

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

Friday, April 8, 1955

Senate called to order by the President.

Prayer by the Rev. Arthur G. Christopher of Augusta.

Journal of yesterday read and approved.

Order Out of Order

On motion by Mr. Reid of Kennebec, out of order and under suspension of the rules:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, April 12, 1955. (S. P. 528)

Which was read and passed.

Sent down for concurrence.

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

Papers from the House

Bill "An Act Relating to Education in Unorganized Territory." (S. P. 151) (L. D. 345)

In the Senate on March 31, passed to be engrossed as amended by Committee Amendment A. (Filing 193)

Comes from the House, passed to be engrossed as amended by Committee Amendment A as amended by House Amendment A (Filing 230) thereto, in non-concurrence.

In the Senate: On motion by Mr. Fuller of Oxford, tabled pending consideration.

Bill "An Act Relating to Fees of Deputy Sheriffs from Attendance at Court." (S. P. 86) (L. D. 175)

In Senate on March 23, passed to be engrossed as amended by House Amendment A (Filing 113), in concurrence.

Comes from the House, passed to be engrossed as amended by House Amendments A and B (Filing 221) in non-concurrence.

In the Senate: On motion by Mr. Farris of Kennebec, tabled pending consideration.

"Resolve Prohibiting Use of Fish as Bait in Certain Lakes in Aroostook County." (H. P. 782) (L. D. 365)

In Senate on March 31, passed to be engrossed in concurrence.

Comes from the House, passed to be engrossed as amended by House Amendment A (Filing 229) in non-concurrence.

In the Senate: Under suspension of the rules, the Senate voted to reconsider its action whereby the bill was passed to be engrossed in the Senate on March 31st in concurrence. House Amendment "A" was read by the Asst. Secretary and adopted in concurrence and the bill was passed to be engrossed as amended by House Amendment "A" in concurrence.

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

In Senate on March 15, passed to be engrossed in concurrence.

Comes from the House, indefinitely postponed, in non-concurrence.

In the Senate: On motion by Mr. Parker of Piscataquis, the resolve was tabled pending consideration.

**House Committee Reports
Leave to Withdraw**

The Committee on Transportation on Bill "An Act Relating to the Issuance of Operators' Licenses From Date of Birth with Notification." (H. P. 30) (L. D. 40) reported that the same be granted Leave to Withdraw.

Comes from the House, recommitted to the Committee on Transportation.

In the Senate: Recommitted to the Committee on Transportation in concurrence.

The Committee on Natural Resources on Bill "An Act Relating to Classification of Waters of the State and Abatement of Pollution Thereof." (H. P. 1133) (L. D. 1331) reported that the same be granted Leave to Withdraw.

The Committee on Towns and Counties on Bill "An Act Increasing the Salary of Register of Probate of Franklin County." (H. P. 944) (L. D. 1047) reported that the same be granted Leave to Withdraw.

Which reports were read and accepted in concurrence.

Ought Not to Pass

The Committee on Highways on Bill "An Act Relating to Removal of the Old Vaughn Bridge." (H. P. 141) (L. D. 141) reported that the same "Ought not to pass."

Comes from the House, recommitted to the Committee on Highways.

In the Senate: Recommitted to the Committee on Highways in concurrence.

The same Committee on Bill "An Act Authorizing the Purchase of the Westport-Wiscasset Bridge." (H. P. 410) (L. D. 457) reported that the same "Ought not to pass."

Comes from the House, recommitted to the Committee on Highways.

In the Senate: Recommitted to the Committee on Highways in concurrence.

The Committee on Appropriations and Financial Affairs on "Resolve in Favor of the University of Maine for a Law School." (H. P. 771) (L. D. 856) reported that the same "Ought not to pass."

The same Committee on Bill "An Act Relating to Salaries of Superintendents of Schools." (H. P. 287) (L. D. 300) reported that the same "Ought not to pass."

The same Committee on "Resolve in Favor of Town of Old Orchard." (H. P. 957) (L. D. 1084) reported that the same "Ought not to pass."

The Committee on Highways on "Resolve Designating 'The Squire Rangeley Trail.'" (H. P. 587) (L. D. 643) reported that the same "Ought not to pass."

