

# 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

Wednesday, February 23, 1955

The Senate was called to order by the President.

Prayer by the Rev. T. G. Mommers of Fryeburg.

House Papers

“Resolve in Favor of Aroostook State Teachers College.” (H. P. 731) (L. D. 813)

“Resolve Appropriating Moneys for Construction and Repairs at the Maine Vocational - Technical Institute.” (H. P. 732) (L. D. 814)

Resolve Appropriating Monies for the Purchase of “Voter’s Manual.” (H. P. 733) (L. D. 815)

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

“Resolve to Reimburse Town of Lincoln for Certain Welfare Case.” (H. P. 734) (L. D. 816)

“Resolve in Favor of Abigail D. Flynn, of Waldoboro.” (H. P. 735) (L. D. 817)

“Resolve in Favor of Phyllis Libby of Nobleboro.” (H. P. 774)

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

Bill “An Act Designating Federal Aid Secondary Routes as State Highways.” (H. P. 737) (L. D. 818)

“Resolve Reappropriating Road Resolve Funds in City of Eastport.” (H. P. 738) (L. D. 819)

Which were referred to the Committee on Highways in concurrence.

Bill “An Act Relating to the Wells and York Game Preserve.” (H. P. 739) (L. D. 820)

Bill “An Act Defining Boundaries of Jefferson and Whitefield Game Preserve.” (H. P. 740) (L. D. 821)

“Resolve Regulating White Perch, Bass and Pickerel Fishing in Lake Anasagunticook.” (H. P. 741) (L. D. 822)

“Resolve Relating to Daily Trout Limit in Shagg Pond, Oxford County.” (H. P. 742) (L. D. 823)

“Resolve Regulating Fishing in All River Tributaries at Sebago Lake.” (H. P. 743) (L. D. 824)

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

Bill “An Act Repealing the Small Claims Law.” (H. P. 744) (L. D. 825)

Bill “An Act Permitting Reopening of Examinations for State Employment by Disabled Veterans.” (H. P. 745) (L. D. 826)

Bill “An Act Relating to Funds for Minors Not Having Guardian.” (H. P. 746) (L. D. 827)

“Resolve Proposing an Amendment to the Constitution Providing for Two State Senators from Each County.” (H. P. 747) (L. D. 828)

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

Bill “An Act Relating to Preference to Maine Residents in Certain Contracts.” (H. P. 748) (L. D. 829)

Bill “An Act Relating to Licensing of Auctioneers.” (H. P. 749) (L. D. 830)

Bill “An Act Relating to Approval of Certain Heating Units.” (H. P. 750) (L. D. 831)

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

Bill “An Act Relating to Employment by Liquor Licensees of Persons with Liquor Law Convictions.” (H. P. 751) (L. D. 832)

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

Bill “An Act Relating to Restrictions on Turnpikes.” (H. P. 752) (L. D. 833)

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

Bill “An Act Relating to Age of Apprentice in Practice of Hairdressing and Beauty Culture.” (H. P. 753) (L. D. 834)

Bill “An Act Relating to Study in Out-of-State Schools of Hairdressing and Beauty Culture.” (H. P. 754) (L. D. 835)

Which were referred to the Committee on Public Health in concurrence.

Bill "An Act Relating to Advice of Public Utilities Commission to Towns Concerning Water and Sewerage Systems." (H. P. 755) (L. D. 836)

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

"Resolve Providing for State Pension for Clarence A. Lanpher of Winterport." (H. P. 790)

"Resolve Providing for State Pension for Glendon Hardison of Franklin." (H. P. 791)

"Resolve in Favor of Arthur Payson of Brooks." (H. P. 792)

"Resolve Providing for State Pension for Mattie C. Abbott of Union." (H. P. 793)

"Resolve Providing for a State Pension for Beulah Tucker of Smyrna Mills." (H. P. 794)

"Resolve Providing for State Pension for Hildred Leighton, Cherryfield." (H. P. 795)

"Resolve Providing for a State Pension for Frank Moore of Norridgewock." (H. P. 796)

"Resolve Providing for State Pension for George W. Tuttle, Jr. of Norridgewock." (H. P. 797)

"Resolve Providing for State Pension for Raymond Guy of Mount Vernon." (H. P. 798)

