

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

**OF THE**

***Ninety-Fifth Legislature***

**OF THE**

**STATE OF MAINE**

**1951**

**DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE**

**SENATE**

Thursday, February 1, 1951.

The Senate was called to order by the President.

Prayer by the Reverend Robert E. Rundlett of Augusta.  
Journal of yesterday read and approved.

**From the House**

Bill "An Act Relative to Recording Meters on Fuel and Range Oil Trucks." (H. P. 401) (L. D. 245)

Which was referred to the Committee on Apiculture in concurrence.

"Resolve in Favor of the Block House at Fort Kent." (H. P. 402) (L. D. 246)

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

Bill "An Act Relating to Incurable Inmates in Reformatory for Men." (H. P. 403) (L. D. 247)

Which was referred to the Committee on Correctional Institutions in concurrence.

Bill "An Act Relating to Costs of Children in Maine School for the Deaf." (H. P. 404) (L. D. 248)

Which was referred to the Committee on Education in concurrence.

Bill "An Act Relating to Snow Removal Costs." (H. P. 405) (L. D. 249)

Which was referred to the Committee on Highways in concurrence.

Bill "An Act Relating to Casualty Insurance for Hunters." (H. P. 429) (L. D. 250)

Bill "An Act Relating to Open Season on Otter." (H. P. 430) (L. D. 251)

Bill "An Act Relating to Definition of, and Setting Traps Near Beaver Dams." (H. P. 431) (L. D. 252)

Bill "An Act Relating to Closed Season on Deer in Long Island Plantation." (H. P. 432) (L. D. 253)

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

Bill "An Act Relating to Liability of Relatives to Support Inmates of Certain Institutions." (H. P. 433) (L. D. 254)

Which was referred to the Committee on Judiciary in concurrence.

Bill "An Act Relating to the Building of Wharves and Fish Weirs in Deorganized Towns." (H. P. 434) (L. D. 260)

Which was referred to the Committee on Legal Affairs in concurrence.

Bill "An Act to Retire Wallagrass Plantation from Participation in the Forestry District." (H. P. 435) (L. D. 255)

Which was referred to the Committee on Natural Resources in concurrence.

Bill "An Act Relating to Transfers and Commitments to Pownal State School." (H. P. 436) (L. D. 256)

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

Bill "An Act Relating to Propagation and Cultivation of Clams, Quahogs and Mussels in Deorganized Towns." (H. P. 437) (L. D. 261)

Bill "An Act Relating to Non-Resident Commercial Fishing Licenses." (H. P. 439) (L. D. 262)

Bill "An Act Relating to the Taking of Clams in Cobscook River in the Township of Edmunds." (H. P. 438 ) (L. D. 257)

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

Bill "An Act Relating to Uniforms of Deputy Sheriffs." (H. P. 440) (L. D. 258)

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

"Resolve Providing for an Increase in State Pension for Fabien Boutote, of Fort Kent." (H. P. 441) (L. D. 259)

Which was referred to the Committee on Welfare in concurrence.

"Resolve in Favor of Bradbury Brothers of Bridgewater." (H. P. 450).

"Resolve in Favor of the Town of Sherman Mills." (H. P. 451)

"Resolve in Favor of Albion E. Rowe, of Brewer." (H. P. 452)

"Resolve to Reimburse the Town of Pittsfield for Support of Dianne K. Edwards." (H. P. 453)

"Resolve in Favor of Oscar Hadley of Bristol." (H. P. 454)

"Resolve in Favor of the Town of West Gardiner." (H. P. 455)

"Resolve in Favor of Axel Nelson of Thomaston." (H. P. 456)

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

"Resolve in Favor of Somerset Academy in the Town of Athens." (H. P. 459)

"Resolve for the Purchase of One Hundred Copies of 'West Gardiner's Hundred Years.'" (H. P. 460)

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

"Resolve in Favor of the Town of Milford." (H. P. 465)

"Resolve in Favor of the Town of Livermore." (H. P. 466)

"Resolve in Favor of the Town of Princeton." (H. P. 467)

"Resolve in Favor of Topsfield Plantation." (H. P. 468)

"Resolve in Favor of Grand Lake Stream Plantation." (H. P. 469)