The Committee on Public Utilities on Bill "An Act to Create the Milbridge Sewer and Water District." (H. P. 1048) (L. D. 1223) reported that the same "Ought not to pass."

The Committee on Taxation on Bill "An Act Relating to Tax Only Upon Difference Between Sale Price of Purchased Aircraft and Sale Price of Aircraft Traded In." (H. P. 800) (L. D. 874) reported that the same "Ought not to pass."

Which reports were severally read and accepted in concurrence.

Ought to Pass

The Committee on Claims on "Resolve in Favor of Cyril Swallow of South Paris." (H. P. 95) (L. D. 1421)

reported that the same "Ought to pass."

The same Committee on "Resolve in Favor of Raymond Butler of New Gloucester." (H. P. 37) (L. D. 1422) reported that the same "Ought to pass."

The same Committee on "Resolve in Favor of Robert S. Robinson of Westbrook." (H. P. 252) (L. D. 1423) reported that the same "Ought to pass."

The same Committee on "Resolve in Favor of Philip Krisilos of Portland." (H. P. 291) (L. D. 1424) reported that the same "Ought to pass."

The Committee on Judiciary on Bill "An Act to Incorporate the Equitable Loan Co." (H. P. 479) (L. D. 524) reported that the same "Ought to pass."

The same Committee on Bill "An Act to Incorporate the State Finance Co." (H. P. 480) (L. D. 525) reported that the same "Ought to pass."

The same Committee on Bill "An Act to Incorporate the Time Finance Corporation of Maine." (H. P. 706) (L. D. 774) reported that the same "Ought to pass."

The same Committee on Bill "An Act to Incorporate Auto Finance Co." (H. P. 827) (L. D. 919) reported that the same "Ought to pass."

The same Committee on Bill "An Act to Incorporate the 'Portland Thrift Company'." (H. P. 828) (L. D. 920) reported that the same "Ought to pass."

The Committee on Retirements and Pensions on "Resolve in Favor of Helen M. Madsen of Portland." (H. P. 1171) (L. D. 1406) reported that the same "Ought to pass."

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

Enactors

The following emergency enactors were taken up out of order and under suspension of the rules.

Emergency

Bill "An Act to Amend the Paris Village Corporation." (H. P. 1370) (L. D. 1268)

Which bill, being an emergency measure, and having received the affirmative vote of 23 members of

the Senate, was passed to be enacted and having been signed by the President, was by the Secretary presented to the Governor for his approval.

Emergency

"Resolve for the Laying of the County Taxes for the Years Nineteen Hundred Fifty-five and Nineteen Hundred Fifty-six." (H. P. 1154) (L. D. 1368)

Which resolve, being an emergency measure, and having received the affirmative vote of 23 members of the Senate, was finally passed; and having been signed by the President, was by the Secretary presented to the Governor for his approval.

Ought to Pass

N.D. — Same Title

The Committee on Business Legislation on Bill "An Act Relating to Making Insurance by Stock Companies." (H. P. 817) (L. D. 909) reported the same in a New Draft (H. P. 1178) (L. D. 1418) under the same title, and that it "Ought to pass."

Comes from the House, report accepted and bill in new draft passed to be engrossed as amended by House Amendment A (Filing 231).

In the Senate: Report was read and accepted in concurrence, the bill in New Draft under same title read once and tomorrow assigned for second reading.

The Committee on Labor on Bill "An Act Relating to the Employment of Females." (H. P. 307) (L. D. 284) reported the same in a New Draft (H. P. 1173) (L. D. 1411) under the same title, and that it "Ought to pass."

Comes from the House, report accepted and the bill in new draft passed to be engrossed as amended by House Amendment A (Filing 226)

In the Senate: On motion by Mr. Weeks of Cumberland, tabled pending consideration of report.

Ought to Pass—New Draft New Title

The Committee on Business Legislation on Bill "An Act Prohibiting Issue of Tontine Dividend Life Insurance." (H. P. 819) (L. D. 911) reported the same in New Draft (H. P. 1177) (L. D. 1417) under a New Title: Bill "An Act Prohibit-

ing Certain Forms of Dividend Life Insurance" and that it Ought to pass.

