

# 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 22, 1955

Senate called to order by the President.

Prayer by the Rev. Christy Schjeveland of Damariscotta.

Journal of March 17 read and approved.

### House Papers

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

In Senate on March 15, passed to be engrossed.

Comes from the House, recommended to the Committee on Claims in non-concurrence.

In the Senate, on motion by Mr. Weeks of Cumberland, the resolve was laid upon the table pending consideration.

The PRESIDENT: At this time the Chair notes the presence in the Senate Chamber of a group of students from Riverside School in Vassalboro. The Chair would particularly suggest to the Senate that you look at this group of bright young men and women and that you particularly notice that their teacher Beulah McDonald is the attractive sister of our distinguished Assistant Clerk. We hope that you have a fine day here, and we hope that you will come down after the session and visit with all of us. Thank you for coming.

Bill “An Act Increasing Potato Tax and Disposition Thereof.” (S. P. 1119) (L. D. 1317)

Bill “An Act Relating to State Sealer of Weights and Measures.” (H. P. 1120) (L. D. 1318)

Which were referred to the Committee on Agriculture in concurrence.

Bill “An Act Providing for a Director of Recreation Under the State Park Commission.” (H. P. 1121) (L. D. 1319)

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

Bill “An Act Providing for Fee for New Motor Vehicle Registration Plates.” (H. P. 1123) (L. D. 1321)

“Resolve Classifying Road from Rockwood to Jackman as State Highway.” (H. P. 1124) (L. D. 1322)

Which were referred to the Committee on Highways in concurrence.

“Resolve Regulating Fishing in Aroostook River in Aroostook County.” (H. P. 1125) (L. D. 1323)

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

Bill “An Act Relating to Rules and Blanks of the Court of Probate.” (H. P. 1122) (L. D. 1320)

Bill “An Act Relating to Definition and Duties of ‘Owner’ in Motor Vehicle Laws.” (H. P. 1126) (L. D. 1324)

Bill “An Act Relating to Expense of Transferring Prisoners from County Jails to State Prison.” (H. P. 1127) (L. D. 1325)

Bill “An Act Relating to Election of Chairmen of State Committees of Political Parties.” (H. P. 1128) (L. D. 1326)

Which were severally referred to the Judiciary Committee in concurrence.

Bill “An Act Amending the Maine Employment Security Law as to Seasonal Employment.” (H. P. 1129) (L. D. 1327)

Bill “An Act Amending the Maine Employment Security Law as to Employer’s Contribution Rate.” (H. P. 1130) (L. D. 1328)

Which were referred to the Committee on Labor in concurrence.

Bill “An Act Relating to Penalty for Failure to Pay Wages Due.” (H. P. 1131) (L. D. 1329)

Bill “An Act Relating to Municipal Officers in City of Lewiston.” (H. P. 1132) (L. D. 1330)

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

Bill “An Act Relating to Classification of Waters of the State and Abatement of Pollution thereof.” (H. P. 1133) (L. D. 1331)

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

Bill "An Act Transferring State Sanatoriums from Department of Institutional Service to Department of Health and Welfare." (H. P. 1134) (L. D. 1332)

Bill "An Act Amending the Laws on Registration of Podiatrists." (H. P. 1135) (L. D. 1333)

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

Bill "An Act Relating to Interrupted Electric Power Furnished by Public Utilities." (H. P. 1136) (L. D. 1334)

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

Bill "An Act Relating to Sales Taxes Upon the Seller on Sales Under Twenty-five Cents." (H. P. 1138) (L. D. 1335)

Which was referred to the Committee on Taxation in concurrence.

Bill "An Act Providing for a Contingent Account for Androscoggin County." (H. P. 1139) (L. D. 1336)

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

Bill "An Act Relating to Axle Weight Limits." (H. P. 1140) (L. D. 1337)

Bill "An Act Relating to Length of Certain Motor Vehicles and Loads Thereon." (H. P. 1141) (L. D. 1338)

Bill "An Act Relating to Movement of Contractor's Equipment over State Highways." (H. P. 1142) (L. D. 1339)

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

Bill "An Act to Authorize the Issuance of Bonds in the Amount of Twenty Million Dollars for Bonus to Maine Veterans of World War II and the Korean Campaign." (H. P. 1143) (L. D. 1340)

"Resolve Proposing an Amendment to the Constitution to Provide for a Bonus to Maine Veterans of World War II and the Korean Campaign." (H. P. 1144) (L. D. 1341)

Which were referred to the Committee on Veterans and Military Affairs in concurrence.

