

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Seventh Legislature

OF THE

STATE OF MAINE

1955

DAILY KENNEBEC JOURNAL
Augusta, Maine

SENATE

Thursday, February 17, 1955

The Senate was called to order by the President.

Prayer by the Rev. Harvey F. Ammerman of Augusta.

Journal of yesterday read and approved.

Orders

On motion by Mr. Reid of Kennebec, out of order and under suspension of the rules:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, February 22, 1955, at ten o'clock in the forenoon. (S. P. 290)

Which was read and passed.

Sent down for concurrence.

Subsequently, the foregoing Order was returned from the House, having been read and passed on concurrence.

On motion by Mr. Collins of Aroostook, out of order and under suspension of the rules:

ORDERED, the House concurring, that there be printed 1000 additional copies of the Senate and House Registers. (S. P. 308)

Which was read and passed.

Sent down for concurrence.

House Papers

Bill "An Act relating to Reports on Damages by Dogs to Poultry." (H. P. 633) (L. D. 710)

Bill "An Act relating to Membership on State Soil Conservation Committee." (H. P. 634) (L. D. 711)

Which were referred to the Committee on Agriculture in concurrence.

Bill "An Act Increasing Salary of Commissioner of Inland Fisheries and Game." (H. P. 635) (L. D. 712)

"Resolve in Favor of Maple Grove Cemetery Association of Randolph." (H. P. 636) (L. D. 713)

"Resolve in Favor of New Canada Plantation to Repair Daigle School." (H. P. 637) (L. D. 714)

"Resolve Authorizing the Construction of an Airport at Fryeburg, Oxford County." (H. P. 638) (L. D. 715)

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

Bill "An Act relating to Qualifications for Real Estate Brokers' Licenses." (H. P. 639) (L. D. 716)

Which was referred to the Committee on Business Legislation in concurrence.

"Resolve in Favor of Kathryn C. Douglas of Augusta." (H. P. 630) (L. D. 717)

"Resolve in Favor of the Town of Dyer Brook." (H. P. 642) (L. D. 718)

"Resolve in Favor of Dudley Carter of Newport." (H. P. 641) (L. D. 718)

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

Bill "An Act relating to Age of Commitment to State School for Boys." (H. P. 643) (L. D. 720)

Which was referred to the Committee on Correctional Institutions in concurrence.

Bill "An Act relating to Conveyance of Public Secondary School Pupils." (H. P. 644) (L. D. 721)

Bill "An Act relating to General-Purpose Educational Aid." (H. P. 645) (L. D. 722)

Which were referred to the Committee on Education in concurrence.

Bill "An Act relating to Bridges Built Under the Works Program Flood Relief Program." (H. P. 646) (L. D. 723)

Bill "An Act Repealing the Law Providing for Controlled Access Highways." (H. P. 648) (L. D. 725)

Bill "An Act relating to Frontage Roads on Controlled Access Highways." (H. P. 649) (L. D. 726)

Bill "An Act Making Second Units of State Aid Available for Town Road Improvement." (H. P. 650) (L. D. 727)

Bill "An Act relating to Terms of Office and Salaries of the State Highway Commission." (H. P. 651) (L. D. 728)

Bill "An Act relating to Special Mobile Equipment Under Motor Vehicle Laws." (H. P. 652) (L. D. 729)

"Resolve in Favor of the Town of Plymouth." (H. P. 653) (L. D. 730)

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

Bill "An Act Increasing the Tax on Gasoline." (H. P. 692) (L. D. 760)

Which was referred to the Committees on Highways and Taxation, jointly, in concurrence.

Bill "An Act relating to Construction of Fishways." (H. P. 654) (L. D. 731)

Bill "An Act relating to Closed Time on Deer in Certain Counties." (H. P. 655) (L. D. 732)

"Resolve Regulating Fishing in East Pond Stream." (H. P. 656) (L. D. 733)

"Resolve Regulating Fishing in Second Gardner's Lake in Marion Township, Washington County." (H. P. 657) (L. D. 734)

"Resolve Opening Porter Lake, Franklin County, to Taking of Smelts." (H. P. 659) (L. D. 735)

"Resolve Regulating Fishing in Johnson Pond in Knox County." (H. P. 660) (L. D. 736)

"Resolve Regulating Ice Fishing for Trout in St. Croix Lake, Aroostook County." (H. P. 661) (L. D. 737)

"Resolve Regulating Ice Fishing in Androscoggin Lake." (H. P. 662) (L. D. 738)