"Resolve in Favor of Brookton Plantation." (H. P. 470)

"Resolve in Favor of the Town of Waite." (H. P. 471)

"Resolve in Favor of the Town of Vanceboro." (H. P. 472)

"Resolve in Favor of the Town of Talmadge." (H. P. 473)

"Resolve in Favor of Township 10 in Range 3." (H. P. 474)

"Resolve in Favor of the Town of Baileyville." (H. P. 476)

"Resolve in Favor of Topsfield Plantation." (H. P. 477)

"Resolve in Favor of the Town of Vienna." (H. P. 478)

"Resolve in Favor of the Town of Wayne." (H. P. 479)

"Resolve in Favor of the Town of Readfield." (H. P. 480)

"Resolve in Favor of the Town of Readfield." (H. P. 481)

"Resolve in Favor of the Town of Mars Hill." (H. P. 482)

"Resolve in Favor of the Town of Mars Hill." (H. P. 483)

"Resolve in Favor of the Town of Blaine." (H. P. 484)

"Resolve in Favor of the Town of Brooksville." (H. P. 485)

"Resolve in Favor of the Town of Sedgwick." (H. P. 486)

"Resolve in Favor of the Town of Deer Isle." (H. P. 487)

"Resolve in Favor of the Town of Island Falls." (H. P. 488)

"Resolve in Favor of the Town of Island Falls." (H. P. 489)

"Resolve in Favor of the Town of Benedicta." (H. P. 490)

"Resolve in Favor of the Town of Sherman Mills." (H. P. 491)

"Resolve in Favor of the Town of Eddington." (H. P. 492)

"Resolve in Favor of the Town of Gray." (H. P. 493)

"Resolve in Favor of the Town of Raymond." (H. P. 494)

"Resolve in Favor of the Town of New Gloucester." (H. P. 495)

"Resolve in Favor of the Town of Raymond." (H. P. 496)

"Resolve in Favor of the Town of Gray." (H. P. 497)

"Resolve in Favor of the Town of Athens." (H. P. 498)

"Resolve in Favor of the Town of Dresden." (H. P. 499)

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

"Resolve in Favor of the Town of Berwick." (H. P. 501)

"Resolve in Favor of the Town of Washington." (H. P. 502)

"Resolve in Favor of the Town of Clinton." (H. P. 503)

"Resolve in Favor of the Town of Clinton." (H. P. 504)

"Resolve in Favor of the Town of Limerick." (H. P. 505)

"Resolve in Favor of the Town of Parsonsfield." (H. P. 506)

"Resolve in Favor of the Town of Cornish." (H. P. 507)

"Resolve in Favor of the Town of Skowhegan." (H. P. 508)

"Resolve in Favor of the Town of Norway." (H. P. 509)

"Resolve in Favor of the Town of Frenchville." (H. P. 510)

"Resolve in Favor of the Town of St. Agatha." (H. P. 511)

"Resolve in Favor of the Town of Madawaska." (H. P. 512)

"Resolve in Favor of the Town of Glenburn." (H. P. 513)

"Resolve in Favor of the Town of Mechanic Falls." (H. P. 514)

"Resolve in Favor of the Town of Turner." (H. P. 515)

"Resolve in Favor of the Town of Dexter." (H. P. 516)

"Resolve in Favor of the Town of Garland." (H. P. 517)

"Resolve in Favor of the Town of South Bristol." (H. P. 518)

"Resolve in Favor of the Town of Embden." (H. P. 519)

"Resolve in Favor of the Town of Anson." (H. P. 520)

"Resolve in Favor of the Town of Norridgewock." (H. P. 521)

"Resolve in Favor of the Town of Starks." (H. P. 522)

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

"Resolve Providing for State Pension for Charlotte Estella Morrill, of Belfast." (H. P. 565)

"Resolve Providing for State Pension for Otis Emery Robbins, of Belfast." (H. P. 566)

"Resolve Providing for State Pension for Benjamin Taylor, of Silver Ridge." (H. P. 567)

"Resolve Providing for an Increase in State Pension for Joseph William True, of Garland." (H. P. 568)

"Resolve Providing for State Pension for Pearl Izetta Harriman of Boothbay Harbor." (H. P. 569)

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

#### **Referred to Committee**

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. Brewer of Aroostook presented Bill "An Act Relating to the Assets of The Farm Rehabilitation Corporation of Maine." (S. P. 153)  
(Ordered printed.)