### House Committee Reports Leave to Withdraw

The Committee on Public Health on Bill "An Act Relating to Qualifications on Applicants for Hairdressing and Beauty Culture." (H. P. 715) (L. D. 783) reported that the same be granted Leave to Withdraw.

The Committee on Retirements and Pensions on "Resolve Providing for an Increase in State Pension for Geneva Morton of Garland." (H. P. 1013) reported that the same be granted Leave to Withdraw.

Which reports were read and accepted in concurrence.

### Ought Not to Pass

The Committee on Retirements and Pensions on "Resolve Providing for an Increase in State Pension for James E. Caton of Phippsburg." (H. P. 23) reported that the same "Ought not to pass."

The same Committee on "Resolve Providing for an Increase in State Pension for Marion Hilton of St. Albans." (H. P. 118) reported that the same "Ought not to pass."

The same Committee on "Resolve Providing for State Pension for Kathleen Small of Pittsfield." (H. P. 156) reported that the same "Ought not to pass."

The same Committee on "Resolve Granting Additional Retirement Benefits for Erna G. Adams of Bridgton." (H. P. 159) reported that the same "Ought not to pass."

The same Committee on "Resolve Providing for State Pension Increase for Charles Bowen of Newburg." (H. P. 208) (L. D. 293) reported that the same "Ought not to pass."

The same Committee on "Resolve Providing for State Pension for Joseph F. Boulet of Lewiston." (H. P. 316) reported that the same "Ought not to pass."

The same Committee on "Resolve Providing for State Pension for William J. Thayer of Lincolnville." (H. P. 381) reported that the same "Ought not to pass."

The same Committee on "Resolve Granting a Pension to Hubert E. Redding of Oakland." (H. P. 382) reported that the same "Ought not to pass."

The same Committee on "Resolve Providing for an Increase in State Pension for Alfred Wik of Stockholm." (H. P. 384) reported that the same "Ought not to pass."

The same Committee on "Resolve Providing for State Pension Increase for Geneva Morton of Garland." (H. P. 386) reported that the same "Ought not to pass."

The same Committee on "Resolve Providing for an Increase in State Pension for Nannie Anderson, of Stockholm." (H. P. 394) reported that the same "Ought not to pass."

The same Committee on "Resolve Providing for State Pension for William Louis Pelkey of Limestone." (H. P. 398) reported that the same "Ought not to pass."

The same Committee on "Resolve in Favor of Francis G. Kalile, of Belfast." (H. P. 450) reported that the same "Ought not to pass."

The same Committee on "Resolve Providing for State Pension for Nellie E. Perkins of Charleston." (H. P. 695) reported that the same "Ought not to pass."

The same Committee on "Resolve Providing for State Pension for Harry Cook of Livermore Falls." (H. P. 760) reported that the same "Ought not to pass."

The same Committee on "Resolve Providing for State Pension for Eber Day of Stetson." (H. P. 810) reported that the same "Ought not to pass."

Which reports were severally read and accepted in concurrence.

#### Ought to Pass

The Committee on Towns and Counties on Bill "An Act Increasing the Salary of the Recorder of Western Hancock Municipal Court." (H. P. 947) (L. D. 1050) reported that the same "Ought to pass."

The Committee on Veterans and Military Affairs on Bill "An Act Defining Veteran in Korean Campaign." (H. P. 726) (L. D. 790) reported that the same "Ought to pass."

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

#### Ought to Pass—as Amended

The Committee on Inland Fisheries and Game on "Resolve Regulating Fishing in Bracket Lake in Aroostook County." (H. P. 663) (L. D. 739) reported that the same Ought to pass as Amended by Committee Amendment A. (Filing No. 96)

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.

#### Majority—Ought Not to Pass

#### Minority—Ought to Pass

The Majority of the Committee on Judiciary on "Resolve Proposing an Amendment to the Constitution to Reduce the Voting Age to Eighteen Years." (H. P. 483) (L. D. 528) reported that the same Ought not to pass.

