

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 15, 1955

Senate called to order by the President.

Prayer by Captain Lloyd Scott of Augusta.

Journal of yesterday read and approved.

Order

On motion by Mr. Boucher of Androscoggin, 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 19, 1955. (S. P. 539)

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.

House Papers
House Committee Reports
Leave to Withdraw

The Committee on Inland Fisheries and Game on "Resolve Regulating Fishing in Aroostook River in Aroostook County." (H. P. 1125) (L. D. 1323) reported that the same be granted Leave to Withdraw.

The same Committee on Bill "An Act Relating to Hunting of Raccoons." (H. P. 1159) (L. D. 1377) reported that the same be granted Leave to Withdraw.

The Committee on Labor on Bill "An Act Relating to The Payment of Benefits Under Employment Security Law." (H. P. 543) (L. D. 600) reported that the same be granted Leave to Withdraw, Covered by Other Legislation.

The same Committee on Bill "An Act Amending the Maine Employment Security Law as to Employers Rating Record." (H. P. 994) (L. D. 1142) reported that the same be granted Leave to Withdraw.

The same Committee on Bill "An Act Amending the Maine Employment Security Law as to Reciprocal Benefit Arrangements." (H. P. 997) (L. D. 1145) reported that the same be granted Leave to Withdraw.

Which reports were severally read and accepted in concurrence.

Ought Not to Pass

The Committee on Highways on Bill "An Act Relating to the Administration of the Highway Commissioner." (H. P. 876) (L. D. 984) reported that the same Ought not to pass.

Comes from the House, report and bill indefinitely postponed.

In the Senate, the bill was indefinitely postponed in concurrence.

The Committee on Taxation on Bill "An Act Relating to Exemption of Sales Taxes on Certain Items Pertaining to the Maine Maritime Academy." (H. P. 765) (L. D. 841) reported that the same Ought not to pass.

Comes from the House, recommended to the Committee on Taxation.

In the Senate, the bill was recommended to the Committee on Taxation in concurrence.

The Committee on Inland Fisheries and Game on "Resolve Regulating Fishing for White Perch in Morrill Pond, Somerset County." (H. P. 148) (L. D. 148) reported that the same Ought not to pass, Covered by Other Legislation.

The same Committee, to which was recommended "Resolve Regulating Fishing in West Branch of Penobscot River." (H. P. 149) (L. D. 149) reported that the same Ought not to pass, Covered by Other Legislation.

The same Committee on Bill "An Act Relating to Bounty on Foxes in Washington County." (H. P. 1103) (L. D. 1293) reported that the same Ought not to pass.

The Committee on Judiciary, to which was recommended Bill "An Act to Clarify Provision for Child, Etc. Omitted in Will." (H. P. 482) (L. D. 527) reported that the same Ought not to pass.

The same Committee on Bill "An Act Defining the Word 'Owner' Under the Motor Vehicle Law." (H. P. 666) (L. D. 742) reported that the same Ought not to pass, as Covered by Other Legislation.

The same Committee to which was recommended Bill "An Act Relating to Parking Meter Fines." (H. P. 908) (L. D. 1016) 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 Chester Fredericks of Norridgewock." (H. P. 183) (L. D. 1457) reported that the same Ought to pass.

The same Committee on "Resolve in Favor of Marcus Mitchell, of Temple." (H. P. 872) (L. D. 1458) reported that the same Ought to pass.

The Committee on Towns and Counties on Bill "An Act Increasing Salaries of Certain Officers of Lincoln County." (H. P. 125) (L. D. 128) reported that the same Ought to pass.

The same Committee on Bill "An Act Relating to Compensation of Councillors of Town of Van Buren." (H. P. 236) (L. D. 215) reported that the same Ought to pass.

The same Committee on Bill "An Act Relating to the Salary of the County Attorney of Hancock County." (H. P. 459) (L. D. 494) reported that the same Ought to pass.

The same Committee on Bill "An Act to Increase the Salary of the Judge of Western Hancock Municipal Court." (H. P. 857) (L. D. 943) reported that the same Ought to pass.

The same Committee on Bill "An Act Increasing the Salaries of the Judge and Recorder of Ellsworth Municipal Court." (H. P. 949) (L. D. 1052) reported that the same Ought to pass.