Sent down for concurrence.

#### **Appropriations and Financial Affairs**

Mr. Haskell of Penobscot presented Bill "An Act Relating to Clerical Assistance for Justices of the Supreme Judicial Court." (S. P. 154)

Mr. Reid of Kennebec presented Bill "An Act Relating to Compensation of Justices of the Supreme Judicial and the Superior Courts Upon Retirement." (S. P. 155)

(Each ordered printed.)  
Sent down for concurrence.

#### **Education**

Mr. Fuller of Oxford presented Bill "An Act Relating to the Alumni Trustee of the University of Maine." (S. P. 156)

Mr. Broggi of York presented Bill "An Act Relating to Renewal of Certificates by Certain Teachers." (S. P. 157)

(Each ordered printed.)  
Sent down for concurrence.

#### **Inland Fisheries and Game**

Mr. Noyes of Hancock presented "Resolve Regulating Fishing in DeMeyers Brook, in the County of Hancock." (S. P. 158)

Mr. Dennett of York presented "Resolve Closing Certain Ponds in York County to Fishing." (S. P. 159)

Mr. Weeks of Cumberland presented "Resolve Providing for a Fish Screen at Outlet of Coffee Pond in the Town of Casco." (S. P. 160)

The same Senator presented "Resolve Regulating Ice Fishing in Coffee Pond, Cumberland County." (S. P. 161)

(Each ordered printed.)  
Sent down for concurrence.

#### **Judiciary**

Mr. Weeks of Cumberland presented Bill "An Act Limiting Trustee of Wages." (S. P. 162)

The same Senator presented Bill "An Act Relating to Trustee of Wages." (S. P. 163)

The same Senator presented Bill "An Act Relating to Trustee Process." (S. P. 164)

Mr. Marshall of York presented Bill "An Act Relating to Ballots." (S. P. 165)

(Each ordered printed.)  
Sent down for concurrence.

#### **Legal Affairs**

Mr. Weeks of Cumberland presented Bill "An Act to Clarify the Plumbing Laws." (S. P. 166)

Mr. Haskell of Cumberland presented Bill "An Act Permitting

Certificate of Records of Department of Health and Welfare as Evidence." (S. P. 167)

Mr. Dennett of York presented by request, Bill "An Act Permitting Trustees of Robert W. Traip Academy to Issue Bonds." (S. P. 168)

(Each ordered printed.)

Sent down for concurrence.

#### Liquor Control

The same Senator presented Bill "An Act Relating to Licenses for Consumption Sale." (S. P. 169)

(Ordered printed.)

Sent down for concurrence.

#### Public Utilities

Mr. Marshall of York presented Bill "An Act Relating to Street Openings by Public Utility Corporations." (S. P. 170)

Mr. Dennett of York presented Bill "An Act to Incorporate the Kittery Sewer District." (S. P. 171)

(Each ordered printed.)

Sent down for concurrence.

#### Sea and Shore Fisheries

Mr. Sleeper of Knox presented "Resolve Regulating Fishing in Sheepscot Bay." (S. P. 172)

The same Senator presented Bill "An Act Relating to the Propagation and Cultivation of Clams, Quahogs and Mussels." (S. P. 173)

The same Senator presented Bill "An Act Relating to Sea and Shore Fisheries Laws." (S. P. 174)

(Each ordered printed.)

Sent down for concurrence.

#### Towns and Counties

Mr. Reid of Kennebec presented Bill "An Act Relating to the Salary of Sheriff of Kennebec County." (S. P. 175)

(Ordered printed.)

Sent down for concurrence.

#### Welfare

Mr. Collins of Aroostook presented "Resolve Providing for State Pension for Gilbert Ouellette of Caribou." (S. P. 176)

Sent down for concurrence.

#### Senate Committee Reports

Mr. Tabb from the Committee on Liquor Control on Bill "An Act to Permit Taverns to Sell Wine and Spirits," (S. P. 60) (L. D. 70) reported that the same ought not to pass.

