

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 15, 1955

The Senate was called to order by the President.

Prayer by the Rev. Eugene E. Crommett of Hallowell.

Journal of March 10 read and approved.

House Papers

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

In Senate on February 24, passed to be engrossed.

Comes from the House, enactment reconsidered, and under suspension of the rules, engrossing reconsidered; House Amendment A adopted and the bill passed to be engrossed as amended by House Amendment A, in non-concurrence.

In the Senate, the rules were suspended engrossing reconsidered, House Amendment A adopted in concurrence, and the bill passed to be engrossed as amended by House Amendment A in concurrence.

Bill "An Act Relating to Liens on Property for Inheritance Taxes." (S. P. 434) (L. D. 1193)

In Senate on March 3, referred to Committee on Taxation.

Comes from the House, referred to the Committee on Judiciary in non-concurrence.

In the Senate, on motion by Mr. Reid of Kennebec, that Body voted to recede and concur.

Bill "An Act Relating to Deception as to Retail Prices of Motor Fuel." (H. P. 1060) (L. D. 1248)

Bill "An Act Relating to Sales of Goods and Merchandise Other Than at Retail." (H. P. 1061) (L. D. 1249)

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

Bill "An Act Relating to Age of Commitment to State School for Boys." (H. P. 1062) (L. D. 1250)

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

Bill "An Act Relating to Licenses to Teach in Public Schools." (H. P. 1063) (L. D. 1251)

Which was referred to the Committee on Education in concurrence.

Bill "An Act Permitting Transfer of Town Road Improvement Funds to State Aid Accounts." (H. P. 1064) (L. D. 1252)

Which was referred to the Committee on Highways in concurrence.

Bill "An Act Relating to Penalty for Transporting Live Fish in Certain Counties." (H. P. 1065) (L. D. 1253)

Bill "An Act Relating to Bounty on Bobcats." (H. P. 1066) (L. D. 1254)

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

Bill "An Act Relating to Validity of Acts of Selectmen." (H. P. 1067) (L. D. 1255)

Bill "An Act Relating to Teacher's Oath and Prohibited Teaching." (H. P. 1068) (L. D. 1256)

"Resolve Proposing an Amendment to the Constitution to Reapportion the House of Representatives by a Commission if the legislature Fails to Act." (H. P. 1069) (L. D. 1257)

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

Bill "An Act Relating to Weekly Benefits for Total Unemployment Under Employment Security Law." (H. P. 1070) (L. D. 1258)

Which were referred to the Committee on Labor in concurrence.

Bill "An Act Relating to State Purchases of Maine Agricultural Products." (H. P. 1076) (L. D. 1259)

Bill "An Act Amending the Charter of the City of Calais." (H. P. 1071) (L. D. 1266)

Bill "An Act Relating to Appointment of Corporation Counsel and All Board Members in City of Lewiston." (H. P. 1072) (L. D. 1267)

Bill "An Act to Amend the Paris Village Corporation." (H. P. 1073) (L. D. 1268)

Bill "An Act Relating to Licensing of Oil Burner Installers and Servicemen." (H. P. 1074) (L. D. 1269)

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

Bill "An Act Relating to Liquor License Credit." (H. P. 1077) (L. D. 1260)

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

Bill "An Act Relating to Public Camp Sites and Lunch Grounds Maintained by Forestry Department." (H. P. 1078) (L. D. 1261)

Bill "An Act Relating to Kindling Fires on Land." (H. P. 1079) (L. D. 1262)

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

Bill "An Act Relating to Apothecaries and the Sale of Poisons." (H. P. 1080) (L. D. 1263)

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

Bill "An Act Permitting Importation of Lobster Meat for Commercial Freezing and Canning." (H. P. 1081) (L. D. 1264)

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

Bill "An Act Repealing Exemption of Coal, Oil and Wood Under Sales and Use Tax Law." (H. P. 1082) (L. D. 1265)

Which was referred to the Committee on Taxation in concurrence.

