

# 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 29, 1955

Senate called to order by the President.

Prayer by the Rev. Haldon Arnold of Augusta.

Journal of March 24 read and approved.

The PRESIDENT: The Chair notes in the Senate this morning, two groups of students. Those in the gallery are students who are seniors from Farmington High School, under the direction of Mr. Reed. In the Senate Chamber are students from Keyes Corner School of Whitefield with Mrs. Virginia McCormic their teacher.

To both of you groups of youngsters, the Senate would have me extend a welcome. We hope that all of you enjoy your day at the state house. We hope you will visit us as individuals. Thank you for coming.

**House Papers**

Bill "An Act Providing for a Bounty on Porcupines." (H. P. 1158) (L. D. 1376)

Which was referred to the Committee on Agriculture in concurrence.

Bill "An Act Defining and Regulating the Collection Agency Business and the Budget Planning Business." (H. P. 1157) (L. D. 1375)

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

Bill "An Act Relating to Hunting of Raccoons." (H. P. 1159) (L. D. 1377)

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

**House Committee Reports  
Leave to Withdraw**

The Committee on Claims on "Reimburse Leonard and Alva M. Mitchell, Owners, of Palmyra, and the Merchant's National Bank, Mortgagee, of Bangor for Damages to Real Estate." (H. P. 577) (L. D. 637) reported that the same be granted Leave to Withdraw.

The Committee on Judiciary on Bill "An Act Establishing Robert W. Traip Academy." (H. P. 785) (L. D. 833) reported that the same be granted Leave to Withdraw.

The same Committee on "Resolve Authorizing Ray Philbrick of Caribou to Sue the State of Maine." (H. P. 833) (L. D. 924) reported that the same be granted Leave to Withdraw.

The same Committee on "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) reported that the same be granted Leave to Withdraw.

Which reports were read and accepted in concurrence.

**Ought Not to Pass**

The Committee on Claims on "Resolve in Favor of Lionel E. St. Pierre of Farmingdale." (H. P. 52) reported that the same Ought not to pass.

The same Committee on "Resolve to Reimburse Ralph W. McKay of Bucksport." (H. P. 578) (L. D. 638) reported that the same Ought not to pass.

The same Committee on "Resolve to Reimburse the Town of Stetson for Aid Extended to Carlton Johnson." (H. P. 809) (L. D. 846) reported that the same Ought not to pass.

The Committee on Inland Fisheries and Game on Bill "An Act Relating to Crop and Orchard Damage by Deer." (H. P. 899) (L. D. 1007) reported that the same Ought not to pass.

The same Committee on Bill "An Act Relating to Open Season on Black Bear in Oxford County." (H. P. 984) (L. D. 1132) reported that the same Ought not to pass.

The same Committee on Bill "An Act Relating to Open Season on Fisher." (H. P. 986) (L. D. 1134) reported that the same Ought not to pass.

(On motion by Mr. Butler of Franklin, tabled pending acceptance of the report.)

The Committee on Judiciary on Bill "An Act Relating to Penalty for Operating After Suspension of License to Operate Motor Vehicle."

(H. P. 598) (L. D. 654) reported that the same Ought not to pass.

The Committee on Retirements and Pensions on "Resolve Providing for an Increase in State Pension for John Upham of Thomaston." (H. P. 324) reported that the same Ought not to pass.

The Committee on Transportation on Bill "An Act Relating to Sirens on Motor Vehicles Operated by Department of Sea and Shore Fisheries." (H. P. 126) (L. D. 129) reported that the same Ought not to pass, as same is covered by Other Legislation.

The same Committee on Bill "An Act Relating to Fees for Registration of Motor Vehicles." (H. P. 240) (L. D. 219) reported that the same Ought not to pass.

The same Committee on Bill "An Act Relating to Overtaking and Passing School Buses and Lights Thereon." (H. P. 404) (L. D. 419) reported that the same Ought not to pass.

The same Committee on Bill "An Act Relating to Inspection of Certain Motor Vehicles." (H. P. 859) (L. D. 945) 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 State Pension for Victor James of Princeton." (H. P. 241) (L. D. 295) reported that the same Ought not to pass.

