

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, February 3, 1955

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

Prayer by the Rev. Mr. Clyde M. Campbell of First Parish Church, Yarmouth.

The journal of the previous session was read and approved.

Papers from the Senate

From the Senate:

Bill "An Act to Place Operating Expenses of Liquor Commission under General Fund of the State" (S. P. 119) (L. D. 315)

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 relating to Payments of Benefits by Fraternal Beneficiary Societies of Children" (S. P. 120) (L. D. 316)

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:

Bill "An Act to Make Allocations from the General Highway Fund for the Fiscal Years Ending June 30, 1956 and June 30, 1957" (S. P. 121) (L. D. 317)

Bill "An Act relating to Payments Received by State from Portland Terminal Company" (S. P. 122) (L. D. 318)

Came from the Senate referred to the Committee on Highways.

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

From the Senate:

Bill "An Act relating to Recording of Deeds of Land of the Penobscot Tribe" (S. P. 123) (L. D. 319)

Bill "An Act relating to the Appointment of Conservators" (S. P. 124) (L. D. 320)

Bill "An Act relating to the Laws of Divorce" (S. P. 125) (L. D. 321)

Bill "An Act relating to Residence Requirements in Adoptions" (S. P. 126) (L. D. 322)

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 relating to Compensation for Specified Injuries under the Workmen's Compensation Law" (S. P. 128) (L. D. 323)

Bill "An Act relating to Compensation Benefits under the Workmen's Compensation Act" (S. P. 129) (L. D. 324)

Came from the Senate referred to the Committee on Labor.

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

From the Senate:

Bill "An Act to Incorporate the Town of Eddington School District" (S. P. 130) (L. D. 334)

Came from the Senate referred to the Committee on Legal Affairs.

In the House, referred to the Committee on Legal Affairs in concurrence.

From the Senate:

Bill "An Act relating to Leases by State Park Commission" (S. P. 131) (L. D. 325)

Bill "An Act relating to Surveys by State Park Commission" (S. P. 133) (L. D. 326)

Resolve Authorizing the State Tax Assessor to Convey by Sale the Interest of the State in Certain Lands in the Unorganized Territory (S. P. 132) (L. D. 335)

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

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

From the Senate:

Bill "An Act providing for Group Life Insurance for State Employees and Teachers" (S. P. 134) (L. D. 327)

Resolve in favor of a Retirement Allowance for Vera A. Gordon, of West Sullivan (S. P. 135) (L. D. 328)

Resolve providing for State Pension for Irving Lear of Northport (S. P. 168)

Came from the Senate referred to the Committee on Retirements and Pensions.

In the House, referred to the Committee on Retirements and Pensions in concurrence.

From the Senate:

Bill "An Act Exempting Real and Personal Property Occupied or Used by Tax Exempt Organizations from Taxation" (S. P. 137) (L. D. 329)

Bill "An Act relating to Definition of Retail Sale under Sales Tax Law" (S. P. 138) (L. D. 330)

Came from the Senate referred to the Committee on Taxation.

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

From the Senate:

Bill "An Act relating to Certain Deductions from Municipal Employees' Salaries by Town Treasurers" (S. P. 139) (L. D. 331)

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 Transfer of Property in Public Assistance" (S. P. 140) (L. D. 332)

Bill "An Act relating to Eligibility for Old Age Assistance" (S. P. 141) (L. D. 333)

Came from the Senate referred to the Committee on Welfare.

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

Senate Reports of Committees Ought to Pass

Report of the Committee on Claims reporting "Ought to pass" on Resolve in favor of the Cary Memorial Hospital in Caribou (S. P. 34) (L. D. 22)

Report of same Committee reporting same on Resolve in favor of the Cary Memorial Hospital in Caribou (S. P. 35) (L. D. 23)

Report of the Committee on Judiciary reporting same on Bill "An

Act relating to Depositions in Probate Courts" (S. P. 37) (L. D. 24)

Report of same Committee reporting same on Bill "An Act relating to the Uniform Reciprocal Enforcement of Support Act" (S. P. 45) (L. D. 34)

Came from the Senate with the Reports read and accepted and the Bills and Resolves passed to be engrossed.

