

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Fifth Legislature

OF THE

STATE OF MAINE

VOLUME II

1951

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Monday, April 30, 1951

The Senate was called to order by the President.

Prayer by the Reverend Ed. W. Grilley, Jr., of Augusta.

Journal of Friday, April 27, 1951, read and approved.

From the House

Bill "An Act Repealing the Merit Award Board." (H. P. 1252) (L. D. 826)

(In Senate, on April 26th, the "Ought Not to Pass" report was accepted in non-concurrence.)

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

In the Senate, on motion by Mr. Ward of Penobscot, the Senate voted to insist and join.

The Committee on Inland Fisheries and Game on Bill "An Act Relating to Hunting and Fishing by Certain Persons," (H. P. 314) (L. D. 172) reported that the same ought not to pass.

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

In the Senate:

Mr. ELA of Somerset: Mr. President, I move acceptance of the report.

Thereupon, on motion by Mr. Noyes of Hancock, the bill and accompanying papers were laid upon the table pending motion by Senator Ela that the report of the committee be accepted.

The Committee on Claims on "Resolve, in Favor of Emile Couillard of Auburn," (H. P. 1567) reported that the same ought not to pass.

Comes from the House, the bill substituted for the report, and passed to be engrossed as amended by House Amendment "A"

In the Senate, on motion by Mr. Weeks of Cumberland, tabled pending acceptance of the report.

The Committee on Claims on "Resolve Reimbursing the Town of

Clinton for Support of the Family of Frank S. Smith," (H. P. 1520) reported that the same ought not to pass.

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

In the Senate, on motion by Mr. Weeks of Cumberland, the Senate voted to recommit the bill to the Committee on Claims in concurrence.

"Resolve Appropriating Moneys to Effectuate Salary Plan for State Employees," (H. P. 804) (L. D. 477)

(In Senate, on April 2nd, passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.)

Comes from the House, that body having reconsidered engrossing, and Committee Amendment "A" was indefinitely postponed; Senate Amendment "A" adopted in concurrence. Subsequently, under suspension of the rules, engrossing was again reconsidered, Senate Amendment "A" was indefinitely postponed, and the bill as amended by House Amendment "A" was passed to be engrossed, in non-concurrence.

In the Senate, on motion by Mr. Brewer of Aroostook, the Senate voted to recede and concur.

The Committee on Inland Fisheries and Game on Bill "An Act Relating to Free Hunting and Fishing Licenses for Maine Veterans on Leave," (H. P. 57) (L. D. 23) reported that the same ought not to pass.

On motion by Mrs. Kavanagh of Androscoggin, tabled pending acceptance of the report.

The Committee on Claims on "Resolve, in Favor of Christian M. Jensen of Westbrook," (H. P. 11) (L. D. 1321) reported that the same ought to pass.

The same Committee on "Resolve, in Favor of Oscar Pinette of Portland," (H. P. 12) (L. D. 1322) reported that the same ought to pass.

The same Committee on "Resolve, in Favor of Jackman Plantation," (H. P. 38) (L. D. 1323) reported that the same ought to pass.

The same Committee on Bill "An Act in Favor of C. Curvin Hovis

of Gorham," (H. P. 71) (L. D. 1324) reported that the same ought to pass.

The same Committee on "Resolve, In Favor of Leo Smith of Pittsfield," (H. P. 579) (L. D. 1325) reported that the same ought to pass.

The same Committee on "Resolve, in Favor of the Town of Warren," (H. P. 810) (L. D. 1326) reported that the same ought to pass.

The same Committee on "Resolve, in Favor of Guy L. Chretien of Westbrook," (H. P. 815) (L. D. 1327) reported that the same ought to pass.

The same Committee on "Resolve, in Favor of Arthur H. Molasky of Gorham," (H. P. 880) (L. D. 1328) reported that the same ought to pass.

The same Committee on "Resolve, to Reimburse Percy E. Severance of Hampden for Taxes, etc.," (H. P. 965) (L. D. 1329) reported that the same ought to pass.

The same Committee on "Resolve, to Compensate Edwin Blanche of Augusta for Personal Injuries," (H. P. 1521) (L. D. 1330) reported that the same ought to pass.

The same Committee on "Resolve, to Reimburse Freeport Grain Company for Damage Done by Escapee," (H. P. 1523) (L. D. 1331) reported that the same ought to pass.

The same Committee on "Resolve, in Favor of Arthur W. McLellan of Topsfield," (H. P. 1559) (L. D. 1332) reported that the same ought to pass.