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

Bill "An Act Relating to Revocation and Suspension of Licenses Issued Under Sea and Shore Fisheries Laws." (H. P. 761) (L. D. 837)

"Resolve Relating to Dragging for Quahogs in Maquoit Bay, Cumberland County." (H. P. 762) (L. D. 838)

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

Bill "An Act Exempting Towns from the Use Fuel Tax." (H. P. 763) (L. D. 839)

Bill "An Act Exempting Agricultural Sprays and Dusts from Sales and Use Tax." (H. P. 764) (L. D. 840)

Bill "An Act Relating to Exemption of Sales Taxes on Certain Items Pertaining to the Maine Maritime

Academy." (H. P. 765) (L. D. 841)

Bill "An Act Increasing Excise Taxes on Malt Liquors." (H. P. 766) (L. D. 842)

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

Bill "An Act Amending Charter of the Yorkshire Municipal Court." (H. P. 767) (L. D. 843)

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

Bill "An Act Relating to Registration Fees for Certain Motor Trucks." (H. P. 768) (L. D. 844)

Which was referred to the Committee on Transportation in concurrence.

#### House Papers Received by Unanimous Consent

"Resolve to Reimburse the Town of Stetson for Aid Extended to Carlton Johnson." (H. P. 809) (L. D. 846)

Which was referred by unanimous consent and referred to the Committee on Claims in concurrence.

Bill "An Act Relating to Maintenance of the Androscoggin Lake Dam." (H. P. 807) (L. D. 848)

Which was received by unanimous consent and referred to the Committee on Highways in concurrence.

Bill "An Act Relating to the Incorporation of Saint Johns Lodge, Masons of South Berwick, Number Fifty-one." (H. P. 806) (L. D. 847)

Which was received by unanimous consent and referred to the Committee on Judiciary in concurrence.

"Resolve Providing for a State Pension for Simon Oakes of St. John Plantation." (H. P. 808) (L. D. 845)

Which was received by unanimous consent and referred to the Committee on Retirements and Pensions in concurrence.

#### House Committee Reports Ought Not to Pass

The Committee on Legal Affairs on Bill "An Act Amending the Charter of the City of Auburn re Obliga-

tions to be Incurred by the Superintending School Committee." (H. P. 199) (L. D. 204) reported that the same Ought not to pass.

#### Leave to Withdraw

The Committee on Inland Fisheries and Game on Bill "An Act Relating to Crop and Orchard Damage." (H. P. 422) (L. D. 468) reported that the same be granted Leave To Withdraw.

The Committee on Liquor Control on Bill "An Act to Provide Refunds on Certain Liquor License Fees." (H. P. 372) (L. D. 407) reported that the same be granted Leave To Withdraw.

Which reports were severally read and accepted in concurrence.

#### Ought to Pass

The Committee on Inland Fisheries and Game on "Resolve Regulating Fishing for Smallmouth Black Bass, Pickerel and White Perch on Mount Desert Island." (H. P. 146) (L. D. 146) reported that the same Ought to pass.

The same Committee on "Resolve Regulating Taking of Smelts in Outlet of Nubble Pond, Cumberland County." (H. P. 147) (L. D. 147) reported that the same Ought to pass.

The same Committee on "Resolve Regulating Fishing in Sawyer's Pond in Southport." (H. P. 471) (L. D. 516) reported that the same Ought to pass.

The same Committee on Bill "An Act Relating to Delinquent Election Returns." (H. P. 152) (L. D. 152) reported that the same Ought to pass.

The Committee on Legal Affairs on Bill "An Act Relating to the Superintending School Committee of the City of Belfast." (H. P. 364) (L. D. 401) reported that the same Ought to pass.

The same Committee on Bill "An Act Relating to Salary and Bond of Treasurer of Community School District." (H. P. 368) (L. D. 404) reported that the same Ought to pass.

The same Committee on Bill "An Act Relating to Retirement Pensions for Police and Fire Departments of the City of Portland." (H. P. 369) (L. D. 405) reported that the same Ought to pass.

The Committee on Natural Resources on "Resolve Changing the Name of Rattlesnake Pond to Pequawket Pond." (H. P. 15) (L. D. 14) reported that the same Ought to pass.

The same Committee on "Resolve Permitting the United States Government to Install a UHF Remote Transmitter on State Owned Property at South Portland, Cumberland County." (H. P. 203) (L. D. 208) reported that the same Ought to pass.

