

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 24, 1955

The Senate was called to order by the President.

Prayer by the Rev. Ralph Waldo Peterson, Jr. of Augusta.

Journal of yesterday read and approved.

Order

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, March 1, 1955, at ten o'clock in the forenoon. (S. P. 338)

Which was read and passed.

Sent down for concurrence.

Subsequently the foregoing order was returned from the House, having been read and passed in concurrence.

House Papers

Bill "An Act Relating to Interest on Organized Townships Fund." (H. P. 769) (L. D. 854)

Bill "An Act Relating to an Aerial Timber Survey." (H. P. 770) (L. D. 855)

"Resolve in Favor of the University of Maine for a Law School." (H. P. 771) (L. D. 856)

"Resolve Appropriating Monies for Civil Defense Matching Funds." (H. P. 772) (L. D. 857)

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

"Resolve in Favor of Stockton Springs." (H. P. 773) (L. D. 879)

Which was referred to the Committee on Claims in concurrence.

"Resolve Relating to Anticipation of State Aid Funds by Town of Bremen." (H. P. 775) (L. D. 858)

Which was referred to the Committee on Highways in concurrence.

Bill "An Act Establishing the Durham Game Preserve." (H. P. 776) (L. D. 859)

Bill "An Act Relating to Closed Time on Deer on Frye Island, Cum-

berland County." (H. P. 777) (L. D. 860)

Bill "An Act Relating to Transportation of Fish, Game and Fur-bearing Animals by Aircraft." (H. P. 778) (L. D. 861)

"Resolve Regulating Fishing in Little Tunk Lake, Hancock County." (H. P. 779) (L. D. 862)

"Resolve Regulating Fishing in West Lake in Hancock County." (H. P. 780) (L. D. 863)

"Resolve Regulating Fishing for White Perch in Unity Pond, Waldo County." (H. P. 781) (L. D. 864)

"Resolve Prohibiting Use of Fish as Bait in Certain Lakes in Aroostook County." (H. P. 782) (L. D. 865)

"Resolve Regulating Fishing for White Perch in Androscoggin County." (H. P. 783) (L. D. 866)

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

Bill "An Act to Ratify and Make Valid the Incorporation of the Sebago Lake Congregational Church." (H. P. 784) (L. D. 867)

Bill "An Act Establishing Robert W. Traip Academy." (H. P. 785) (L. D. 868)

Which were referred to the Committee on Judiciary in concurrence.

"Joint Resolution Memorializing Congress to Pass Legislation Outlawing Alcoholic Beverage Advertising Over the Air." (H. P. 837)

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

Bill "An Act Relating to Sale of Unused Forest Fire Warden Headquarters Sites." (H. P. 786) (L. D. 869)

"Resolve Authorizing the State Forest Commissioner to Convey Fan Island, Washington County." (H. P. 787) (L. D. 870)

"Resolve Authorizing Forest Commissioner to Renew Lease to Passamaquoddy Lumber Company." (H. P. 788) (L. D. 871)

Which were severally referred to the Committee on Natural Resources in concurrence.

Bill "An Act Relating to Facilities Furnished by Public Utilities for

Rate Fixing Purposes." (H. P. 789) (L. D. 872)

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

"Resolve Providing for an Increase in State Pension for Bertha Hodge of Mechanic Falls." (H. P. 845)

"Resolve Increasing Pension of Ernest Rounds of Mechanic Falls." (H. P. 846)

"Resolve Providing for State Pension for Bessie Tibbetts of North Whitefield." (H. P. 847)

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

Bill "An Act Permitting the Digging of Clams in Limits of Biddeford for Bait Only." (H. P. 799) (L. D. 873)

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

Bill "An Act Relating to Tax Only Upon Difference Between Sale Price of Purchased Aircraft and Sale Price of Aircraft Traded In." (H. P. 800) (L. D. 874)

Which was referred to the Committee on Taxation in concurrence.

Bill "An Act to Increase the Salaries of Members of the Boards of Registration of Voters." (H. P. 801) (L. D. 875)

Bill "An Act Increasing Salaries of County Officials of Sagadahoc County." (H. P. 802) (L. D. 876)

Bill "An Act Relating to Salaries of the Judge, Clerk and Clerk Hire of the Auburn Municipal Court." (H. P. 803) (L. D. 877)

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

Bill "An Act Relating to Weight of Commercial Vehicles." (H. P. 804) (L. D. 878)

Which was referred to the Committee on Transportation in concurrence.