"Resolve Regulating Fishing in Bracket Lake in Aroostook County." (H. P. 663) (L. D. 739)

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

Bill "An Act relating to Powers and Duties of Special Administrators." (H. P. 664) (L. D. 740)

Bill "An Act relating to Appeals from Decisions of Liquor Commission." (H. P. 665) (L. D. 741)

Bill "An Act Defining the Word 'Owner' Under the Motor Vehicle Law." (H. P. 666) (L. D. 742)

Bill "An Act relating to Terms of the Superior Court in York County." (H. P. 667) (L. D. 743)

Bill "An Act relating to Duties of Officers of Corporations." (H. P. 668) (L. D. 744)

Bill "An Act relating to Dumping Rubbish and Bottles on Highways

from Motor Vehicles." (H. P. 669) (L. D. 745)

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

Bill "An Act relating to Compensation Benefits Under Workmen's Compensation Law." (H. P. 670) (L. D. 746)

Bill "An Act Amending the Maine Employment Security Law as to Advisory Council." (H. P. 671) (L. D. 747)

Which were referred to the Committee on Labor in concurrence.

Bill "An Act relating to Excise Tax on Seven-Ounce Bottles of Malt Liquor." (H. P. 672) (L. D. 748)

Bill "An Act relating to Sales of Malt Liquor to Minors." (H. P. 673) (L. D. 749)

Bill "An Act relating to Shipping of Malt Liquor to Maine Wholesalers." (H. P. 674) (L. D. 750)

Which were severally referred to the Committee on Liquor Control in concurrence.

"Resolve Authorizing the Forest Commissioner to Convey Certain Interest of the State in an Island in Kennebec County." (H. P. 575) (L. D. 751)

Which was referred to the Committee on Natural Resources in concurrence.

Bill "An Act relating to Transmission of Electric Power Beyond Limits of State." (H. P. 693) (L. D. 761)

Which was referred to the Committee on Public Utilities in concurrence.

"Resolve Providing for State Pension for Forest A. Libby of St. Albans." (H. P. 717)

"Resolve Providing for State Pension for Zilda E. Ricker of Buxton." (H. P. 718)

"Resolve Providing for State Pension for Helen Daigle of New Canada." (H. P. 719)

"Resolve Providing for State Pension for Josephine Tregembo of Hallowell." (H. P. 720)

Which were severally referred to the Committee on Retirements and Pensions in concurrence.

"Resolve Opening Part of Pas-sagassawauckeag River for Salt Water Smelt Seining." (H. P. 684) (L. D. 752)

Which was referred to the Committee on Sea and Shore Fisheries in concurrence.

Bill "An Act Exempting Persons Seventy Years of Age from Poll Tax." (H. P. 685) (L. D. 753)

Bill "An Act relating to Certain Data in Possession of State Tax Assessor." (H. P. 686) (L. D. 754)

Bill "An Act relating to Inheritance and Estate Tax Law." (H. P. 687) (L. D. 755)

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

Bill "An Act relating to Payments to Oxford Law Library." (H. P. 688) (L. D. 756)

Bill "An Act Increasing Clerk Hire for Office of Register of Probate in Knox County." (H. P. 689) (L. D. 757)

"Resolve Authorizing Aroostook County Commissioners to Compensate Tax Collector in Township 17, Range 5." (H. P. 690) (L. D. 758)

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

Bill "An Act relating to Registration Fees for Farm Trucks." (H. P. 691) (L. D. 759)

Which was referred to the Committee on Transportation in concurrence.

House Papers Received by Unanimous Consent

Bill "An Act relating to Payment of Expenses and Increasing Salary of Judge of Lisbon Municipal Court." (H. P. 696) (L. D. 762)

Bill "An Act Increasing the Salary of the Judge of the Livermore Falls Municipal Court." (H. P. 697) (L. D. 763)

Which were received by unanimous consent and referred to the Committee on Towns and Counties in concurrence.

House Committee Reports Ought Not To Pass

The Committee on Judiciary on Bill "An Act relating to the Joint Board under the Bridge Act." (H.

P. 274) (L. D. 258) reported that the same Ought not to pass.

The same Committee on Bill "An Act relating to possible Loss of Right to Operate a Motor Vehicle." (H. P. 195) (L. D. 200) reported that the same Ought not to pass.

The Committee on Sea and Shore Fisheries on Bill "An Act relating to Weir Fishing in Penobscot Bay and River for Atlantic Sea Run Salmon." (H. P. 120) (L. D. 123) reported that the same Ought not to pass.