The same Committee on Bill "An Act Increasing Salary of County Treasurer of Hancock County." (H. P. 1083) (L. D. 1244) reported that the same Ought to pass.

The same Committee on Bill "An Act Providing for a Contingent Account for Androscoggin County." (H. P. 1139) (L. D. 1336) reported that the same Ought to pass.

The same Committee on Bill "An Act to Provide Fire Protection for Milton Township, Oxford County." (H. P. 1170) (L. D. 1405) 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.

Ought to Pass — N.D.

The Committee on Business Legislation on Bill "An Act Relating to Change of Purposes of Domestic Mutual Insurance Companies." (H. P. 1029) (L. D. 1201) reported the same in New Draft (H. P. 1194) (L. D. 1461), and under the same title, and that it Ought to pass.

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

Ought to Pass as Amended

The Committee on Public Utilities on Bill "An Act to Incorporate the Orono-Veazie Water District." (H. P. 1156) (L. D. 1374) reported that the same Ought to pass with Committee Amendment A. (Filing 265)

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

Majority—ONTP Minority—OTP

The Majority of the Committee on Education on Bill "An Act to Supplement Loans by Maine School Building Authority." (H. P. 346) (L. D. 385) reported that the same Ought not to pass.

(Signed)

Senators:

DOW of Lincoln

CRABTREE of Aroostook

Representatives:

FULLER of South Portland

CARTER of Newport

KNIGHT of Searsmont

EVANS of Cornish

CORMIER of Rumford

The Minority of the same Committee on the same subject matter, reported that the bill Ought to pass.

(Signed)

Senator:

FULLER of Oxford

Representatives:

MANN of Paris

ROUNDY of Portland

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

In the Senate, the bill was recommended to the Committee on Education in concurrence.

Majority—ONTP
Minority—OTP, as Amended

The Majority of the Committee on Highways on Bill "An Act Relating to Terms of Office and Salaries of the State Highway Commission." (H. P. 651) (L. D. 728) reported that the same Ought not to pass.

(Signed)

Senators:

PARKER of Piscataquis
JAMIESON of Aroostook
COLE of Waldo

Representatives:

FERGUSON of Hanover
PULLEN of Oakland
CARTER of Etna

The Minority of the same Committee on the same subject matter, reported that the bill Ought to pass with Committee Amendment A (Filing No. 273)

(Signed)

Representatives:

DENBOW of Lubec
HIGGINS of Scarborough
DUNN of Poland
NADEAU of Biddeford

Comes from the House, Majority Report, Ought not to pass, accepted.

In the Senate:

Mr. PARKER of Piscataquis: Mr. President, I move that the Senate concur with the House in the acceptance of the Ought not to pass report.

Mr. FARRIS of Kennebec: Mr. President, I move that the bill and accompanying papers lie on the table.

Mr. BUTLER of Franklin: Mr. President, I ask for a division on the tabling motion.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec that the bill be laid upon the table pending motion of the Senator from Piscataquis, Senator Parker that the Senate accept the Majority Report Ought not to pass in concurrence; and the Senator from Franklin, Senator Butler has requested a division.

A division of the Senate was had.

Seventeen having voted in the affirmative and five opposed, the motion to table prevailed.

Majority—OTP
Minority—ONTP

The Majority of the Committee on "Resolve in Favor of the Town of Plymouth." (H. P. 653) (L. D. 730) reported that the same Ought to pass.

(Signed)

Senators:

JAMIESON of Aroostook

Representatives:

PULLEN of Oakland
CARTER of Etna
DENBOW of Lubec
DUNN of Poland
NADEAU of Biddeford

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

(Signed)

Senators:

PARKER of Piscataquis
COLE of Waldo
FERGUSON of Hanover
HIGGINS of Scarborough

Comes from the House, Majority Report, Ought to pass, accepted, and resolve passed to be engrossed.

In the Senate, on motion by Mr. Parker of Piscataquis, tabled pending acceptance of either report.

Report "A"—OTP
Report "B"—ONTP

Five Members of the Committee on Liquor Control on Bill "An Act Relating to Hours of Sale on Liquor." (H. P. 838) (L. D. 928) reported (Report "A") that the same Ought to pass.