House Committee Reports Leave to Withdraw

The Committee on Taxation on Bill "An Act Relating to Tax Ex-

emptions for Veterans in Joint Property." (H. P. 563) (L. D. 611) reported that the same be granted Leave to Withdraw.

Which report was read and accepted in concurrence.

Ought Not to Pass

The Committee on Judiciary on Bill "An Act Relating to Checking Speed of Motor Vehicles by Electrical Devices." (H. P. 109) (L. D. 117) reported that the same Ought not to pass.

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

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

The Committee on Transportation on Bill "An Act Relating to Paying of Deficiency of Truck Registration Fees." (H. P. 239) (L. D. 218) reported that the same Ought not to pass as covered by other legislation.

Which report was read and accepted in concurrence.

Ought to Pass

The Committee on Highways on Bill "An Act Relating to Compensation of Members of the Maine-New Hampshire Interstate Bridge Authority." (H. P. 293) (L. D. 305) reported that the same Ought to pass.

The same Committee on "Resolve Relating to the Deer Isle-Sedgwick Bridge." (H. P. 142) (L. D. 142) reported that the same Ought to pass.

The Committee on Inland Fisheries and Game on Bill "An Act Relating to Boundaries of Stockholm Game Preserve." (H. P. 187) (L. D. 192) reported that the same Ought to pass.

The Committee on Judiciary on Bill "An Act to Ratify and Make Valid the Incorporation of the First Congregational Church of Millinocket." (H. P. 301) (L. D. 312) reported that the same Ought to pass.

The Committee on Legal Affairs on Bill "An Act Amending the Charter of the City of Auburn re the City Planning Board." (H. P. 200) (L. D. 205) reported that the same Ought to pass.

The same Committee on Bill "An Act Relating to Time of Report of Harness Racing Commission." (H. P. 276) (L. D. 260) reported that the same Ought to pass.

The same Committee on Bill "An Act to Validate the Acts of the Lawndale Cemetery Corporation and to Authorize the Transfer to and Acceptance by the City of Old Town of that Corporation's Cemetery and Trust Funds." (H. P. 309) (L. D. 286) reported that the same Ought to pass.

The Committee on Public Utilities on Bill "An Act Defining Vessel under Public Utility Law." (H. P. 280) (L. D. 264) 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 Towns and Counties on Bill "An Act Increasing Salaries of Certain Officers in Washington County." (H. P. 169) (L. D. 160) reported that the same Ought to pass.

The same Committee on Bill "An Act to Increase the Salaries of the Judge and the Recorder of the Western Washington Municipal Court." (H. P. 170) (L. D. 161) 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. 171) (L. D. 162) reported that the same Ought to pass.

The same Committee on Bill "An Act to Increase the Salary of the Recorder of the Calais Municipal Court." (H. P. 172) (L. D. 163) reported that the same Ought to pass.

Comes from the House, the several bills recommitted to the Committee on Towns and Counties.

In Senate, recommitted to the Committee on Towns and Counties in concurrence.

Ought to Pass—as Amended

The Committee on Inland Fisheries and Game on "Resolve Regulating Fishing in Squa Pan Lake in Aroostook County." (H. P. 188) (L. D. 193) reported that the same

Ought to pass as amended by Committee Amendment A. (Filing No. 31)

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 Regulating Fishing for White Perch in Penobscot County." (H. P. 266) (L. D. 250) reported that the same Ought to pass as Amended by Committee Amendment A. (Filing No. 30)

Comes from the House, recommitted to the Committee on Inland Fisheries and Game.

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

Senate Papers Referred to Committees

The following Bills were transmitted by the Director of Legislative Research, pursuant to Joint Order (S. P. 25)

Appropriations and Financial Affairs

Mr. Farris of Kennebec presented Bill "An Act Increasing Salaries of Members of Industrial Accident Commission." (S. P. 339)

The same Senator presented Bill "An Act Relating to Compensation for Members of Mediation Panel." (S. P. 340)

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

Sent down for concurrence.