Which reports were read and accepted in concurrence.

Ought to Pass

The Committee on Highways on Bill "An Act Clarifying the Definitions of 'Compact'." (H. P. 140) (L. D. 140) reported that the same Ought to pass.

The Committee on Sea and Shore Fisheries on Bill "An Act Repealing the Size of Smoked Herring Boxes in Fish Packing." (H. P. 3) (L. D. 3) reported that the same Ought to pass.

The Committee on Towns and Counties on Bill "An Act relating to the Closing of County Offices on Saturday." (H. P. 79) (L. D. 76) reported that the same Ought to Pass.

The same Committee on Bill "An Act relating to the Salary of the Judge and the Recorder of the Lincoln Municipal Court, Lincoln County." (H. P. 124) (L. D. 127) reported that the same Ought to Pass.

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

Senate Papers

Referred to Committees

The following bills and resolves were transmitted from the Director of Legislative Research, pursuant to Joint Order:

Appropriations and Financial Affairs

Mr. Cole of Waldo presented "Resolve Providing for Purchase of Unity Town Histories." (S. P. 291)

Mr. Reid of Kennebec presented "Resolve Appropriating Funds to Purchase Land for State House

Parking Facilities." (S. P. 293)

Which were referred to the Committee on Appropriations and Financial Affairs and ordered printed.

Sent down for concurrence.

Claims

Mr. Farris of Kennebec presented "Resolve in Favor of A. Edwin Madden of Gardiner." (S. P. 294)

Mr. Reid of Kennebec presented "Resolve in Favor of Bertram A. Gardner of Augusta." (S. P. 295)

Which were referred to the Committee on Claims.

Sent down for concurrence.

Highways

Mr. Martin of Kennebec presented "Resolve Providing for Survey of Railroad Crossings on College Avenue in City of Waterville." (S. P. 292)

Which was referred to the Committee on Highways and ordered printed.

Sent down for concurrence.

Inland Fisheries and Game

The same Senator presented Bill "An Act relating to Regulation of Boats and Canoes by Department of Inland Fisheries and Game." (S. P. 296)

Which was referred to the Committee on Inland Fisheries and Game and ordered printed.

Sent down for concurrence.

Judiciary

Mr. Farley of York presented Bill "An Act relating to Preference in State Employment to Mothers of Veterans." (S. P. 297)

Mr. Reid of Kennebec presented "Resolve Requesting Judicial Council to Study Certain Problems." (S. P. 298)

Which were referred to the Committee on Judiciary and ordered printed.

Sent down for concurrence.

Labor

Mr. Hillman of Penobscot presented

Bill "An Act to Provide Disability Compensation for Members of Organized Fire Companies." (S. P. 299)

Which was referred to the Committee on Labor and ordered printed.

Sent down for concurrence.

Legal Affairs

Mr. Martin of Kennebec presented Bill "An Act Extending the Period for which the Board of Finance in the City of Waterville is Established." (S. P. 300)

The same Senator presented Bill "An Act to Amend the Charter of the Public Debt Amortization Fund in the City of Waterville." (S. P. 301)

Which were referred to the Committee on Legal Affairs and ordered printed.

Sent down for concurrence.

Liquor Control

Mr. Carpenter of Somerset presented

Bill "An Act relating to Sales to and Consumption of Liquor by Minors." (S. P. 302)

Which was referred to the Committee on Liquor Control and ordered printed.

Sent down for concurrence.

Natural Resources

Mr. Butler of Franklin presented "Resolve Authorizing the Forest Commissioner to Convey the Flowage Rights on Matagamon Lake, in Township 6, Range 9, WELS, Piscataquis County, to East Branch Improvement Company." (S. P. 303)

Which was referred to the Committee on Natural Resources and ordered printed.

Sent down for concurrence.

Retirements and Pensions

Mr. Cole of Waldo presented "Resolve Providing for State Pension for John J. Roy of Montville." (S. P. 304)

Mr. Martin of Kennebec presented "Resolve Providing for State Pension for Mildred H. Humphrey of Readfield." (S. P. 305)

Mr. Reid of Kennebec presented "Resolve Providing for State Pension for Frank Leslie Burt of Hallowell." (S. P. 306)

Which were severally referred to the Committee on Retirements and Pensions.

Sent down for concurrence.

Sea and Shore Fisheries

Mr. Dow of Lincoln presented "Resolve relating to Use of Seines in Medomak River, Lincoln County." (S. P. 307)

Which was referred to the Committee on Sea and Shore Fisheries and ordered printed.