(Signed)

Senator:

BOUCHER of Androscoggin

Representatives:

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

Five Members of the same Committee on the same subject matter reported (Report "B") that the same Ought not to pass.

(Signed)

Senators:

CARPENTER of Somerset
CRABTREE of Aroostook

Representatives:

ANTHOINE of Windham
CHRISTIE of Presque Isle
RICH of Charleston

Comes from the House Report "B" Ought not to pass, read and accepted.

In the Senate, on motion by Mr. Boucher of Androscoggin, tabled pending acceptance of either report.

Majority—ONTP

Minority—OTP

The Majority of the Committee on Taxation on Bill "An Act Creating a State School Building Fund and Providing Moneys Therefor." (H. P. 1015) (L. D. 1167) reported that the same Ought not to pass.

(Signed)

Senators:

LOW of Knox
CUMMINGS of Sagadahoc

Representatives:

WILLEY of Ellsworth
WALSH of Brunswick
HANSON of Gardiner
ALBEE of Cumberland
SEAWARD of Kittery
SANFORD of

Dover-Foxcroft

The Minority of the same Committee on the same subject matter reported that the Bill Ought to pass. (Signed)

Representatives:

REED of Fort Fairfield
DUQUETTE of Biddeford

Comes from the House Recommendation to the Committee on Taxation.

In the Senate, on motion by Mr. Low of Knox, the Ought Not to pass report of the committee was accepted in non-concurrence.

Sent down for concurrence.

Senate Committee Reports Ought Not to be Adopted

Mr. Weeks from the Committee on Judiciary on, "Joint Resolution Proposing an Amendment to the Constitution of the United States Relative to the Treaty Making Power." (S. P. 188) (L. D. 440) reported that the same Ought not to be Adopted.

On motion by Mr. Farris of Kennebec, tabled pending acceptance of the report.

Ought Not to Pass

Mr. Lessard from the Committee on Public Utilities on Bill "An Act Relating to Operating Motor Trucks for Hire." (S. P. 415) (L. D. 1172) reported that the same Ought not to pass.

On motion by Mr. Hillman of Penobscot, tabled pending acceptance of the report.

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 not to pass.

On motion by Mr. Fuller of Oxford, tabled pending acceptance of the report.

Ought to Pass

Mr. Weeks from the Committee on Judiciary on Bill "An Act Relating to Execution for Attorney's Fees in Divorce Proceedings." (S. P. 218) (L. D. 559) reported that the same Ought to Pass.

Mr. Reid from the same Committee on Bill "An Act Relating to Assaults on Officers by Convicts." (S. P. 370) (L. D. 1066) reported that the same Ought to pass.

The same Senator from the same Committee on "Resolve Proposing an Amendment to the Constitution Extending Pardon Powers of Governor and Council to Offenses of Juvenile Delinquency." (S. P. 429) (L. D. 1188) reported that the same Ought to pass.

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

Mr. Weeks from the Committee on Judiciary on Bill "An Act Relating to Appointment of Special Deputy Sheriffs." (S. P. 250) (L. D. 682) 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. 250, L. D. 682.

"Amend said bill by striking out the last paragraph and inserting in place thereof the following: 'Sec-

tion 152 Special Deputies. Sheriffs may appoint male citizens more than 18 years of age not eligible for military service as special deputies who shall have and exercise all the powers of deputy sheriffs appointed under the general law except the services of civil processes. Such special deputies shall be personally responsible for any unreasonable, improper or illegal acts committed by them in the performance of their duties, but the sheriffs shall not be liable upon their bonds or otherwise for any neglect or misdoing of such deputies."

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

The same Senator from the same Committee on Bill "An Act Relating to Possession of Firearms by Felons." (S. P. 337) (L. D. 901) 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. 337, L. D. 901. "Amend said bill by striking out the last underlined sentence of Section 12B."