Bill "An Act Increasing Salary of County Treasurer of Hancock County." (H. P. 1083) (L. D. 1244)

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

Bill "An Act Relating to Exhaust Pipes on Certain Motor Vehicles." (H. P. 1084) (L. D. 1245)

Bill "An Act Relating to Splash Guards for Motor Vehicles." (H. P. 1085) (L. D. 1246)

Bill "An Act Relating to Blinker Lights on Plowing and Sanding Units." (H. P. 1086) (L. D. 1247)

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

House Papers Received by Unanimous Consent

"Resolve Providing for State Pension for Lewis Schillinger of St. Albans." (H. P. 1116)

"Resolve Providing for State Pension for Emily Page of St. Albans." (H. P. 1117)

Which were 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 Claims on "Resolve to Reimburse Cecil Merrill of Dixfield for Damage done by State Ward." (H. P. 338) (L. D. 379) reported that the same Ought not to pass.

The Committee on Inland Fisheries and Game on Bill "An Act Relating to Open Season on Deer in Vinalhaven." (H. P. 7) (L. D. 6) reported that the same Ought not to pass.

The Committee on Retirements and Pensions on "Resolve Providing for State Pension for Louise Bernice Hunt of Parkman." (H. P. 46) reported that the same Ought not to pass.

The same Committee on "Resolve Providing for an Increase in State Pension for Velma Lawlor of Oakfield." (H. P. 48) reported that the same Ought not to pass.

The same Committee on "Resolve Providing for an Increase in State Pension for Carroll E. Patrick of Buxton." (H. P. 74) reported that the same Ought not to pass.

The same Committee on "Resolve Providing for State Pension for Stella M. Williams of Winthrop." (H. P. 160) reported that the same Ought not to pass.

The same Committee on "Resolve Providing for State Pension for Perry J. Caldwell of Winthrop." (H. P. 161) reported that the same Ought not to pass.

The same Committee on "Resolve Providing for State Pension for Camille Lachapelle of Winthrop." (H. P. 162) reported that the same Ought not to pass.

The same Committee on "Resolve Providing for State Pension for Albert Wilfred Lachapelle of Winthrop." (H. P. 163) reported that the same Ought not to pass.

The same Committee on "Resolve Providing for an Increase in State Pension for Maurice Albert of Madawaska." (H. P. 226) reported that the same Ought not to pass.

The same Committee on "Resolve Providing for State Pension for Gertrude B. Thompson of Chelsea." (H. P. 207) (L. D. 292) reported that the same Ought not to pass.

The same Committee on "Resolve Providing for an Increase in State Pension for Leland Small of Lewiston." (H. P. 218) reported that the same Ought not to pass.

The same Committee on "Resolve Providing for State Pension for Bernard Dumond of Aroostook County." (H. P. 230) reported that the same Ought not to pass.

The same Committee on "Resolve Providing for State Pension for Isaiah Barker of Ludlow." (H. P. 232) reported that the same Ought not to pass.

The same Committee on "Resolve Providing for State Pension for Evelyn Irvine of Winthrop." (H. P. 244) reported that the same Ought not to pass.

The same Committee on "Resolve Providing for State Pension for Ava Carter of Belfast." (H. P. 319) reported that the same Ought not to pass.

The same Committee on "Resolve Providing for an Increase in State Pension for Burreigh M. F. Esancy of Union." (H. P. 321) reported that the same Ought not to pass.

The same Committee on "Resolve Providing for State Pension for Sadie Crush of Wilton." (H. P. 396) reported that the same Ought not to pass.

The same Committee on "Resolve Providing for State Pension for Herman Leroy Archer of Mapleton." (H. P. 397) reported that the same Ought not to pass.

The same Committee on "Resolve Providing for State Pension for

John Sirois of Caribou." (H. P. 445) reported that the same Ought not to pass.