Business Legislation

Mr. Collins of Aroostook presented Bill "An Act Relating to Charitable Gifts by Trust Companies." (S. P. 341)

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

Sent down for concurrence.

Education

Mr. Dow of Lincoln presented Bill "An Act Changing Name of Madawaska Training School to Fort Kent State Normal School." (S. P. 342)

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

Sent down for concurrence.

Highways

Mr. Collins of Aroostook presented "Resolve in Favor of Town of Caribou." (S. P. 343)

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

Sent down for concurrence.

Inland Fisheries and Game

Mr. Boucher of Androscoggin presented

Bill "An Act Relating to Fishing Licenses for Religious Seminaries." (S. P. 344)

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

Sent down for concurrence.

Judiciary

Mr. Low of Knox presented Bill "An Act Relating to Trial Terms in Knox County." (S. P. 345)

Mr. Woodcock of Penobscot presented

Bill "An Act Relating to Inheritance Tax Bonds."

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

Sent down for concurrence.

Labor

Mr. Farris of Kennebec presented Bill "An Act Creating the Board of Construction Safety Rules and Regulations." (S. P. 347)

The same Senator presented Bill "An Act to Clarify the Employment Security Law." (S. P. 348)

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

Sent down for concurrence.

Legal Affairs

Mr. Boucher of Androscoggin presented

Bill "An Act Relating to Compensation of Boards of Registration in Cities of 39,000 Inhabitants or More." (S. P. 349)

Mr. Collins of Aroostook presented Bill "An Act Relating to Board of Registration, Public Library Committee and Town Clerk in Caribou." (S. P. 350)

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

Sent down for concurrence.

Retirements and Pensions

Mr. Butler of Franklin presented Bill "An Act Providing for Group Life Insurance for State Employees and Teachers." (S. P. 351)

Which was referred to the Committee on Retirements and Pensions and ordered printed.

Sent down for concurrence.

Taxation

Mr. Boucher of Androscoggin presented

Bill "An Act to Exempt from the Sales and Use Tax Water Sold for Home Consumption." (S. P. 352)

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

Sent down for concurrence.

Towns and Counties

Mr. Collins of Aroostook presented Bill "An Act Increasing Salaries of Certain County Officers in Aroostook County." (S. P. 353)

Mr. Farris of Kennebec presented Bill "An Act Relating to Fees of Town Clerks in Recording Copies of Instruments." (S. P. 354)

The same Senator presented Bill "An Act Increasing the Salary of the Judge of the Gardiner Municipal Court." (S. P. 355)

The same Senator presented Bill "An Act Increasing the Salary of the Recorder of the Gardiner Municipal Court." (S. P. 356)

Mr. Weeks of Cumberland presented

Bill "An Act Increasing the Salary of the Recorder of the South Portland Municipal Court." (S. P. 357)

The same Senator presented Bill "An Act Increasing Salary of the Recorder of the Westbrook Municipal Court." (S. P. 358)

Mr. Woodcock of Penobscot presented

Bill "An Act Increasing the Salary of the Judge of the Newport Municipal Court." (S. P. 359)

The same Senator presented Bill "An Act Increasing Salaries of the Judge and Recorder of the Town of Lincoln Municipal Court." (S. P. 360)

The same Senator presented Bill "An Act Increasing the Salary of the Judge of the Dexter Municipal Court." (S. P. 361)

The same Senator presented Bill "An Act Increasing Salaries of the Judge and Recorder of the Millinocket Municipal Court." (S. P. 362)

The same Senator presented Bill "An Act Increasing Salaries of the Judge and Recorder of the Old Town Municipal Court." (S. P. 363)

The same Senator presented Bill "An Act Increasing Salaries of the Judge and Recorder of the Bangor Municipal Court." (S. P. 364)

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

Sent down for concurrence.

**Senate Committee Reports
Ought Not to Pass**

Mr. Fournier from the Committee on Claims on "Resolve in Favor of Bernard L. Smith of Madison." (S. P. 202) reported that the same Ought not to pass.

Which report was read and accepted.

Sent down for concurrence.

Leave to Withdraw

Mr. Boucher from the Committee on Liquor Control on Bill "An Act relating to Merchandise Maintained

by Retail Store Liquor Licensees." (S. P. 226) (L. D. 567) reported that the same be granted Leave To Withdraw.