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

Ought to Pass—as Amended

The Committee on Appropriations and Financial Affairs on "Resolve Relating to Construction of a Road and Terminal in City of Rockland." (H. P. 518) (L. D. 581) reported that the same Ought to pass as Amended by Committee Amendment A (Filing No. 176)

Comes from the House, report accepted, and subsequently resolve recommitted to the Committee on Appropriations and Financial Affairs.

In the Senate: The resolve was recommitted to the Committee on Appropriations and Financial Affairs in concurrence.

The Committee on Education on Bill "An Act Relating to School Age in Public Schools." (H. P. 54) (L. D. 60) reported that the same Ought to pass as Amended by Committee Amendment A (Filing No. 180)

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

In the Senate: The bill was recommitted to the Committee on Education in concurrence.

The Committee on Inland Fisheries and Game on Bill "An Act Relating to Hunting for Raccoons at Night." (H. P. 535) (L. D. 592) reported that the same Ought to pass as Amended by Committee Amendment A (Filing No. 97)

Comes from the House, passed to be engrossed as amended by Committee Amendment A, and as amended by House Amendment A (Filing No. 158) as amended by House Amendment A (Filing No. 220) thereto.

In the Senate: The report of the committee was accepted and the bill was given its first reading. House Amendment "A" to House Amendment "A" and House Amend-

ment "A" were read by the Assistant Secretary and adopted.

Committee Amendment "A" was then read by the Assistant Secretary and adopted in concurrence, and the bill as amended was tomorrow assigned for second reading.

The Committee on Claims on "Resolve in Favor of Claude Boyington of Prentiss." (H. P. 585) (L. D. 1425) reported that the same Ought to pass as Amended by Committee Amendment A (Filing No. 210)

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

The same Committee on "Resolve in Favor of Harriett and George L. Christianson of Portland." (H. P. 38) (L. D. 1426) reported that the same Ought to pass as Amended by Committee Amendment A (Filing No. 211)

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

The Committee on Inland Fisheries and Game on "Resolve Relating to Night Fishing for Smelts in Long Lake, Aroostook County." (H. P. 478) (L. D. 53) reported that the same Ought to pass as Amended by Committee Amendment A (Filing No. 214)

The Committee on Judiciary on Bill "An Act to Incorporate the Mutual Finance Co." (H. P. 427) (L. D. 473) reported that the same Ought to pass as Amended by Committee Amendment A (Filing No. 212)

The same Committee on Bill "An Act to Incorporate the Beacon Finance Company." (H. P. 485) (L. D. 530) reported that the same Ought to pass as Amended by Committee Amendment A (Filing No. 213)

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

Senate Committee Reports Ought Not to Pass

Mr. Silsby from the Committee on Judiciary on Bill "An Act Relat-

ing to Liens on Property for Inheritance Taxes." (S. P. 434) (L. D. 1193) reported that the same Ought not to pass as Covered by Other Legislation.

Mr. Butler from the Committee on Retirements and Pensions on Bill "An Act Relating to Employees of Counties, Cities and Towns Entitled to Membership in State Employees' Retirement System." (S. P. 66) (L. D. 91) reported that the same Ought not to pass, Covered by Other Legislation.

The same Senator from the same Committee on Bill "An Act Providing for Group Life Insurance for State Employees and Teachers." (S. P. 134) (L. D. 327) reported that the same Ought not to pass, Covered by Other Legislation.

The same Senator from the same Committee on Bill "An Act Relating to Occupational Death Benefit Under the Maine State Retirement System." (S. P. 379) (L. D. 1075) reported that the same Ought not to pass, Covered by Other Legislation.

Which reports were severally read and accepted.

Sent down for concurrence.

The same Senator from the same Committee on Bill "An Act Relating to Disability Retirement Benefits Under the Maine State Retirement System." (S. P. 380) (L. D. 1076) reported that the same "Ought not to pass," Covered by Other Legislation.

On motion by Mr. Butler of Franklin, tabled pending consideration of committee report.

The same Senator from the same Committee on Bill "An Act Relating to Service Retirement Benefits for Employees at State Prison." (S. P. 416) (L. D. 1177) reported that the same "Ought not to pass", Covered by Other Legislation.

