

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 22, 1951.

The Senate was called to order by the President.

Prayer by the Reverend Hazen F. Rigby of Gardiner.

Journal of yesterday read and approved.

From the House

The Committee on Inland Fisheries and Game on "Resolve Opening Peabody Pond to Ice Fishing for Big Smelts, Pickerel and Other Fish Except Trout and Salmon," (H. P. 633) (L. D. 355) reported that the same ought not to pass.

The same Committee on Bill "An Act Creating Sutton Island, Hancock County, as a Game Preserve," (H. P. 384) (L. D. 220) reported that the same ought not to pass.

The same Committee on Bill "An Act Creating Placentia Island, Hancock County, as a Game Preserve," (H. P. 383) (L. D. 219) reported that the same ought not to pass.

The Committee on Judiciary on Bill "An Act Relating to Filing of Liens on Buildings and Lots in Unorganized Places," (H. P. 197) (L. D. 119) reported that the same ought not to pass as it is covered by other legislation.

The Committee on Liquor Control on Bill "An Act Relating to Penalty for Sunday Sales of Liquor," (H. P. 326) (L. D. 186) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Liquor Licenses in Unincorporated Places," (H. P. 542) (L. D. 308) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Definitions and Location of Licensed Premises in Liquor Law," (H. P. 785) (L. D. 466) reported that the same ought not to pass.

The Committee on Transportation on Bill "An Act Relating to License Plates for Motor Vehicle Owners Who Operate Amateur Radio Stations," (H. P. 171) (L. D. 102) 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 to Remove the Bag Limit and Size Limit on White Perch in Sebago Lake, Songo River, Bay of Naples and Long Lake," (H. P. 634) (L. D. 356) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to License Fee for Raising Wild Birds and Animals," (H. P. 631) (L. D. 353) reported that the same ought to pass.

The Committee on Judiciary on Bill "An Act Relating to the Trustees of the Ministerial Fund of the Town of Bridgton," (H. P. 241) (L. D. 138) reported that the same ought to pass.

The Committee on Towns and Counties on Bill "An Act Relating to the Charter of the City of Bangor," (H. P. 761) (L. D. 448) reported that the same ought to pass.

Which reports were severally read and accepted in concurrence, the bills and resolve read once, and to the bills as amended tomorrow assigned for second reading.

The Committee on Judiciary on Bill "An Act Permitting the Children's Aid Society of Maine to Sell Buildings and Land," (H. P. 104) (L. D. 51) reported the same in a new draft, (H. P. 1250) (L. D. 774) under the same title and that it ought to pass.

Which report was read and accepted in concurrence, the bill in new draft read once and tomorrow assigned for second reading.

The Committee on Inland Fisheries and Game on Bill "An Act Relating to Closed Season on Deer in Long Island Plantation," (H. P. 432) (L. D. 253) reported that the same ought to pass as amended by Committee Amendment "A".

The Committee on Judiciary on "Resolve in Favor of Sylvia B. Holden, of Moose River," (H. P. 60) (L. D. 26) reported that the same ought to pass as amended by Committee Amendment "A".

The same Committee on Bill "An Act Relating to Amount of Insurance for Certain Motor Vehicles," (H. P. 160) (L. D. 91) 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 tomorrow assigned for second reading.

The Committee on Legal Affairs on Bill "An Act to Incorporate the Town of Woodland School District," (H. P. 162) (L. D. 93) reported that the same ought to pass as amended by Committee Amendment "A".

On motion by Mr. Collins of Aroostook, the report was read and accepted in concurrence, Committee Amendment A was read and adopted in concurrence and under suspension of the rules the bill was given its second reading and passed to be engrossed.

The Committee on Legal Affairs on Bill "An Act to Incorporate the Carroll School District," (H. P. 201) (L. D. 123) reported that the same ought to pass as amended by Committee Amendment "A".

The same Committee on Bill "An Act to Incorporate the Town of Waldo School District," (H. P. 202) (L. D. 124) reported that the same ought to pass as amended by Committee Amendment "A".

The same Committee on Bill "An Act Relating to Lucerne-in-Maine Village Corporation," (H. P. 537) (L. D. 296) reported that the same ought to pass as amended by Committee Amendment "A".

(On motion by Mr. Noyes of Hancock, tabled pending acceptance of the report.)

The same Committee on Bill "An Act to Ratify and Confirm the Incorporation of First Parish of Freeport," (H. P. 645) (L. D. 363) 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 and resolve read once; Committee Amendments "A" were severally read and accepted in concurrence, and the bills and resolve as amended were tomorrow assigned for second reading.

