

# 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 15, 1951.

The Senate was called to order by the President.

Prayer by the Reverend Wilfred Mulley of Gardiner.

Journal of yesterday read and approved.

**From the House****House Committee Reports**

The Committee on Judiciary on Bill "An Act Relating to Appeals from Probate Courts," (H. P. 157) (L. D. 88) reported that the same ought not to pass.

The Committee on Taxation on Bill "An Act Relating to Inheritances Taxes on Class B," (H. P. 393) (L. D. 229) reported that the same ought not to pass.

Which reports were severally read and accepted in concurrence.

The Committee on Inland Fisheries and Game on "Resolve Closing Limestone Stream to Fishing," (H. P. 316) (L. D. 174) reported that the same ought to pass.

The Committee on Taxation on Bill "An Act Relative to Poll-Taxes in Unorganized Territory," (H. P. 204) (L. D. 126) reported that the same ought to pass.

The Committee on Transportation on Bill "An Act Relating to Turning Vehicles at Intersections," (H. P. 342) (L. D. 199) reported that the same ought to pass.

The Committee on Transportation on Bill "An Act Relating to the Aeronautical Fund," (H. P. 210) (L. D. 132) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Abandoned Airports," (H. P. 209) (L. D. 131) reported that the same ought to pass.

The same Committee on Bill "An Act to Clarify the Aviation Laws," (H. P. 208) (L. D. 130) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Fees for Non-Resident Airmen and Aircraft," (H. P. 207) (L. D. 129) 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 Transportation on Bill "An Act Relating to Licenses to Operate Motor Driven Cycles," (H. P. 397) (L. D. 233) 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 so amended was tomorrow assigned for second reading.

The Committee on Transportation to which was recommended Bill "An Act Relating to Sirens on Automobiles Operated by Fire Chiefs and Their Deputies," (H. P. 33) (L. D. 9) 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, Committee Amendment "A" and House Amendment "A" were read and adopted in concurrence, and the bill as so amended was tomorrow assigned for second reading.

Bill "An Act to Provide Schooling in Brunswick for Tuition Pupils from Certain Other Towns." (H. P. 1050) (L. D. 630)

Which was referred to the Committee on Education in concurrence.

Bill "An Act to Ratify and Confirm the Incorporation of East Eddington Public Hall Company." (H. P. 1051) (L. D. 631)

Bill "An Act to Incorporate the Exchange Finance Corporation." (H. P. 1052) (L. D. 632)

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

Bill "An Act Amending the Charter of the City of Waterville to Provide an Indefinite Term for the City Engineer." (H. P. 1053) (L. D. 633)

Bill "An Act Amending the Charter of the City of Waterville to Allow Red Blinker Lights on Motor Vehicles of Callmen of the Fire Department." (H. P. 1054) (L. D. 634)

Bill "An Act to Amend the Charter of the City of Waterville to Provide Compensation for Municipal Officers, Board of Aldermen and City Council." (H. P. 1055) (L. D. 635)

Bill "An Act to Amend the Charter of the City of Waterville to Increase the Salary of the Mayor." (H. P. 1056) (L. D. 636)

Bill "An Act to Amend the Charter of the City of Presque Isle." (H. P. 1057) (L. D. 637)

Bill "An Act Creating the Town of Albion School District." (H. P. 1058) (L. D. 638)

Bill "An Act Amending the Charter of the Town of Bar Harbor." (H. P. 1059) (L. D. 639)

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

Bill "An Act Amending the Charter of the Waterville Sewerage District." (H. P. 1060) (L. D. 640)

Bill "An Act to Extend the Charter of the Eliot Water District." (H. P. 1061) (L. D. 641)

Bill "An Act Relating to Gardiner Water District." (H. P. 1062) (L. D. 642)

Which were severally referred to the Committee on Public Utilities in concurrence.

Bill "An Act Relating to the Taking of Alewives in the Town of Arrowsic." (H. P. 1063) (L. D. 643)

Bill "An Act Relating to Digging of Clams in Northport Village Corporation." (H. P. 1064) (L. D. 644)

Bill "An Act Relating to the Protection of Alewives in East Machias River in the Town of East Machias." (H. P. 1065) (L. D. 645)

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

Bill "An Act Appropriating Moneys for Revision of State Valuation." (H. P. 1066) (L. D. 646)

Which was referred to the Committee on Taxation in concurrence.

