

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, March 23, 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.

Order

On motion by Mr. Crosby of Franklin, 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, March 27th, 1951 at ten o'clock in the morning. (S. P. 516)

Sent down for concurrence.

From the House

The Committee on Education on Bill "An Act Relating to Teachers' Contracts," (H. P. 269) (L. D. 170) reported the same in a new draft (H. P. 1655) (L. D. 1216) under the same title, and that it ought to pass.

Comes from the House, report read and accepted and subsequently referred to the Committee on Education.

In the Senate, referred to the Committee on Education in concurrence.

The Committee on Inland Fisheries and Game on Bill "An Act Relating to Open Season for Fishing for Black Bass and Pickerel," (H. P. 627) (L. D. 379) reported that the same ought not to pass.

Comes from the House, report read and accepted and subsequently recommitted to the Committee on Inland Fisheries and Game.

In the Senate, recommitted to the Committee on Inland Fisheries and Game in concurrence.

The Committee on Education on Bill "An Act Relating to Joint Operation of Schools," (H. P. 883) (L. D. 525) reported that the same ought not to pass.

Comes from the House, report read and accepted, and subsequently recommitted to the Committee on Education.

In the Senate, recommitted to the Committee on Education in concurrence.

The Committee on Appropriations and Financial Affairs on "Resolve, Creating a Fund for Scholarships for Vocational and Technical Schools," (H. P. 798) (L. D. 476) reported that the same ought not to pass.

Comes from the House, the bill substituted for the report, and passed to be engrossed.

In the Senate, on motion by Mr. Brewer of Aroostook, tabled pending acceptance of the report.

Bill "An Act Relating to Liens on Insurance Policies for Hospitals." (S. P. 350) (L. D. 817)

(In Senate on March 8th, Minority Report Ought to pass in a new draft, accepted and the bill passed to be engrossed.)

Comes from the House, bill indefinitely postponed, but subsequently recommitted to the Committee on Judiciary.

In the Senate, on motion by Mr. Ward of Penobscot, recommitted to the Committee on Judiciary in concurrence.

The Committee on Inland Fisheries and Game on Bill "An Act Relating to Hunting of Skunks and Raccoons at Night," (H. P. 1223) (L. D. 777) reported that the same ought not to pass.

The Committee on Transportation on Bill "An Act Providing for the Placing of the Names of Owners and Lessees on Commercial Vehicles," (H. P. 1372) (L. D. 962) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Weighing Trucks and Removal of Excess Loads," (H. P. 169) (L. D. 100) reported that leave be granted to withdraw.

The Committee on Wildlife on "Resolve Providing for State Pension for Caroline R. White, of Augusta," (H. P. 949) reported that leave be granted to withdraw the same.

Which reports were severally read and accepted in concurrence.

The Committee on Judiciary on Bill "An Act to Ratify and Confirm the Incorporation of East Edding-

ton Public Hall Company," (H. P. 1051) (L. D. 631) reported that the same ought to pass.

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

The Committee on Legal Affairs on Bill "An Act to Create a Town Council-Manager Form of Government for the Town of Limestone," (H. P. 1116) (L. D. 703) 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 amended was tomorrow assigned for second reading.

The Committee on Labor on bill "An Act Relating to Her Own Business Program," (H. P. 1233) (L. D. 786) reported that the same ought to pass.

Comes from the House, passed to be engrossed as amended by House Amendment A.

In the Senate:

Mr. REID of Kennebec: Mr. President, I wish to move the indefinite postponement of House Amendment A. This legislation was heard by the Labor Committee in this very room and there were over 150 women here to support this program as it now exists in the Department of Labor. As I understand the amendment it simply changes the supervision of this law and the carrying of it out from the Department of Labor to the Department of Education. As far as I know the Department of Education has no particular interest in functioning this program. It has already been set up with Labor. It was considered by everyone to be a perfectly splendid program, it has made great progress as it is, and I believe the only reason for the amendment is a matter of personalities involved. I think the program should stay where it is and I move the indefinite postponement of the amendment.