Bill "An Act Designating a Certain Road as 'Moosehead Trail'." (H. P. 1222) (L. D. 776)

Which was referred to the Committee on Highways in concurrence.

Bill "An Act Relating to Hunting of Skunks and Raccoons at Night." (H. P. 1223) (L. D. 777)

Bill "An Act Relating to Open Season of Muskrats." (H. P. 1224) (L. D. 778)

"Resolve Prohibiting Fishing in Certain Parts of Swan Lake, Waldo County." (H. P. 1225) (L. D. 779)

"Resolve in Favor of Forest Lake Improvement Association." (H. P. 1226) (L. D. 780)

"Resolve Closing all Tributaries of Big Spencer Pond to all Fishing." (H. P. 1227) (L. D. 781)

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

Bill "An Act Relating to the Rights of Minority Stockholders." (H. P. 1229) (L. D. 782)

Bill "An Act Relating to Taking of Land by Municipalities for Dumping Sites." (H. P. 1230) (L. D. 783)

Bill "An Act Relating to Weirs and Wharves." (H. P. 1231) (L. D. 784)

Bill "An Act Relating to Police Docket in re Juveniles." (H. P. 1232) (L. D. 785)

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

Bill "An Act Relating to Her Own Business Program." (H. P. 1233) (L. D. 786)

Which was referred to the Committee on Labor in concurrence.

Bill "An Act Relating to Term of Office of Mayor of City of Lewiston." (H. P. 1234) (L. D. 787)

Bill "An Act Relating to Appointment of Boards in the City of Lewiston." (H. P. 1235) (L. D. 805)

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

Bill "An Act Prohibiting the Issuance of Liquor Licenses to Places Selling Gasoline." (H. P. 1236) (L. D. 788)

Which was referred to the Committee on Liquor Control in concurrence.

Bill "An Act Relating to the Salary of the Sheriff of Knox County." (H. P. 1237) (L. D. 789)

Bill "An Act Relating to Sewer Service Charges." (H. P. 1238) (L. D. 790)

Bill "An Act Relating to Recording of Highway Maps." (H. P. 1239) (L. D. 791)

Bill "An Act Relating to Public Burying-Grounds in Unincorporated Places." (H. P. 1240) (L. D. 792)

Bill "An Act Relating to Special Deputies in Cumberland County." (H. P. 1241) (L. D. 793)

Bill "An Act Relating to Investment of Trust Funds by Towns." (H. P. 1242) (L. D. 794)

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

Bill "An Act Relating to Examination of Certain School Bus Operators." (H. P. 1243) (L. D. 795)

Bill "An Act Relating to Motor Vehicles Operators' Licenses." (H. P. 1244) (L. D. 796)

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

Bill "An Act Liberalizing Certain Limitations on Old Age Assistance." (H. P. 1245) (L. D. 799)

Bill "An Act Relating to Council in Penobscot Tribe of Indians." (H. P. 1246) (L. D. 800)

Bill "An Act Relating to Lease Privileges for Penobscot Tribe of Indians." (H. P. 1247) (L. D. 802)

Bill "An Act Relating to Constables for Indian Tribes." (H. P. 1248) (L. D. 803)

"Resolve Providing for State Pensions for Elwin Verdon, of Fairfield." (H. P. 1249) (L. D. 804)

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

"Resolve in Favor of Caswell Plantation." (H. P. 1259)

"Resolve in Favor of the Town of Newport." (H. P. 1260)

"Resolve in Favor of the Town of Corinna." (H. P. 1261)

"Resolve in Favor of the Town of Frankfort." (H. P. 1262)

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

"Resolve Providing for State Pension for Joseph Quirion, of Augusta." (H. P. 1286)

"Resolve Providing for State Pension for Fred Gagnon, of Augusta." (H. P. 1287)

"Resolve Providing for State Pension for Weston Elmer Hall, of Stonington." (H. P. 1288)

"Resolve Providing for State Pension for Harold Parsons, of East Machias." (H. P. 1289)

"Resolve Providing for State Pension for Joseph Michaud, of Frenchville." (H. P. 1290)

"Resolve Providing for State Pension for Joseph Michaud, of Sinclair." (H. P. 1291)

"Resolve Providing for State Pension for Lida Campbell, of Winterport." (H. P. 1292)

"Resolve Providing for State Pension for John Howard McClay, of Olamon." (H. P. 1293)

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

Bill "An Act to Create a Public Body in the City of Portland to be Known as the Slum Clearance and Redevelopment Authority." (H. P. 1228) (L. D. 807)

Which was referred to the Committee on Judiciary in concurrence.