Bill "An Act to Increase the Salaries of the Judge and Recorder of the Western Washington Municipal Court." (H. P. 1067) (L. D. 647)

Bill "An Act to Increase the Salary of the Judge of the Calais Municipal Court." (H. P. 1068) (L. D. 648)

Bill "An Act Relating to Expenses of the Brunswick Municipal Court." (H. P. 1069) (L. D. 649)

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

"Resolve in Favor of Folsom Brothers of Monticello." (H. P. 1074)

"Resolve in Favor of Raymond Jackson, of Waldoboro." (H. P. 1075)

"Resolve to Reimburse the City of Gardiner for Sanatorium Treatment of Sylvester Van Sickle and Aid to Dependent Children of Cora Van Sickle." (H. P. 1076)

"Resolve to Reimburse the Richmond Packing Company for Loss of Meat." (H. P. 1077)

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

"Resolve in Favor of the Town of Phippsburg." (H. P. 1083)

"Resolve in Favor of the Town of Monticello." (H. P. 1084)

"Resolve in Favor of Allagash Plantation." (H. P. 1085)

"Resolve in Favor of the Town of Bridgewater." (H. P. 1086)

"Resolve in Favor of the Town of Bridgewater." (H. P. 1087)

"Resolve in Favor of the Town of Blaine." (H. P. 1088)

"Resolve in Favor of the Town of Jefferson." (H. P. 1089)

"Resolve in Favor of the Town of Winn." (H. P. 1090)

"Resolve in Favor of the Town of East Machias." (H. P. 1091)

"Resolve in Favor of the Town of East Machias." (H. P. 1092)

"Resolve in Favor of the Town of Madison." (H. P. 1093)

"Resolve in Favor of the Town of Littleton." (H. P. 1094)

"Resolve in Favor of the Town of Smyrna." (H. P. 1095)

"Resolve in Favor of the Town of Merrill." (H. P. 1096)

"Resolve in Favor of the Town of Ludlow." (H. P. 1097)

"Resolve in Favor of the Town of New Limerick." (H. P. 1098)

"Resolve in Favor of the Town of Dyer Brook." (H. P. 1099)

"Resolve in Favor of Moro Plantation." (H. P. 1100)

"Resolve in Favor of Hammond Plantation." (H. P. 1101)

"Resolve in Favor of the Town of Oakfield." (H. P. 1102)

"Resolve in Favor of the Town of Bowdoin." (H. P. 1103)

"Resolve in Favor of the Town of Clinton." (H. P. 1104)

"Resolve in Favor of the Town of Porter." (H. P. 1105)

"Resolve in Favor of the Town of Mount Desert." (H. P. 1106)

"Resolve in Favor of the Town of Brunswick." (H. P. 1107)

Bill "An Act to Increase the Salaries of Members of the State Police." (H. P. 968) (L. D. 561)

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

"Resolve Providing for State Pension for Howard Lunn, of Mars Hill." (H. P. 1147)

"Resolve Providing for State Pension for Louis Soucie, of Hamlin Plantation." (H. P. 1148)

"Resolve Providing for an Increase in State Pension for Freda Potter, of North Whitefield." (H. P. 1149)

"Resolve Providing for an Increase in State Pension for Ethel M. Merry, of Waldoboro." (H. P. 1150)

"Resolve Providing for a State Pension for Pearley Grummia, of Newcastle." (H. P. 1151)

"Resolve Providing for an Increase in State Pension for Ira Stuart, of Whitefield." (H. P. 1152)

"Resolve Providing for State Pension for Mertie Stover, of Berwick." (H. P. 1153)

"Resolve Providing for an Increase in State Pension for Lillian Ireland, of Lincoln." (H. P. 1154)

"Resolve Providing for State Pension for Hattie V. Hunt, of Clinton." (H. P. 1155)

"Resolve Providing for State Pension for Guy Lendall Moore, of Clinton." (H. P. 1156)

"Resolve Providing for State Pension for Bernard Dumond, of Sinclair." (H. P. 1157)

"Resolve Providing for State Pension for Mary McMahan, of Eastport." (H. P. 1158)

"Resolve Providing for State Pension for Clinton Freeman, of Bar Harbor." (H. P. 1159)

"Resolve Providing for State Pension for Alexis Fournier, of Brunswick." (H. P. 1160)

"Resolve Providing for an Increase in State Pension for Frank Gilmore, of Bangor." (H. P. 1161)

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

#### **Referred to Committees**

The following Memorial was received, and on recommendation by the Committee on Reference of Bills was referred to the following committee:

#### **Judiciary**

Mrs. Kavanagh of Androscoggin presented "Memorial to Congress, Petitioning for Amendments to the Federal Wage and Hour Regulations Relating to Part-time Home Workers in the Needlecraft Industry." (S. P. 315)

(Ordered printed.)

