

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

Monday, April 16, 1951.

The Senate was called to order by the President.

Prayer by the Rev. Merle E. Golding of Augusta.

Journal of Friday, April 13th, 1951, read and approved.

From the House

Bill "An Act Relating to the Importation of Poisonous Snakes." (H. P. 327) (L. D. 187)

(In the Senate, on April 12th, Report B—"Ought Not to Pass"—accepted in non-concurrence.)

Comes from the House, that body having insisted on its former action whereby the bill was passed to be engrossed, and now asks for a Committee of Conference.

In the Senate: On motion by Mr. Haskell of Penobscot, the Senate voted to insist on its former action, whereby the "Ought Not to Pass" report of the Committee was accepted, and join with the House in a Committee of Conference.

Subsequently the president appointed as members of such Committee on the part of the Senate: Senators Haskell of Penobscot, Savage of Somerset and Barnes of Aroostook.

The Committee on Education on Bill "An Act Relating to Bookmobile Service," (H. P. 966) (L. D. 572) reported that the same ought to pass.

Comes from the House, the bill indefinitely postponed.

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

The Committee on Claims on "Resolve in Favor of Waldo F. Weston of Dexter," (H. P. 375) reported that the same ought not to pass.

Comes from the House, recommitted to the Committee on Claims.

In the Senate: On motion by Mr. Ela of Somerset, tabled pending consideration.

The same Committee on "Resolve in Favor of Clinton J. Abbott, of Kingfield," (H. P. 220) reported that the same ought not to pass.

Comes from the House, recommitted to the Committee on Claims.

In the Senate: On motion by Mr. Ela of Somerset, tabled pending consideration.

The Committee on Legal Affairs on Bill "An Act to Repeal the Charter of the Bay Point Village Corporation," (H. P. 1183) (L. D. 738) reported that the same ought not to pass.

Comes from the House, recommitted to the Committee on Legal Affairs.

In the Senate: On motion by Mr. Weeks of Cumberland, tabled pending consideration.

The Committee on Appropriations and Financial Affairs to which was recommitted Bill "An Act Providing Funds for Civil Defense and Public Safety," (H. P. 792) (L. D. 472) reported that the same ought to pass.

Comes from the House, report read and accepted and the bill passed to be engrossed as amended by House Amendment "A."

In the Senate: The report was accepted in concurrence and the bill read once, House Amendment "A" was read and adopted in concurrence and the bill as so amended was tomorrow assigned for second reading.

Petition of C. W. Greenhalgh of Orono and others in Favor of Adequate Support by Taxation of the Departments of Education, Institutional Service and Health and Welfare. (House Papers 1700 to 1724 incl.)

Which were severally read and ordered placed on file in concurrence.

The Committee on Agriculture on Bill "An Act to Stabilize the Prices of Milk and Cream During the Present Emergency," (H. P. 1296) (L. D. 854) reported that the same ought not to pass.

The Committee on Claims on "Resolve in Favor of Charles Boynton of Calais," (H. P. 1515) reported that the same ought not to pass.

The same Committee on "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) reported that the same ought not to pass.

The same Committee on "Resolve to Reimburse the Town of Southwest Harbor for Supplies furnished to Edwin Lunt," (H. P. 814) reported that the same ought not to pass.

The Committee on Highways on Bill "An Act Relating to Snow Removal Costs," (H. P. 405) (L. D. 249) reported that the same ought not to pass.

The Committee on Public Utilities on Bill "An Act Relating to Windshields and Tops on Railroad Cars," (H. P. 1353) (L. D. 928) reported that the same ought not to pass.

The same Committee on Bill "An Act to Incorporate the Saco Sewerage District," (H. P. 1209) (L. D. 767) reported that the same ought not to pass.

The Committee on Sea and Shore Fisheries on Bill "An Act Relating to the Digging of Clams for Commercial Purposes in the Towns of Waldoboro and Bremen," (H. P. 1189) (L. D. 743) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to the Digging of Clams in the Town of St. George," (H. P. 1188) (L. D. 742) reported that the same ought not to pass.

