

# 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**

Tuesday, March 8, 1955

The Senate was called to order by the President.

Prayer by the Rev. Edwin W. Grilley, Jr. of Augusta.

Journal of March 3rd read and approved.

**House Papers**

Bill "An Act to Place a Bounty on Porcupines." (H. P. 974) (L. D. 1122)

Which was referred to the Committee on Agriculture in concurrence.

Bill "An Act relating to Auto Travel for Inland Fish and Game Wardens." (H. P. 975) (L. D. 1123)

Bill "An Act relating to Salary and Travel of Members of the Legislature." (H. P. 976) (L. D. 1124)

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

"Resolve in Favor of the Town of Dexter." (H. P. 977) (L. D. 1125)

Which was referred to the Committee on Claims in concurrence.

Bill "An Act relating to Vocational Rehabilitation." (H. P. 978) (L. D. 1126)

Bill "An Act relating to Determination of Physical Disability by Department of Education." (H. P. 979) (L. D. 1127)

Which were referred to the Committee on Education in concurrence.

Bill "An Act Permitting Towns to Appropriate Money in Anticipation of State Highway Appropriations." (H. P. 980) (L. D. 1128)

"Resolve in Favor of Town of Canaan." (H. P. 981) (L. D. 1129)

"Resolve relating to Maintenance of Covered Bridge in Brownfield." (H. P. 982) (L. D. 1130)

"Resolve in Favor of Town of Garland." (H. P. 983) (L. D. 1131)

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

Bill "An Act relating to Open Season on Black Bear in Oxford County." (H. P. 984) (L. D. 1132)

Bill "An Act relating to Non-resident Fur Buyers." (H. P. 985) (L. D. 1133)

Bill "An Act relating to Open Season on Fisher." (H. P. 986) (L. D. 1134)

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

Bill "An Act relating to Evidence of Intoxication." (H. P. 987) (L. D. 1135)

Bill "An Act relating to Investment of Municipal Trust Funds." (H. P. 988) (L. D. 1136)

"Resolve Requesting Judicial Council to Study Problem of Common Law Pleading and Procedure." (H. P. 989) (L. D. 1137)

"Resolve Proposing an Amendment to the Constitution Providing for Limited Annual Sessions." (H. P. 990) (L. D. 1138)

"Resolve Proposing an Amendment to the Constitution Providing for Two Senators from Counties with Less Than Sixty Thousand Inhabitants." (H. P. 991) (L. D. 1139)

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

Bill "An Act Amending the Maine Employment Security Law as to Definition of Unemployment Total and Partial." (H. P. 992) (L. D. 1140)

Bill "An Act Amending the Maine Employment Security Law as to Weekly Benefits for Partial Unemployment." (H. P. 993) (L. D. 1141)

Bill "An Act Amending the Maine Employment Security Law as to Employers Experience Rating Record." (H. P. 994) (L. D. 1142)

Bill "An Act relating to Weekly Benefit for Partial Unemployment Under Employment Security Law." (H. P. 995) (L. D. 1143)

Bill "An Act relating to Payments from Benefit Account of Maine Employment Security Commission." (H. P. 996) (L. D. 1144)

Bill "An Act Amending the Maine Employment Security Law as to Reciprocal Benefit Arrangements." (H. P. 997) (L. D. 1145)

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

Bill "An Act relating to the Public Debt Amortization Fund in the City of Waterville." (H. P. 998) (L. D. 1146)

Bill "An Act relating to Bonds for Slum Clearance and Redevelopment Authority of Portland." (H. P. 999) (L. D. 1147)

Bill "An Act Creating a Board of Assessment Review for Town of Brunswick." (H. P. 1000) (L. D. 1148)

Bill "An Act Amending the Charter of the City of Ellsworth." (H. P. 1001) (L. D. 1166)

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

Bill "An Act relating to Salesmen under Liquor Laws." (H. P. 1002) (L. D. 1149)

Bill "An Act relating to Tables, Booths, etc. on Certain Premises Licensed to Sell Liquor." (H. P. 1003) (L. D. 1150)

Bill "An Act to Regulate Eligibility of Premises for Which Liquor Licenses May be Granted." (H. P. 1004) (L. D. 1151)

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

"Resolve Officially Naming Echo Lake, Penobscot County." (H. P. 1005) (L. D. 1152)

"Resolve Authorizing Forest Commissioner to Sell Island in Parker Pond, Kennebec County." (H. P. 1006) (L. D. 1153)

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

Bill "An Act relating to the Appointment of Trustees for the Kennebec Water District." (H. P. 1007) (L. D. 1154)