Sent down for concurrence.

The following Bills were transmitted by the Director of Legislative Research Pursuant to Joint Orders S. P. 138 and S. P. 265 and on recommendation by the Committee on Reference of Bills were referred to the following committees:

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

Mr. Leavitt of Cumberland presented Bill "An Act Providing for Payment of 1949-50 School Subsidy Shortage." (S. P. 316)

(Ordered printed.)

Sent down for concurrence.

#### **Business Legislation**

Mr. Haskell of Cumberland presented Bill "An Act Relating to the Establishment and Use of Common Trust Funds." (S. P. 317)

(Ordered printed.)

Sent down for concurrence.

#### **Education**

Mr. Palmer of Lincoln presented Bill "An Act Relating to Authorized Amount of Endowment for Bridge Academy in the Town of Dresden." (S. P. 318)

(Ordered printed.)

Sent down for concurrence.

### Highways

Mr. Sleeper of Knox presented "Resolve Authorizing the State Highway Commission to Construct a Road and Terminal in Rockland, Knox County." (S. P. 319)

Mr. Palmer of Lincoln presented Bill "An Act Relating to Use of Joint Fund for State Aid Road Construction." (S. P. 320)

(Each ordered printed.)

Sent down for concurrence.

### Inland Fisheries

Mr. Ela of Somerset presented Bill "An Act Relating to Open Time on Rabbits in Somerset County." (S. P. 321)

(Ordered printed.)

Sent down for concurrence.

### Judiciary

Mrs. Kavanagh of Androscoggin presented "Resolve Proposing an Amendment to the Constitution Changing the Qualifications for Voting." (S. P. 322)

Mr. Haskell of Cumberland presented Bill "An Act Relative to the Disposal of Assets in the Hands of Liquidating Trustees." (S. P. 323)

(Each ordered printed.)

Sent down for concurrence.

### Legal Affairs

Mr. Reid of Kennebec presented Bill "An Act Relating to Gambling." (S. P. 324)

(Ordered printed.)

Sent down for concurrence.

### Liquor Control

Mr. Dennett of York presented Bill "An Act Relating to Eligibility for Liquor Licenses." (S. P. 325)

(Ordered printed.)

Sent down for concurrence.

### Natural Resources

Mr. McKusick of Piscataquis presented Bill "An Act Revising the Laws Relating to Outdoor Advertising Signs." (S. P. 326)

(Ordered printed.)

Sent down for concurrence.

The same Senator presented "Resolve Authorizing Forest Commissioner to Renew Lease to Passamaquoddy Lumber Company." (S. P. 327)

(On motion by Mr. McKusick of Piscataquis tabled pending reference to a committee.)

The same Senator presented Bill "An Act Relating to Sale and Lease of Lands in Indian Township." (S. P. 328)

(On motion by Mr. McKusick of Piscataquis tabled pending reference to a committee.)

### Transportation

Mr. Allen of Cumberland presented Bill "An Act Relating to Serial Numbers of Motor Vehicles." (S. P. 329)

(Ordered printed.)

Sent down for concurrence.

### First Reading of a Printed Bill

Bill "An Act Relating to Transporting Children in Open Trucks." (S. P. 290) (L. D. 629)

(On motion by Mr. Allen of Cumberland, tabled pending first reading.)

### Senate Committee Reports

Mr. Brewer from the Committee on Appropriations and Financial Affairs on "Resolve in Favor of Lincoln Academy for Classroom Building," (S. P. 94) (L. D. 145) reported that the same ought not to pass.

(On motion by Mr. Brewer of Aroostook, tabled pending acceptance of the report)

Mr. Reid from the same Committee on Bill "An Act to Promote the Topographic Mapping of Maine in Cooperation with the United States Geological Survey," (S. P. 87) (L. D. 141) reported that the same ought not to pass as it is covered by legislation.

Which report was read and accepted.

Sent down for concurrence.

Mr. Leavitt from the same Committee on "Resolve in Favor of Robert W. Traip Academy," (S. P. 52) reported that the same ought not to pass.

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

Mr. Haskell of Penobscot from the Committee on Business Legislation on Bill "An Act Relating to Compensation Benefits Under the Workmen's Compensation Law," (S. P. 126) (L. D. 234) reported that the same be referred to the Committee on Labor.