(Signed) Senators:

REID of Kennebec  
SILSBY of Hancock

Representatives:

McGLAUFLIN of Portland  
DAVIS of Calais  
EARLES of South Portland  
BROWNE of Bangor  
HANCOCK of York  
MacDONALD of Rumford

The Minority of the Same Committee on the same subject matter reported that the resolve Ought to pass.

(Signed) Senator:

WEEKS of Cumberland

Representative:

NEEDHAM of Orono

Comes from the House, the Minority Ought to pass report accepted and the resolve passed to be engrossed.

In the Senate, on motion by Mr. Weeks of Cumberland, the resolve and accompanying papers were laid upon the table pending acceptance of either report, and were specially assigned for Wednesday, March 30.

#### Senate Paper

#### Referred to Committee

The following bill was transmitted by the Director of Legislative

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

**Judiciary**

Mr. Chapman of Cumberland presented

Bill "An Act Restoring Violations of the Liquor Law to the Operation of the Criminal Law." (S. P. 490)

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

Sent down for concurrence.

**Order**

On motion by Mr. Butler of Franklin

ORDERED, the House concurring, in order that the records of the Gifts by Percival Proctor Baxter to the State of Maine as Trustee in Trust of three thousand five hundred sixty-nine (3,569) acres in township six (6) range nine (9) Piscataquis County, State of Maine, be complete and in enduring form, the Communication dated March 17th, 1955, addressed by said Baxter to Honorable Edmund S. Muskie, Governor, and to the Honorable Senate and House of Representatives of the Ninety-seventh Legislature, together with the Message of Governor Edmund S. Muskie transmitting the said Communication to this Legislature be printed in the Laws of Maine for 1955.

Which was read and passed.

Sent down for concurrence.

The PRESIDENT: At this time the Chair will note that the matter just referred to in the Joint Order will be a communication and an Act to be considered by this Body the next legislative day, tomorrow.

**Senate Committee Reports**

**Ought Not to Pass**

Mr. Martin from the Committee on Legal Affairs on Bill "An Act Relating to Compensation of Boards of Registration in Cities of 39,000 Inhabitants or More." (S. P. 349) (L. D. 958) reported that the same Ought not to pass.

Mr. Fournier from the Committee on Sea and Shore Fisheries on Bill "An Act Relating to Interstate Shipment of Clams." (S. P. 333) (L. D. 897) reported that the same Ought not to pass.

Mr. Cummings from the Committee on Taxation on Bill "An Act Exempting Towns from Gasoline Tax." (S. P. 335) (L. D. 899) reported that the same Ought not to pass.

Which reports were severally read and accepted.

Sent down for concurrence.

**Ought to Pass—New Draft**

Mr. Reid from the Committee on Judiciary on Bill "An Act Amending the Mining Law." (S. P. 78) (L. D. 179) reported the same in new draft (S. P. 494) under the same title, and that it Ought to pass.

On motion by Mr. Reid of Kennebec, the bill was laid upon the table pending acceptance of the report.

**Ought to Pass**

Mr. Jamieson from the Committee on Agriculture on Bill "An Act Relating to Marking Certain Sardine Cans for Contents." (S. P. 387) (L. D. 1101) reported that the same "Ought to pass."

Mr. Carpenter from the Committee on Inland Fisheries and Game on Bill "An Act Relating to Rules and Regulations of the Department of Inland Fisheries and Game." (S. P. 180) (L. D. 432) reported that the same "Ought to pass."

Mr. St. Pierre from the Committee on Public Health on Bill "An Act Relating to Temporary License for Osteopathic Physicians." (S. P. 270) (L. D. 701) reported that the same "Ought to pass."

Mr. Hall from the Committee on Transportation on Bill "An Act Relating to Nonresident Owned Semi-Trailers." (S. P. 385) (L. D. 1081) reported that the same "Ought to pass."

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

Mr. Reid from the Committee on Judiciary on Bill "An Act Relating to Corporate Mergers." (S. P. 404) (L. D. 1118) reported that the same "Ought to pass."

Mr. REID of Kennebec: Mr. President, I wish to assure the Senate that this particular bill has nothing to do with the Bates con-

troversy. It is simply to amend the present law with respect to the filing of certain papers and I therefore move the acceptance of the committee report.

The motion prevailed, the report was accepted and the bill read once and tomorrow assigned for second reading.