The same Committee on "Resolve Providing for State Pension for Edith Levesque of Caribou." (H. P. 446) reported that the same Ought not to pass.

The same Committee on "Resolve Providing for State Pension for Alfred Ouellette of Augusta." (H. P. 451) reported that the same Ought not to pass.

The same Committee on "Resolve Providing for State Pension for Fredolin Poulin of Augusta." (H. P. 452) reported that the same Ought not to pass.

The same Committee on "Resolve Providing State Pension for Emma A. Ulmer of Bucksport." (H. P. 502) reported that the same Ought not to pass.

The same Committee on "Resolve Providing for State Pension for Herbert W. Grindle of Bucksport." (H. P. 503) reported that the same Ought not to pass.

(On motion by Mr. Silsby of Hancock, tabled pending acceptance of the report.)

The same Committee on "Resolve Providing for State Pension for John Kidder of Dixfield." (H. P. 555) reported that the same Ought not to pass.

The same Committee on "Resolve Providing for State Pension for Barbara Anne Parlin of Norway." (H. P. 556) reported that the same Ought not to pass.

The same Committee on "Resolve Providing for an Increase in State Pension for Bertha F. Foster of Auburn." (H. P. 559) reported that the same Ought not to pass.

The same Committee on "Resolve Rachel Lussier of Lewiston." (H. P. 603) reported that the same Ought not to pass.

The same Committee on "Resolve Providing for State Pension for Laura A. Lee of Turner Center." (H. P. 605) reported that the same Ought not to pass.

The same Committee on "Resolve Providing for a State Pension for Beulah Tucker of Smyrna Mills." (H. P. 794) reported that the same Ought not to pass.

The same Committee on "Resolve providing for a State Pension for

Frank Moore of Norridgewock." (H. P. 796) reported that the same Ought not to pass.

The Committee on Taxation on Bill "An Act Relating to Certain Data in Possession of State Tax Assessor." (H. P. 686) (L. D. 754) reported that the same Ought not to pass.

Which reports were severally read and accepted in concurrence.

The Committee on Retirements and Pensions on "Resolve Providing for an Increase in State Pension for Alice Sirois of Old Town." (H. P. 76) reported that the same Ought to pass.

Comes from the House, recommended to the Committee on Retirements and Pensions.

In the Senate, recommitted to the Committee on Retirements and Pensions in concurrence.

Ought to Pass

The Committee on Labor on Bill "An Act Relating to Records of Time Worked by Male Employees Sixteen Years of Age or Over." (H. P. 305) (L. D. 283) reported that the same Ought to pass.

Comes from the House, report accepted and bill recommitted to the Committee on Labor.

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

The Committee on Highways on "Resolve Designating Certain Bridge in Oxford County as 'Martin Memorial Bridge'." (H. P. 586) (L. D. 642) reported that the same Ought to pass.

The same Committee on "Resolve Designating New Bridge at Dresden as 'Dresden Memorial Bridge'." (H. P. 528) (L. D. 587) 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 Legal Affairs on Bill "An Act to Incorporate the Gouldsboro School District." (H. P. 618) (L. D. 625) reported that the same Ought to pass.

Comes from the House, the report accepted and the bills passed to be engrossed as amended by House Amendment A (Filing No. 86)

In the Senate, report accepted in concurrence and the bill read once. House Amendment A was read and adopted in concurrence, and the bill as amended was tomorrow assigned for second reading.

Senate Papers

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

Appropriations and Financial Affairs

Mr. Carpenter of Somerset presented

Bill "An Act Providing for Two Deputy Commissioners of Institutional Service." (S. P. 454)

Mr. Wyman of Washington presented

Bill "An Act Relating to School Subsidy Allocations." (S. P. 455)

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

Sent down for concurrence.

Education

The same Senator presented

Bill "An Act Relating to the Study of Maine History and Government in Secondary Schools." (S. P. 456)

The same Senator presented

"Resolve Appropriating Money for the Preparation of Educational Materials on Maine for Schools." (S. P. 457)

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

Sent down for concurrence.