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

Bill "An Act Prohibiting the Taking and Use of Herring Under Four Inches in Length." (H. P. 1014) (L. D. 1155)

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

Bill "An Act Exempting Malt Beverages from the Sales and Use Tax Law." (H. P. 1016) (L. D. 1156)

Bill "An Act Exempting Insecticides, Fungicides, Etc. from Sales and Use Tax." (H. P. 1017) (L. D. 1157)

Bill, "An Act Exempting Non-Profit and Charitable Institutions from Sales and Use Tax Law." (H. P. 1018) (L. D. 1158)

Bill "An Act Providing for a Tax on Quahogs." (H. P. 1019) (L. D. 1159)

Bill "An Act Providing for Excise Tax on House Trailers." (H. P. 1020) (L. D. 1160)

Bill "An Act Increasing and Amending the Sales and Use Tax." (H. P. 1025) (L. D. 1164)

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

Bill "An Act Increasing Salary of Sheriff of Somerset County." (H. P. 1021) (L. D. 1161)

Bill "An Act relating to Salary of the Recorder and Clerk Hire of the Lewiston Municipal Court." (H. P. 1022) (L. D. 1162)

Bill "An Act relating to Salary of the Judge of the Lewiston Municipal Court." (H. P. 1026) (L. D. 1165)

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

Bill "An Act relating to Lights on Rear of Trucks." (H. P. 1023) (L. D. 1163)

Which was referred to the Committee on Transportation in concurrence.

#### House Committee Reports Leave to Withdraw

The Committee on Appropriations and Financial Affairs on Bill "An Act relating to Compensation of Hospitals Out of State." (H. P. 572) (L. D. 632) reported that the same be granted Leave to Withdraw.

The Committee on Towns and Counties on Bill "An Act Providing for an Additional Medical Examiner for Aroostook County." (H. P. 661)

reported that the same be granted Leave to Withdraw.

The same Committee on Bill "An Act relating to Payments to Oxford Law Library." (H. P. 688) (L. D. 756) reported that the same be granted Leave to Withdraw.

Which reports were read and accepted in concurrence.

#### Ought Not to Pass

The Committee on Inland Fisheries and Game on Bill "An Act Clarifying Game Management Areas." (H. P. 426) (L. D. 472) reported that the same Ought not to pass.

The Committee on Judiciary on Bill "An Act Eliminating Voting a Straight Party Ticket in Elections." (H. P. 594) (L. D. 650) reported that the same Ought not to pass.

Which reports were read and accepted in concurrence.

#### Ought to Pass

The Committee on Liquor Control on Bill "An Act relating to Local Option for Sale of Malt Liquor by Part-time Hotels." (H. P. 441) (L. D. 487) reported that the same Ought to pass.

In House, the report was accepted. Subsequently, the bill was recommitted to the Committee on Liquor Control.

In the Senate, recommitted to the Committee on Liquor Control in concurrence.

The Committee on Business Legislation on Bill "An Act relating to Expenses of Examination of Industrial Banks." (H. P. 89) (L. D. 100) reported that the same Ought to pass.

The Committee on Judiciary on Bill "An Act relating to Payments to Androscoggin Law Library." (H. P. 61) (L. D. 66) reported that the same Ought to pass.

The same Committee on Bill "An Act relating to Payment to Oxford County Law Library." (H. P. 298) (L. D. 309) reported that the same Ought to pass.

The same Committee on Bill "An Act relating to the Appointment of a Nominee by Banking Institutions Acting in a Fiduciary Capacity."

(H. P. 431) (L. D. 475) reported that the same Ought to pass.

Bill "An Act to Enlarge the Powers and Purposes of Congregational-Christian Conference in Maine." (H. P. 430) (L. D. 477) reported that the same Ought to pass.

The same Committee on Bill "An Act relating to Personal Recognizances." (H. P. 429) (L. D. 474) reported that the same Ought to pass.

The Committee on Transportation on Bill "An Act relating to Operation of Motor Vehicles to Inspection Stations for Inspection." (H. P. 129) (L. D. 132) reported that the same Ought to pass.

(On motion by Mr. Cole of Waldo, tabled pending acceptance of the report.)

The same Committee on Bill "An Act relating to Stations for Weighing Vehicles." (H. P. 237) (L. D. 216) reported that the same Ought to pass.

The Committee on Welfare on Bill "An Act relating to Medical Care for Public Assistance Recipients." (H. P. 510) (L. D. 547) reported that the same Ought to pass.