Mr. Fuller from the Committee on Agriculture on Bill "An Act Relating to the Duties of the Commissioner of Agriculture re Sardine Canning Inspection Law." (S. P. 386) (L. D. 1182) 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. 386, L. D. 1182.

"Amend said bill by striking out the second sentence of the first paragraph of section 3 and inserting in place thereof the following sentence:

'He shall make uniform rules and regulations which shall have the effect of law for carrying out the provisions of said sections and for insuring sardines are packed in a sanitary environment and manner and for the sanitary storage and condition of packing media, and may fix standards of quality in addition to standards fixed by law; and he shall authorize the persons packing sardines in conformity with the requirements of said sections to mark the container of said sardines with a statement certifying that the food contained therein was packed, inspected and passed under the provisions of sections 216 to 228, inclusive.'

Further amend said bill by striking out in section 4 the word 'inspector' in line 1 of paragraph 1, line 6 of paragraph 1, line 1 of paragraph 2, and line 16 of paragraph 3, and inserting in place thereof in each instance the words 'duly authorized agent of the commissioner'; and by striking out the word 'inspectors' in line 5 of paragraph 3 and inserting in place thereof the words 'duly authorized agents'.

Further amend said bill by striking out the last sentence of para-

graph 1 of section 10 and inserting in its place the following sentence:

'The Board shall meet with the commissioner at regular intervals to be determined by it, and oftener if called by the commissioner, who shall also call a meeting of the Board on Written request of three members.'"

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

Mr. Weeks from the Committee on Judiciary on bill An Act Relating to Qualifications of Applicants for Registration as Licensed Physicians or Surgeons." (S. P. 64) (L. D. 177) 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. 64, L. D. 177.

"Amend said bill by inserting in the 4th line after the underlined words 'United States' the underlined words 'or Canada'

Further amend said bill by inserting in the 7th line of Section 2 after the underlined words 'United States' the underlined words 'or Canada'

Further amend said bill by adding at the end thereof the following new section;

'Sec. 4, R. S., c. 66, s. 4A, additional. Chapter 66 of the revised statutes is hereby amended by adding thereto a new section, to be numbered 4A to read as follows:

"Sec. 4A. Physicians in state hospitals; temporary registrations. In case of physicians assigned to junior positions in state hospitals, caring for tubercular and mental patients, the requirements of sections 3 and 4 may be waived by the Board and temporary registration may be granted, limited to practice in state institutions under the Department of Institutional Service, for periods of 1 year, which may be renewed, to non-citizens who are graduates of foreign schools, upon recommendations of the superintendents of such institutions and under such regulations as the Board may establish

with the approval of a Justice of the Superior Court.”’

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

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Mr. Reid from the same Committee on bill “An Act to Revise Certain Election Laws.” (S. P. 94) (L. D. 225) 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. 94, L. D. 225:

“Amend said bill by inserting before the last sentence of Sec. 1 the following underlined sentence:

‘Any candidate who expends less than \$100 is not required to itemize the return as required by this section and section 38.’”

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

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The same Senator from the same Committee on bill “An Act Relating to Destruction of County Records.” (S. P. 55) (L. D. 349) 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. 155, L. D. 349:

“Amend said bill by inserting after the underlined word ‘attorney’ in the 8th line thereof the following underlined punctuation and words ‘, the executive committee of the county bar association.’”

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

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The same Senator from the same Committee on bill “An Act Providing for Reappointment of Active Retired Justices.” (S. P. 157) (L. D. 351) 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. 157, L. D. 351:

“Amend said bill by inserting after the title thereof an emergency preamble to read as follows:

‘Emergency preamble. Whereas, the dockets of the courts of the State of Maine are congested; and

Whereas, it is necessary that all pending litigation may be administered and acted upon in an orderly, efficient and prompt manner; and

Whereas, the following legislation is wholly necessary to aid in adjudicating pending legislation for the benefit of the litigants; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now therefore,’

Further amend said bill by adding at the end thereof an emergency clause to read as follows:

‘Emergency Clause. In view of the emergency cited in the preamble this act shall take effect when approved.’”

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

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The same Senator from the same Committee on Bill “An Act Declaring Lawful Certain Rules and Regulations Promulgated by the State Departments.” (S. P. 289) (L. D. 800) 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. 289, L. D. 800:

“Amend said bill by striking out in the 3rd paragraph of the emergency preamble the word ‘validity’ and inserting in place thereof the words ‘legal existence’

Further amend said bill by adding after the underlined word ‘State’ in



the 6th line of said bill the underlined words 'as authorized'."