Natural Resources

Mr. Low of Knox presented

Bill "An Act Relating to Duties of Water Improvement Commission." (S. P. 458)

Which was referred to the Committee on Natural Resources and 1000 copies ordered printed.

Sent down for concurrence.

Sea and Shore Fisheries

Mr. Brown of Washington presented

Bill "An Act Relating to Size of Lobsters." (S. P. 459)

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

Sent down for concurrence.

Orders

On motion by Mr. Reid of Kennebec

ORDERED, the House concurring, that all bills and resolves listed by the Director of Legislative Research on his lists filed with the Legislature on February 8th and February 15th, be received after 1 p.m., Tuesday, March 22nd, only by unanimous consent in both branches of the Legislature.

Which was read and passed.

Sent down for concurrence.

Senate Committee Reports

Ought Not to Pass

Mr. Reid from the Committee on Judiciary on Bill "An Act Relating to Descent of Real Estate in Divorce Cases." (S. P. 38) (L. D. 27) reported that the same Ought not to pass.

(On motion by Mr. Lessard of Androscoggin, tabled pending acceptance of the report.)

The same Senator from the same Committee on Bill "An Act Relating to Residence Requirements in Adoptions." (S. P. 126) (L. D. 322) reported that the same Ought not to pass.

Mr. Lessard from the Committee on Legal Affairs on Bill "An Act Relating to Payments by Northport Village Corporation to Town of Northport." (S. P. 164) (L. D. 358) reported that the same Ought not to pass.

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

Mr. Martin from the same Committee on Bill "An Act Relating to Hours of Opening and Closing Barber Shops." (S. P. 225) (L. D. 566) reported that the same Ought not to pass.

Which reports were severally read and accepted.

Sent down for concurrence.

Leave to Withdraw

Mr. Cummings from the Committee on Taxation on Bill "An Act Relating to Exemption of Spray Materials from Sales Tax." (S. P. 274) (L. D. 704) reported that the same be granted Leave to Withdraw, as Covered by Other Legislation.

Which report was read and accepted.

Sent down for concurrence.

Ought to Pass

Mr. Farris from the Committee on Business Legislation on Bill "An Act Relating to Charitable Gifts by Trust Companies." (S. P. 341) (L. D. 950) reported that the same Ought to pass.

Mr. Weeks from the Committee on Judiciary on Bill "An Act Relating to the Laws of Divorce." (S. P. 125) (L. D. 321) reported that the same Ought to pass.

Mr. Reid from the Committee on Judiciary on Bill "An Act Revising the Laws on Civil Defense and Public Safety." (S. P. 159) (L. D. 353) reported that the same Ought to pass.

The same Senator from the same Committee on Bill "An Act Relating to Payment of Alimony and Support of Minor Children." (S. P. 193) (L. D. 447) reported that the same Ought to pass.

The same Senator from the same Committee on Bill "An Act Relating to Children Caring for Parents." (S. P. 194) (L. D. 445) reported that the same Ought to pass.

The same Senator from the same Committee on Bill "An Act Relating to Children Caring for Parents." (S. P. 194) (L. D. 445) reported that the same Ought to pass.

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

On motion by Mr. Farris of Kennebec, the Senate voted to reconsider its action just taken whereby it accepted the ought to pass report of the Committee on Bill "An Act Revising the Laws on Civil Defense and Public Safety (S. P. 159) (L. D. 353); and on further motion by the same Senator the bill was laid

upon the table pending acceptance of the report.

Ought to Pass—as Amended

Mr. Lessard from the Committee on Legal Affairs on Bill "An Act Creating the MacMahan Island Village Corporation." (S. P. 253) (L. D. 694) reported that the same Ought to pass as Amended by Committee Amendment A.