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

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

The same Committee on "Resolve Granting a Pension to Katharine M. Rolf of Bridgton." (H. P. 388) reported that the same Ought not to pass.

Comes from the House, recommitted 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 Correctional Institutions on Bill "An Act Relating to Age of Commitment to State School for Boys." (H.P. 643) (L. D. 720) reported that the same Ought not to pass.

(On motion by Mr. Cummings of Sagadahoc, tabled pending acceptance of the report.)

The Committee on Judiciary on Bill "An Act to Incorporate Maine Oil and Heating Equipment Dealers' Association." (H. P. 913) (L. D. 1021) reported that the same Ought to pass.

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

### Ought to Pass as Amended

The Committee on Judiciary on Bill "An Act Relating to the Reporter of Decisions." (H. P. 826) (L. D. 918) reported that the same "Ought to pass" as Amended by Committee Amendment A (Filing 130)

The same Committee on "Resolve Authorizing Arthur W. Bushey of Waterville, John Tibbetts, Archie Leeman and Oscar Bradstreet, all of Palermo, to Sue the State of Maine." (H. P. 914) (L. D. 1022) reported that the same "Ought to pass" as Amended by Committee Amendment A (Filing 132)

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

The Committee on Taxation on Bill "An Act Relating to Exemption of Airports from Taxation (H. P. 122) (L. D. reported that the same "Ought to pass" as Amended by Committee Amendment A (Filing 147)

Which report was read and accepted, and on motion by Mr. Low of Knox, the rules were suspended and the bill as amended was given its two several readings and passed to be engrossed in concurrence.

The Committee on Judiciary on "Resolve Proposing an Amendment to the Constitution to Change the Qualifications of Citizenship of the Governor." (H. P. 432) (L. D. 478) reported that the same "Ought to pass".

Comes from the House, report accepted and resolve passed to be engrossed as amended by House Amendment A (Filing 102) as amended by House Amendment B (Filing 129) thereto.

In the Senate, the report was read and accepted in concurrence, and the resolve read once; House Amendment B to House Amendment A was read and adopted in concurrence, House Amendment A to the resolve was read and adopted in concurrence, and the resolve as amended by House Amendment A as amended by House Amendment B thereto was tomorrow assigned for second reading.

STATE OF MAINE

**Communication**

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
OFFICE OF THE CLERK  
AUGUSTA

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

Sir:

The House today accepted the resignation of Mr. Reynolds of Mount Desert from the Committee on Correctional Institutions and he was appointed to the Committee on Inland Fisheries and Game in place of the late Allan M. Butler of Franklin.

Respectfully,

(Signed) HARVEY R. PEASE  
Clerk of the House

Which was read and ordered placed on file.

**Communication**

MAINE — NEW HAMPSHIRE  
INTERSTATE BRIDGE  
AUTHORITY

Portsmouth, N. H.  
March 22, 1955

Secretary of the Senate  
State House  
Augusta, Maine

Dear Sir:

In accordance with Article VI of an Act of the State of Maine designated Chapter 18, Private and Special Laws of 1937, we enclose herewith the eighth Biennial Report of the Maine — New Hampshire Interstate Bridge Authority.

Will you kindly submit this report to the Legislature.

Yours very truly,

MAINE — NEW HAMPSHIRE  
BRIDGE  
AUTHORITY

(Signed) RAYMOND E. MORROW  
Executive Secretary

Which was read and ordered placed on file together with the accompanying report.

**First Reading of a Printed Bill**

Bill "An Act Relating to the Appointment of Conservators." (S. P. 503) (L. D. 1385)

Which was read once and tomorrow assigned for second reading.

**Senate Committee Reports  
Ought Not to Pass**

Mr. Fournier from the Committee on Sea and Shore Fisheries on Bill "An Act Relating to the Taking of Marine Worms in Hancock County." (S. P. 433) (L. D. 1192) reported that he same Ought not to pass.

Which report was read and accepted.

Sent down for concurrence.

**Ought to Pass—New Draft**

Mr. Weeks from the Committee on Judiciary on Bill "An Act Relating to Registration of Voters of Physically Disabled Persons." (S. P. 439) (L. D. 1209) reported the same in a new draft (S. P. 508) under the same title, and that it Ought to pass.

Which report was read and accepted and the bill in new draft tabled for printing under Joint Rule No. 10.