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

The same Senator from the same Committee on bill "An Act Relating to Inheritance Tax Bonds." (S. P. 346) (L. D. 955) 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. 346, L. D. 955:

"Amend said bill by inserting after the underlined word 'due' in the 10th line thereof the underlined words 'and to become due'."

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

Mr. Cummings from the Committee on Taxation on bill, "An Act Relating to Continuous Credit for Excise Tax on Motor Vehicles." (S. P. 275) (L. D. 705) 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. 275, L. D. 705:

Amend said bill by striking out the 16th, 17th and 18th lines thereof and inserting in place thereof the following:

No portion of any excise tax once paid shall be repaid to any person; by reason of the transfer of vehicles or discontinuance of the use of a vehicle. From'

Which amendment was adopted and the bill as so 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 to Change the Name of Rumford Falls Trust Company

and Amend its Charter." (H. P. 192) (L. D. 197)

"Resolve Regulating Fishing in Mousam Lake, York County." (H. P. 267) (L. D. 251)

"Resolve Regulating Fishing in Square Pond, York County." (H. P. 268) (L. D. 252)

"Resolve Regulating Fishing in Goose Pond, York County." (H. P. 269) (L. D. 253)

"Resolve Regulating Fishing in Little Ossipee Pond." (H. P. 270) (L. D. 254)

Bill "An Act to Establish the Town of Madawaska Municipal Court." (H. P. 299) (L. D. 310)

Bill "An Act Providing for the Union of the Towns of Bucksport and Verona as One Municipality." (H. P. 300) (L. D. 311)

Bill "An Act Relating to Open Season for Fishing." (H. P. 414) (L. D. 461)

Bill "An Act Relating to the Taking of Alewives in the Town of Alna." (H. P. 456) (L. D. 491)

"Resolve Regulating Fishing in Flagstaff Lake in Franklin and Somerset Counties." (H. P. 477) (L. D. 522)

Bill "An Act Relating to Annual Meeting of Board of Veterinary Examiners." (H. P. 512) (L. D. 576)

Bill "An Act Relating to Failure of Towns to Remit Dog License Fees." (H. P. 562) (L. D. 619)

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

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

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

"Resolve Regulating Fishing in Pemaquid River, Lincoln County." (H. P. 658) (L. D. 766)

"Resolve Authorizing Certain Monies in Possession of the Augusta State Hospital to be Added to the Hospital's Trust Funds." (H. P. 700) (L. D. 768)

Bill "An Act to Confer Additional Rights and Powers upon East Branch Improvement Company." (H. P. 707) (L. D. 775)

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

Bill "An Act Regulating Abandonment of Iceboxes, Refrigerators and other Airtight Containers." (H. P. 836) (L. D. 927)

Bill "An Act Regulating the Taking of Alewives in the Town of Bristol." (H. P. 850) (L. D. 936)

Bill "An Act Regulating the Taking of Clams in the Town of Penobscot." (H. P. 851) (L. D. 937)

Bill "An Act to Provide for the Creation of the Office of Director of Public Works for the City of Waterville." (H. P. 917) (L. D. 1025)

Bill "An Act Relating to Powers to Hold and Purchase Property by the City of Waterville." (H. P. 918) (L. D. 1026)

Bill "An Act Amending the Slum Clearance and Redevelopment Authority in Portland." (H. P. 920) (L. D. 1028)

Bill "An Act Amending the Charter of the City of Brewer." (H. P. 923) (L. D. 1031)

Bill "An Act Relating to the Digging of Clams in Freeport." (H. P. 936) (L. D. 1039)

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

#### House—as Amended

Bill "An Act Relating to Time of Examination by Board of Veterinary Examiners." (H. P. 513) (L. D. 577)

Bill "An Act to Create the Brunswick Parking Authority." (H. P. 622) (L. D. 628)

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

#### Senate

Bill "An Act Relating to Educational Requirements for Chiropractors." (S. P. 328) (L. D. 893)

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

Sent down for concurrence.

