills.

Orders

On motion of Mr. Edgar of Bar Harbor, it was

ORDERED, that Rev. Verne Smith of Congregational Church, Bar Harbor, be invited to officiate as Chaplain of the House on Wednesday, March 16, 1955.

The SPEAKER: The Chair recognizes the gentleman from Cumberland, Mr. Call.

Mr. CALL: Mr. Speaker, may I have permission to approach the rostrum and speak to the Clerk.

The SPEAKER: The gentleman may approach the rostrum.

House at Ease

Called to order by the Speaker.

The SPEAKER: The Chair understands that the gentleman from Cumberland, Mr. Call, presents an order and moves its passage. The Clerk will read the Order.

ORDERED, the Senate concurring, that the Superintendent of Public Buildings is hereby authorized and directed to refurnish the House Retiring Room and the Senate Retiring Room with new furniture, including lockers for the Members of the Legislature; and be it further

ORDERED, that such refurnishing shall not exceed \$9,000 and shall be charged to Legislative Appropriation 2510, Legislative Expense, and shall be completed by January 1, 1957. (H. P. 284)

The Order received passage and was sent up for concurrence.

**House Report of Committee
Ought to Pass
Printed Resolve**

Mr. Greenleaf from the Committee on Sea and Shore Fisheries reported "Ought to pass" on Resolve Repealing the Rule and Regulation Regulating the Taking of Crabs in Cumberland County (H. P. 28) (L. D. 38)

Report was read and accepted, the Resolve read once and assigned the next legislative day.

**Passed to Be Engrossed
Amended Bill**

Bill "An Act to Provide Credit or Refund for Tobacco Tax Stamps and Correcting Error in Discount for Tobacco Tax Stamps" (S. P. 20) (L. D. 4)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

Orders of the Day

The SPEAKER: The House is proceeding under Orders of the Day. The Clerk will read the notices.

On motion of Mr. Roberts of Brooklin,

Adjourned until Tuesday, February 1, at ten o'clock in the morning.