Mr. McKUSICK of Piscataquis: Mr. President, in a conversation with the Commissioner of Educa-

tion he made the statement that he did not consider this in any way an educational training program and they had no desire to break over the lines which divide his department from other departments.

Mr. BOUCHER of Androscoggin: Mr. President, although I was beaten to the gun in rising to speak, I am of the same opinion. This program belongs under the Department of Labor, and not under Education. I want to go along with the motion of Senator Reid.

Thereupon, the ought to pass report of the committee was accepted and the bill read once; on motion by Mrs. Reid of Kennebec, House Amendment A was indefinitely postponed in non-concurrence, and the bill was tomorrow assigned for second reading.

"Resolve for the Laying of the County Taxes for the Years Nineteen Hundred Fifty-one and Nineteen Hundred Fifty-two." (H. P. 1659) (L. D. 1228)

Reported by the Committee on County Estimates, and comes from the House passed to be engrossed.

Which resolve was read once and on motion by Mr. Collins of Aroostook, the rules were suspended, the resolve was given its second reading and passed to be engrossed in concurrence.

Bill "An Act Relating to Salary of Justices of the Supreme Judicial and Superior Courts." (H. P. 1657) (L. D. 1229)

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

Bill "An Act Relating to a Ferry Between Beals and Jonesport." (H. P. 1658) (L. D. 1230)

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

Referred to Committee

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

Judiciary

Mr. Reid of Kennebec presented Bill "An Act Relating to Powers of

Attorney-General." (S. P. 517)
(Ordered printed.)
Sent down for concurrence.

Senate Committee Reports

Mr. Marshall from the Committee on Public Utilities on Bill "An Act Relating to Private Carriers in Operating Motor Trucks for Hire." (S. P. 441) (L. D. 1004) reported that the same ought not to pass.

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

Mr. Tabb from the Committee on Liquor Control on Bill "An Act Prohibiting Sale of Malt Liquor in Non-Returnable Bottles." (S. P. 119) (L. D. 203) reported that the same ought not to pass.

On motion by Mr. McKusick of Piscataquis, tabled pending acceptance of the report.

Sent down for concurrence.

Mr. Weeks from the Committee on Legal Affairs on Bill "An Act Creating the Rockland Port District." (S. P. 347) (L. D. 813) reported that the same ought to pass.

Mr. Ela from the same Committee on Bill "An Act Relating to the Rockland School District." (S. P. 379) (L. D. 905) reported that the same ought to pass.

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

Passed to be Engrossed

"Resolve in Favor of the Maine Historical Society." (H. P. 794) (L. D. 1224)

"Resolve Restoring the Frederick Robie Library Fund." (H. P. 801) (L. D. 1226)

"Resolve in Favor of Knox Memorial Association, Inc. for Support and Maintenance of 'Montpelier.'" (H. P. 803) (L. D. 1225)

Bill "An Act Amending the Charter of the City of Augusta in regard to Criminal Fees." (H. P. 1109) (L. D. 689)

Bill "An Act Amending the Charter of the City of Rockland." (H. P. 1179) (L. D. 734)

Bill "An Act Relating to Automobile Travel by State Fire Inspectors." (H. P. 1194) (L. D. 759)

"Resolve in Favor of the Town of Hartland." (H. P. 1405) (L. D. 1190)

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

Bill "An Act Relating to License Fees for Harness Horse Racing." (H. P. 1350) (L. D. 925)

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

"Resolve Opening Certain Ponds in Oxford County to Ice Fishing." (S. P. 255) (L. D. 553)

"Resolve Closing Bartlett Brook, Oxford County, to Dipping of Smelts." (S. P. 256) (L. D. 554)

"Resolve Opening Virginia Lake, Oxford County, to Ice Fishing for White Perch." (S. P. 305) (L. D. 656)

"Resolve Closing Keewaydin Lake, Oxford County, to Ice Fishing for Salmon and Trout." (S. P. 306) (L. D. 657)

Bill "An Act Relating to Counter-signature Fees." (S. P. 426) (L. D. 990)

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

Sent down for concurrence.