#### Senate—as Amended

Bill "An Act Relating to Definitions and Administration of Bedding and Upholstered Furniture Laws." (S. P. 95) (L. D. 226)

Which was read a second time and passed to be engrossed, as amended. Sent down for concurrence.

The PRESIDENT: The Chair at this time notes the presence of another fine looking group of students from Waldoboro High School. We welcome you to the Senate. We acknowledge that the community you come from has given us distinguished members of the legislature and our Governor's office. We are proud of your present Senator, Senator Dow and we know that you share that pride with us. We hope that you enjoy your day here in the State house and we hope that you will come down and visit with us all. We hope that when you go home you will have a little better picture of state government. Thank you for coming.

#### Orders of the Day

On motion by Mr. Lessard of Androscoggin, the Senate voted to take from the table bill "An Act to Incorporate the Town of Mechanic Falls School District." (H. P. 619) (L. D. 626) tabled by that Senator on March 17 pending passage to be enacted, and on further motion by the same Senator, the Senate voted to reconsider its former action whereby the bill passed to be engrossed.

Mr. LESSARD of Androscoggin: Mr. President, I wish now to submit Senate Amendment A to L. D. 626 and move that it be adopted and speaking to that motion, I would like to explain that this is a technical amendment to this bill. After the bill had been reported out of committee and reached the stage which it had, the legal and financial advisors for the town of Mechanic Falls discovered certain provisions that had to be amended so that their bonds could be issued legally. That is the reason for this amendment. It does not change the tenor of the bill. It is merely a technical amendment so that the town of Mechanic Falls may go along with the building of their school.

Thereupon, the amendment was adopted without reading and the bill as amended was passed to be engrossed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Collins of Aroostook, the Senate voted to take

from the table bill "An Act Relating to Medical Care for Public Assistance Recipients (H. P. 510) (L. D. 547) tabled by that Senator on March 22 pending passage to be enacted.

Mr. COLLINS of Aroostook: Mr. President, I wish to move the pending question on this enactor. My only reason for tabling the bill at the last legislative session was the fact that this matter had not been given any discussion by the members of this Body and it does mark a departure in the assistance program to the hospitals of the State of Maine.

Under this bill, the four public assistance categories will be separated and a pool established, the funds of which will be used for aid to the hospitals and under the same bill, of course the amount we have granted to private hospitals for aid is going to be cut down by a like amount, but in addition to the amount that will be set up in the pool, we will also get federal assistance under the terms of this bill in an amount estimated at \$125,000 a year and I thought the Senate should be made aware of that if they had not read the bill carefully. I now move enactment of the bill.

This being an emergency measure, a division of the Senate was had.

Thirty having voted in the affirmative and none opposed, the bill was passed to be enacted.

Mr. Woodcock of Bangor was granted unanimous consent to address the Senate.

Mr. WOODCOCK: Mr. President, I would like to call the attention of the Senate to the superb representation that was afforded to the State of Maine last week end on the occasion of the New England Interscholastic Basketball Tournament in Boston.

Your State Class "L" champion, Bangor High School, performed brilliantly in each of the three games they played, and while to be sure they did not win the tourney, it was the consensus of the press, radio, and many of the spectators that the Bangor Rams had the finest team that appeared there.

However, of far greater importance, I believe, was the exemplary manner in which the players conducted themselves both on and off the court, for they were in each case and in all respects perfect gentlemen.

It is hard to over-estimate the wonderful impression that these well-mannered, poised athletes must have made on the crowds that thronged the Boston Garden.

The boys were, I think, perfect reflections of the examples set to them by their families and by their school-teachers, each group of whom certainly has a quiet pride in their great accomplishment.

Beautifully coached by that able mentor, Fred Barry, the Bangor High team deserves, I think, a twenty-one gun salute from the entire State of Maine to which they were an infinite credit last week. Thank you. (Applause)

The PRESIDENT: The Chair will note that the Senator from Penobscot, Senator Woodcock, did not disclose the fact that the City of Bangor High School are New England Champions.

On motion by Mr. Sinclair of Somerset, the Senate voted to take from the table the thirty-first tabled and unassigned matter, S. P. 246, L. D. 679, Senate Reports from the Committee on Judiciary on Bill "An Act Relating to Itemized Statements Filed by Legislative Counsel and Agents," Majority Report "Ought not to pass;" Minority Report "Ought to pass," tabled on March 17th by that Senator pending consideration of the Reports.