Communication

STATE OF MAINE

Department of Health and Welfare
Augusta

February 21, 1951

To the President of the Senate
and

Speaker of the House of Representatives of the Ninety-Fifth Legislature
Augusta, Maine

Dear Sirs:

This is to advise that at an election at Pleasant Point Indian Reservation, Perry, Maine, on October 3, 1950, Joseph A. Nicholas was elected a representative at the Legislature to serve from January 1, 1951 until December 31, 1952.

Very truly yours,
DAVID H. STEVENS
Commissioner

(H. P. 1295)

Which was read and ordered placed on file in concurrence.

Referred To Committees

The following bills and resolutions were received and on recommen-

dation by the Committee on Reference of Bills, were referred to the following committees:

Agriculture

Mr. Boyker of Oxford presented Bill "An Act Relating to Indemnities for Control and Eradication of Bang's Disease." (S. P. 351)

(Ordered printed.)

Sent down for concurrence.

Education

Mr. Brewer of Aroostook presented Bill "An Act Relating to Education in Unorganized Territory." (S. P. 352)

Mr. Noyes of Hancock presented Bill "An Act Relating to Schooling in Unorganized Territory." (S. P. 353)

(Ordered printed.)

Sent down for concurrence.

Highways

Mr. Palmer of Lincoln presented Bill "An Act Relating to Construction of State Aid Highways." (S. P. 354)

The same Senator presented Bill "An Act Relating to Reclassification of Highways." (S. P. 355)

(Ordered printed.)

Sent down for concurrence.

Inland Fisheries and Game

Mr. Wight of Penobscot presented Bill "An Act Relating to the Tagging of Beaver." (S. P. 356)

The same Senator presented Bill "An Act Relating to Open Season for Hunting Deer with Bow and Arrow." (S. P. 357)

(Ordered printed.)

Sent down for concurrence.

Judiciary

Mr. Boucher of Androscoggin presented "Resolve Proposing an Amendment to the Constitution to Elect Members of the Executive's Council by the People." (S. P. 358)

The same Senator presented "Resolve Proposing an Amendment to the Constitution to Elect Secretary of State, Treasurer of State and Attorney General by the People." (S. P. 359)

The same Senator presented Bill "An Act Relating to Election of Commissioner of Agriculture and State Auditor by the People." (S. P. 360)

Mr. Boyker of Oxford presented Bill "An Act Relating to Right to Way at Rotary Intersections." (S. P.

(On motion by Mr. Allen of Cumberland, tabled pending reference to a committee.)

Mr. Haskell of Cumberland presented Bill "An Act Relating to Attorney's Fee for Foreclosure of a Mortgage." (S. P. 362)

(Ordered printed.)

Sent down for concurrence.

Legal Affairs

Mr. Brewer of Aroostook presented Bill "An Act Repealing Advisory Committee on State Budget." (S. P. 363)

(Ordered printed.)

Sent down for concurrence.

Sea and Shore Fisheries

Mr. Marshall of York presented Bill "An Act Relating to Lobster and Crab Fishing in Part of York River, County of York." (S. P. 364)

(Ordered printed.)

Sent down for concurrence.

Transportation

Mr. Leavitt of Cumberland presented Bill "An Act Relating to the Licensing of Antique Motor Vehicles." (S. P. 365)

(Ordered printed.)

Sent down for concurrence.

Welfare

Mr. Boucher of Androscoggin presented "Resolve Providing for State Pension for Marie Ange Lessard, of Lewiston." (S. P. 366)

Sent down for concurrence.

Senate Committee Reports

Mr. Haskell from the Committee on Re-apportionment on "Resolve Dividing the State into Executive Councillor Districts," (S. P. 367) reported that the same ought to pass.

Which report was read and accepted and laid upon the table pursuant to Joint Rule No. 10.

The same Senator from the same Committee on "Resolve Dividing the State into Senatorial Districts," (S. P. 368) reported that the same ought to pass.

On motion by Mr. Barnes of Aroostook, tabled pending acceptance of the report, and ordered printed.

Mr. Crosby from the Committee on Natural Resources on Bill "An Act Relating to Membership of Maine Development Commission," (S. P. 242) (L. D. 512) reported that the same ought to pass.

Which report was read and accepted, the bill read one and tomorrow assigned for second reading.