On motion by Mr. Cummings of Sagadahoc, the bill and accompanying papers were laid upon the table pending acceptance of the report.

Second Readers

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

House

Bill "An Act Relating to Closed Time on Deer in Vinalhaven." (H. P. 143) (L. D. 143)

Bill "An Act Regulating the Taking of Marine Worms." (H. P. 312) (L. D. 289)

"Resolve Providing for Construction of a Substitute Road in Howland." (H. P. 356) (L. D. 394)

Bill "An Act Relating to the Digging of Clams in the Town of Lincolnville." (H. P. 400) (L. D. 416)

Bill "An Act Relating to Use of Gill Nets." (H. P. 418) (L. D. 465)

Bill "An Act Relating to Fees for Hunting and Fishing Licenses." (H. P. 424) (L. D. 470)

(On motion by Mr. Silsby of Hancock, tabled pending passage to be engrossed.)

Bill "An Act Relating to Membership on Harness Racing Commission." (H. P. 544) (L. D. 601)

Bill "An Act Relating to Term of Office of Town Clerk of Fort Fairfield." (H. P. 629) (L. D. 669)

Bill "An Act Relating to Repair of Private Common Sewers in the City of Portland." (H. P. 712) (L. D. 780)

Bill "An Act Relating to Sporting Camps in Unorganized Territory." (H. P. 1036) (L. D. 1197)

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

House—as Amended

Bill "An Act Prohibiting Gifts or Other Gratuities to Bank Officials for Procuring Loans." (H. P. 90) (L. D. 101)

Bill "An Act to Amend the Charter of the City of Bath." (H. P. 112) (L. D. 120)

Bill "An Act Relating to the Taking of Clams or Quahogs in the Town of Harpswell." (H. P. 167) (L. D. 158)

Bill "An Act Regulating Fishing in Dennys River, Washington County." (H. P. 257) (L. D. 297)

"Resolve Authorizing Alfred Howard, Sr. and Ethel N. Howard of Moscow to Sue the State of Maine." (H. P. 600) (L. D. 656)

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

Senate

"Resolve to Reimburse the City on South Portland for Support of Margaret Dawson." (S. P. 215) (L. D. 556)

Bill "An Act Relating to Speed Regulations for Passenger Buses." (S. P. 236) (L. D. 572)

Bill "An Act Relating to Maine Sardine Tax Committee and Suspending Sardine Tax on Certain Cases of Sardines." (S. P. 258) (L. D. 687)

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

Sent down for concurrence.

Senate—as Amended

Bill "An Act Relating to Fees for Motor Vehicle Inspections." (S. P. 235) (L. D. 571)

Bill "An Act Providing Additional Facilities at Piscataquis County Court House." (S. P. 336) (L. D. 900)

Bill "An Act Regulating Natural Gas Pipe Lines." (S. P. 331) (L. D. 903)

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

Sent down for concurrence.

Orders of the Day

Mr. WYMAN of Washington: Mr. President, I would like to inquire if

L. D. 37, Resolve to Apportion One Hundred and Fifty-one Representatives Among the Several Counties, Cities, Towns, Plantations and Classes in the State of Maine, is in the possession of the Senate?

The PRESIDENT: The Chair will state that L. D. 37 is in the possession of the Senate having been held at the request of the Senator from Washington, Senator Wyman.

Mr. WYMAN: Mr. President, I move that the Senate reconsider its action whereby this resolve was passed to be engrossed and in so doing I realize that it is inevitable that Washington County is going to lose two representatives and have six. However, I do think we can effect a more equitable distribution of the classes as they are now provided in this bill and if you vote Yes and reconsider this bill, I will offer an amendment to change the classes as they are now constituted in the bill in Washington County only.

The motion prevailed and the Senate voted to reconsider its former action whereby the resolve was passed to be engrossed.