In the House, Reports were read and accepted in concurrence, the Bills read twice, the Resolves read once, and assigned the next legislative day.

The following paper from the Senate not on the Advance Journal:

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, February 8, 1955, at ten o'clock in the morning. (S. P. 200)

Came from the Senate today read and passed.

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

The following Emergency Measure was taken up out of order by unanimous consent.

Finally Passed Emergency Measure

Resolve Repealing the Rule and Regulation Regulating the Taking of Crabs in Cumberland County (H. P. 28) (L. D. 38)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 112 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

House at Ease

Called to order by the Speaker.

On motion of Mr. Childs of Portland, by unanimous consent, the foregoing Emergency Measure was sent forthwith to the Senate.

On motion of the gentlewoman from Rockland, Miss Lawry, House Rule 25 was suspended for the remainder of today's session in order to permit smoking.

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:

Appropriations and Financial Affairs

Bill "An Act relating to Line Budget for Personal Services, Capital Expenditures and Other Expenses for State Departments" (H. P. 405) (Presented by Mr. Duquette of Biddeford)
(Ordered Printed)

Resolve Appropriating Funds for the University of Maine for Administration of Additional Educational Expenditures (H. P. 406) (Presented by Mr. Fuller of South Portland)
(Ordered Printed)

Sent up for concurrence.

Business Legislation

Bill "An Act relating to Fire Alarms for Certain Buildings" (H. P. 407) (Presented by Mr. Lord of Augusta)
(Ordered Printed)

Bill "An Act relating to Investment of Municipal Trust Funds" (H. P. 408) (Presented by Mr. Wade of Auburn)
(Ordered Printed)

Sent up for concurrence.

Education

Bill "An Act Ratifying a Proposed Compact Between the State of Maine and Certain Other States Providing for the Establishment of the New England Board of Higher Education (H. P. 409) (Presented by Mr. Fuller of South Portland)
(Ordered Printed)

Sent up for concurrence.

Highways

Bill "An Act Authorizing the Purchase of the Westport - Wiscasset

Bridge" (H. P. 410) (Presented by Mr. Hilton of Bremen)
(Ordered Printed)
Sent up for concurrence.

Inland Fisheries and Game

Bill "An Act relating to Right of Officer to Kill Dogs" (H. P. 411) (Presented by Mr. Briggs of Caribou)

(Ordered Printed)

Bill "An Act relating to Nonresident Trapping License Fees" (H. P. 412) (Presented by same gentleman)
(Ordered Printed)

Bill "An Act relating to Trapping for Bear" (H. P. 413) (Presented by same gentleman)
(Ordered Printed)

Bill "An Act relating to Open Season for Fishing" (H. P. 414) (Presented by Mr. Butler of Franklin)
(Ordered Printed)

Bill "An Act relating to Disposal of Wild Animals" (H. P. 415) (Presented by same gentleman)
(Ordered Printed)

Bill "An Act relating to Archery Licenses" (H. P. 416) (Presented by Mr. Gardner of Hartland)
(Ordered Printed)

Bill "An Act relating to Keeping of Skunks and Raccoons in Captivity" (H. P. 417) (Presented by same gentleman)
(Ordered Printed)

Bill "An Act relating to Use of Gill Nets" (H. P. 418) (Presented by same gentleman)
(Ordered Printed)

Bill "An Act relating to Sporting Camps in Unorganized Territory" (H. P. 420) (Presented by Mr. Harneden of Rangeley)
(Ordered Printed)

Bill "An Act relating to Open Season on Beaver" (H. P. 421) (Presented by same gentleman)
(Ordered Printed)

Bill "An Act relating to Crop and Orchard Damage" (H. P. 422) (Presented by Mr. Pottor of Medway)
(Ordered Printed)

Bill "An Act relating to Closed Season on Gray Squirrels" (H. P. 423) (Presented by same gentleman)
(Ordered Printed)

Bill "An Act relating to Fees for Hunting and Fishing Licenses" (H.

