

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

Friday, February 16, 1951.

The Senate was called to order by the President.

Prayer by the Reverend Edna L. Knowlton of Augusta.

Journal of yesterday read and approved.

From the House**Joint Order:**

On motion by Mr. Ela of Somerset, 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, February 20, 1951, at eleven o'clock in the morning. (S. P. 331)

Sent down for concurrence.

Bill "An Act Relating to the Taxation of Telephone and Telegraph Companies and Electric Light and Power Companies," (S. P. 261) (L. D. 559)

(In the Senate on February 9th, referred to the Committee on Taxation.)

Comes from the House referred to the Committee on Taxation in concurrence, and subsequently indefinitely postponed in non-concurrence.

In the Senate, on motion by Mr. Marshall of York, indefinitely postponed in concurrence.

The Committee on Business Legislation on Bill "An Act Relating to Definition of 'Dealer' in Sale of Milk," H. P. 448) (L. D. 277) reported that the same ought not to pass.

Which report was read and accepted in concurrence.

The Committee on Judiciary on "Resolve, in Favor of Herbert L. Bryant, of Houlton," (H. P. 199) (L. D. 121) reported that the same ought to pass.

The Committee on Towns and Counties on Bill "An Act to Provide for the Surrender by Dead River Plantation of Its Organization," (H. P. 395) (L. D. 231) reported that the same ought to pass.

The same Committee on Bill "An Act to Provide for the Surrender by Flagstaff Plantation of Its Organization," (H. P. 396) (L. D. 232)

reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Uniforms of Deputy Sheriffs," (H. P. 440) (L. D. 258) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Powers of Fryeburg Village Fire Corporation," (H. P. 558) (L. D. 316) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Review and Alteration of Ward Lines in the City of Lewiston," (H. P. 760) (L. D. 447) reported that the same ought to pass.

The same Committee on "Resolve in Favor of the Town of St. Agatha," (H. P. 341) (L. D. 198) reported that the same ought to pass.

The Committee on Transportation on Bill "An Act Relating to Motor Vehicles Parking in Dangerous Places," (H. P. 95) (L. D. 40) reported that the same ought to pass.

Which reports were severally read and accepted in concurrence, the Bills and resolves read once, House Amendment A to L. D. 40 was read and adopted in concurrence and the bills and resolves were Tuesday next assigned for second reading.

The Committee on Legal Affairs on Bill "An Act Amending the Charter of the Town of Dexter School District," (H. P. 203) (L. D. 125) reported that the same ought to pass as amended by Committee Amendment "A".

The Committee on Taxation on Bill "An Act Relating to Abatement of Taxes," (H. P. 335) (L. D. 193) reported that the same ought to pass as amended by Committee Amendment "A".

Which reports were severally read and accepted in concurrence and the bills read once; Committee Amendments "A" were severally read and adopted in concurrence, and the bills as amended were tomorrow assigned for second reading.

Bill "An Act Relating to Cost of Living Adjustment Plan for State Employees," (H. P. 1071) (L. D. 679)

Bill "An Act Appropriating Moneys for Highway Rubbish Removal," (H. P. 1072) (L. D. 680)

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

"Resolve in Favor of the Town of Waterboro." (H. P. 1166)

"Resolve in Favor of the Town of Windsor." (H. P. 1167)

"Resolve in Favor of the Town of Randolph." (H. P. 1168)

"Resolve in Favor of the City of Auburn." (H. P. 1169)

"Resolve in Favor of the Town of Eagle Lake." (H. P. 1170)

"Resolve in Favor of the Town of Wellington." (H. P. 1171)

"Resolve in Favor of the Town of Mercer." (H. P. 1172)

"Resolve in Favor of the Town of Fairfield." (H. P. 1173)

Bill "An Act to Provide for the Issue of State of Maine Highway Bonds for the Construction of State Highways." (H. P. 1078) (L. D. 681)

Bill "An Act Relating to Display of Unauthorized Signs upon or in View of Highways." (H. P. 1079) (L. D. 682)

Bill "An Act to Increase the Salaries of Members of the State Highway Commission." (H. P. 1080) (L. D. 683)

Bill "An Act to Authorize the Construction of a Bridge Across the Penobscot River Between the Cities of Bangor and Brewer." (H. P. 1081) (L. D. 684)

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

Bill "An Act Relating to Reciprocal Fishing Licenses with New Hampshire." (H. P. 1162) (L. D. 685)

"Resolve in Favor of the Waterford Fish and Game Association." (H. P. 1164) (L. D. 687)

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

Bill "An Act Imposing a Personal Income Tax." (H. P. 1133) (L. D. 666)

Which was referred to the Committee on Taxation in concurrence.