Mr. Boucher from the same Committee on Bill "An Act Relating to Consumption Sale of Liquor," (S. P. 61) (L. D. 71) reported that the same ought not to pass.

Mr. Dennett from the same Committee on Bill "An Act Relating to Liquor License Credit," (S. P. 63) (L. D. 72) reported that the same ought not to pass.

Which reports were severally read and accepted.

Sent down for concurrence.

#### Orders of the Day

Mr. Brewer of Aroostook was granted unanimous consent to address the Senate:

Mr. BREWER of Aroostook: Mr. President and members of the Senate, at the inception of this legislative session, I stated publicly, and it was the thought of the Appropriations Committee, that from time to time we would attempt to keep the members informed of the financial problems confronting them as well as to keep them informed of the work of the Appropriations Committee.

At this time I would like to give you a brief summary. I think with two days next week we will have heard all of the department heads and at the present time we are taking the budget as presented by the Governor and budget members as something to shoot at. There is nothing final in it but it is a starting point anyway.

We have got to make a starting point so let's go back to June 30, 1949. At the end of the last biennium our bills were paid, our taxes were collected and we had a surplus balance of a little over \$7,100,000 for the year ending June 30th, and during the twelve months we used just under \$37,000,000 in the general fund and that included the \$2,000,000 we set aside for working capital. This year no one knows exactly just what our total expenditures will be but we have the Appropriation figures for the first six months and we believe that that figure will be not far from \$36,000,000. So the 1949-1950 expenditures of \$37,000,000 and the current expenditures of \$36,000,000 add up to \$73,000,000 as a two year expenditure from general fund sources.

Actual income for the year 1949-50 was about \$32,350,000 and that

has all been audited and is a final figure. This year as we see it now the general fund income will add up to about \$33,300,000. That makes about \$65,650,000 as the total income for the two years. With the two year expense of \$73,000,000 and a two year income of \$65,650,000 there is a difference of \$7,350,000 so if we started with a surplus of \$7,100,000 it is perfectly evident that the surplus is gone and has been used to finance a spending level that is around three and a half million in excess of revenues from current income sources.

There is nothing very profound or very startling about these statements because it represents only another way of stating what is printed in the budget document. The Governor's budget adds up to a deficit of \$3,578,198 in the first year and \$4,127,365 the second year, or a two year deficit of about \$7,700,000 to finance existing spending laws.

In Appropriations Committee as of yesterday we have heard bills that total about \$30,000,000 per year and I can honestly tell the Senate that as long as existing spending statutes remain without substantial change, the committee cannot in good conscience even approach a balance between existing income and required expense. I cannot tell you whether the Governor's figure is a few hundred thousand dollars too high or a few hundred thousand too low but it cannot be too far from the \$7,700,000 deficit in the budget message. On top of this are the costs of such new expenditure bills as may have legislative approval. There are many of them and I note only a few, such as the Educational subsidy plan, supplemental appropriations for the Uni-

versity of Maine, any new Welfare or any of the other many new expenditure measures which have been or will be introduced before this legislature.

I know this isn't a cheerful picture to present at this time but as time goes on I will appreciate the opportunity to try to keep you as well informed as the Appropriations Committee is on this financial picture.

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On motion by Mr. Leavitt of Cumberland, the Senate voted to take from the table bill, An Act Relating to Exemptions from Taxation (H. P. 336) (L. D. 194) tabled by that Senator on January 31 pending reference to a committee; and on further motion by the same Senator, the bill was referred to the Committee on Taxation in concurrence.

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Mr. Crosby of Franklin was granted unanimous consent to address the Senate.

Mr. CROSBY of Franklin: Mr. President and members of the Senate, you have on your desks this morning a book put out by the Maine State Highway Commission giving a very comprehensive report of the accelerated highway program. This book contains maps of each county, the needs for highways in those counties and the priority of trucking on those highways. I would suggest that you give this very good book some thoughtful consideration to see how it affects the counties and your state as a whole.

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On motion by Mr. Haskell of Cumberland

Adjourned until tomorrow morning at ten o'clock.