P. 424) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Open Season on Otter and Fisher" (H. P. 425) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act Clarifying Game Management Areas" (H. P. 426) (Presented by Mr. Ross of Brownville)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act relating to Powers of State Fire Inspectors" (H. P. 363) (Presented by Mr. Albert of Augusta)

(Ordered Printed)

Bill "An Act to Incorporate the 'Mutual Finance Co.' " (H. P. 427) (Presented by Mrs. Files of Portland by request)

(Ordered Printed)

Bill "An Act relating to Trespass on Land of Another" (H. P. 428) (Presented by Miss Lawry of Rockland)

(Ordered Printed)

Bill "An Act relating to Personal Recognizances" (H. P. 429) (Presented by Mr. Ross of Brownville)

(Ordered Printed)

Bill "An Act to Enlarge the Powers and Purposes of Congregational-Christian Conference of Maine" (H. P. 430) (Presented by Mr. Roundy of Portland)

(Ordered Printed)

Bill "An Act relating to the Appointment of a Nominee by Banking Institutions Acting in a Fiduciary Capacity" (H. P. 431) (Presented by Mr. Stanley of Bangor)

(Ordered Printed)

Resolve Proposing an Amendment to the Constitution to Change the Qualifications of Citizenship of the Governor (H. P. 432) (Presented by Mr. Malenfant of Lewiston)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act relating to Filling Vacancies in Membership of Council in Fort Kent" (H. P. 433) (Presented by Mr. Cyr of Fort Kent)

(Ordered Printed)

Bill "An Act to Increase the Borrowing Capacity of Community School District Number One in Fort Kent, Maine" (H. P. 434) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act Providing for a 3-Year Term of Office for the City Clerk of Lewiston" (H. P. 435) (Presented by Mr. Malenfant of Lewiston)

(Ordered Printed)

Bill "An Act Providing for the Appointment of a Civil Engineer of the City of Lewiston by the Department of Public Works" (H. P. 436) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act Amending the Charter of the City of Lewiston re Elections, Election of Mayor, Aldermen, Warden and Ward Clerk" (H. P. 437) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act Amending the Charter of the City of Lewiston re Appointments by Mayor and Membership and Terms of Boards and Commissions" (H. P. 438) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Indebtedness of West Gardiner School District" (H. P. 439) (Presented by Mr. Martin of West Gardiner)

(Ordered Printed)

Bill "An Act relating to Special Town Meetings in Town of Mount Desert" (H. P. 440) (Presented by Mr. Reynolds of Mount Desert)

(Ordered Printed)

Sent up for concurrence.

Liquor Control

Bill "An Act relating to Local Option for Sale of Malt Liquor by Part-time Hotels" (H. P. 441) (Presented by Mr. Baird of North Haven)

(750 copies Ordered Printed)

Sent up for concurrence.

Public Health

Bill "An Act relating to the Practice of Optometry" (H. P. 442) (Presented by Mr. Stanley of Bangor)

(Ordered Printed)

Sent up for concurrence.

Retirements and Pensions

Bill "An Act to Clarify the Laws on Federal Social Security for Muni-

cipal Employees" (H. P. 443) (Presented by Miss Cormier of Rumford)

(750 copies Ordered Printed)

Resolve providing for State Pension for Donald Chaloult of Caribou (H. P. 444) (Presented by Mr. Briggs of Caribou)

Resolve providing for State Pension for John Sirois of Caribou (H. P. 445) (Presented by same gentleman)

Resolve providing for State Pension for Edith Levesque of Caribou (H. P. 446) (Presented by same gentleman)

Resolve providing for State Pension for Roland E. Whitney of East Newport (H. P. 447) (Presented by Mr. Carter of Newport)