Mr. Ward from the Committee on Natural Resources on Bill "An Act Relating to Slash and Brush Disposal," (S. P. 257) (L. D. 555) 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. 555. "Amend said bill by striking out the period after the word 'owner' at the end of the third paragraph therein and inserting the following: 'or the public authority having custody or maintenance responsibility of such land.' "

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

Passed to be Engrossed

Bill "An Act Relating to Copies of Report of State Registrar of Vital Statistics." (H. P. 163) (L. D. 94)

"Resolve in Favor of the Plantation of Moose River." (H. P. 307) (L. D. 747)

Bill "An Act to Incorporate the Town of Swanville School District." (H. P. 388) (L. D. 224)

Bill "An Act to Incorporate the Town of Jackson School District." (H. P. 749) (L. D. 432)

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

Bill "An Act to Incorporate the Town of Phillips School District." (H. P. 5) (L. D. 1)

Bill "An Act to Incorporate the Town of Surry School District." (H. P. 29) (L. D. 6)

Bill "An Act to Ratify and Confirm the Incorporation of Hope

Cemetery Corporation, of Kennebunk, in the County of York." (H. P. 539) (L. D. 307)

Bill "An Act Prohibiting the Procuring of Liquor for Certain Persons" (H. P. 784) (L. D. 465)

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

Bill "An Act Relating to Voters in Unincorporated Places" (S. P. 99) (L. D. 158)

Which was read once, and passed to be engrossed.

Sent down for concurrence.

Bill "An Act Relating to Filing of Liens on Buildings and Lots, Wharves and Piers" (S. P. 132) (L. D. 237)

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

Sent down for concurrence.

Enactors

Bill "An Act Relative to Motor Vehicle Registration." (S. P. 91) (L. D. 144)

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

Bill "An Act Relating to Returns of Divorces by Clerks of Courts." (H. P. 153) (L. D. 85)

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)

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

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

(On motion by Mr. Barnes of Aroostook, tabled pending enactment.)

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

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

Emergency Measures

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

(On motion by Mr. Weeks of Cumberland, tabled pending enactment.)

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

Which bill being an emergency measure and having received the affirmative vote of 30 members of the Senate, and none opposed was passed to be enacted.

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

Which bill being an emergency measure and having received the affirmative vote of 30 members of the Senate, and none opposed was passed to be enacted.

From the House Emergency Measures

(Out of order and under suspension of the rules)

Bill "An Act to Incorporate the Stonington School District." (S. P. 36) (L. D. 20)

Which bill being an emergency measure, and having received the affirmative vote of 30 members of the Senate, and none opposed was passed to be enacted.

Bill "An Act to Incorporate the Deer Isle School District." (S. P. 37) (L. D. 19)

Which bill being an emergency measure, and having received the affirmative vote of 30 members of the Senate, and none opposed was passed to be enacted.

Orders of the Day

On motion by Mr. Brewer of Aroostook, the Senate voted to take from the table Joint Order Relative to Markers or Tags for Number Plates (H. P. 790) tabled by that Senator on February 7 pending passage.

Mr. BREWER of Aroostook: Mr. President and members of the Senate, at the end of my short talk on what this order proposes to do, I will offer an amendment to the original order. Pursuant to our discussion yesterday, if I interpreted the feelings of the members correctly, this order proposes to comply with your suggestions in that the "S" is eliminated from your number as was proposed. The cost to each individual will be two dollars and upon paying the Secretary of State's department two dollars more, it allows you to use this plate instead of your old one. It doesn't in any way interfere with any number that you have assigned to you. In fact you have to register your automobile anyway in order to use this plate. However it is similar to that used by the Governor's Council. Also the buying of these plates is optional. You may buy them or not as you see fit.

I now offer Senate Amendment A and move its adoption.

The Secretary read Senate Amendment A to H. P. 790:

SENATE AMENDMENT "A" to H. P. 790, "Joint Order Relating to Automobile Markers for Members and Officers."

Amend said Order by striking out all after the word "concurring" in the first line thereof, and inserting in place the following:

"that the Secretary of State provide to each member of the Senate and House of the 95th Legislature, in addition to the regular automobile registration plates issued to him, suitable plates to be attached by such member to his automobile, and be it further

ORDERED, that such plates shall designate membership in the Maine Legislature and shall not be used after the first Wednesday of January, 1953, and be it further

ORDERED, that the expenses incurred under the provision of this Order shall be apportioned among the members ordering such plates not to exceed \$2.00 per member, and such money shall be credited to the Motor Vehicle Appropriation of the Secretary of State, and be it further

ORDERED, that the Secretary of State provide to the President of the Senate, the Speaker of the House, the Secretary of the Senate,

and the Clerk of the House similar plates designating their official positions.”

Which amendment was adopted and the Order as so amended received a passage in non-concurrence.

Sent down for concurrence.

On motion by Mr. Turgeon of Androscoggin

Adjourned until tomorrow morning at ten o'clock.