Bill "An Act Relating to Clerk Hire of the Lewiston Municipal Court." (H. P. 1135) (L. D. 667)

Bill "An Act Authorizing the Town of Fort Fairfield to Appropriate Money for the Community

General Hospital." (H. P. 1136) (L. D. 668)

Bill "An Act Relating to Continuous Credit for Excise Tax on Motor Vehicles." (H. P. 1137) (L. D. 669)

Bill "An Act to Increase the Salary of the Judge of the Eastport Municipal Court." (H. P. 1138) (L. D. 670)

Bill "An Act Increasing the Salary of the Recorder of the Bar Harbor Municipal Court." (H. P. 1139) (L. D. 671)

Bill "An Act Relating to Salary of the Judge and Clerk Hire of the Pittsfield Municipal Court." (H. P. 1140) (L. D. 672)

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

Bill "An Act Relating to Relief of Paupers in Unorganized Territory." (H. P. 1141) (L. D. 673)

Bill "An Act Relating to Inspection of Children's Homes." (H. P. 1142) (L. D. 674)

"Resolve Appropriating Moneys for Repairs on Convent on Indian Island Reservation." (H. P. 1143) (L. D. 675)

"Resolve in Favor of Indians on the Indian Island Reservation at Old Town for Building and Repair of Homes." (H. P. 1145) (L. D. 677)

"Resolve in Favor of Indians at Pleasant Point Reservation for Building and Repair of Homes." (H. P. 1146) (L. D. 678)

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

Communication

STATE OF MAINE

House of Representatives
Office of the Clerk
Augusta

February 15, 1951

Hon. Chester T. Winslow
Secretary of the Senate
Dear Sir:

The Speaker of the House today appointed Mr. Emerson of Corinna to fill the vacancy in the Joint Standing Committee on Business Legislation.

Respectfully,

HARVEY R. PEASE
Clerk of the House

Which was read and ordered placed on file.

Referred to Committee

The following bills were submitted 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. Noyes of Hancock presented Bill "An Act Relating to State Owned Cars." (S. P. 32)
(Ordered printed.)
Sent down for concurrence.

Highways

Mr. Marshall of York presented Bill "An Act Relating to Location and Alteration of State and State Aid Highways." (S. P. 333)
(Ordered printed.)
Sent down for concurrence.

Inland Fisheries and Game

Mr. Ela of Somerset presented "Resolve Relating to Daily Bag Limit of Certain Fish in Portion of Kennebec River, Somerset County." (S. P. 334)

The same Senator presented "Resolve Relating to Daily Bag Limit of Certain Fish in Spencer Lake, Somerset County." (S. P. 335)
(Each ordered printed.)
Sent down for concurrence.

Judiciary

Mr. Haskell of Penobscot presented "Resolve Authorizing Expenditures of Certain Moneys in Possession of Bangor State Hospital." (S. P. 336)
(Ordered printed.)
Sent down for concurrence.

Legal Affairs

Mr. Haskell of Cumberland presented Bill "An Act to Amend the Charter of the Union Mutual Life Insurance Company." (S. P. 337)
(Ordered printed.)
Sent down for concurrence.

Public Utilities

The same Senator presented Bill "An Act Amending the Charter of Portland Gas Light Company." (S. P. 338)
(Ordered printed.)
Sent down for concurrence.

Sea and Shore Fisheries

Mr. Noyes of Hancock presented "Resolve Closing Certain Waters in Hancock County to Taking of Salt Water Smelts." (S. P. 339)
(Ordered printed.)
Sent down for concurrence.

Orders

On motion by Mr. Reid of Kennebec, it was

ORDERED, that the use of the Senate Chamber be granted to the State Department of Personnel from 1:00 to 5:30 P. M. on Saturday, March 10th, 1951.

On motion by Mr. Ward of Penobscot, it was

ORDERED, that 500 additional copies of Bill "An Act Relating to Interstate Water Pollution Control," (H. P. 936) (L. D. 534) be printed.

Senate Committee Reports

Mr. Boucher from the Committee on Liquor Control on Bill "An Act Relating to Local Option in Liquor Law," (S. P. 188) (L. D. 400) reported that the same ought not to pass.

Which report was read and accepted.

Sent down for concurrence.

Mr. Haskell of Penobscot from the Committee on Legal Affairs on Bill "An Act Permitting Certificate of Records of Department of Health and Welfare as Evidence," (S. P. 167) (L. D. 342) reported that the same ought to pass.

Mr. Boucher from the Committee on Liquor Control on Bill "An Act to Clarify Provisions of the Liquor Law," (S. P. 118) (L. D. 209) reported that the same ought to pass.

(On motion by Mr. Boucher of Androscoggin, recommitted to the Committee on Liquor Control.)

Mr. Larrabee from the Committee on Sea and Shore Fisheries on Bill "An Act Relating to the Propagation and Cultivation of Clams, Quahogs and Mussels," (S. P. 173) (L. D. 348) reported that the same ought to pass.

The same Senator from the same Committee on "Resolve Regulating Fishing in Sheepscot Bay," (S. P. 172) (L. D. 347) reported that the same ought to pass.

Mr. Brown from the same Committee on Bill "An Act Regulating the Taking of Clams and Quahogs," (S. P. 121) (L. D. 211) reported that the same ought to pass.