On motion by Mr. Reid of Kennebec, the bill and accompanying papers were retabled pending consideration of either report.

On motion by Mr. Weeks of Cumberland, the Senate voted to take from the table S. P. 215, L. D. 556 "Resolve to Reimburse the City of South Portland for Support of Margaret Dawson," tabled by that Senator earlier in today's session pending consideration, and on further motion by the same Senator the Senate voted to recede and concur with the House in recommitting the resolve to the Committee on Claims.

On motion by Mr. Collins of Aroostook, the Senate voted to take from the table the eighth tabled and unassigned matter, H. P. 31, L. D. 41, Bill "An Act Relating to Eligibility for Aid for Veterans and their Dependents," tabled by that Senator on February 24th pending passage to be enacted, and on further motion by the same Senator the bill was passed to be enacted.

Mr. Sinclair of Somerset was granted unanimous consent to address the Senate.

Mr. SINCLAIR: Mr. President and Members of the Senate: Speaking along the same line as the Senator from Penobscot, Senator Woodcock, I call the attention of the Senate to the M.C.I. Basketball team that played in the New England prep school tournament this last week end. Although M.C.I., like Bangor, did not win the tournament, they did reach the finals, and I think they are a credit to the State of Maine. We of Pittsfield, and I think the entire State of Maine are very, very proud that we did have such fine teams represent the State of Maine, and we are proud of the fine showing made in Maine. Thank you. (Applause)

Mr. Boucher of Androscoggin was granted unanimous consent to address the Senate.

Mr. BOUCHER: Mr. President and Members of the Senate: As long as everybody else has called attention to their teams, I think that Androscoggin County and especially Lewiston should call attention to the wonderful hockey teams we have been producing down here for years. The St. Dom's hockey team were down in Providence, Rhode Island for the championship of New England and they made a wonderful account of themselves: they lost only by 3 to 2, through hard luck I would say, in the last minute of the game. We are very proud of our St. Dom's hockey team in Lewiston and have been for years. They have been champions in Maine for as many years as hockey has been played and they made a very wonderful showing at the New England championship games in Providence; they have represented Maine for several

years down there, and in every way they have made a great showing and they are wonderful advertising for the State of Maine. I want to call the attention of the Senate to the fact that over the week end they won the first two games and lost the final game. (Applause)

The PRESIDENT: On behalf of the Senate the Chair expresses its congratulations to the great City of Lewiston.

Mr. REID of Kennebec: Mr. President, may I inquire if An Act Relating to Corporate Mergers (S. P. 404) (L. D. 1118) is still in the possession of the Senate?

The PRESIDENT: The Chair will state that the bill is still in the possession of the Senate.

Mr. REID: Mr. President, on account of the wording of the title, and in order to avoid possible misunderstanding, I move that the Senate reconsider its former action the table pending assignment for second reading, and I further move that it be laid upon the table.

The motion prevailed and the Senate voted to reconsider its former action whereby the bill was tomorrow assigned for second reading.

Thereupon, the bill was laid upon the table pending assignment for second reading.

On motion by Mr. Weeks of Cumberland, the Senate voted to take from the table bill "An Act Relating to Salaries of Council Members of City of Portland (S. P. 97) (L. D. 228) tabled by that Senator on February 23 pending consideration of Committee Amendment A; and on further motion by the same Senator, Committee Amendment A was adopted without reading and the bill as amended was tomorrow assigned for second reading.

On motion by Mr. Weeks of Cumberland, the Senate voted to take from the table the seventh tabled and unassigned matter, H. P. 40, L. D. 365, "Resolve in Favor of H. Tabenken & Co., Inc. of Bangor," tabled by that Senator on February 24th pending passage to be engrossed.

Mr. WEEKS: Mr. President and members of the Senate: This claim

was presented to the Committee on Claims and I know that the committee gave it very solemn and thorough consideration and in their considered judgment resolved that it should be passed. The fact that I disagree with them does not mean that they are wrong: I dare say they may be as near right as I am. However, I have studied it and I know the characters involved here and I really can find no support for the proposition that I owe any moral obligation to this individual or company. I have already made my views known to everyone so I will not repeat them. I move, therefore, that this resolve be indefinitely postponed.