Which report was read and accepted.

Sent down for concurrence.

Ought to Pass

Mr. Collins from the Committee on Appropriations and Financial Affairs on Bill "An Act relating to Appropriation for Seed Potato Board." (S. P. 48) (L. D. 45) reported that the same Ought to pass.

Mr. Dow from the Committee on Education on Bill "An Act Relating to Reimbursement of Towns for Transportation or Board of School Children." (S. P. 152) (L. D. 346) reported that the same Ought to pass.

Mr. Fuller from the same Committee on "Resolve Continuing Unexpended Balances for Repairs and Construction in Certain State Institutions." (S. P. 177) (L. D. 429) reported that the same Ought to pass.

(On motion by Mr. Fuller of Oxford, tabled pending assignment for second reading.)

The same Senator from the same Committee on Bill "An Act Relating to Minimum Salaries of Teachers." (S. P. 178) (L. D. 431) reported that the same Ought to pass.

Mr. Carpenter from the Committee on Liquor Control on Bill "An Act relating to Sales of Liquor by the Commission to Government Instrumentalities." (S. P. 208) (L. D. 502) reported that the same Ought to pass.

Mr. Crabtree from the same Committee on Bill "An Act relating to Suspension of Liquor Licenses Pending Appeal." (S. P. 207) (L. D. 501) reported that the same Ought to pass.

Mr. Albee from the Committee on Taxation on Bill "An Act Relating to Definition of Retail Sale Under Sales Tax Law." (S. P. 138) (L. D. 330) reported that the same Ought to pass.

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

Second Readers

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

House

"Resolve Changing the Name of Rattlesnake Pond to Pequawket Pond." (H. P. 15) (L. D. 14)

Bill "An Act Relating to Payments to Piscataquis County Law Library." (H. P. 29) (L. D. 39)

Bill "An Act Relating to Forgery of Motor Vehicle Operator's License or Registration Certificate." (H. P. 60) (L. D. 65)

"Resolve Regulating Fishing for Smallmouth Black Bass, Pickerel and White Perch on Mount Desert Island." (H. P. 146) (L. D. 146)

"Resolve Regulating Taking of Smelts in Outlet of Nubble Pond, Cumberland County." (H. P. 147) (L. D. 147)

Bill "An Act Relating to Delinquent Election Returns." (H. P. 152) (L. D. 152)

"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)

Bill "An Act Relating to Use of Life Rafts by Certain Boats." (H. P. 204) (L. D. 209)

Bill "An Act to Extend the Charter of the Eliot Water District." (H. P. 311) (L. D. 288)

"Resolve in Favor of H. Tabenken & Co., Inc., of Bangor." (H. P. 40) (L. D. 365)

(On motion by Mr. Weeks of Cumberland, tabled pending passage to be engrossed.)

Bill "An Act Relating to the Supersintending School Committee of the City of Belfast." (H. P. 364) (L. D. 401)

Bill "An Act Relating to Salary and Bond of Treasurer of Community School District." (H. P. 368) (L. D. 404)

Bill "An Act Relating to Retirement Pensions for Police and Fire Departments of the City of Portland." (H. P. 369) (L. D. 405)

"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)

"Resolve Regulating Fishing in Sawyer's Pond in Southport." (H. P. 471) (L. D. 516)

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

House—as Amended

"Resolve Opening Brooks and Rivers in Hancock County to Taking of Salt Water Smelts." (H. P. 49) (L. D. 56)

Bill "An Act Relating to Appropriations by Municipalities for Advertising." (H. P. 50) (L. D. 57)

"Resolve Regulating Fishing in Rocky Lake and Sunken Lake in Washington County." (H. P. 144) (L. D. 144)

Bill "An Act to Clarify Certain Election Laws." (H. P. 151) (L. D. 151)

Bill "An Act Relating to Temporary Public Utility Certificate for Buses." (H. P. 206) (L. D. 211)

Bill "An Act Relating to Open Season for Black Bass." (H. P. 256) (L. D. 241)

Bill "An Act Relating to Expending Aroostook County Funds for Ricker College." (H. P. 314) (L. D. 291)

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

Bill "An Act Permitting Harold E. Urquhart of Lubec to Build Weir in Cobscook Bay, Washington County." (H. P. 233) (L. D. 212)

Bill "An Act Permitting Don H. Saunders of Lubec to Build Weir in Dennys Bay, Washington County." (H. P. 399) (L. D. 415)

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

Sent down for concurrence.