**Majority—OTP in N. D.**

**Minority—ONTP**

The Majority of the Committee on Liquor Control on Bill "An Act Relating to Definition of Tavern Under Liquor Laws." (S. P. 377) (L. D. 1073) reported the same in a new draft (S. P. 509) under the same title, and that it Ought to pass.

(Signed)

Senators:

BOUCHER of Androscoggin  
CARPENTER of Somerset

Representatives:

PIERCE of Bucksport  
CHARLES of Portland  
COTE of Lewiston  
DOSTIE of Winslow

The Minority of the same Committee on the same subject matter, reported that the bill Ought not to pass.

(Signed) Senator:

CRABTREE of Aroostook

Representatives:

CHRISTIE of Presque Isle  
RICH of Charleston  
ANTHOINE of Windham

Mr. CRABTREE of Aroostook: Mr. President, I cannot consider this bill a very momentous piece of legislation, particularly in the new draft, and I would be a little surprised if the sponsor considered it very momentous. The new draft put back the deletions which were carried in the original bill, and that sentence is: "There shall be no tables, chairs or other seating accommodations, and all persons served shall remain standing at the bar." That was stricken out in this original bill, No. 1073, and the committee in reviewing it had made a new draft and put that back in. That leaves us dealing with a matter of crackers and cookies, and it seems to me that the statutes of the State of Maine can make better use of the space than dealing with crackers and cookies.

There may be some other considerations which I do not see. It is changed considerably from the original although the number is the

same. I think probably the vital parts of the bill have been changed and the importance of it has been somewhat lessened. I would say I have been approached by three members of the committee who stated that they were not particularly interested one way or another, and just now by the Senator from Androscoggin, Senator Boucher, who will state the other side of the matter. I do not think it is very important one way or the other. I move the acceptance of the minority "Ought not to pass" report.

Mr. BOUCHER of Androscoggin: Mr. President and members of the Senate: I will truly admit that the new draft is not a tremendous bill, but I do believe that a man who comes into a tavern for a glass of beer should be entitled to buy a snack with it. I see no harm in the bill. In the previous sessions we have added for taverns tobacco, cigars and cigarettes, and I see no harm in also adding, as the Senator from Aroostook, Senator Crabtree, stated, crackers or a snack. We have taken from the bill the most important thing, I think, tables and chairs; those have been taken out. We agreed on that. The only thing we couldn't agree on was whether we should add crackers, and I think we should. It is a very small matter, but it will please some of the citizens of Maine when they go in to buy a glass of beer to be able to have a little snack with it. So I oppose the motion of the Senator from Aroostook Senator Crabtree and hope that it does not have passage, and I shall move the adoption of the majority report "Ought to pass."

The PRESIDENT: The question before the Senate is on the motion of the Senator from Aroostook, Senator Crabtree, that the Senate accept the minority "Ought not to pass" report of the committee. Is the Senate ready for the question?

The Chair recognizes the Senator from Franklin, Senator Butler:

On motion by Senator Butler of Franklin, the bill was thereupon tabled pending the motion of the Senator from Aroostook, Senator Crabtree, for acceptance of the minority "Ought not to pass" report.

**Ought to Pass**

Mr. Fournier from the Committee on Sea and Shore Fisheries on Bill "An Act Relating to the Taking of Alewives in the Town of Columbia Falls." (S. P. 417) (L. D. 1178) reported that the same "Ought to pass."

Mr. Cummings from the Committee on Taxation on Bill "An Act Repealing the Gasoline Road Tax on Motor Vehicles." (S. P. 315) (L. D. 853) reported that the same "Ought to pass."

(On motion by Mr. Parker of Piscataquis, tabled pending acceptance of the report.)

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

Sent down for concurrence.

**Ought to Pass  
as Amended**

Mr. Reid from the Committee on Judiciary on Bill "An Act Relating to Prior Convictions in Operating Motor Vehicles Under Influence of Liquor." (S. P. 287) (L. D. 798) 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 L. D. 798.

"Amend said bill by striking out the last sentence thereof."

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 Preference in State Employment to Mothers of Veterans." (S. P. 297) (L. D. 805) 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 L. D. 805.