The same Committee on "Resolve Authorizing the Commissioner of Institutional Service to Convey to Portland Water District a Right of Way for a Pipeline over Land of the Reformatory for Men in South Windham." (H. P. 375) (L. D. 410) reported that the same Ought to pass.

The Committee on Public Utilities on Bill "An Act Relating to Use of Life Rafts by Certain Boats." (H. P. 204) (L. D. 209) reported that the same Ought to pass.

The same Committee on Bill "An Act to Extend the Charter of the Eliot Water District." (H. P. 311) (L. D. 288) reported that the same Ought to pass.

The Committee on Towns and Counties on Bill "An Act Relating to Payments to Piscataquis County Law Library." (H. P. 29) (L. D. 39) reported that the same Ought to pass.

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

The PRESIDENT: The Senator from Washington, Senator Brown, has called the attention of the Chair to a group of youngsters from the seventh and eighth grades of Lubec Grammar School who are visiting with us this morning. On behalf of the Senate, I want to welcome all of you. We realize that you are probably establishing a record in having traveled over four hundred miles to visit with us. We hope you have an enjoyable time and after the session is over, come down stairs and visit with us and have a good time.

**Ought to Pass—As Amended**

The Committee on Inland Fisheries and Game on "Resolve Regulating Fishing in Rocky Lake in Washington County." (H. P. 144) (L. D. 144) reported that the same Ought to pass as Amended by Committee Amendment A (Filing No. 26)

The same Committee on Bill, "An Act Relating to Open Season for Black Bass." (H. P. 256) (L. D. 241) reported that the same Ought to pass as Amended by Committee Amendment A (Filing No. 25)

The Committee on Judiciary on Bill, "An Act to Clarify Certain Election Laws." (H. P. 151) (L. D. 151) reported that the same Ought to pass as Amended by Committee Amendment A (Filing No. 23)

The Committee on Public Utilities on Bill, "An Act Relating to Temporary Public Utility Permits for Buses." (H. P. 206) (L. D. 211) reported that the same Ought to pass as Amended by Committee Amendment A (Filing No. 24)

The Committee on Sea and Shore Fisheries on "Resolve Opening Brooks and Rivers in Hancock County to Taking of Salt Water Smelts." (H. P. 49) (L. D. 56) reported that the same Ought to pass as Amended by Committee Amendment A (Filing No. 27)

The Committee on Towns and Counties on Bill, "An Act Relating to Appropriations by Municipalities for Advertising." (H. P. 50) (L. D. 57) reported that the same Ought to pass as Amended by Committee Amendment A (Filing No. 14)

The same Committee on Bill, "An Act Relating to Expending Aroostook County Funds for Ricker College." (H. P. 314) (L. D. 291) reported that the same Ought to pass as Amended by Committee Amendment A (Filing No. 29)

Which reports were read and accepted in concurrence and the bills and resolves read once. Committee Amendments A were read and adopted in concurrence, and the bills and resolves as so amended were tomorrow assigned for second reading.

The PRESIDENT: The Senator from Cumberland, Senator Chapman has called to the attention of

the Chair that a group of youngsters from the Motz School in the town of Falmouth under the guidance of Mr. Wye is visiting with us today. We welcome you and we hope you enjoy your visit. You are in the unusual position, young men and women, of being the first group that has ever used flash cameras in the Senate gallery. We rather frown upon it, but it is not in my heart to frown on you when you are having fun but please don't do it again.

STATE OF MAINE  
DIRECTOR OF LEGISLATIVE  
RESEARCH  
Augusta

February 22, 1955

Honorable Chester T. Winslow  
Secretary of the Senate  
97th Legislature  
State House  
Augusta, Maine

Dear Sir:

In accordance with Joint Legislative Order (S. P. No. 25) I submit herewith a list of all bills and resolves remaining in process of completion in my office.

Respectfully submitted,  
(Signed) SAMUEL H. SLOSBERG  
Director

Which was read and placed on file.

The PRESIDENT: The Chair notes the presence in the Senate Chamber, of the distinguished speaker of the House. He would be honored indeed, as would the Senate, if the attractive Mrs. Trafton, the Speaker and their fine family would come up and join us on the rostrum. That we would enjoy.