The Committee on Transportation on Bill "An Act Relating to the definition of 'Motor Vehicles,'" (H. P. 561) (L. D. 319) reported that the same ought not to pass as it is covered by other legislation.

The Committee on Welfare on "Resolve Providing for State Pension for Benjamin Taylor of Silver Ridge," (H. P. 567) reported that the same ought not to pass.

The same Committee on "Resolve Providing for State Pension for Rita Lebel of Hamlin Plantation," (H. P. 345) reported that the same ought not to pass.

The same Committee on "Resolve Providing for an Increase in State Pension for Mary Saunders of Sedgwick," (H. P. 1598) reported that the same ought not to pass.

The same Committee on "Resolve, Providing for State Pension for Donald McKinnon of Reed Plantation," (H. P. 1502) reported that the same ought not to pass.

The same Committee on "Resolve Providing for State Pension for

Arthur Robbins of Old Town," (H. P. 1333) reported that the same ought not to pass.

The same Committee on "Resolve, Providing for State Pension for Edward Jacobson of Norway," (H. P. 1500) reported that the same ought not to pass.

The same Committee on "Resolve Providing for State Pension for Dennis Rossignoll of Stockholm," (H. P. 349) reported that the same ought not to pass.

The same Committee on "Resolve Providing for State Pension for Franz Thurston of Great Works," (H. P. 1336) reported that the same ought not to pass.

The same Committee on "Resolve Providing for State Pension for Albert Farrar of Rumford," (H. P. 950) reported that the same ought not to pass.

The same Committee on "Resolve Providing for State Pension for Wayne Bates of Old Town," (H. P. 1335) reported that the same ought not to pass.

The same Committee on "Resolve Providing for State Pension for Harold Taylor of Carmel," (H. P. 1334) reported that the same ought not to pass.

The same Committee on "Resolve Providing for an Increase in State Pension for Daniel McCurdy of China," (H. P. 1499) reported that the same ought not to pass.

The same Committee on "Resolve, Providing for an Increase in State Pension for John B. Ayotte of Stockholm," (H. P. 347) reported that leave be granted to withdraw the same.

Which reports were severally read and accepted in concurrence.

The Committee on Inland Fisheries and Game on "Resolve Regulating Fishing in Certain Waters in Franklin County," (H. P. 1535) (L. D. 1128) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Closed Season on Pheasants," (H. P. 1479) (L. D. 1086) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Junior Guides," (H. P. 1533) (L. D. 1126) reported that the same ought to pass.

The Committee on Judiciary on Bill "An Act Relating to the County Law Library of Franklin County," (H. P. 1366) (L. D. 957) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to the Financial Responsibility Law," (H. P. 1345) (L. D. 920) reported that the same ought to pass.

(On motion by Mr. Boucher of Androscoggin, tabled pending acceptance of the report.)

The Committee on Towns and Counties on Bill "An Act to Authorize the Treasurer and County Commissioners of Knox County to Procure a Loan to Remodel the Court House," (H. P. 1215) (L. D. 772) reported that the same ought to pass.

The same Committee on Bill "An Act to Increase the Salary of the Judge of the Calais Municipal Court," (H. P. 1068) (L. D. 648) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Salary of Clerk of Courts of York County," (H. P. 762) (L. D. 449) reported that the same ought to pass.

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

The Committee on Labor on Bill "An Act Relating to Fees for Boiler Inspection and Certificates," (H. P. 1018) (L. D. 578) reported the same in a new draft (H. P. 1679) (L. D. 1247) 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.