"Amend said bill by striking out the 2nd paragraph and inserting in place thereof the following:

D. Ten point preference is accorded to mothers, (who are widowed, divorced, separated, or whose husbands are permanently and totally disabled,) of veterans who died while in the active service of the armed forces during any war, or who died as a result of service-connected disabilities."

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

Mr. Crabtree from the Committee on Liquor Control on Bill "An Act to Clarify the Liquor Laws." (S. P. 254) (L. D. 685) reported that the same "Ought to pass" as Amended by Committee Amendment A.

Which report was accepted and the bill read once.

The Secretary read Committee Amendment A:

COMMITTEE AMENDMENT A to L. D. 695.

"Amend said bill by inserting after Section 4 thereof a new section to read as follows:

'Sec. 4-A. R. S., c. 61, § 27, amended. Section 27 of chapter 61 of the revised statutes is hereby amended by adding at the end of the 1st paragraph a new sentence to read as follows: "Any person, except an officer in performance of his duties, who purchases liquor on Sunday, in any retail store, shall be guilty of a misdemeanor and shall be subject to the same penalty provided in this section for Sunday sale of liquor.'"

Further amend said bill by inserting after the underlined words 'keep' in the 4th line of 'Sec. 12' the underlined words 'for two years'.

Further amend said bill by inserting after the underlined word 'kept' in the 11th line of 'Sec. 12' the underlined words 'for two years'."

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

Mr. Carpenter from the same Committee on bill, "An Act Relating to Sales to and Consumption of Liquor by Minors." (S. P. 302) (L. D. 810) 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. 302, L. D. 810.

"Amend said bill by striking out all of the next to the last line and the last line thereof and inserting in place thereof the underlined word and figures; 'than \$50.'"

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 Relating to Disposal of Wild Animals." (H. P. 415) (L. D. 462)

Bill "An Act Relating to Nonresidents Kindling Fires in Unorganized Territory." (H. P. 419) (L. D. 504)

"Resolve Defining Upper Dam Pool in Township 4 Range 1, Oxford County." (H. P. 474) (L. D. 519)

Bill "An Act Relating to Bows for Hunting Carried in Motor Vehicles." (H. P. 532) (L. D. 589)

Bill "An Act Relating to Hunting of Partridge and Pheasants." (H. P. 533) (L. D. 590)

Bill "An Act Relating to Taking, Having in Possession and Selling Oysters." (H. P. 611) (L. D. 659)

Bill "An Act Relating to Inheritance and Estate Tax Law." (H. P. 687) (L. D. 755)

The PRESIDENT: The Chair would ask at this time that the Sergeant-at-Arms escort the Senator from Aroostook, Senator Collins to the rostrum and the Chair would ask that Senator to preside over the Senate.

Thereupon, the Senator from Aroostook, Senator Collins was escorted to the rostrum and presided over the Senate.

Bill "An Act Repealing the Act to Regulate the Taking of Smelts in the Waters of Egypt Bay, Franklin Bay, Taunton Bay and River, in the Towns of Hancock, Franklin and

Sullivan, Hancock County." (H. P. 721) (L. D. 785)

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

Bill "An Act Repealing the Law Closing Certain Clam Flats in Lubec, Washington County." (H. P. 848) (L. D. 934)

"Resolve Relating to Taking of Smelts from Georges River, Knox County." (H. P. 852) (L. D. 938)

Bill "An Act Relating to Surrender of Property by Academies." (H. P. 909) (L. D. 1017)

Bill "An Act Relating to Exemption of Registration Certificates Under Aviation Laws." (H. P. 951) (L. D. 1054)

Bill "An Act Creating the Baileyville School District." (H. P. 965) (L. D. 1091)

Bill "An Act Relating to Permits for Towing Unregistered Motor Vehicles." (H. P. 973) (L. D. 1099)

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

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

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

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

### House—as Amended

Bill "An Act Relating to Powers of State Fire Inspectors." (H. P. 363) (L. D. 451)

Bill "An Act Relating to Compensation and Inspections of State Board of Barbers and Hairdressers." (H. P. 550) (L. D. 607)

(On motion by Mrs. Lord of Cumberland, tabled pending passage to be engrossed.)