Thereupon, the Hon. Willis Trafton, Jr., Mrs. Trafton and their children Peter, Susan, Jotham, Richard and Sally were escorted to the rostrum by the Sergeant-at-arms. (Applause)

Senate Papers  
Referred to Committees  
Appropriations and Financial Affairs

The following Bills and Resolves were transmitted by the Director of

**Legislative Research, pursuant to Joint Order (S. P. 25):**

Mr. Chapman of Cumberland presented

“Resolve in Favor of Portland University.” (S. P. 316)

Mr. Dunham of Hancock presented  
“Resolve Providing for a Recess Committee to Study School Finances and Needs in the State.” (S. P. 317)

The same Senator presented  
“Resolve Relating to a Water System for the Penobscot and Passamaquoddy Indians.” (S. P. 318)

Mr. Fuller of Oxford presented  
“Resolve Appropriating Monies for Instructorship in Adult Education.” (S. P. 319)

The same Senator presented  
“Resolve Appropriating Monies for a State Supervisor of Local Adult Education.” (S. P. 320)

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

Sent down for concurrence.

**Business Legislation**

Mr. Chapman of Cumberland presented

Bill “An Act Relating to Counter-signature on Insurance Policies by Resident Agents.” (S. P. 321)

Which was referred to the Committee on Business Legislation and ordered printed.

Sent down for concurrence.

**Education**

Mr. Fuller of Oxford presented  
Bill “An Act Relating to Public School Adult Education.” (S. P. 322)

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

Sent down for concurrence.

**Highways**

Mr. Woodcock of Penobscot presented

Bill “An Act Relating to Free Tolls over Deer Isle - Sedgwick Bridge.” (S. P. 323)

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

Sent down for concurrence.

**Inland Fisheries and Game**

Mr. Carpenter of Somerset presented

Bill “An Act Relating to Open Season on Deer Throughout the State.” (S. P. 324)

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

Sent down for concurrence.

**Judiciary**

Mr. Chapman of Cumberland presented

Bill “An Act Relating to Nominations for State Senators from Cumberland County.” (S. P. 325)

Mr. Farley of York presented  
Bill “An Act Relating to Possession of Firearms by Felons.” (S. P. 337)

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

Sent down for concurrence.

**Legal Affairs**

Mrs. Lord of Cumberland presented  
Bill “An Act Relating to the Practice of Physical Therapy in the State of Maine.” (S. P. 326)

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

Sent down for concurrence.

**Natural Resources**

Mr. Parker of Piscataquis presented

Bill “An Act Relating to Insects and Diseases of Trees.” (S. P. 327)

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

Sent down for concurrence.

The PRESIDENT: The Chair notes that the Speaker of the House seems to be getting a bit uneasy, although the Chair is unaware of the significance.

The SPEAKER of the House: Mr. President and members of the Senate, we appreciate the honor which you have conferred upon us this morning and we thank you very much.

The PRESIDENT: We appreciate your graciousness in visiting with us.

Thereupon, Mr. and Mrs. Trafton and their family were escorted from the Senate Chamber by the Sergeant-at-arms.

#### Public Health

Mr. Cole of Waldo presented Bill "An Act Relating to Educational Requirements for Chiropractors." (S. P. 328)

Mr. Reid of Kennebec presented "Resolve Relating to Admittance of Henry Bittues of Augusta to Pownall State School." (S. P. 329)

Which were referred to the Committee on Public Health and ordered printed.

Sent down for concurrence.

#### Public Health

Mr. Butler of Franklin presented Bill "An Act to Extend the Power to Serve to Public Utilities Organized by Special Act of the Legislature." (S. P. 330)

Mr. Martin of Kennebec presented Bill "An Act Regulating Natural Gas Pipe Lines." (S. P. 331)

Mr. Reid of Kennebec presented Bill "An Act Relating to Condemnation Proceedings by Water Districts." (S. P. 332)

Which were severally referred to the Committee on Public Utilities and ordered printed.

Sent down for concurrence.

#### Sea and Shore Fisheries

Mr. Dunham of Hancock presented Bill "An Act Relating to Interstate Shipment of Clams." (S. P. 333)

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

Sent down for concurrence.

#### Taxation

Mr. Chapman of Cumberland presented

Bill "An Act Exempting Towns from Gasoline Tax." (S. P. 335)

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

Sent down for concurrence.