Ought to Pass, As Amended

The Committee on Agriculture on Bill "An Act Relating to Stamping of Meat for Human Consumption," (H. P. 1400) (L. D. 1061) reported that the same ought to pass as amended by Committee Amendment "A". (Amendment Filing No. 203)

The same Committee on Bill "An Act Relating to Cooperative Agricultural Extension Work," (H. P. 442) (L. D. 295) reported that the same ought to pass as amended by Com-

mittee Amendment "A". (Amendment Filing No. 202)

The same Committee on Bill "An Act Relating to Adulterated Meat or Meat Products," (H. P. 954) (L. D. 566) reported that the same ought to pass as amended by Committee Amendment "A". (Amendment Filing No. 206)

The Committee on Judiciary on Bill "An Act Relating to the Recorder of the Brewer Municipal Court," (H. P. 1348) (L. D. 923) reported that the same ought to pass as amended by Committee Amendment "A". (Amendment Filing No. 208)

The Committee on Legal Affairs on Bill "An Act Establishing a Tri-State Authority to Enable the Collective Construction and Operation of Institutions in Maine, New Hampshire and Vermont," (H. P. 928) (L. D. 541) reported that the same ought to pass as amended by Committee Amendment "A". (Amendment Filing No. 138)

The Committee on Taxation on Bill "An Act Relating to Taxation of Bottled Gas Equipment," (H. P. 1331) (L. D. 894) reported that the same ought to pass as amended by Committee Amendment "A". (Amendment Filing No. 207)

Which report was read and accepted in concurrence and the bill read once. Committee Amendment "A" was read. Thereupon, on motion by Mr. Sleeper of Knox, the bill and accompanying papers were tabled pending adoption of Committee Amendment "A".

The Committee on Towns and Counties on Bill "An Act to Amend the Charter of the City of Augusta by Providing for the Appropriation of School Funds by the City Council," (H. P. 1178) (L. D. 745) reported that the same ought to pass as amended by Committee Amendment "A". (Amendment Filing No. 201)

The same Committee on "Resolve in Favor of the Town of Stockholm," (H. P. 1593) (L. D. 1165) reported that the same ought to pass as amended by Committee Amendment "A". (Amendment Filing No. 204)

Which reports were severally read and accepted in concurrence, and the bills and resolve read once; Committee Amendments "A" were severally read and adopted in con-

currence, and the bills and resolve as amended were tomorrow assigned for second reading.

The majority of the Committee on Taxation on Bill "An Act Imposing a Sales and Use Tax and Repealing Certain Taxes," (H. P. 92) (L. D. 44) reported the same in a new draft, (H. P. 1695) (L. D. 1273) under a new title An Act Imposing a Sales and Use Tax, and that it Ought to Pass.

(signed)

Senators:

NOYES of Hancock
ALLEN of Cumberland
WIGHT of Penobscot

Representatives:

CARTER of Bethel
CHASE of Cape Elizabeth
DOW of Falmouth
SINCLAIR of Pittsfield
LOW of Rockland

The Minority of the same Committee on the same subject matter reported that the same Ought Not to Pass.

(signed)

Representatives:

DUQUETTE of Biddeford
ROLLINS of Greenville

Comes from the House, the Majority Report read and accepted, and the bill passed to be engrossed as amended by House Amendments "A" and "D"

(Amendment Filings No. 209 and No. 222)

Mr. CROSBY of Franklin: Mr. President, I move the acceptance of the majority "Ought to Pass" report and further move that the bill and accompanying papers be laid upon the table pending that motion.

The motion to table prevailed.

Senate Committee Reports Ought Not to Pass

Mr. Ward from the Committee on Judiciary on "Resolve Proposing an Amendment to the Constitution to Amend the Initiative Referendum Provision," (S. P. 456) (L. D. 1070) reported that leave be granted to withdraw the same.

Mr. Collins from the Committee on Towns and Counties on Bill "An Act Relating to the Salaries of the Judge and the Recorder of the

Caribou Municipal Court," (S. P. 194) (L. D. 403) reported that the same ought not to pass.

Which reports were severally read and accepted.

Sent down for concurrence.

Mr. Ela from the Committee on Inland Fisheries and Game on "Resolve Providing for a Fish Screen at Outlet of Coffee Pond in the Town of Casco," (S. P. 160) (L. D. 332) reported the same in a new draft (S. P. 544) under the same title and that it ought to pass.

Which report was read and accepted, and the bill in new draft laid upon the table for printing under Joint Rule No. 10.