Bill "An Act Relating to Trespass by Cattle and Other Domestic Animals." (H. P. 708) (L. D. 776)

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

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



### Senate

Bill "An Act Relating to Use of Dealer or Transit Motor Vehicle Registration Plates." (S. P. 259) (L. D. 688)

Bill "An Act Relating to Registration Fees for Certain Motor Vehicles Used for Commercial Purposes." (S. P. 280) (L. D. 636)

Bill "An Act Relating to Expenses of Persons Committed to State Prison for Safekeeping." (S. P. 392) (L. D. 1106)

Bill "An Act Relating to Trespass Upon Lands Appurtenant to Maine State Prison." (S. P. 393) (L. D. 1107)

Bill "An Act Relating to Authority of and Uniforms for Officers of the Maine State Prison." (S. P. 394) (L. D. 1108)

Which were severally read a second time and passed to be engrossed. Sent down for concurrence.

### Senate — as Amended

Bill "An Act Relating to Waiver of Indictment." (S. P. 216) (L. D. 57)

"Resolve to Reimburse the Maine General Hospital for Care and Hospitalization of Leland Curtis." (S. P. 243) (L. D. 676)

Bill "An Act to Extend the Power to Serve to Public Utilities Organized by Special Act of the Legislature." (S. P. 330) (L. D. 895)

Bill "An Act to Revise the Laws Relating to the State Library." (S. P. 369) (L. D. 1065)

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

Sent down for concurrence.

### Orders of the Day

On motion by Mr. Butler of Franklin, the Senate voted to take from the table, House Report (Ought not to pass) from the Committee on Inland Fisheries and Game on Bill "An Act Relating to Open Season on Fisher" (H. P. 986) (L. D. 1134) tabled by that Senator earlier in today's session pending acceptance of the report: and on further motion by the same Senator, the "Ought not to pass" report was accepted in concurrence.

On motion by Mr. Butler of Franklin, the Senate voted to take from the table Senate Report from the

Committee on Liquor Control, Majority Report "Ought to pass" in New Draft (S. P. 509) under same title; Minority Report "Ought not to pass" on Bill "An Act Relating to Definition of Tavern Under Liquor Laws." (S. P. 377) (L. D. 1073) tabled by that Senator earlier in today's session pending motion by the Senator from Aroostook, Senator Crabtree that the Senate accept the Minority Report.

Mr. BUTLER of Franklin: Mr. President, this matter was tabled by myself earlier in today's session for the simple purpose of expediting the record as we were progressing and with no thought of interfering with debate. Debate at that particular point would simply have confused the issue. I now move the pending question.

The PRESIDENT pro tem: The question before the Senate is on the motion of the Senator from Aroostook, Senator Crabtree that the Senate accept the Minority "Ought not to pass" report.

Mr. BOUCHER of Androscoggin: Mr. President, I ask for a division.

A division of the Senate was had.

Nine having voted in the affirmative and seventeen opposed, the motion did not prevail.

Thereupon, on motion by Mr. Boucher of Androscoggin, the Majority Report "Ought to pass" in New Draft — under same title (S. P. 509) was accepted and the bill in new draft was laid upon the table for printing.

On motion by Mr. Cole of Waldo the Senate voted to take from the table bill, "An Act Relating to Biennial Assessment of State Property Taxes" (H. P. 723) (L. D. 787) tabled by that Senator on March 24 pending passage to be enacted.

Mr. COLE of Waldo: Mr. President, I want to apologize to the Taxation Committee for tabling this but I was sort of confused being fairly familiar with the former document which was in the Private and Special Laws in Chapter 128. I have checked this very thoroughly and now it is embodied in the general statutes and so far as I can tell it is all right. Therefore, Mr. President, I move the pending question.

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

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

—————  
The PRESIDENT pro tem: The Chair at this time recognizes a group in the gallery of the Senate, of 64 pupils of the 6th, 7th, and 8th grades of the Manchester new elementary school, with their Principal Earle Hayford and Mrs. Winchenpaw.

On behalf of the Senate, I welcome you here and hope that you have a very interesting day in observing the work of the legislature in their sessions and that you get a great deal from your visit. Thank you for coming.

—————  
On motion by Mr. Boyker of Oxford

Adjourned until tomorrow morning at ten o'clock.