#### Towns and Counties

Mr. Parker of Piscataquis presented

Bill "An Act Providing Additional Facilities at Piscataquis County Court House." (S. P. 336)

Which was referred to the Committee on Towns and Counties and ordered printed.

Sent down for concurrence.

#### Order

On motion by Mr. Dunham of Hancock

ORDERED, that the Reverend Oliver W. Bell of Bath be invited to officiate as Chaplain of the Senate on the morning of March 1, 1955.

Which was read and passed.

#### Senate Committee Reports

##### ONTP

Mr. Martin from Committee on Public Utilities on Bill "An Act Exempting Companies for Transmission of Television Signal by Wire from Jurisdiction of Public Utilities Commission." (S.P. 98) (L. D. 231) reported that the same Ought not to pass.

Which report was read and accepted.

Sent down for concurrence.

##### Ought to Pass

Mrs. Lord from the Committee on Public Health on Bill, "An Act Relating to Compensation of Members of the Board of Registration of Medicine." (S. P. 61) (L. D. 88) reported that the same Ought to pass.

Mr. St. Pierre from the same Committee on Bill, "An Act Relating to Licensed Practical Nurses." (S. P. 165) (L. D. 359) reported that the same Ought to pass.

Mr. Martin from the Committee on Public Utilities on Bill, "An Act Amending the Charter of Maine Public Service Company." (S. P. 113) (L. D. 275) reported that the same Ought to pass.

Mr. Cummings from the Committee on Taxation on Bill, "An Act Exempting Real and Personal Property Occupied or Used by Tax Exempt Organizations from Tax-

ation." (S. P. 137) (L. D. 329) reported that the same Ought to pass.

Mr. Hall from the Committee on Transportation on Bill, "An Act Relating to Holding Devices for Trailers." (S. P. 68) (L. D. 93) reported that the same Ought to pass.

The same Senator from the same Committee on Bill, "An Act Repealing Special Duty of State Police Re Registration of Motor Vehicles and Licensing of Operators." (S. P. 171) (L. D. 361) reported that the same Ought to pass.

The same Senator from the same Committee on Bill, "An Act Repealing State Police Enforcement at Agricultural Fairs." (S. P. 172) (L. D. 362) reported that the same Ought to pass.

Mr. Cole from the same Committee on Bill, "An Act Relating to Spot, Fog or Auxiliary Lights on Certain Vehicles." (S. P. 69) (L. D. 94) reported that the same Ought to pass.

The same Senator from the same Committee on Bill, "An Act Relating to Restricting or Increasing Speed of Motor Vehicles by State Highway Commission." (S. P. 71) (L. D. 96) reported that the same Ought to pass.

The same Senator from the same Committee on Bill, "An Act Relating to Specially Designed Motor Vehicle Number Plates for Maine Members in Congress." (S. P. 170) (L. D. 360) reported that the same Ought to pass.

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

**Ought to Pass—As Amended**

Mr. Weeks from the Committee on Judiciary on bill, "An Act to Incorporate the Trustees of St. Joseph's College." (S. P. 158) (L. D. 352) 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:

Committee Amendment A to S. P. 158, L. D. 352, bill, An Act to In-

corporate the Trustees of St. Joseph's College.

"Amend said bill by striking out the word 'Roch' in the 3rd line of Sec. 1 and inserting in place thereof the word 'Roche'".

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

Mr. Martin from the Committee on Legal Affairs on bill, "An Act Relating to Salaries of Council Members of City of Portland." (S. P. 97) (L. D. 228) reported that the same Ought to pass, as amended by Committee Amendment A.

Which report was read and accepted. The Secretary read Committee Amendment A:

Committee Amendment A to S. P. 97, L. D. 228, "An Act Relating to Salaries of Council Members of City of Portland."

Amend said bill by adding thereto a referendum clause to read as follows:

'Referendum; effective date; return to Secretary of State. This act shall take effect 90 days after the adjournment of the legislature, only for the purpose of permitting its submission to the legal voters of the city of Portland at the next regular city election called and held for the purpose at the regular voting places of the city by the officers of the city of Portland authorized to call such election. A check list shall be used at such election. The city clerk shall prepare the required ballots, on which he shall reduce the subject matter of this act to the following question: 'Shall the act relating to the Charter of the City of Portland, passed by the 97th legislature, increasing the compensation for members of the Portland City Council, be accepted?' and the voters shall indicate by a cross or check mark placed against the words 'yes' or 'no' their opinion of the same.