The same Senator from the same Committee on Bill "An Act Relating to Compensation for Specified Injuries Under the Workmen's Compensation Law," (S. P. 127) (L. D. 235) reported that the same be referred to the Committee on Labor.

Which reports were severally read and accepted.

Sent down for concurrence.

Mr. Dennett from the Committee on Business Legislation on Bill "An Act Relating to the Government Employees Credit Union of Maine," (S. P. 32) (L. D. 15) reported the same in a new draft (S. P. 330) under the same title, and that it ought to pass.

Which report was read and accepted, and the bill in new draft was laid upon the table for printing pursuant to the joint rules.

Mrs. Kavanagh from the Committee on Business Legislation on Bill "An Act Requiring Information from Banks to Institutional Service," (S. P. 128) (L. D. 236) reported that the same ought to pass.

Mr. Collins from the Committee on Towns and Counties on Bill "An Act Relating to Road Equipment on Private Ways," (S. P. 109) (L. D. 163) reported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act Relating to County Commissioners of Androscoggin County," (S. P. 190) (L. D. 407) reported that the same ought to pass.

Mr. McKusick from the Committee on Welfare on Bill "An Act Relating to Old Age Assistance," (S. P. 77) (L. D. 80) reported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act Relating to State Care of Persons in Certain Institutions," (S. P. 78) (L. D. 81) reported that the same ought to pass.

Mr. Fuller from the same Committee on Bill "An Act Relating to Aid to Dependent Children," (S. P. 76) (L. D. 79) reported that the same ought to pass.

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

Mrs. Kavanagh from the Committee on Business Legislation on Bill "An Act Relating to Non-Profit Medical Service Plans," (S. P. 46) (L. D. 56) reported that the same ought to pass as amended by Committee Amendment "A".

On motion by Mr. Dennett of York, recommitted to the Committee on Business Legislation.

#### Passed to be Engrossed

Bill "An Act to Authorize the Withdrawal of Southport from the Boothbay Region Community School District." (H. P. 27) (L. D. 10)

Bill "An Act to Amend the Charter of the Boothbay Region Community School District." (H. P. 28) (L. D. 11)

Bill "An Act to Incorporate the Town of Burnham School District." (H. P. 161) (L. D. 92)

Bill "An Act Amending the Charter of the Sweetser Orphan Asylum." (H. P. 323) (L. D. 181)

Bill "An Act to Incorporate the Town of Perry School District." (H. P. 387) (L. D. 223)

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

#### Enactors

Bill "An Act Relating to Penalty for Refusal to Work by Persons Dependent upon Towns." (S. P. 57) (L. D. 65)

Bill "An Act Validating a Certain Deed Given by the City of Saco to Saco-Lowell Shops." (H. P. 32) (L. D. 8)

Bill "An Act Permitting Municipalities to Raise Money to Assist Historical Societies." (H. P. 64) (L. D. 30)

Bill "An Act Relating to Speed of Motor Vehicles." (H. P. 96) (L. D. 41)

Bill "An Act Relating to Passing Motor Vehicles on Grades." (H. P. 97) (L. D. 42)

Bill "An Act Relating to Election Returns." (H. P. 154) (L. D. 86)

Bill "An Act Relating to Neglected Children." (H. P. 156) (L. D. 87)

#### Emergency Measure

Bill "An Act Relating to the Town of Winthrop School District." (S. P. 35) (L. D. 21)

Which bill, being an emergency measure, and having received the

affirmative vote of 24 members of the Senate, and none opposed, was passed to be enacted.

#### Orders of the Day

Mr. Allen of Cumberland was granted unanimous consent to address the Senate.

Mr. ALLEN of Cumberland: Mr. President and members of the Senate, today we have with us in the Senate Chamber some young people from North Windham in Cumberland County who are essay winners on the subject "The Constitution Applied to Present Day Living."

North Windham is a very progressive town. In addition to the North Windham Community Club sponsoring this contest, the town of North Windham as you may remember was reported in the press not long ago to be the first town in the state to appropriate money for civilian defense, \$5,000, and it appears to me that progressive young people such as these guarantee the future of our great democracy.

Mr. Harold Rutter has brought these four young people here today and later in the House of Representatives they will deliver their essays. Here in the Senate this morning I would like to introduce them. They are the first and second prize winners of the essay contest in the high school, and in the grade schools.

Mr. Albert Kneeland, high school first prize winner.

Miss Phoebe Knowles, high school second prize winner.