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

Second Readers

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

House

"Resolve Regulating Fishing in Rattlesnake (Pequawket) Pond, Oxford County." (H. P. 189) (L. D. 194)

"Resolve Regulating Fishing in Kewayden Lake and Virginia Lake in Oxford County." (H. P. 357) (L. D. 395)

"Resolve Closing Spring Pond in Piscataquis County to Fishing Except Fly Fishing." (H. P. 470) (L. D. 515)

"Resolve Regulating Fishing in Cobbosseecontee Stream in Kennebec County." (H. P. 538) (L. D. 595)

Bill "An Act Relating to Unlicensed Dogs." (H. P. 595) (L. D. 651)

"Resolve in Favor of Kathryn C. Douglas of Augusta." (H. P. 640) (L. D. 717)

Bill "An Act Relating to Construction of Fishways." (H. P. 654) (L. D. 731)

"Resolve Regulating Fishing in Second Gardner's Lake in Marion Township, Washington County." (H. P. 657) (L. D. 734)

"Resolve Regulating Fishing in Johnson Pond in Knox County." (H. P. 660) (L. D. 736)

Bill "An Act Relating to Powers and Duties of Special Administrators." (H. P. 664) (L. D. 740)

Bill "An Act Relating to the Wells and Yerk Game Preserve." (H. P. 739) (L. D. 820)

"Resolve Regulating White Perch Bass and Pickerel Fishing in Lake Anasaguticook." (H. P. 741) (L. D. 822)

Bill "An Act to Ratify and Make Valid the Incorporation of the Sebago Lake Congregational Church." (H. P. 784) (L. D. 867)

"Resolve Regulating Fishing for Black Bass in Androscoggin County." (H. P. 825) (L. D. 917)

Bill "An Act Relating to the Fifth Maine Regiment Memorial Society." (H. P. 831) (L. D. 922)

Bill "An Act Relating to Fees for Jurors and Witnesses." (H. P. 1185) (L. D. 1440)

"Resolve Authorizing State Highway Commission to Study Desirability of a Bridge Across the Passagassawaukeag River." (H. P. 1190) (L. D. 1453)

(On motion by Mr. Fuller of Oxford, tabled pending passage to be engrossed and especially assigned for later in today's session.)

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

Bill "An Act Relating to Records of Time Worked." (H. P. 1191) (L. D. 1454)

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

House—as Amended

Bill "An Act Relating to Exceptions from Outdoor Advertising Law." (H. P. 184) (L. D. 189)

Bill "An Act Relating to Power to Hold Property by Corporations With-

out Capital Stock." (H. P. 593) (L. D. 649)

Bill "An Act Relating to Bar Harbor Property Owners Corporation." (H. P. 829) (L. D. 921)

"Resolve in Favor of Claude Boyington, of Prentiss." (H. P. 585) (L. D. 1425)

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

Senate

Bill "An Act Relating to Fraudulent Practices in Operation of Motor Vehicles for Profit." (S. P. 111) (L. D. 272)

"Resolve Requesting Judicial Council to Study Certain Problems." (S. P. 298) (L. D. 806)

"Resolve in Favor of A. Edwin Madden of Gardiner." (S. P. 294) (L. D. 1441)

Bill "An Act Relating to the Teaching of the Industrial and Natural Resources of Maine." (S. P. 536) (L. D. 1462)

Bill "An Act Relating to Public School Adult Education." (S. P. 537) (L. D. 1463)

(On motion by Mr. Fuller of Oxford, tabled pending passage to be engrossed.)

Bill "An Act Providing for Rental of Caribou Municipal Court and Presque Isle Municipal Court." (S. P. 538) (L. D. 1464)

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

Sent down for concurrence.

Senate—as Amended

Bill "An Act Relating to Jurisdiction of Cases of Forcible Entry and Detainer of Recorders of Municipal Courts." (S. P. 220) (L. D. 561)

Bill "An Act Relating to Fees of Towns Clerks in Recording Copies of Instruments." (S. P. 354) (L. D. 963)

Bill "An Act Relating to Organization of Certain Corporations Without Capital Stock." (S. P. 482) (L. D. 1351)

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:

An Act relating to Hunting of Woodcock (S. P. 183) (L. D. 435)

An Act Increasing Salary of the Recorder of the Augusta Municipal Court (S. P. 198) (L. D. 448)

An Act relating to Charges for Publication of Notices in Waldo County (S. P. 233) (L. D. 569)