On motion by Mr. Low of Knox, tabled pending consideration of committee report.

Mr. Farley from the Committee on Towns and Counties on Bill "An Act Relating to the Salary of the Judge and the Recorder of the Portland Municipal Court." (S. P. 84) (L. D. 173) reported that the same "Ought not to pass."

The same Senator from the same Committee on Bill "An Act Relating to the Salary of Register of Probate of Cumberland County." (S. P. 278) (L. D. 703) reported that the same "Ought not to pass."

The same Senator from the same Committee on Bill "An Act Relating to Clerk Hire in Office of Register of Probate of Cumberland County." (S. P. 279) (L. D. 709) reported that the same "Ought not to pass."

Which reports were severally read and accepted.

Sent down for concurrence.

Ought to Pass

Mr. Silsby from the Committee on Claims on "Resolve to Reimburse the City of South Portland for Support of Margaret Dawson." (S. P. 215) (L. D. 556) reported that the same "Ought to pass."

Which report was read and accepted, the resolve read once and tomorrow assigned for second reading.

Mr. Low from the same Committee on "Resolve in Favor of A. Edwin Madden of Gardiner." (S. P. 294) (L. D. 1442) reported that the same "Ought to pass."

(On motion by Mr. Parker of Piscataquis, tabled pending consideration of committee report.)

Mr. Fournier from the same Committee on "Resolve in Favor of Leroy Foster of Amherst." (S. P. 427) (L. D. 1443) reported that the same "Ought to pass."

Mr. Reid from the Committee on Judiciary on Bill "An Act Amending the Financial Responsibility Law." (S. P. 408) (L. D. 1183) reported that the same "Ought to pass."

Mr. Lessard from the Committee on Legal Affairs on Bill "An Act Relating to Appointment of Collector and Assessors of Taxes and City Treasurer of City of Eastport." (S. P. 376) (L. D. 1072) reported that the same "Ought to pass."

Mr. Farris from the Committee on Towns and Counties on Bill "An Act Relating to Clerk Hire in the Office of the Recorder of the Portland Municipal Court." (S. P. 81) (L. D. 170) reported that the same "Ought to pass."

Mr. Farley from the same Committee on Bill "An Act Increasing

Salary of the Recorder of the South Portland Municipal Court." (S. P. 357) (L. D. 966) reported that the same "Ought to pass."

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

Emergency Enactor

The following emergency enactor was received from the House out of order and under suspension of the rules:

"An Act to increase the Borrowing Capacity of Community School District No. 1, Fort Kent, Maine" (H. P. 434) (L. D. 480)

Which bill, being an emergency measure, and having received the affirmative vote of 24 members of the Senate, was passed to be enacted; and having been signed by the President, was by the Secretary presented to the Governor for his approval.

Ought to Pass

N. D. — New Title

Mr. Farley from the Committee on Towns and Counties on Bill "An Act Relating to Certain Deductions from Municipal Employees' Salaries by Town Treasurers." (S. P. 139) (L. D. 331) reported the same in New Draft (S. P. 532) (L. D. 1446) and under New Title: Bill "An Act Relating to Deductions from Municipal Employees' Salaries by Town Treasurers." and that it "Ought to pass."

Mr. Wyman from the same Committee on Bill "An Act Relating to Disposition of County Fees." (S. P. 451) (L. D. 1243) reported the same in New Draft (S. P. 534) (L. D. 1443) and under new title: Bill "An Act Relating to Disposition of County Fees in Kennebec County." and that it "Ought to pass."

Which reports were read and accepted, the bills in new draft, under new title, read once and tomorrow assigned for second reading.

Ought to Pass

N.D. — Same Title

Mr. Collins from the Committee on Appropriations and Financial Affairs on Bill "An Act to Appropriate Monies for the Expenditures of State Government and for Other Purposes

for the Fiscal Years Ending June 30, 1956 and June 30, 1957." (S. P. 52) (L. D. 42) reported the same in New Draft (S. P. 529) (L. D. 1444) and that it "Ought to pass."