Resolve providing for State Pension for Ronald Dunton of Rumford (H. P. 448) (Presented by Miss Cormier of Rumford)

Resolve providing for State Pension for Franklin B. Leveille of West Enfield (H. P. 449) (Presented by Mr. Dudley of Enfield)

Resolve in favor of Francis G. Kalile, of Belfast (H. P. 450) (Presented by Mr. Greene of Belfast)

Resolve providing for State Pension for Alfred Ouellette of Augusta (H. P. 451) (Presented by Mr. Lord of Augusta)

Resolve providing for State Pension for Fredolin Poulin of Augusta (H. P. 452) (Presented by same gentleman)

Resolve providing for State Pension for Vena Cote of Augusta (H. P. 453) (Presented by same gentleman)

Resolve providing for State Pension for Sturgis Piscopo of Augusta (H. P. 454) (Presented by same gentleman)

Sent up for concurrence.

Sea and Shore Fisheries

Bill "An Act Regulating the Taking of Alewives in Georges River" (H. P. 455) (Presented by Mr. McCluskey of Warren)

(Ordered Printed)

Bill "An Act relating to the Taking of Alewives in the Town of Alna" (H. P. 456) (Presented by Mr. Walter of Waldoboro)

(Ordered Printed)

Sent up for concurrence.

Towns and Counties

Bill "An Act Permitting Municipalities to Raise Money for Christmas Decorations" (H. P. 457) (Presented by Mr. Crockett of Freeport)

(Ordered Printed)

Bill "An Act to Increase the Salary of the Recorder of the Northern Aroostook Municipal Court" (H. P. 458) (Presented by Mr. Cyr of Fort Kent)

(Ordered Printed)

Bill "An Act relating to the Salary of the County Attorney of Hancock County" (H. P. 459) (Presented by Mr. Edgar of Bar Harbor)

(Ordered Printed)

Sent up for concurrence.

Orders

On motion of Mr. Wadleigh of Mt. Vernon, it was

ORDERED, that Rev. Gordon W. H. Buzza of the Methodist Church, Winthrop, be invited to officiate as Chaplain of the House on Thursday, March 17, 1955.

On motion of Mr. Cates of Machias, it was

ORDERED, that Mr. Hanson of Machiasport be excused from attendance for the duration of his illness.

House Reports of Committees

Ought Not to Pass

Mr. Jack from the Committee on Claims reported "Ought not to pass" on Resolve in favor of Dr. H. D. Stevens of Smyrna Mills (H. P. 39)

Mr. Olpe from the Committee on Retirements and Pensions reported same on Resolve in favor of a Retirement Allowance for J. Harrison Bailey of Hallowell (H. P. 68) (L. D. 73)

Reports were read and accepted and sent up for concurrence.

Ought to Pass

Printed Bills

Mr. Fuller from the Committee on Claims reported "Ought to pass" on Resolve in favor of Norway Fish and Game Association for Fish Screen at Dam at Norway Lake (H. P. 58) (L. D. 366)

Mr. Getchell from same Committee reported same on Resolve in

favor of H. Tabenken & Co., Inc., of Bangor (H. P. 40) (L. D. 365)

Mr. Butler from the Committee on Inland Fisheries and Game reported same on Bill "An Act relating to Closed Time on Deer on Cranberry Isles" (H. P. 103) (L. D. 111)

Same gentleman from same Committee reported same on Bill "An Act relating to Closed Season on Deer in Town of Isle au Haut, Knox County" (H. P. 6) (L. D. 5)

Reports were read and accepted, the Bills read twice, the Resolves read once, and assigned the next legislative day.

Tabled and Assigned

Mr. Potter from the Committee on Inland Fisheries and Game reported "Ought to pass" on Bill "An Act relating to Open Season on Muskrats in Washington County" (H. P. 42) (L. D. 53)

Report was read.

The SPEAKER: The Chair recognizes the gentleman from Calais, Mr. Davis.