An Act relating to Payments to Kennebec Law Library (S. P. 261) (L. D. 689)

An Act relating to Regulation of Boats and Canoes by Department of Inland Fisheries and Game (S. P. 296) (L. D. 804)

An Act Increasing the Salary of the Judge of the Gardiner Municipal Court (S. P. 355) (L. D. 964)

An Act Increasing the Salary of the Recorder of the Gardiner Municipal Court (S. P. 356) (L. D. 965)

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

An Act relating to Discharge in Bankruptcy Re Financial Responsibility Law (S. P. 409) (L. D. 1173)

An Act Modifying and Clarifying the Rule Against Perpetuities (S. P. 411) (L. D. 1175)

An Act relating to Burial Expenses Under Old Age Assistance Laws (S. P. 419) (L. D. 1180)

An Act Providing for an Interpleader Compact (S. P. 448) (L. D. 1240)

An Act relating to the Keeping of Records by Persons in the Business of Selling Dogs (S. P. 468) (L. D. 1311)

An Act relating to Examination of Dog Shelters (S. P. 470) (L. D. 1313)

An Act Amending the Charter of the Lewiston Gas Light Company (S. P. 492) (L. D. 1359)

An Act relating to Academy Contracts (S. P. 516) (L. D. 1409)

An Act relating to Amending Declaration or Pleading Anew After Demurrer (H. P. 360) (L. D. 398)

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

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

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

An Act relating to Restrictions on Turnpikes (H. P. 752) (L. D. 833)

An Act relating to Salaries of the Judge, Clerk and Clerk Hire of the Auburn Municipal Court (H. P. 803) (L. D. 877)

An Act Exempting Foreign Charitable Corporations from Certain Fees (H. P. 855) (L. D. 941)

An Act relating to Payments in Knox County Law Library (H. P. 858) (L. D. 944)

An Act relative to the Number of Employees Under Group Accident and Sickness Insurance Policies (H. P. 868) (L. D. 980)

An Act relating to Open Season on Deer in Towns of Deer Isle and Stonington (H. P. 897) (L. D. 1005)

An Act relating to Bonds to Towns for License to Build Fish Weirs (H. P. 938) (L. D. 1041)

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

An Act relating to Precedure in Cruelty to Animals Laws (H. P. 1030) (L. D. 1202)

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

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

An Act Increasing the Salary of the Judge of Western Oxford Municipal Court (H. P. 1051) (L. D. 1226)

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

An Act to Grant a Charter to the Town of Brunswick (H. P. 1075) (L. D. 1270)

An Act relating to Number of Employees under Group Life Insurance Policies (H. P. 1094) (L. D. 1277)

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

An Act relating to Open Season on Otter and Fisher (H. P. 1161) (L. D. 1387)

An Act relating to Moving Motor Vehicles Seized on Attachment (S. P. 432) (L. D. 1191)

An Act relating to Death Benefits Paid by Fraternal Beneficiary Societies on Account of Children (S. P. 511) (L. D. 1401)

An Act relating to Tuition of Students Living on Chebeague Island, Cumberland County (H. P. 527) (L. D. 583)

An Act relating to Hunting for Raccoons at Night (H. P. 535) (L. D. 592)

An Act Prohibiting Certain Forms of Dividend Life Insurance (H. P. 1177) (L. D. 1417)

An Act relating to Making Insurance by Stock Companies (H. P. 1178) (L. D. 1418)

Which bills were severally passed to be enacted.

An Act Relating to Compensation of Members of Advisory Committee on Budget (S. P. 365) (L. D. 1061)

Mr. SINCLAIR of Somerset: Mr. President, on behalf of the Chairman of the Appropriations Committee I move that L. D. 1061 lie on the table, pending passage to be enacted.

The motion to table prevailed.

An Act Providing for Compensation for Members of the Board of Education of the City of Rockland (S. P. 423) (L. D. 1169)

On motion by Mr. Low of Knox, tabled pending passage to be enacted.

An Act Relating to Kennel License Fees (S. P. 467) (L. D. 1310)

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

An Act Relating to Excise Tax on Malt Liquor (H. P. 672) (L. D. 748)

On motion by Mr. Low of Knox, tabled pending passage to be enacted.