The same Committee on "Resolve, in Favor of C. H. Mallory of Strong," (H. P. 1569) (L. D. 1334) reported that the same ought to pass.

The same Committee on "Resolve, in Favor of Dwight D. Dixon of Clinton," (H. P. 1604) (L. D. 1335) reported that the same ought to pass.

The same Committee on "Resolve, in Favor of W. I. Hamilton of Bath," (H. P. 1648) (L. D. 1336) reported that the same ought to pass.

The Committee on Judiciary on "Resolve, in Favor of Carrie M. Longfellow of Machias," (H. P.

1015) (L. D. 1344) reported that the same ought to pass.

The same Committee on "Resolve, Providing for State Pension for Mrs. Minnie Fenderson of Saco," (H. P. 1455) (L. D. 1343) reported that the same ought to pass.

Which reports were severally read and accepted in concurrence, the resolves read once, and under suspension of the rules read a second time and passed to be engrossed, in concurrence.

The Committee on Inland Fisheries and Game on Bill "An Act Relating to Guides' Qualifications, License and License Revocation," (H. P. 1005) (L. D. 593) reported the same in a new draft (H. P. 1783) (L. D. 1340) under the same title and that it ought to pass.

The Committee on Judiciary on "Resolve, Granting a Pension to James E. Harvey of Readfield," (H. P. 1016) reported the same in a new draft (H. P. 1785) (L. D. 1342) under the same title, and that it ought to pass.

The Committee on Liquor Control to which was re-committed Bill "An Act Relating to the Liquor Commission," (H. P. 935) (L. D. 543) reported the same in a new draft (H. P. 1786) (L. D. 1346) under the same title and that it ought to pass.

Which reports were severally read and accepted in concurrence, the bills in new draft read once, and under suspension of the rules read a second time and passed to be engrossed in concurrence.

The Committee on Inland Fisheries and Game on Bill "An Act Repealing the Law on Motor Vehicle Damage by Wild Birds and Animals," (H. P. 1476) (L. D. 1084) reported the same in a new draft (H. P. 1759) (L. D. 1303) under a new title, Bill "An Act Prohibiting Claims of Damage to Motor Vehicles by Wild Animals and Birds," and that it ought to pass.

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

The Committee on Claims on "Resolve in Favor of Allagash

Plantation," (H. P. 1560) (L. D. 1337) reported that the same ought to pass as amended by Committee Amendment "A".

Which report was read and accepted in concurrence, and the resolve read once; Committee Amendment "A" was read and adopted in concurrence, and the resolve as amended was tomorrow assigned for second reading.

The same Committee on "Resolve in Favor of Folsom Brothers of Monticello," (H. P. 1074) (L. D. 1339) reported that the same ought to pass as amended by Committee Amendment "A".

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

Report "C" of the Committee on Inland Fisheries and Game to which was recommitted Bill "An Act Relating to Open Season on Muskrats," (H. P. 1224) (L. D. 778) reported that the same ought not to pass.

(signed)

Senators: ELA of Somerset
SMART of Hancock
WIGHT of Penobscot

Representatives:

BEARCE of Caribou
PLUMMER of Lisbon

Report "D" of the same Committee on the same subject matter reported the same in New Draft (H. P. 1752) (L. D. 1296) under the same title and that it ought to pass.

(signed)

Representatives:

DENNISON
of East Machias
WATSON
of Moose River Plt.
CHASE of Belgrade
FRECHETTE of Sanford
CARVILLE of Eustis

Comes from the House, Report "D" read and accepted.

In the Senate, on motion by Mr. Wight of Penobscot, the bill and accompanying papers were laid upon the table pending acceptance of either report.

Order

On motion by Mr. Crosby of Franklin, it was

ORDERED that beginning Tuesday, May 1, 1951, the daily sessions of the Senate shall commence at nine A. M. Eastern Standard Time unless otherwise ordered.

First Reading of a Printed Bill

Bill "An Act Relating to Open Season for Hunting Deer with Bow and Arrow." (S. P. 561) (L. D. 1348)

Which was read once and tomorrow assigned for second reading.

Senate Committee Reports

Mr. Ward from the Committee on Judiciary on Bill "An Act to Transfer Township 1, Range 9 from Piscataquis County and Annex It to Penobscot County." (S. P. 272) (L. D. 611) reported that leave be granted to withdraw.

Which report was read and accepted.

Sent down for concurrence.