Mr. SILSBY of Hancock: Mr. President and members of the Senate: This particular bill was heard before the Committee on Claims and we listened patiently to the evidence that was presented by the proponents of the resolve. We had to come to some conclusion and some policy in the matter of the equitable rights of individuals. We had in our possession a letter from the Commission, I believe, signed by some member of the Commission, in which he had recommended that the Tabenken management report to the legislature for relief and the return of a fee paid for a license.

We understand the facts to be as follows: the Tabenken Company leased or attempted to lease—I believe they did lease it, although my memory on it is a little stale at the present time—a certain storehouse, I believe it was in Caribou in Aroostook County, and it was for the storage of liquor and their trucks. Taking the evidence from persons whom they thought they could depend on, they understood that this particular place was heated and they purchased their license on that representation and paid \$175 for it, and then they found that it was not heated. To be sure, they accepted the representation from some other source. I agree with you that the question may properly be asked, "Why didn't they make a better investigation?" Nevertheless we all a great many times rely on information that is passed along to us. I

am not accusing anyone of misleading, but it was a misunderstanding. They never used the place for storage; they had no benefit for the \$175 they paid. It was beyond their reach and they could not use it. We of the committee felt that under the circumstances there should not be an unjust enrichment that the State of Maine should not have \$175 from the Tabenken people from which they never received any benefit. And there was a third party involved; it was no consideration for the third party.

We believed they used reasonable diligence in acquiring the place and we believed they had a right to rely on the information they received.

Now you have a different situation when some person has bought a license and used that license and then given it up. I think there is a great distinction between that situation and a person who has purchased a license and was in a position to use it but nevertheless did not because he had a change of his own mind and never received any benefit. We have had similar circumstances whereby some person has purchased a license and then deceased. It was not their fault and we felt that under those circumstances there should be a proportionate rebate. In this case, where they received nothing and it was not their fault, I cannot make myself believe that the State of Maine needs the \$175 that had. That was our purpose in passing the bill. I hope that the motion of the Senator from Cumberland, Senator Weeks, does not prevail.

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 of the Senator from Cumberland, Senator Weeks, that the resolve be indefinitely postponed will say aye; those opposed no.

A viva voce vote being taken, the motion to indefinitely postpone did not prevail.

On motion by Senator Silsby of Hancock, the resolve was thereupon passed to be engrossed and sent down for concurrence.

On motion by Mr. Butler of Franklin, the Senate voted to take from the table the tenth tabled and unassigned matter, H. P. 79, L. D. 76, Bill "An Act Relating to the Closing of County Offices on Saturday," tabled by that Senator on March 1st pending passage to be enacted.

Mr. BUTLER: Mr. President, this measure has gone thus far apparently with the approbation of all members, including attorneys, whereby one of their own working tools is going to be discontinued on Saturday. Two years ago this same measure came before us and we at that time gave the opportunity to the County Commissioners to close the court houses insofar as pertained to the Registry of Deed and Register of Probate. There was considerable discussion at that time as to whether or not the Clerk of Courts office should or should not be closed. It was deemed advisable then that we leave them open in order that the courts might function. I happen to be one of those individuals that if I have a job to do I want to do it when it is necessary to be done.

This did not come out of the Judiciary Committee; it was referred originally to the Towns and Counties Committee which was not necessarily interested in the operation of the courts. But as apparently all attorneys with the exception of myself are willing to see this done,

nevertheless for principle if for nothing else I move the indefinite postponement of this measure.

The PRESIDENT: The Senator from Franklin, Senator Butler, moves that Bill "An Act Relating to the Closing of County Offices on Saturday" be indefinitely postponed.

The Chair recognizes the Senator from Washington, Senator Wyman.

Mr. WYMAN of Washington: Mr. President, I move that this bill be retabled.

The motion prevailed and the bill was laid upon the table pending motion by the Senator from Franklin, Senator Butler that the bill be indefinitely postponed.

The PRESIDENT: On behalf of the Senate, the Chair wishes to welcome to our Senate Chambers this morning a group of forty-two students from Cheverus High School in Portland. We hope that you enjoy your stay in the State House today and also that after the session is adjourned, you will come down and visit with us. We also hope that after your visit to the legislature today you will have a better appreciation of State Government. Thank you very much for coming.

On motion by Mr. Silsby of Hancock

Adjourned until tomorrow morning at ten o'clock.