An Act to Permit Counties to Use Surplus Funds (H. P. 946) (L. D. 1049)

On motion by Mr. Boucher of Androscoggin, tabled pending passage to be enacted.

An Act Increasing Salaries of Certain Officers in Washington County (H. P. 169) (L. D. 160)

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

Resolve Regulating Fishing for Black Bass Through the Ice in Knox County (S. P. 312) (L. D. 851)

Resolve Authorizing Commissioner of Institutional Service to Convey to Portland Water District a Right-of-Way for a Pipeline from the Fal-mouth Shore to Mackworth Island in Portland Harbor, Casco Bay (S. P. 505) (L. D. 1386)

Resolve Regulating Ice Fishing in Broken Bridge Pond, Oxford County (S. P. 520) (L. D. 1415)

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

Resolve Prohibiting Use of Fish as Bait in Certain Lakes in Aroostook County (H. P. 782) (L. D. 865)

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

Resolve Regulating Ice Fishing in Twitchell Pond, Oxford County (S. P. 283) (L. D. 795)

Resolve relating to Night Fishing for Smelts in Long Lake, Aroostook County (H. P. 478) (L. D. 523)

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

Which resolves were finally passed.

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

On motion by Mr. Sinclair of Somerset, tabled pending final passage.

Resolve Appropriating Money for the Preparation of Educational Materials on Maine for Schools (S. P. 457) (L. D. 1287)

On motion by Mr. Sinclair of Somerset, tabled pending final passage.

Resolve in favor of Helen M. Madsen of Portland (H. P. 1171) (L. D. 1406)

On motion by Mr. Sinclair of Somerset, tabled pending final passage.

Emergency Measures Emergency

Bill "An Act Relating to the Closing of County Offices on Saturday." (H. P. 79) (L. D. 76)

Which bill, being an emergency measure, and having received the affirmative vote of 24 members of the Senate and 1 opposed was passed to be enacted.

Emergency

Bill "An Act Relating to Excise Tax on Aircraft." (H. P. 123) (L. D. 126)

Which bill, being an emergency measure, and having received the affirmative vote of 25 members of the Senate and none opposed was passed to be enacted.

Additional paper from the House, out of order and under suspension of the rules:

Bill "An Act for an Enabling Act for the Town of Dedham, Hancock County.

Comes from the House having been received by unanimous consent and referred to the Committee on Legal Affairs.

In the Senate, the bill was received by unanimous consent and referred to the Committee on Legal Affairs in concurrence.

The PRESIDENT: The Chair will note that the Chairman of the Committee on Legal Affairs has indicated to the sponsor of this measure that it may be heard on next Tuesday afternoon.

Orders of the Day

On motion by Mr. Fuller of Oxford, the Senate voted to take from the table "Resolve Authorizing State Highway Commission to Study Desirability of a Bridge Across the Passagassawaukeag River." (H. P. 1190) (L. D. 1453) tabled by that Senator earlier in today's session pending passage to be engrossed, and on further motion by the same Senator the resolve was passed to be engrossed.

Sent down for concurrence.

Mr. PARKER of Piscataquis: Mr. President, I rise to inquire if L. D. 998 is in the possession of the Senate.

The PRESIDENT: The Chair will state that L. D. 998, "Resolve in favor of the Town of Brooksville, Hancock County" is in the possession of the Senate, having been held at the request of the Senator from Piscataquis, Senator Parker.

On motion by Mr. Parker of Piscataquis, the Senate voted to reconsider its action of yesterday whereby L. D. 998 was passed to be engrossed, and on further motion by the same Senator the bill was tabled pending passage to be engrossed.

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table Item 29 on Page 4 of today's calendar, Bill "An Act Relating to Hours of Sale on Liquor," (H. P. 838) (L. D. 928) Divided Report, Five members of the Committee on Liquor Control reporting Report "A" that the same "Ought to pass" signed by Senator Boucher of Androscoggin; Representatives: Pierce of Bucksport, Charles of Portland, Dostie of Winslow, Cote of Lewiston; and five members of the same Committee on the same subject matter reporting Report "B" that the same "Ought not to pass," signed by Senators Carpenter of Somerset, Crabtree of Aroostook; Representatives Anthoine of Windham, Christie of Presque Isle, Rich of Charleston, which came from the House with Report "B" "Ought not to pass" read and accepted, and which was tabled by Senator Boucher earlier in today's session pending acceptance of either report.