Mr. Jamieson from the Committee on Highways on Bill "An Act Relating to Payments Received by State from Portland Terminal Company," (S. P. 122) (L. D. 318) reported the same in New Draft (S. P. 530) (L. D. 1445) and that it "Ought to pass."

Mr. Farris from the Committee on Towns and Counties on Bill "An Act Relating to Audit of Counties," (S. P. 262) (L. D. 690) reported the same in New Draft (S. P. 533) (L. D. 1447) and that it "Ought to pass."

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

Ought to Pass—as Amended

Mr. Silsby from the Committee on Judiciary on Bill "An Act Relating to Liens for Inheritance Taxes and Fixing a Period of Limitations Therefor," (S. P. 410) (L. D. 1174) reported that the same Ought to pass as Amended by Committee Amendment A.

Committee Amendment "A" to S. P. 410, L. D. 1174, Bill "An Act Relating to Liens for Inheritance Taxes and Fixing a Period of Limitations Therefor."

Amend said bill by striking out in the next to the last paragraph all appearing before the underlined word "expired" in the second line and inserting in place thereof the following underlined words: **"If the liens shall not have been terminated as above set forth it shall in any event"**

Further amend said bill by striking out the underlined words **"two years"** in the next to the last line of said bill and inserting in place thereof the following underlined words and figures: **"6 months."**

Mr. Martin from the Committee on Legal Affairs on Bill "An Act Relating to Wharf in Long Lake at Naples," (S. P. 206) (L. D. 500) reported that the same Ought to pass as Amended by Committee Amendment A.

Committee Amendment "A" to S. P. 206, L. D. 500, Bill "An Act Relating to Wharf in Long Lake at Naples."

Amend said bill by striking out the last two lines thereof and inserting in place thereof the following: **"The wharf shall be maintained in good condition for the free use of the public except that a reasonable charge may be made for those who use the wharf for commercial purposes."**

Mr. Lessard from the same Committee on Bill "An Act Relating to the Practice of Physical Therapy in the State of Maine," (S. P. 326) (L. D. 902) reported that the same Ought to pass as Amended by Committee Amendment A.

Mr. Farris from the Committee on Towns and Counties on Bill "An Act Relating to the Salaries of the County Commissioners of Cumberland County," (S. P. 83) (L. D. 172) reported that the same Ought to pass as Amended by Committee Amendment A.

Committee Amendment "A" to S. P. 83, L. D. 172, Bill "An Act Relating to the Salaries of the County Commissioners of Cumberland County."

Amend said bill by striking out in the last line thereof the underlined figures **"\$3500"** and inserting in place thereof the underlined figures **"\$3000."**

Mr. Farley from the same Committee on Bill "An Act Relating to Salary of Judge of Probate in Cumberland County," (S. P. 277) (L. D. 707) reported that the same Ought to pass as Amended by Committee Amendment A.

Committee Amendment "A" to S. P. 277, L. D. 707.

Amend said bill by striking out in the last line thereof the underlined figure **"\$8000"** and inserting in place thereof the underlined figure **"\$6500."**

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

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

House

Bill "An Act Relating to Bounty on Bear in Franklin County." (H. P. 57) (L. D. 63)

Mr. CARPENTER of Somerset: Mr. President, I have been so confused about bear bills and bear-trap bills I hardly know what is going on in the bear family, but evidently this bill is a bill that opens up the southern part of Franklin County south of the Appalachian Trail. I am told that this bill should be killed and that there will be an amendment added onto one of the other bear bills to take care of the entire situation. So, if it is the pleasure of the Senate, I will now move the indefinite postponement of L. D. 63, "An Act Relating to Bounty on Bear in Franklin County."

The PRESIDENT: The Senator from Somerset, Senator Carpenter, moves that L. D. 63, "An Act Relating to Bounty on Bear in Franklin County" be indefinitely postponed.

Mr. BUTLER of Franklin: Mr. President, I move that the matter be tabled pending the motion of Senator Carpenter.

The PRESIDENT: The question before the Senate is the motion of the Senator from Franklin, Senator Butler, that the bill be laid on the table pending the motion of the Senator from Somerset, Senator Carpenter, that the bill be indefinitely postponed.

Mr. BUTLER: Mr. President, I ask for a division.