Sent down for concurrence.

Senate Committee Reports Ought to Pass

Mr. Weeks from the Committee on Judiciary on Bill "An Act relating to Financial Responsibility in Motor Vehicle Accidents Resulting in Death." (S. P. 58) (L. D. 86) reported that the same Ought to Pass.

Mr. Farley from the Committee on Natural Resources on Bill "An Act relating to Permits for Outdoor Advertising." (S. P. 80) (L. D. 169) reported that the same Ought to pass.

The same Senator from the same Committee on Bill "An Act relating to Leases by State Park Commission." (S. P. 131) (L. D. 325) reported that the same Ought to pass.

The same Senator from the same Committee on Bill "An Act relating to Surveys by State Park Commission." (S. P. 133) (L. D. 326) reported that the same Ought to pass.

The same Senator from the same Committee on "Resolve Authorizing the State Tax Assessor to Convey by Sale the Interest of the State in Certain Lands in the Unorganized Territory." (S. P. 132) (L. D. 335) reported that the same ought to pass.

Mr. Lessard from the Committee on Public Utilities on Bill "An Act relating to Fair Views at Railroad Crossings." (S. P. 47) (L. D. 48) reported that the same Ought to pass.

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

Sent down for concurrence.

Second Readers

The Committee on Bills in the Second Reading reported the following Bills and Resolves:

House

Bill "An Act Correcting Appropriations for State Aid and Bridge Act Apportionments to Conform with New State Valuations." (H. P. 97) (L. D. 105)

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

House, as amended

Bill "An Act relating to Expenditure of Town Road Improvement Funds." (H. P. 41) (L. D. 52)

"Resolve Designating Part of U. S. Route No. 1 in Maine as Narraguagus Highway." (H. P. 99) (L. D. 107)

Bill "An Act relating to Gross Weight of Trucks, Tractors, Etc.," (H. P. 133) (L. D. 134)

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

Bill "An Act relating to Right of Way for Police and Fire Vehicles, and Ambulances." (H. P. 107) (L. D. 115)

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

Sent down for concurrence.

Senate

Bill "An Act relating to Embezzling by Certain Public Officers." (S. P. 36) (L. D. 26)

Bill "An Act relating to Roadside Picnic Areas." (S. P. 62) (L. D. 89)

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

Sent down for concurrence.

Enactors

The Committee on Engrossed Bills reported as truly and strictly engrossed, the following Bills and Resolves:

Bill "An Act relating to Closed Season on Deer in Town of Isle au Haut, Knox County." (H. P. 6) (L. D. 5)

Bill "An Act relating to Closed Time on Deer on Cranberry Isles." (H. P. 103) (L. D. 111)

Bill "An Act relating to Closed Time on Deer in Long Island Plantation." (H. P. 104) (L. D. 112)

Which bills were severally passed to be enacted.

“Resolve in Favor of Norway Fish and Game Association for Fish Screen at Dam at Norway Lake.” (H. P. 58) (L. D. 366)

Which resolve was finally passed.

Emergency

“Resolve Opening Roxbury Pond, Oxford County, to Ice Fishing.” (H. P. 56) (L. D. 62)

Which resolve, being an emergency measure, and having received the affirmative vote of 23 members of the Senate and none opposed was finally passed.

House Paper Out of Order Joint Order

ORDERED, the Senate concurring, that the Public Utilities Commission shall, upon the completion of their investigation of the February 11, 1955 derailment near Kennebec Siding, submit a written report to the Committee on Public Utilities. This report shall contain such recommendations, if any, as the Commission may suggest for legislative action. The committee may in its discretion report such bill or bills as it deems desirable in this matter notwithstanding the provisions of any joint rule or joint order.

Comes from the House read and passed.

In the Senate, read and passed in concurrence.

Order (Out of Order)

On motion by Mr. Collins of Aroostook,

ORDERED, the House concurring, that whereas there are many bills relating to salary increases for various department heads, the Committee on Appropriations and Financial Affairs may if the committee deems it desirable, report these several bills in consolidated form and on the consolidated bill, include if they so desire such additional department head salaries as may not have been covered by individual bills.

Which was read and passed.

Sent down for concurrence.

Orders of the Day

In accordance with the provisions of Chapter 41, Section 246, R.S. 1954 the President appointed Senator FULLER of Oxford as the Senate member of the Maine School Building Authority.

On motion by Mr. Hall of York,

Adjourned until Tuesday, February 22, 1955 at ten o'clock in the morning.