Mr. BOUCHER of Androscoggin: Mr. President, I now move that we accept Report "A" "Ought to pass."

Mr. CRABTREE of Aroostook: Mr. President, this bill, L. D. 928, provides for the sale of liquor after the polls close on election days. As usual, we had a rather complete hearing on the matter, and as you will note from your calendars the committee report is evenly divided, five "Ought to pass" and five "Ought not to pass." It seemed to two Senate members of the Committee on Liquor Control that this liberalizing of the sale of liquor was unnecessary and uncalled-for and that there was comparatively little demand for the stores to be open after the polls close on election day,

except of course by those interested in the sale thereof and possibly a few others, whereas there was a great sentiment against the liberalizing as provided by this bill.

It seems to me that we have gotten along a great many years with the outlets closed on election day, and it is my opinion that we should continue that way. It does seem to me that if Liquor Control is Liquor Control that here is an opportunity where the Liquor Control Committee may control the situation somewhat, and it may get out of control if we so liberalize it, because there are those who on election days might want to unduly celebrate their victory and there are those who might want to unduly drown their sorrows; and I have never noticed there was any great shortage of liquor to celebrate victories or drown sorrows on election days. It seems to me that those exigencies have been well provided for.

I sincerely hope that the Senate will concur with the House in accepting Committee Report "B" and that the motion of the Senator from Androscoggin, Senator Boucher, will not prevail.

Mr. BOUCHER of Androscoggin: Mr. President and members of the Senate: All of what Senator Crabtree has said is true, but he has given you one side of the picture and I do not believe he has given you the other one.

There is control of liquor, quite strict control, and there are pages and pages of laws now on the books. This is really a dry measure. It was offered and kept on the books so that people could not buy liquor on election day, and I will go along with that. But after the polls are closed at eight o'clock or whatever time it is in different towns election day to me is over and all there is left to be known is the result, and I see no reason why we should deprive any citizen of the privilege of being able to buy a glass of beer or a cocktail to either, as Senator Crabtree says, celebrate his victory or drown his sorrows.

The purpose of the law is to close those outlets during the balloting time so that anybody would not be influenced by the offer of liquor, and I am fully in accord with that; but after the polls are closed balloting

time is over and decided and I see no reason to keep the outlets closed. I believe that anyone who wants to buy a glass of beer to either celebrate his victory or drown his sorrows should be entitled to do so after the polls are closed and while the results are being accounted for. He might be celebrating what he thinks is a victory that would turn out to be defeat after the results are known.

Therefore I believe this bill is pertinent and well-taken, because the purpose of the law is only to deprive them of liquor at the time they ballot and vote so that they cannot be influenced by the use of liquor, and they certainly cannot be influenced after the polls are closed.

Mr. CARPENTER of Somerset: Mr. President, I quite agree with the Senator from Aroostook, Senator Crabtree. I think the Liquor Commission is doing a splendid job in conducting its activities, its rules and regulations seem to be working out very well. I hope that the motion of the Senator from Androscoggin, Senator Boucher, does not prevail, and when the vote is taken I ask for a division.

Mr. BOYKER of Oxford: Mr. President and members of the Senate: Being a strong prohibitionist, I want to agree with Senator Crabtree.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Androscoggin, Senator Boucher, that the Senate accept Report 'A', "Ought to pass." Is the Senate ready for the question? The Senator from Somerset, Senator Carpenter, has asked that when the vote is taken it be taken by a division.

As many as are in favor of the motion of the Senator from Androscoggin, Senator Boucher, that the Senate accept Report "A", "Ought to pass" will rise and stand until counted.

A division was had.

Four having voted in the affirmative and twenty-two in the negative the motion did not prevail.

Thereupon, on motion by Mr. Crabtree of Aroostook, Report "B" "Ought not to pass" was accepted in concurrence.

On motion by Mr. Farley of York,

Adjourned until Tuesday, April 19th at 10:00 A. M.