The PRESIDENT: The question before the Senate in on the motion of the Senator from Franklin, Senator Butler, that the bill be laid on the table pending the motion of the Senator from Somerset, Senator Carpenter, that the bill be indefinitely postponed.

As many as are in favor of the motion of the Senator from Franklin, Senator Butler, will rise and stand until counted.

A division was had.

The PRESIDENT: Ten having voted in the affirmative and thirteen

in the negative, the motion does not prevail.

The question now before the Senate is the motion of the Senator from Somerset, Senator Carpenter, that the bill be indefinitely postponed. Is this the pleasure of the Senate?

The motion prevailed and the bill was indefinitely postponed and sent down for concurrence.

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

"Resolve Regulating Fishing in Chain of Ponds in Chain of Ponds Township, County of Franklin." (H. P. 473) (L. D. 518)

"Resolve Closing Alewife Pond in Kennebunk to Ice Fishing." (H. P. 536) (L. D. 593)

Bill "An Act Defining Boundaries of Jefferson and Whitefield Game Preserve." (H. P. 740) (L. D. 821)

"Resolve Regulating Fishing in All River Tributaries at Sebago Lake." (H. P. 743) (L. D. 824)

Bill "An Act Relating to Open Season on Deer Isle and Stonington." (H. P. 897) (L. D. 1005)

Bill "An Act Relating to Procedure in Cruelty to Animals Laws." (H. P. 1030) (L. D. 1202)

Bill "An Act Relating to Service of Process of Nonresidents in Motor Vehicle Laws." (H. P. 1042) (L. D. 1217)

Bill "An Act Changing Name of Rumford and Mexico Water District to Rurford Water District." (H. P. 1047) (L. D. 1222)

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

"Resolve Regulating Taking of Alewives from Dennyville River, Washington County." (H. P. 1172) (L. D. 1410)

"Resolve Authorizing the Forest Commissioner to Cut Certain Growth on Route 17." (H. P. 1174) (L. D. 1412)

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

House—as Amended

Bill "An Act Relating to Amending Declaration or Pleading Anew

After Demurrer." (H. P. 360) (L. D. 398)

Bill "An Act Creating the Pittsfield Utilities District." (H. P. 499) (L. D. 550)

Bill "An Act Relating to Special Mobile Equipment Under Motor Vehicle Laws." (H. P. 652) (L. D. 729)

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

Senate

Bill "An Act Relating to Fee for Permits Granted by Board of Harbor Commissioners for Harbor of Portland." (S. P. 82) (L. D. 171)

Bill "An Act Relating to Definition of Contract Carrier." (S. P. 522) (L. D. 1427)

Bill "An Act Repealing Certain Law Relating to Contents of Certificates of Organization of Telegraph, Telephone, Gas and Electric Companies." (S. P. 523) (L. D. 1428)

Bill "An Act Providing for Group Life Insurance for State Employees and Teachers." (S. P. 525) (L. D. 1429)

Bill "An Act Relating to Clerk Hire and Increasing Salary of the Recorder of the Westbrook Municipal Court." (S. P. 526) (L. D. 1430)

Bill "An Act Revising the Maine State Retirement System." (S. P. 524) (L. D. 1432)

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

Senate—as Amended

"Resolve Relating to Use of Seines in Medomak River, Lincoln County." (S. P. 307) (L. D. 812)

Bill "An Act Relating to Condemnation Proceedings by Water Districts." (S. P. 332) (L. D. 896)

Bill "An Act Relating to Regulation of Railroads by Public Utilities Commission." (S. P. 378) (L. D. 1074)

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

Sent down for concurrence.