Senate

Bill "An Act Relating to Compensation of Members of the Board of Registration in Medicine." (S. P. 61) (L. D. 88)

Bill "An Act Relating to Holding Devices for Trailers." (S. P. 68) (L. D. 93)

Bill "An Act Relating to Spot, Fog or Auxiliary Lights on Certain Vehicles." (S. P. 69) (L. D. 94)

Bill "An Act Relating to Restricting or Increasing Speed of Motor Vehicles by State Highway Commission." (S. P. 71) (L. D. 96)

Bill "An Act Amending the Charter of Maine Public Service Company." (S. P. 113) (L. D. 275)

Bill "An Act Relating to Recording of Deeds of Land of the Penobscot Tribe." (S. P. 123) (L. D. 319)

Bill "An Act Exempting Real and Personal Property Occupied or Used by Tax Exempt Organizations from Taxation." (S. P. 137) (L. D. 329)

Bill "An Act Relating to Licensed Practical Nurses." (S. P. 165) (L. D. 359)

Bill "An Act Relating to Specially Designed Motor Vehicle Number Plates for Maine Members in Congress." (S. P. 170) (L. D. 360)

Bill "An Act Repealing Special Duty of State Police Re Registration of Motor Vehicles and Licensing of Operators." (S. P. 171) (L. D. 361)

Bill "An Act Repealing State Police Enforcement at Agricultural Fairs." (S. P. 172) (L. D. 362)

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

Sent down for concurrence.

Senate—As Amended

Bill "An Act to Incorporate the Trustees of St. Joseph's College." (S. P. 158) (L. D. 352)

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

Sent down for concurrence.

Enactors

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

Bill "An Act Repealing Separate Bids for Purchase of Institutional Supplies." (S. P. 49) (L. D. 46)

Bill "An Act Relating to Audience Participation in Radio or Television Amusements or Games." (S. P. 211) (L. D. 495)

Bill "An Act Relating to Eligibility for Aid for Veterans and Their Dependents." (H.P. 31) (L. D. 41)

(On motion by Mr. Collins of Aroostook, tabled pending passage to be enacted.)

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

Bill "An Act Correcting Appropriations for Snow Removal to Conform with New State Valuation." (H. P. 98) (L. D. 106)

Bill "An Act Relating to Gross Weight of Trucks, Tractors and Other Commercial Motor Vehicles." (H. P. 133) (L. D. 134)

Which bills were severally passed to be enacted.

"Resolve in Favor of Herman Zimmerman of Presque Isle." (S. P. 76) (L. D. 548)

"Resolve Designating Fore River Bridge in Cumberland County as The Veterans Memorial Bridge." (H. P. 55) (L. D. 61)

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

Which resolves were severally and finally passed.

Emergency

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 bill, being an emergency measure, and having received the affirmative vote of 27 members of the Senate, and none opposed was passed to be enacted.

Additional paper from the House, out of order and under suspension of the rules:

House report from the Committee on Legal Affairs, on bill, An Act relating to Indebtedness of West Gardiner School District (H. P. 439) (L. D. 485) reported, Ought to pass as amended by Committee Amendment A.

Comes from the House, the report accepted and the bill passed to be engrossed as amended.

In the Senate, the report was read and accepted in concurrence and the bill read once; Committee Amendment A was read and adopted in concurrence, and under suspension of the rules, the bill as so amended was given its second

reading and passed to be engrossed in concurrence.

Orders of the Day

On motion by Mr. Woodcock of Penobscot, the Senate voted to take from the table bill An Act to Repeal the Act Creating the Bethel Village Corporation. (Emergency.) (S. P. 96) (L. D. 199); tabled by that Senator on February 22 pending motion by the Senator from Oxford, Senator Boyker, that Committee Amendment A be indefinitely post-

poned and that Senator was granted permission to withdraw his motion for the indefinite postponement of Committee Amendment A.

Thereupon, Committee Amendment A was read and adopted and the bill was tomorrow assigned for second reading.

On motion by Mr. Boyker of Oxford

Adjourned until Tuesday morning, March 1 at ten o'clock.