Miss Elizabeth Lothrop, grade school first prize winner.

Mr. Ralph Perkins, grade school second prize winner.

The PRESIDENT: I am sure, Senator Allen, that the Senate is very happy to meet these young men and women and to know that they are taking an interest in their country and in their state. It is a great pleasure for me to speak for the Senate and welcome them here today.

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

Mr. BREWER of Aroostook: Mr. President and members of the Senate in order to attempt to bring

you up to date on the work we have done in the Appropriation Committee, I will say that by the middle or latter part of next week, we are in hopes to put our omnibus appropriation bill which in effect is the Governor's budget. I don't mean to convey that the figures will be the same but it will be something you can toss around and put your teeth into. I hope it will be considered item by item, or department by department, in order that each and every member of the legislature may have his or her say as to whether they shall overrule our recommendations or abide with them.

This last Tuesday we met with Mr. Ladd of the Education Department who pointed out to us the various laws that affected the expenditures that he was compelled to make under existing statutes and in this way it gives him the opportunity, if it is necessary to make any cut, to say where the cut shall be made.

With the same thought in mind we are meeting with Mr. Stevens tonight to go over his budget request and make recommendations as to whether his budget shall be cut or allowed to remain as it is.

I do want to impress on the Senate that this Appropriations Committee is your committee and that at any time we will be happy to have you with us especially if you have any suggestions to make for the good of the cause. Over and above that I couldn't help but think yesterday how little we of that committee, and it probably applies to other committees—how little we see of the workings of the rest of the legislature. In fact we live in a world of our own down in the committee room, and most of our time is spent bouncing figures around. So I say, we will, I hope, have something by the latter part of next week that you can put your teeth into and go to work.

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

Mr. BOUCHER of Androscoggin: Mr. President and members of the Senate, I will immediately grasp the opportunity offered by the Senator from Aroostook, Senator



Brewer to make a suggestion to the Appropriations Committee.

I sympathize with them in their deliberations in that wonderful emporium of theirs downstairs. I sympathize with them in that they have put in a number of hours there on work which probably will be nullified and destroyed later on. I have had the same experience in Lewiston a few years ago and I know what it means to prepare a budget and then have it torn apart.

May I suggest to the Committee on Appropriations and Financial Affairs that possibly it might save a whole lot of time in my opinion at least, if they would prepare two budgets. We now have an unbalanced budget and as I understand it from members of that committee, after they have used their red or blue pencil, it will still be unbalanced, in the amount of three or four million dollars.

May I suggest, ladies and gentlemen of the Senate, that this committee report with a second budget going along with the idea of the Governor that we have laws on our books and should live up to them, and that second budget should be within the income of the state in the next biennium. If we have twenty five million dollars coming to the state of Maine per year, I suggest to the Appropriations Committee that they give us a budget cutting the appropriations of the various departments on whatever ratio may be necessary to come within the anticipated revenues for the next biennium.

In that way, Mr. President and members of the Senate, it will bring home to every legislator the fact that either we must cut the expenses of the state to live within its means, or we must find new money. I think the best picture would be painted in this way, when a legislator realizes that his town or city which has been receiving \$5000 for education would only receive \$3500. Those figures are cited as a pro rata measure in order to

give a more vivid picture. I think all of us are affected a great deal more by knowing what will happen, if we have to cut the budget down to our present revenue rather than to be told, "Here is the budget unbalanced to the tune of three or four million dollars a year, and you must raise the money." I don't believe that drives home the proper picture, but if the committee brought in a budget that showed what had to be done in their judgment in order to bring the budget into line with present revenue of the state, I think that would give so clear a picture that it might influence some of us who have been opposed to new revenue by means of taxes to change our minds and go along and raise more money.

On motion by Mr. Dennett of York, the Senate voted to take from the table Senate Report "Ought to Pass" from the Committee on Liquor Control, bill, An Act Relating to Interlocking Interests in Liquor Licenses (S. P. 85) (L. D. 109) tabled by that Senator on February 7 pending acceptance of the Committee report; and on further motion by the same Senator the report was accepted and the bill was given its first reading and that Senator presented Senate Amendment A and moved its adoption:

Senate Amendment A to L. D. 109. "Amend said bill by inserting at the end thereof before the single quotation mark, the following underlined sentence '**minor investment in securities of a corporation engaged in liquor business not amounting to any substantial control shall not be held to be an interest forbidden by the foregoing sentence**'".

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

On motion by Mr. Brown of Washington

Adjourned until tomorrow morning at ten o'clock.