Mr. Collins from the Committee on Towns and Counties on Bill "An Act Relating to the Salaries of the Judge and the Recorder of the Northern Aroostook Municipal Court," (S. P. 191) (L. D. 406) reported the same in a new draft (S. P. 545) under a new title, Bill "An Act Relating to the Salary of the Judge of the Northern Aroostook Municipal Court," and that it ought to pass.

Which report was read and accepted, and the bill in new draft and under new title was laid upon the table for printing under Joint Rule No. 10.

Mr. McKusick from the Committee on Education on bill, "An Act Relating to Schooling in Unorganized Territory," (S. P. 353) (L. D. 881) reported that the same ought to pass as amended by Committee Amendment "A".

Which report was accepted and the bill read once.

The Secretary read Committee Amendment "A": "Amend said bill by striking out in the fourth line from the end the underlined words, 'Appropriated by the legislature from the general funds of the State', and inserting in place thereof the underlined words, 'paid out of such sum as may be appropriated by the legislature.' Further amend said bill by striking out in the next to the last line the underlined word, 'expended' and inserting in place thereof the underlined word, 'unexpended'."

Committee Amendment A was adopted and the bill as so amended was tomorrow assigned for second reading.

Mr. Collins from the Committee on Towns and Counties, on bill, "An Act to Increase the Salary of the Judge of the Van Buren Municipal Court," (S. P. 280) (L. D. 619) reported that the same Ought to Pass as amended by Committee Amendment "A".

On motion by Mr. Brewer of Aroostook, the bill and accompanying papers were laid upon the table pending acceptance of the Committee report.

The same Senator from the same Committee on bill, "An Act Relating to the Salaries of the Judge and the Recorder of the Millinocket Municipal Court," (S. P. 283) (L. D. 622) reported that the same Ought to Pass as amended by Committee Amendment "A".

Which report was read and accepted and the bill read once.

The Secretary read Committee Amendment A: "Amend said bill by striking out in the seventh line thereof the underlined figures '\$2,100' and inserting in place thereof the underlined figures '\$2,100'. Further amend said bill by striking out in the eighth line thereof the underlined figures '\$1,500' and inserting in place thereof the underlined figures '\$1,200'."

Committee Amendment A was adopted and the bill as so amended was tomorrow assigned for second reading.

Passed to be Engrossed

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

Bill "An Act Relating to the Salary of the Deputy Clerk of Courts of Penobscot County." (H. P. 659) (L. D. 375)

Bill "An Act to Increase the Salary of the Judge and Recorder of the Yorkshire Municipal Court." (H. P. 660) (L. D. 368)

Bill "An Act Relating to Open Season on Otter." (H. P. 729) (L. D. 419)

"Resolve in Favor of Certain Towns in York and Oxford Coun-

ties for Snow Removal." (H. P. 821) (L. D. 481)

Bill "An Act to Increase the Salaries of Certain County Officers in Washington County." (H. P. 941) (L. D. 537)

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 Authorizing the Town of Fort Fairfield to appropriate Money for the Community General Hospital." (H. P. 1136) (L. D. 668)

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 Judge of Probate for Somerset County." (H. P. 1216) (L. D. 773)

Bill "An Act Relating to Trappers' Licenses." (H. P. 1343) (L. D. 918)

Bill "An Act Relating to Salary of Register of Probate of York County." (H. P. 1438) (L. D. 1049)

"Resolve Extending Appropriation of Money to Improve the Approach to the Fish Way at Aroostook Falls." (H. P. 1634) (L. D. 1199)

"Resolve Limiting Catch of Pickerel in Brann's Mill Pond, Piscataquis County." (H. P. 1636) (L. D. 1201)

"Resolve Closing Brann's Mill Pond, Piscataquis County, to Ice Fishing." (H. P. 1637) (L. D. 1202)

Bill "An Act Relating to Transportation of Fish from Moosehead Lake." (H. P. 1649) (L. D. 1219)

Bill "An Act to Incorporate the Jay School District." (H. P. 1670) (L. D. 1241)

"Resolve to Make Lawful the Fishing for Cusk in Long Lake and Sebago Lake, Cumberland County." (H. P. 1689) (L. D. 1266)