Mr. Barnes from the Committee on Judiciary on Bill "An Act Relating to Depostiing Rubbish on Another's Land." (S. P. 103) (L. D. 154) reported that the same ought to pass.

Mr. Ward from the same Committee on Bill "An Act Relating to Disclosure Commissioners." (S. P. 439) (L. D. 1002) reported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act Authorizing Maine General Hospital to Convey Certain Lands to Maine Medical Center." (S. P. 547) (L. D. 1288) reported that the same ought to pass.

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

Mr. Barnes from the Committee on Judiciary on Bill "An Act Authorizing Mainente School of Music to Confer Degrees," (S. P. 116) (L. D. 206) 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: "Amend said bill by adding at the end thereof the following: 'and who have a high school diploma

or a state high school equivalency certificate issued by the commissioner of education of the music state department of education."

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

Passed to be Engrossed

"Resolve Opening Meduxnekeag Lake to Ice Fishing for Certain Fish." (H. P. 1010) (L. D. 597)

Bill "An Act Relating to Designation of Through Ways by Highway Commission." (H. P. 1341) (L. D. 916)

"Resolve Designating Bridge at Burnham as Burnham Memorial Bridge." (H. P. 1611) (L. D. 1171)

Bill "An Act Relating to Fines for Overloaded Trucks." (H. P. 1779) (L. D. 1317)

"Resolve Authorizing a Reclassification of Highways." (H. P. 1780) (L. D. 1318)

Bill "An Act to Confer the Right of Eminent Domain upon Wiscasset Water Company." (H. P. 1781) (L. D. 1319)

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

Bill "An Act Providing for construction of Roadside Picnic Areas." (H. P. 72) (L. D. 34)

Bill "An Act Relating to Signals for Stopping and Turning Motor Vehicles." (H. P. 93) (L. D. 38)

Bill "An Act to Incorporate Town Finance Corporation." (H. P. 319) (L. D. 185)

Bill "An Act to Incorporate the Public Loan Corporation of Portland." (H. P. 742) (L. D. 428)

Bill "An Act to Incorporate the Public Loan Corporation of Bangor." (H. P. 743) (L. D. 429)

Bill "An Act to Incorporate the Public Loan Corporation of Lewiston." (H. P. 744) (L. D. 430)

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

Bill "An Act to Incorporate the Rumford Finance Co., Inc." (H. P. 1111) (L. D. 691)

Bill "An Act Relating to Taxation of Bottled Gas Equipment." (H. P. 1331) (L. D. 894)

Bill "An Act Relating to Dealers in Livestock." (H. P. 1398) (L. D. 1011)

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

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

"Resolve Proposing an Amendment to the Constitution to Change the Term of Office of Treasurer of State." (H. P. 1074) (L. D. 686)

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

Sent down for concurrence.

Bill "An Act to Create the Flander's Bay Community School District." (S. P. 414) (L. D. 975)

Bill "An Act to Amend the Charter of the Town of Baileyville." (S. P. 538) (L. D. 1275)

Bill "An Act Relating to Regulation of Posts and Wires." (S. P. 560) (L. D. 1345)

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

Sent down for concurrence.

Orders of the Day

Mr. CROSBY of Franklin: Mr. President, I would like to ask if H. P. 1679, L. D. 1247, An Act Relating to Fees for Boiler Inspection and Certificates is in the hands of the Senate?

The PRESIDENT: The Chair will state that the document is in the possession of the Senate having been recalled from the Governor by Joint Order.

Thereupon, on motion by Mr. Crosby of Franklin, the rules were suspended and the Senate voted to reconsider its former action whereby the bill was enacted and to further reconsider its action whereby the bill was passed to be engrossed.

The same Senator presented Senate Amendment A and moved its adoption:

The Secretary read Senate Amendment A:

Senate Amendment A to L. D. 1247: "Amend said bill by striking

out the words 'private and special' where they appear in the first paragraph thereof and inserting in place thereof the word 'public.'"

Which amendment was adopted and the bill as so amended was passed to be engrossed in non-concurrence.

Sent down for concurrence.

On motion by Mrs. Kavanagh of Androscoggin, the Senate voted to take from the table An Act Relating to Free Hunting and Fishing

Licenses for Maine Veterans on Leave (H. P. 57) (L. D. 23) tabled by that Senator earlier in today's session pending acceptance of the report; and on further motion by the same Senator, the report was accepted in concurrence.

On motion by Mr. Haskell of Penobscot

Adjourned until nine o'clock tomorrow morning, Eastern Standard Time.