Enactors

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

Bill "An Act Relating to Qualifications of Applicants for Registration as Licensed Physicians or Surgeons." (S. P. 64) (L. D. 177)

Bill "An Act Relating to Time of Preserving Ballots and Check Lists as Public Records." (S. P. 400) (L. D. 1114)

Bill "An Act Relating to Public Hearings for Public Utilities." (S. P. 506) (L. D. 1396)

Bill "An Act Relating to Trial Terms in Knox and Oxford Counties." (S. P. 512) (L. D. 1400)

Bill "An Act Relating to Sirens on Automobiles Operated by Certain Officials." (H. P. 83) (L. D. 80)

Bill "An Act Regulating Closing-Out Sales and Similar Types of Sales." (H. P. 297) (L. D. 280)

Bill "An Act Relating to Transportation of Explosives." (H. P. 337) (L. D. 378)

Bill "An Act Relating to Tuition of Students Living on Chebeague Island, Cumberland County." (H. P. 527) (L. D. 586)

Bill "An Act Relating to Dealer and Transit Motor Vehicle Registration." (H. P. 615) (L. D. 623)

Bill "An Act Relating to Funds for Minors Not Having Guardian." (H. P. 746) (L. D. 827)

Bill "An Act Relating to Trespass on Land of Another." (H. P. 1166) (L. D., 1399)

Which bills were severally passed to be enacted; and having been signed by the President, were by the Secretary presented to the Governor for his approval.

"Resolve in Favor of Eugene F. Young of South Portland." (S. P. 265) (L. D. 1395)

On motion by Mr. Sinclair of Somerset, the resolve was tabled pending passage to be enacted.

On motion by Mr. Dow of Lincoln, under suspension of the rules the Senate voted to reconsider its action whereby H. P. 527, L. D. 586, Bill "An Act relating to tuition of students living on Chebeague Island, Cumberland County" was passed to be engrossed. The same Senator then offered Senate Amendment "A" and moved its adoption.

Senate Amendment "A" was read by the Assistant Secretary as follows:

Amend said bill by striking out the word "of" after the underlined word "conveyance" in the fifth line thereof and inserting in place thereof the underlined word 'or.'

Senate Amendment "A" was adopted and the bill was passed to be engrossed as amended in non-concurrence.

Sent down for concurrence.

Orders of the Day

Mr. LOW of Knox: Mr. President, may I inquire whether L. D. 1385, "An Act Relating to the Appointment of Conservators" is in the possession of the Senate?

The PRESIDENT: The Chair will state that it is, having been held at the request of one of the Senators.

Mr. LOW: For the purpose of offering an amendment, I move that we reconsider our action in passing this bill to be enacted.

The Senate thereupon voted to reconsider its action whereby the bill was passed to be enacted and, under suspension of the rules to reconsider its action whereby the bill was passed to be engrossed.

On further motion by Mr. Low, the bill was tabled pending passage to be engrossed.

On motion by Mr. Butler of Franklin, the Senate voted to take from the table "An Act Relating to Disability Retirement Benefits Under the Maine State Retirement System," (S. P. 380) (L. D. 1076) tabled by that Senator earlier in today's session, pending consideration of the "Ought not to pass" report of the committee; and on further motion by the same Senator the bill was recommitted to the Committee on Retirements and Pensions and sent down for concurrence.

Mr. CHAPMAN of Cumberland: Mr. President, may I inquire if S. P. 527, "Resolve authorizing Kenneth Boyington to sue the State of Maine" is in the possession of the Senate?

The PRESIDENT: The Chair will state that S. P. 527, being "Resolve Authorizing Kenneth H. Boyington and Ernestine Y. Boyington of South Portland to sue the State of Maine" is in the possession of the Senate, having been held at the re-

quest of the Senator from Cumberland, Senator Chapman.

On motion by Mr. Chapman of Cumberland, the Senate voted to reconsider its action whereby the resolve was referred to the Committee on Claims, and on further motion by the same Senator the resolve was referred to the Committee on Judiciary ordered printed and sent down for concurrence.

Mr. Butler of Franklin was granted unanimous consent to address the Senate.