The result shall be declared by the municipal officers and due certificate thereof filed by the city clerk with the Secretary of State.

This act shall take effect for all the purposes hereof immediately upon its acceptance by a majority of the legal voters voting at said election.'

Thereupon, on motion by Mr. Weeks of Cumberland, the bill and accompanying papers were laid upon the table pending adoption of Committee Amendment A.

### Second Readers

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

#### House

"Resolve Designating Part of State Highway Three as "The Acadia Highway'." (H. P. 185) (L. D. 190)

Bill, "An Act to Validate Actions at Certain Town Meetings." (H. P. 150) (L. D. 150)

Bill, "An Act Relating to Service on Foreign Corporations." (H. P. 272) (L. D. 256)

Bill, "An Act Amending the Law Relating to Factors' Liens." (H. P. 273) (L. D. 257)

Bill, "An Act Amending the Charter of the Town of Orrington School District to Increase its Borrowing Capacity." (H. P. 196) (L. D. 201)

Bill, "An Act Relating to Property Held by Trustees of Fryeburg Academy." (H. P. 197) (L. D. 202)

Bill, "An Act Permitting Regional Planning." (H. P. 728) (L. D. 765)

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

#### House—as Amended

Bill, "An Act Relating to Filing of Nomination Papers in Towns." (H. P. 153) (L. D. 153)

Bill, "An Act Transferring Bath Academy to the City of Bath." (H. P. 113) (L. D. 121)

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

#### Senate

Bill, "An Act Relating to Snow Removal from 'Compact Areas'." (S. P. 92) (L. D. 224)

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

Sent down for concurrence.

#### Senate—as Amended

Bill, "An Act to Incorporate Associated Industries of Maine." (S. P. 160) (L. D. 354)

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

Sent down for concurrence.

#### Orders of the Day

The PRESIDENT: The Chair has been most careless and a little bit selfish in not recognizing another distinguished guest in the Senate Chamber this morning, young Bill Dow, who is here with his father, the Senator from Lincoln County, Senator Dow. We hope that you enjoy your visit with us.

Mr. DOW of Lincoln: Mr. President, may I inquire if H. P. 658, L. D. 766, Resolve Relating to Fishing in Pemaquid River, Lincoln County, is in the possession of the Senate?

The PRESIDENT: The Chair will state that the resolve is in the possession of the Senate, having been held at the request of the Senator from Lincoln, Senator Dow.

Thereupon, on motion by Mr. Dow of Lincoln, the Senate voted to reconsider its previous action whereby the resolve was referred to the Committee on Inland Fisheries and Game in non-concurrence; and on further motion by the same Senator, the Resolve was referred to the Committee on Sea and Shore Fisheries in concurrence.

On motion by Mr. Carpenter of Somerset, the Senate voted to take from the table House Report ought to pass, from the Committee on Sea and Shore Fisheries on bill, An Act Permitting Harold E. Erquhart of Lubec to Build Weir in Cobscook Bay, Washington County, (H. P. 233) (L. D. 212) tabled by that Senator on February 22 pending consideration of the report; and on further motion by the same Senator,

the ought to pass report of the committee was accepted in concurrence and the bill read once.

Thereupon, the Senator from Somerset, Senator Carpenter, presented Senate Amendment A and moved its adoption:

"Senate Amendment A to L. D. 212. Amend said bill by adding at the end of Section 1 thereof, before the period, the words, **'to take, catch or kill all kinds of fish except Atlantic Salmon.'**"

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

On motion by Mr. Carpenter of Somerset, the Senate voted to take from the table House Report, Ought to pass, from the Committee on Sea and Shore Fisheries, on Bill "An Act Permitting Don H. Saunders of Lubec to Build Weir in Dennys Bay, Washington County." (H. P. 399) (L. D. 415); tabled by that Senator on February 22 pending consideration of the Committee report; and on further motion by the same Senator, the report was accepted in concurrence and the bill read once.