Mr. WYMAN: Mr. President, I now offer Senate Amendment A to House Amendment I and move its adoption. There is now as the classes are constituted in this bill, a difference of some 2200 people between the largest and the smallest classes, and this amendment will tend to reduce this inequity and make the classes more even as the Constitution provides. I therefore move the adoption of the amendment.

Senate Amendment A to House Amendment I to H. P. 22, L. D. 37. "Amend said amendment by striking out the 9th line thereof and inserting in place thereof the following: 'and Jonesport 1 representative, Lubec, Machiasport, Trescott, Whiting, Charlotte'.

Further amend said amendment by striking out the comma and word 'Charlotte' in the 3rd line from the end thereof."

Thereupon, the Senate voted to reconsider its former action whereby it adopted House Amendment I: and Senate Amendment A to House Amendment I was adopted; House

Amendment I as amended by Senate A was adopted.

Mr. COLLINS of Aroostook: Mr. President, I would like to inquire through the Chair if the various amendments you have referred to take in an amendment relating to Aroostook County reapportionment? It was my understanding that there was a House Amendment provided I think by Representative Finne-more and I understood that that was adopted. I haven't seen any re-draft of the reapportionment and for that reason—I think there were two amendments and I would like to know whether they are in the bill before it is passed to be engrossed.

Thereupon, the Secretary read House Amendment A to House Amendment B to L. D. 37.

The PRESIDENT: This being a very important matter, the Senate may be at ease for a few moments.

The PRESIDENT: The Chair will state at this time that through the efficiency of your super-efficient Secretary, arrangements have been made whereby this bill when it reaches final engrossment, will be again printed, and in your books.

Thereupon, the resolve as amended by House Amendment A; House Amendment B as amended by House Amendment A thereto; House Amendments C, G, E; House Amendment I as amended by Senate Amendment A thereto, was passed to be engrossed in non-concurrence.

Sent down for 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 Inland Fisheries and Game, on bill "An Act Relating to Rabbit Hunting in Oxford, Franklin and Somerset Counties (H. P. 8) (L. D. 7) tabled by that Senator on March 10 pending acceptance of the report; and on further motion by the same Senator, the ought to pass report was accepted, the bill was read once, and House Amendment A was read and adopted in concurrence.

The same Senator then presented Senate Amendment A and moved its adoption.

Senate Amendment A to L. D. 7: "Amend said bill by inserting in the title, after the word and punctuation 'Oxford,' the words and punctuation 'Knox,';

Further amend said bill by inserting in the last paragraph after the underlined word 'Oxford' the underlined punctuation and word 'Knox'."

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

The PRESIDENT: Is it now the pleasure of the Senate that the Secretary of the Senate be instructed to present to the Senator from Somerset, Senator Carpenter this token of our appreciation of the fact that this is his birthday?

The Secretary presented Senator Carpenter with a gift, amidst the applause of the Senate.

The PRESIDENT: Is it now the pleasure of the Senate that the Senator from Somerset be granted unanimous consent to acknowledge this gift?

Mr. CARPENTER: Mr. President and members of the Senate, I thank you very much for this token representing my birthday which, incidentally, makes me feel rather

aged. As a matter of fact, it was just about thirty-nine years ago on a morning like this that I—

The PRESIDENT: The Chair thinks the Senator has gone far enough. (Laughter)

The PRESIDENT: The Senate is proceeding under Orders of the Day.

On motion by Mr. Jamieson of Aroostook, the Senate voted to take from the table bill "An Act Relating to Lights on Rear of Trucks." (H. P. 1023) (L. D. 1163) tabled by that Senator on March 8 pending reference to a committee.

Mr. JAMIESON: Mr. President, it was my understanding that the committee had heard this bill and had come out with an ought to pass report.

The Secretary read the endorsements on the bill.

Thereupon, on motion by Mr. Jamieson of Aroostook, the bill was referred to the Committee on Transportation in concurrence.

On motion by Mr. Sinclair of Somerset

Adjourned until tomorrow morning at ten o'clock.