Mr. DAVIS: Mr. Speaker, I move that this matter be placed on the table until next Wednesday at ten o'clock.

The SPEAKER: The gentleman from Calais, Mr. Davis, moves that Item 7 be laid on the table and be specially assigned for next Wednesday at ten o'clock.

The Chair is informed that an assignment until next Wednesday is in order without unanimous consent. If the gentleman cares to set a special time for next Wednesday, it requires the unanimous consent of the House.

Mr. DAVIS: Any time next Wednesday, Mr. Speaker.

Thereupon, the Report with accompanying papers was tabled pending acceptance of the Report and specially assigned for Wednesday, February 9.

Mr. Potter from the Committee on Inland Fisheries and Game reported "Ought to pass" on Bill "An Act relating to Closed Time on Deer in Long Island Plantation" (H. P. 104) (L. D. 112)

Mr. Ross from same Committee reported same on Resolve Opening

Roxbury Pond, Oxford County, to Ice Fishing (H. P. 56) (L. D. 62)

Reports were read and accepted, the Bill read twice, the Resolve read once, and assigned the next legislative day.

Ought to Pass with Committee Amendment Recommitted

Mr. Harnden from the Committee on Inland Fisheries and Game on Bill "An Act relating to Rabbit Hunting in Oxford, Franklin and Somerset Counties" (H. P. 8) (L. D. 7) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read.

The SPEAKER: The Chair recognizes the gentleman from Hartland, Mr. Gardner.

Mr. GARDNER: Mr. Speaker, I move that Item 10 be laid on the table until Wednesday of next week.

The SPEAKER: The gentleman from Hartland, Mr. Gardner, moves that the report with accompanying papers be tabled and specially assigned for next Wednesday, pending acceptance of the report of the Committee. Is this the pleasure of the House?

The Chair recognizes the gentleman from Fairfield, Mr. Osborne.

Mr. OSBORNE: Mr. Speaker, if the gentleman from Hartland, Mr. Gardner, would be willing to forego that I would move that it be referred to the Committee on Inland Fisheries and Game for reconsideration. This is done, I assure you, with the approval of the Chairman of that committee.

The SPEAKER: The Chair recognizes the gentleman from Hartland, Mr. Gardner.

Mr. GARDNER: Mr. Speaker, I go along with the request of the gentleman from Fairfield, Mr. Osborne, that that be re-referred.

The SPEAKER: The Chair understands that the gentleman from Hartland, Mr. Gardner, withdraws his motion.

The gentleman from Fairfield, Mr. Osborne, moves that the Report and accompanying papers be recommitted to the Committee on Inland Fisheries and Game. Is this the pleasure of the House?

The motion prevailed and the Report with accompanying papers was recommitted to the Committee on Inland Fisheries and Game and sent up for concurrence.

**Divided Report
Tabled and Assigned**

Report "A" of the Committee on Inland Fisheries and Game on Bill "An Act relating to Free Fishing and Hunting Licenses to Residents 75 Years of Age" (H. P. 101) (L. D. 109) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Mr. CARPENTER of Somerset
— of the Senate

Messrs. GARDNER of Hartland
ROSS of Brownville
BUTLER of Franklin
HARDEN of Rangeley

— of the House

Report "B" of same Committee reporting "Ought not to pass" on same Bill.

Report was signed by the following members:

Messrs. HALL of York
HILLMAN of Penobscot
— of the Senate

Messrs. BRIGGS of Caribou
POTTER of Medway
DUDLEY of Enfield
— of the House

Reports were read.

(On motion of Mr. Butler of Franklin, the two Reports with accompanying papers were tabled pending acceptance of either Report and specially assigned for Wednesday, February 9.)

Orders of the Day

The SPEAKER: The House is proceeding under Orders of the Day.

If there is no further business to come before the House, the Clerk will read the notices.

On motion of Mr. Walter of Waldo-boro,

Adjourned until Tuesday, February 8, at ten o'clock in the morning.