Thereupon, the Senator from Somerset, Senator Carpenter, presented Senate Amendment A and moved its adoption:

"Senate Amendment A to L. D. 415. Amend said bill by adding at the end of Section 1 thereof, before the period, the words, **'to take, catch, or kill all kinds of fish except Atlantic Salmon.'**"

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

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table Senate Report Ought to pass, from the Committee on Judiciary on Bill "An Act Relating to Recording of Deeds of Land of the Penobscot Tribe." (S. P. 123) (L. D. 319) tabled by that Senator on February 22 pending consideration of the report; and on further motion by the same Senator, the report was accepted, the bill read once and tomorrow assigned for second reading.

On motion by Mr. Jamieson of Aroostook, the Senate voted to take from the table House Report, Ought not to pass, from the Committee on Judiciary on Bill "An Act Establishing Maximum Speed Limit for Motor Vehicles," (H. P. 275) (L. D. 259) tabled by that Senator on February 22 pending consideration of the report; and on further motion by the same Senator, the Ought not to pass report was accepted in concurrence.

On motion by Mr. Weeks of Cumberland, the Senate voted to take from the table the first tabled and unassigned matter, (H. P. 40) (L. D. 365) House Report, "Ought to pass" from Committee on Claims on "Resolve, in favor of H. Tabenken & Co., Inc., of Bangor," tabled by that Senator on February 9th pending consideration of the Committee report.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Weeks.

Mr. WEEKS: Mr. President and members of the Senate: Legislative Document No. 365 provides for a refund to a company of a sum previously paid to the State Liquor Commission for a license under the section which is referred to as a "special permit." On investigation I find the permit was purchased but subsequently never used, and therefore there is a request for refund of \$175. Senator Low of Knox spoke about the question of claims the other day and brought a very serious problem to the attention of all Senators, and it is a very serious one.

Most of the cases, as I understand from Senator Low and other members of the Claims Committee, present somewhat of a basis to build up a moral obligation on the part of the State. Yesterday we indefinitely postponed a measure which contained a good deal of merit and that had a basis for a moral claim, due to the fact that in times past we have recognized our obligation to repair damage committed by various categories of individuals, whether probationers or parolees, and we, as I said before, did turn down a measure which could be argued for. This one here presents nothing I can see which

makes me feel that there is a moral obligation to refund this amount of money. In addition to that, this morning we indefinitely postponed L. D. 407 which was designed to set up machinery by which other licensees might receive either full rebate or partial rebate for sums paid for licenses of different kinds.

Under all the circumstances I cannot feel any moral obligation to the party involved in this resolve, and I therefore move that it be indefinitely postponed.

The PRESIDENT: The Senator from Cumberland, Senator Weeks, moves that H. P. 40, L. D. 365, "Resolve, in Favor of H. Tabenken & Co. Inc., of Bangor" be indefinitely postponed.

The Chair recognizes the Senator from Knox, Senator Low.

Mr. LOW: Mr. President, the present Committee on Claims has gone along with the theory that where a license was used even for a short time that no return of the license money should be made. On the other hand, where a license has not been used at all and where a claim has been entered with the Commission within a week or two weeks we have felt that the man was entitled to get his money back. Certainly if a license has been used I do not think he should have any claim for a refund, but the committee has felt that where the license was not used at all, and this one here was not used, that the man was entitled to get his money back.

The PRESIDENT: The question before the Senate is the motion of the Senator from Cumberland, Senator Weeks, that the resolve be indefinitely postponed.

The Chair recognizes the Senator from Cumberland, Senator Weeks:

Mr. WEEKS: Mr. President, this theory of rebating state money only to the extent of the money involved, is this any different than a driver's license or a fishing license or a hunting license? I dare say people have purchased all these licenses then for some reason or other have been unable to use the privilege which has been granted under the license. Certainly I do not see any basis for saying that because I do not drive an automobile after buying

a license I can get my two dollars back, and the same in regard to a fishing license or a hunting license. In this case he has paid for a license to do certain things under the Liquor Commission, and if he does not use it that is his business. I do not see any moral obligation on the part of the State to return the money and I think it is a bad precedent.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Cumberland, Senator Weeks, that the resolve be indefinitely postponed. Is the Senate ready for the question?

As many as are in favor of the motion will say aye; those opposed no.

A viva voce vote being doubted, a division was had.

The PRESIDENT: The Chair will again state the position he will take in tie votes. He will vote to keep the resolve alive until the time of enactment and at the time of enactment he will reserve the right to vote his own convictions.