The same Committee on Bill "An Act relating to Certain Plantations Maintaining Paupers." (H. P. 570) (L. D. 618) 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.

The Committee on Appropriations and Financial Affairs on Bill "An Act relating to Aid to Public and Private Hospitals." (H. P. 175) (L. D. 182) reported the same in a new draft (H. P. 1024) (L. D. 1100) under the Same Title, and that it Ought to pass.

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

#### Ought to Pass—as Amended

The Committee on Business Legislation on Bill "An Act relating to Fees Paid to Register of Deeds by the State." (H. P. 177) (L. D. 184) reported that the same Ought to pass as Amended by Committee Amendment A.

The Committee on Transportation on Bill "An Act relating to Definition of School Buses and Overtaking and Passing School Buses." (H. P. 127) (L. D. 130) reported that the same Ought to pass as Amended by Committee Amendment A.

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

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
OFFICE OF THE CLERK  
Augusta

March 3, 1955

Honorable Chester T. Winslow  
Secretary of the Senate  
97th Legislature

Sir:

The Speaker of the House today appointed the following members of the House to serve on the Joint Select Committee created to study the utilization by the State of the Marine Hospital at Portland, House Paper 1057:

Messrs. JACOBS of Auburn  
FINEMORE of Bridgewater  
Miss CORMIER of Rumford  
Mr. BIBBER of Kennebunkport

Respectfully,

(Signed) HARVEY R. PEASE  
Clerk of the House

Which was read and placed on file.

Senate Papers  
Referred to Committees  
Judiciary

Mr. Weeks of Cumberland presented

Bill "An Act Providing for the Uniform Trust Receipts Act." (S. P. 438)

Mr. Woodcock of Penobscot presented

Bill "An Act relating to Registration as Voters of Physically Disabled Persons." (S. P. 439)

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

Sent down for concurrence.

**Liquor Control**

Mr. Reid of Kennebec presented Bill "An Act Repealing the Position of Director of Licensing and Enforcement Under Liquor Commission." (S. P. 440)

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

Sent down for concurrence.

**Order**

ORDERED, that William Dawes Veazie of Portland and Gardiner be invited to serve as chaplain in the Senate on Thursday, March 31.

Which was read and passed.

**Ought to Pass**

Mr. Silsby from the Committee on Judiciary on Bill "An Act relating to Peremptory Challenges in Criminal Cases." (S. P. 217) (L. D. 558) reported that the same Ought to pass.

Mr. Weeks from the same Committee on Bill "An Act relating to Jurisdiction of Cases of Forcible Entry and Detainer of Records of Municipal Courts." (S. P. 220) (L. D. 561) reported that the same Ought to pass.

Mr. Reid from the same Committee on Bill "An Act relating to Abstracts of Criminal Records for State Bureau of Identification." (S. P. 248) (L. D. 680) reported that the same Ought to pass.

Mr. Reid from the same Committee on Bill "An Act relating to Jurisdiction of State Courts after Federal Court Disposed of Criminal Case." (S. P. 252) (L. D. 684) reported that the same "Ought to pass."

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

Mr. Woodcock from the Committee on Legal Affairs on Bill "An Act Amending the Charter of the Caribou Hospital District." (S. P. 264) (L. D. 692) reported that the same "Ought to pass."

Which report was read and accepted and on motion by Mr. Collins of Aroostook, the rules were suspended, the bill was given its two several readings and passed to be engrossed. Sent down for concurrence.

**Ought to Pass as Amended**

Mr. Martin from the Committee on Legal Affairs on Bill "An Act relating to Registration of Architects." (S. P. 224) (L. D. 565) 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:

COMMITTEE AMENDMENT "A" to S. P. 224, L. D. 565, Bill "An Act relating to Registration of Architects."

"Amend said bill by striking out all of Section 1 thereof and inserting in place thereof the following:

'Section 1. R. S. Chapter 81, Section 1. The second paragraph of Section 1 of Chapter 81 of Revised Statutes is hereby amended to read as follows:

'The board shall be composed of five practicing architects or four practicing architects and one Professor of Architecture who shall be appointed by the Governor with the advice and consent of the Council, to serve for three years and until their successors are duly appointed and qualified. Each member of the board shall receive a certificate of his appointment from the Governor.'