Mr. BUTLER: Mr. President and Members of the Senate: Earlier in today's session we have moved to accept the report from the Committee on Claims on L. D.'s 1421, 1422, 1423 and 1424. Now these are all claims which have been created by the acts of boys from Pownal. They are not important claims, but the principle involved, however, is important. Here we have agreed that we are going to pay Cyril Swallow of South Paris \$10, Raymond Butler of New Gloucester \$20.33 for damage to truck by boys from Pownal, to Robert S. Robinson of Westbrook, \$219.38 for damages by escapees of Pownal, and Philip Krisilos of Portland \$71.89. Now it is all the same principle. We are giving something, I feel, without a legal responsibility, but the reason I am speaking on it is that although these claims may appear to be worthy on their face yet in our Pensions and Retirement Committee we have certainly turned out many "Ought not to pass" reports which have been accepted and which I feel are much more a responsibility of the State than for the pranks of youngsters who have been committed to these institutions. I think these should give us very serious thought. We have some more coming out because thus far we have only had ten of these special resolves. We have already tabled the resolve of Clyde Boyington of Prentiss which was not exactly a claim due to these boys, but we did table the resolve of Harriet and George Christenson for \$250 damage by boys from the State School.

I think this is something which we should give some thought to. I therefore feel that we should reconsider our action on all of these and if we

are going to pay one then we should pay them all for the damages that have been incurred, because the amount of the damage is immaterial, it is the principle of the thing. Instead of passing a few, it might be advisable for us to reconsider them and see how many we have and let them accumulate on the table and then take action after we have them all before us.

I therefore move, Mr. President, that we reconsider our action where-by we have previously accepted the report of the Committee on Claims on L. D. 1421, being "Resolve in favor of Cyril Swallow of South Portland."

Mr. BOYKER of Oxford: Mr. President, I would like to make this suggestion: these boys have been put in the care of our State and whatever damage they do I believe the State should pay for it.

The PRESIDENT: The motion certainly is in order. However, the Chair notes the absence of the Chairman of the Committee on Claims.

Mr. BUTLER: Mr. President, I would ask to withdraw my motion.

The PRESIDENT: The Senator from Franklin, Senator Butler, asks permission to withdraw his motion. Is there objection to his request. The Chair hears no objection and the motion is withdrawn. The Chair will further note that the resolves will be on as second readers on the next legislative day.

On motion by Mr. Jamieson of Aroostook, the Senate voted to take from the table the 44th tabled and unassigned matter, (H. P. 1069) (L. D. 1257) House Report "Ought not to pass" from the Committee on Judiciary on "Resolve Proposing an Amendment to the Constitution to reapportion the House of Representatives by a Commission if the Legislature Fails to Act," tabled by that Senator on April 6th pending acceptance of report; and on further motion by the same Senator the resolve was recommitted to the Committee on Judiciary and sent down for concurrence.

On motion by Mr. Wyman of Washington, the Senate voted to take from the table the 8th tabled

and unassigned matter, (H. P. 169) (L. D. 160) Bill "An Act Increasing Salaries of Certain Officers in Washington County," tabled by that Senator on March 9th pending Consideration of Committee Amendment "A", and on further motion by the same Senator Committee Amendment A was adopted and the bill was assigned for second reading on the next legislative day.

On motion by Mr. Wyman of Washington, the Senate voted to take from the table the 48th tabled and unassigned matter, (H. P. 946) (L. D. 1049) Bill "An Act to Permit Counties to Use Surplus Funds," tabled by that Senator on April 6th pending assignment for second reading; and on further motion by the same Senator under suspension of the rules the bill was given its second reading, passed to be engrossed and sent down for concurrence.

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

Mr. SINCLAIR: Mr. President and members of the Senate: I would call your attention to L. D. 1444, which is the budget document, and if you are planning on studying it over the week end I would like to call your attention to the paragraph on Page 2 of this L. D. 1444 that differs from L. D. 42. It is the second paragraph on Page 2 that reads: "It is the intent of the Legislature that allotments for personal services, capital expenditures and amounts for other departmental shall not exceed the amounts shown in the budget document, etc."

I call your attention to that because you will notice this L. D. 44 is presented in line budget form and you should refer to your budget document in order to get the expenditures for these various departments. You will find personal services in some cases that may not include the entire amount of expenditures for personal services. By referring to your budget document you will find the total amount of these expenditures by departments represent the appropriation not the expenditures because there are federal grants and other

moneys involved. I call your attention to the line budget, Personal Services, Capital Expenses and All Other, reminding you that the other expenditures you find in your bud-

get document will be included in the All Other Expenditures.

On motion by Mr. Sinclair of Somerset adjourned until 10:00 a.m. Tuesday, April 12th.