Thirteen having voted in the affirmative and thirteen in the negative, the motion to indefinitely postpone does not prevail.

On motion by Mr. Low of Knox the "Ought to pass" report of the committee was accepted and the resolve was given its first reading and tomorrow assigned for second reading.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Chapman.

Mr. CHAPMAN: Mr. President, I would like to inquire if L. D. 102, "Resolve in favor of Richmond, Maine Camp Ground, Church of Nazarene" and accompanying papers are in the possession of the Senate.

The PRESIDENT: The Chair will state that L. D. 102, being "Resolve in favor of Richmond, Maine Camp Ground, Church of Nazarene" is in the possession of the Senate, having been held at the request of the Senator from Cumberland, Senator Chapman.

The Chair recognizes the Senator from Cumberland, Senator Chapman.

Mr. CHAPMAN: Mr. President, I would like to move that the Senate do reconsider its action of yesterday whereby it indefinitely postponed this resolve, and if the motion to reconsider carries, bearing in mind that I voted with the majority yesterday and therefore can appropriately put the motion, I shall move to have the papers lie upon the table temporarily.

The purpose in asking for reconsideration is that I along with some other members of this body yesterday were a little bit disturbed about the matter of policy involved in this type of claim. I would like to say I was wholly unaware of the remarks made just a few moments ago by my colleague from Cumberland County on this type of claim, namely a claim on which there could be alleged with some force a moral obligation on the part of the State of Maine to reimburse for damage done by escapees to persons wholly innocent and in no way responsible for the damage done.

I was hopeful yesterday when this matter was before us that it would be fully debated and the matter of policy clarified knowing that there were other claims of this type coming before us. That did not take place. The debate was one of brief information but not vigorous explanation of the viewpoints and no information on this particular resolve. It would seem fair therefore that the matter be tabled until these resolves of this type can be grouped and a policy set so we will know what we are going to do this session on this type of resolve. I therefore move reconsideration.

The PRESIDENT: The Senator from Cumberland, Senator Chapman, moves that the Senate do reconsider its action whereby the resolve was indefinitely postponed. Is this the pleasure of the Senate?

The motion prevailed and reconsideration was voted.

On further motion by Mr. Chapman the resolve was tabled pending consideration of the committee report.

Mr. BUTLER of Franklin was granted unanimous consent to address the Senate.

Mr. BUTLER: Mr. President and members of the Senate, you may have noticed that thus far from the Committee on Retirements and Pensions, we have not passed out any Ought to pass reports. This does not mean that we are not considering the Ought to pass reports—we are—but in view of the fact that we have approximately 170 items before us at the present time, involving a requested pension of all the way from fifty dollars a week, or \$600 a year, up to additional pensions which could run up to thousands of dollars.

It will be the policy of the Committee that these Ought not to pass reports will be presented in order that they may be fully thrashed out in the respective branches of the legislature. If the Committee should be over-ruled, and you desire to pass these measures, then it would be advisable perhaps to table the measures and to incorporate them into an omnibus act where all of the measures which are under consideration will receive favorable report.

Thus far, we have had 160 items. Of these 160, we have had hearings on them all, or will have had the hearings by this evening. We do have approximately twenty more before us which have not yet been heard, but which will be. On the Ought not to pass reports which we have turned out thus far, while it does not, or should not enter into the fiscal policy as to the right or wrong of it, yet those requests have already run into twenty-two thousand dollars. That would have been quite a raid upon your retirement system, asking for a withdrawal of funds which were not placed in that system in the first instance.

Along with that preparation, I felt it was only right that we call attention to the splendid work which the committee heads are doing. We have before us at the present time, as of this morning, 849 measures together with the 40 which were just mentioned. Of these measures, more than fifty percent of each have been heard by the committees. That is, each of you Chairmen have held committee hearings and a great many of those hearings

which you have held, you have already reported out. Even hearings which were held only yesterday have been reported out.

When we compare what we were doing two years ago with what we are doing today, as to the number of bills before us, the number of bills heard and the number of bills reported out, we are ahead and certainly that shows the close co-

operation and understanding and attention which we in the Senate and in the House are giving to proposed items with which we are confronted.

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On motion by Mr. Dow of Lincoln

Adjourned until tomorrow afternoon at one-thirty o'clock.