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

**Second Readers**

The Committee on Bills in the Second Reading Reported the following bills and resolves:

**House**

Bill "An Act Exempting Sales of Mixed Fertilizer to Federal Government from Fertilizer Tax." (H. P. 174) (L. D. 181)

Bill "An Act relating to Commercial Fertilizers." (H. P. 246) (L. D. 234)

Bill "An Act Clarifying Laws on Slaughterhouses and Meat Processing Plants." (H. P. 327) (L. D. 368)

Bill "An Act Regulating the Taking of Alewives in St. George River in the Town of Warren." (H. P. 401) (L. D. 417)

Bill "An Act relating to Archery Licenses." (H. P. 416) (L. D. 463)

Bill "An Act relating to Keeping of Skunks and Raccoons in Captivity." (H. P. 417) (L. D. 464)

Bill "An Act relating to Closed Season on Gray Squirrels." (H. P. 423) (L. D. 469)

Bill "An Act Regulating the Taking of Alewives in Georges River." (H. P. 455) (L. D. 490)

Bill "An Act relating to Tuberculosis Tests for Cattle." (H. P. 511) (L. D. 575)

"Resolve Authorizing the State Board of Education of Convey Certain Land in Fort Kent to the Town of Fort Kent." (H. P. 548) (L. D. 605)

"Resolve relating to Smelt Fishing in East Machias River." (H. P. 561) (L. D. 610)

"Resolve Authorizing the Commissioner of Education to Convey a Portion of the Edmunds Township School Lot in Washington County." (H. P. 601) (L. D. 657)

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

**House—as Amended**

"Resolve to Apportion One Hundred and Fifty-one Representatives Among the Several Counties, Cities, Towns, Plantations and Classes in the State of Maine." (H. P. 22) (L. D. 37)

(On motion by Mr. Wyman of Washington, tabled pending passage to be engrossed, and especially assigned for Thursday next.)

Bill "An Act Prohibiting Commercial Digging of Claims in Brooklin and Sedgwick, Hancock County" (H. P. 402) (L. D. 418)

Bill "An Act relating to Permit Before Examination for Applicant to Practice Hairdressing and Beauty Culture." (H. P. 496) (L. D. 540)

Bill "An Act to Provide a Selectman Manager Form of Government for the Town of Madawaska, in the County of Aroostook." (H. P. 490) (L. D. 552)

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

### Senate

Bill "An Act to Coordinate Development and Regulatory Activities relating to the Peaceful Uses of Atomic Energy." (S. P. 266) (L. D. 697)

Bill "An Act relating to Uniform Interstate Compact on Juveniles." (S. P. 268) (L. D. 699)

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

Sent down for concurrence.

### Senate—as Amended

Bill "An Act relating to Meridian Lines and Standards of Length in Kennebec County." (S. P. 156) (L. D. 350)

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 bill and resolves.**

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

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

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

Which bills was passed to be enacted, and the resolves finally passed.

### Orders of the Day

On motion by Senator Fuller of Oxford, the Senate voted to take from the table the seventh tabled and unassigned matter, S. P. 177, L. D. 429 "Resolve Continuing Unexpanded Balances for Repairs and Construction in Certain State Institutions, tabled by that Senator on February 24th pending assignment for second reading.

Mr. FULLER of Oxford: Mr. President, this bill proposes to continue certain unexpended balances of moneys allocated in 1953 for repairs to certain state institutions and construction, State Hospitals,

Sanatoriums, Schools for Boys and Girls, Reformatory for Men, Reformatory for Women. I wish to propose an amendment that will include four of the State Teaches Colleges: Aroostook State Teachers College, Presque Isle, for repairs; Farmington State Teachers College, for construction of class room and library; Gorham State Teachers College, for construction of Men's dormitory; and Washington State Teachers College, Machias, for repairs and construction.

Mr. President, I present Senate Amendment "A" and move its adoption.

Thereupon, the amendment was adopted without reading and under suspension of the rules, the bill as amended was given its second reading and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Farris of Kennebec, the Senate voted to take from the table House Report ought to pass as amended from the Committee on Legal Affairs on bill "An Act to Grant a New Charter to the City of Gardiner" (H. P. 110) (L. D. 118) tabled by that Senator on March 3 pending acceptance of the report; and on further motion by the same Senator, the ought to pass report was accepted and the bill read once; Committee Amendment A was adopted without reading, and under suspension of rules, the bill as amended was given its second reading and passed to be engrossed in concurrence.

On motion by Mr. Jamieson of Aroostook, the Senate voted to reconsider its action taken earlier in today's session whereby bill An Act Relating to Lights on Rear of Trucks (H. P. 1023) (L. D. 1163) was referred to the Committee on Transportation; and on further motion by the same Senator, the bill was laid upon the table pending reference to a committee.

On motion by Mr. Parker of Piscataquis

Adjourned until tomorrow morning at ten o'clock.