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

Mr. Weeks from the Committee on Legal Affairs on Bill "An Act to Amend the Charter of the York Harbor Village Corporation," (S. P. 135) (L. D. 241) reported that the same ought to pass as amended by Committee Amendment "A".

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

Committee Amendment A to L. D. 241: "Amend said bill by inserting in Section 4 after the words 'vehicles' and before the word 'shall' in the 8th line thereof, the following 'residing within the territorial limits of said village corporation.'"

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

The Majority of the Committee on Appropriations and Financial Affairs on "Resolve in Favor of Portland Junior College" (S. P. 92) (L. D. 147) reported that the same ought not to pass.

(signed)

Senators:

REID of Kennebec
Brewer of Aroostook

Representatives:

JAMIESON of Presque Isle
PHILLIPS of Southwest Harbor
JACOBS of Auburn
FINNEGAN of Bangor
CAMPBELL of Guilford
COLE of Liberty

The Minority of the same Committee on the same subject matter reported that the same ought to pass.

(signed)

LEAVITT of Cumberland
JALBERT of Lewiston

On motion by Mr. Allen of Cumberland, tabled pending acceptance of either report.

Passed to be Engrossed

Bill "An Act Relative to Poll-Taxes in Unorganized Territory." (H. P. 204) (L. D. 126)

Bill "An Act Relating to Fees for Non-Resident Airmen and Aircraft." (H. P. 207) (L. D. 129)

Bill "An Act to Clarify the Aviation Laws." (H. P. 208) (L. D. 130)

Bill "An Act Relating to Abandoned Airports." (H. P. 209) (L. D. 131)

Bill "An Act Relating to the Aeronautical Fund." (H. P. 210) (L. D. 132)

"Resolve Closing Limestone Stream to Fishing." (H. P. 316) (L. D. 174)

Bill "An Act Relating to Turning Vehicles at Intersections." (H. P. 342) (L. D. 199)

Bill "An Act Relating to Sirens on Automobiles Operated by Fire Chiefs." (H. P. 33) (L. D. 9)

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

Bill "An Act Relating to Licenses to Operate Motor Driven Cycles." (H. P. 397) (L. D. 233)

On motion by Mr. Reid of Kennebec, tabled pending passage to be engrossed.

Bill "An Act Relating to Aid to Dependent Children." (S. P. 76) (L. D. 79)

Bill "An Act Relating to Old Age Assistance." (S. P. 77) (L. D. 80)

Bill "An Act Relating to State Care of Persons in Certain Institutions." (S. P. 78) (L. D. 81)

Bill "An Act Relating to Road Equipment on Private Ways." (S. P. 109) (L. D. 163)

Bill "An Act Requiring Information from Banks to Institutional Service." (S. P. 128) (L. D. 236)

Bill "An Act Relating to County Commissioners of Androscoggin County." (S. P. 190) (L. D. 407)

Which were severally read a second time and passed to be engrossed. Sent down for concurrence.

Bill "An Act Relating to Interlocking Interests in Liquor Licenses." (S. P. 85) (L. D. 109)

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

Sent down for concurrence.

Enactors

Bill "An Act Relating to Closed Season on Deer in Swan's Island, Hancock County." (S. P. 48) (L. D. 58)

Bill "An Act Relating to Appeals to Liquor Commission from Decisions of Municipal Officers Disapproving License Applications." (S. P. 83) (L. D. 108)

Bill "An Act Relating to Transfer of Certificates of Motor Vehicles for Hire." (H. P. 170) (L. D. 101)

"Resolve, Authorizing Commissioner of Inland Fisheries and Game to Convey Certain Land in Eastbrook to Fred A. DeMeyer." (S. P. 89) (L. D. 142)

"Resolve, Authorizing Commissioner of Inland Fisheries and Game to Convey Certain Land in Eastbrook to Edgar S. Gordon." (S. P. 90) (L. D. 143)

Orders of the Day

Mr. HASKELL of Cumberland: Mr. President, I would like to inquire whether or not there remains in the possession of the Senate, S. P. 317, Bill, An Act Relating to the Establishment and Use of Common Trust Funds?

The PRESIDENT: The Chair will state the bill is in the possession of the Senate having been held at the request of the Senator from Cumberland, Senator Haskell.

Mr. HASKELL: Mr. President, I now move that the Senate reconsider its action of yesterday whereby this bill was referred to the Committee on Business Legislation, and in support of that motion I will state that in the event the motion does prevail, I would refer the bill to the Committee on Judiciary, having previously conferred with the Senate Chairman of the Committee on Business Legislation and ascertained that he has no objection to such a motion.

Thereupon, the Senate voted to reconsider its former action whereby this bill was referred to the Committee on Business Legislation, and on further motion by the same Senator, the bill was referred to the Committee on Judiciary and ordered printed.

On motion by Mrs. Kavanagh of Lewiston

Adjourned until Tuesday, February 20 at eleven o'clock in the forenoon.