Enactors

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 Incorporate the Town of Charleston School District." (H. P. 1117) (L. D. 704)

Bill "An Act Amending the Charter of the Town of Camden." (H. P. 1123) (L. D. 710)

Bill "An Act to Repeal the Incorporation of Bridgton Centre Village Corporation." (H. P. 1182) (L. D. 737)

Bill "An Act Relating to Pensions to Dependent Survivors of City Employees of the City of Bangor." (H. P. 1185) (L. D. 740)

Bill "An Act to Create the Van Buren Sewerage District." (H. P. 1281) (L. D. 820)

Emergency Measures

Bill "An Act to Incorporate the Lisbon Water District." (H. P. 758) (L. D. 454)

Which bill being an emergency measure and having received the affirmative vote of 24 members of the Senate, and non opposed was passed to be enacted.

Bill "An Act Relating to Maine Forestry District Taxes." (H. P. 1032) (L. D. 587)

Which bill being an emergency measure and having received the affirmative vote of 24 members of the Senate, and non opposed was passed to be enacted.

Bill "An Act to Provide Forest Fire Prevention and Control in Un-organized Areas not in the Maine Forestry District." (H. P. 1033) (L. D. 588)

Which bill being an emergency measure and having received the affirmative vote of 24 members of the Senate, and non opposed was passed to be enacted.

Bill "An Act to Incorporate the Town of Orrington School District." (H. P. 1118) (L. D. 705)

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.

Bill "An Act Creating the Old Town High School District." (H. P. 1207) (L. D. 765)

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

On motion by Mr. Haskell of Penobscot, the Senate voted to take from the table, Bill, An Act Relating to Employment of Certain Persons in Premises Licensed to Sell Liquor (S. P. 107) (L. D. 160), tabled by that Senator on March 8th pending enactment, and on further motion by the same Senator the bill was passed to be enacted.

Mr. MARSHALL, of York: Mr. President, if in order I would like to inquire if Bill, An Act to Incorporate the Kingfield Water District is in the possession of the Senate?

The PRESIDENT: The Chair will inform the Senator that the bill is in the possession of the Senate having been recalled from the Governor by joint order.

On motion by Mr. Marshall of York, the Senate voted to reconsider its action whereby the bill was passed to be enacted; and on further motion by the same Senator, the Senate voted to reconsider its action whereby the bill was passed to be engrossed.

Mr. Marshall presented Senate Amendment "A" and moved its adoption:

"Senate Amendment 'A' to S. P. 757, L. D. 446, Bill, An Act to Incorporate the Kingfield Water District. Amend said bill by inserting in the third line of section 12 after the word 'money' the following words and punctuation: ', not exceeding \$80,000.'"

Senate Amendment "A" was adopted, and the bill as so amended was passed to be engrossed in non-concurrence.

Sent down for concurrence.

Mr. MARSHALL of York: Mr. President, I wish to inquire if L. D. 1057, An Act to Incorporate the Porters Landing Water District is in the possession of the Senate?

The PRESIDENT: The Chair will inform the Senator the bill is in the possession of the Senate, having been recalled by joint order.

On motion by Mr. Marshall of York, the Senate voted to reconsider its action whereby the bill was passed to be enacted; and on further motion by the same Senator, the Senate voted to reconsider its action whereby the bill was passed to be engrossed.

Mr. Marshall presented Senate Amendment "A" and moved its adoption:

"Senate Amendment 'A' to S. P. 1504, L. D. 1057. Amend said bill by striking out the word 'money' in the fourth line of Section 11 thereof and inserting in place thereof the following words and amount 'not exceeding \$30,000.' Further amend said bill by striking out the next to the last sentence thereof and inserting in place thereof the following sentence: 'This act shall take effect for all

the purposes hereof immediately upon its acceptance by the majority of the legal voters voting at said meeting, provided that the total number of votes cast for and against the acceptance of this act equal or exceeds twenty per cent of the number of voters on said check list.' "

Senate Amendment "A" was adopted, and the bill as so amended

was passed to be engrossed in non-concurrence.

On motion by Mr. Marshall of York, the bill as so amended was sent forthwith to the House.

On motion by Mr. Crosby of Franklin

Adjourned until Tuesday, March 27th, at 10:00 o'clock in the forenoon.