"Resolve Regulating Fishing in the Fish River Chain of Lakes." (H. P. 1690) (L. D. 1267)

Bill "An Act Relating to Display of Unauthorized Signs upon or in View of Highways." (H. P. 1691) (L. D. 1271)

"Resolve Providing for State Pension for Florence I. Cain, of Clinton." (H. P. 1692) (L. D. 1269)

"Resolve Providing for a Pension for George M. D. Grant of

Millbridge." (H. P. 1693) (L. D. 1270)

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

House, as amended:

Bill "An Act Relating to Fees of Sheriffs and Their Deputies." (H. P. 1435) (L. D. 1046)

Bill "An Act Relating to Swan Island Game Preserve." (H. P. 1577) (L. D. 1149)

Bill "An Act Relating to the Board of Examiners and Funeral Directors and Embalmers." (H. P. 1591) (L. D. 1163)

Bill "An Act Relating to Appropriations for Aid of Public and Private Hospitals." (H. P. 1592) (L. D. 1164)

Bill "An Act Relating to Teachers' Contracts." (H. P. 1655) (L. D. 1216)

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

Bill "An Act Relating to the Salary of Sheriff of Kennebec County." (S. P. 175) (L. D. 349)

Bill "An Act to Amend the Charter of the Kennebec Water District." (S. P. 276) (L. D. 615)

Bill "An Act to Increase the Salary of the Judge and Recorder of the Rumford Falls Municipal Court." (S. P. 282) (L. D. 621)

Bill "An Act Relating to Complainant and Witness Fees and Costs of Police Officers and Constables." (S. P. 522) (L. D. 1250)

Bill "An Act Relating to Acquisition of National Forests to Oxford County" (S. P. 537) (L. D. 1274)

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

Sent down for concurrence.

Bill "An Act Relating to the Salaries of the Judge and the Recorder of the Old Town Municipal Court." (S. P. 284) (L. D. 623)

Bill "An Act Relating to Salary of Register of Deeds of Kennebec County." (S. P. 385) (L. D. 911)

Bill "An Act Relating to Penalties for Violation of Truck Weight Laws." (S. P. 460) (L. D. 1074)

(On motion by Mr. Noyes of

Hancock, tabled pending passage to be engrossed.)

Bill "An Act to Provide Special Number Plates for Certain Officials." (S. P. 504) (L. D. 1215)

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

Sent down for concurrence.

Orders of the Day

On motion by Mr. Ela of Somerset the Senate voted to take from the table House Report "Ought to Pass" from the Committee on Business Legislation on bill, An Act Permitting Closing of Banks on Saturday (H. P. 1255) (L. D. 829) tabled by that Senator on April 11th pending acceptance of the report; and on further motion by the same Senator the report was accepted in concurrence, the bill was given its first reading and tomorrow assigned for second reading.

On motion by Mr. Weeks of Cumberland the Senate voted to take from the table Senate Report "Leave to Withdraw" from the Committee on Legal Affairs on bill, An Act Repealing Advisory Committee on State Budget (S. P. 363) (L. D. 877) tabled by that Senator on April 13th pending acceptance of the report.

Thereupon, on motion by Mr. Brewer of Aroostook the Senate voted to accept the report.

Sent down for concurrence.

On motion by Mr. Weeks of Cumberland the Senate voted to take from the table House Report "Ought Not to Pass" from the Committee on Legal Affairs on bill, An Act to Repeal the Charter of the Bay Point Village Corporation (H. P. 1183) (L. D. 738) tabled by that Senator earlier in today's session pending consideration; and on further motion by the same Senator the report was accepted in non-concurrence.

Sent down for concurrence.

On motion by Mr. Ela of Somerset the Senate voted to take from the table House Report "Ought Not to Pass" from the Committee on Claims on Resolve in Favor of

Clinton J. Abbott of Kingfield (H. P. 220) tabled earlier in today's session by that Senator pending consideration; and on further motion by the same Senator the resolve was recommitted to the

Committee on Claims in concurrence.

On motion by Mrs. Kavanagh of Androscoggin

Adjourned until tomorrow morning at ten o'clock.