

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninetieth Legislature

OF THE

STATE OF MAINE



1941

KENNEBEC JOURNAL COMPANY

AUGUSTA, MAINE

SENATE

Tuesday, February 4, 1941.

The Senate was called to order by the President.

Prayer by the Reverend J. C. Rice of Hallowell.

Journal of Thursday, January 30, 1941 read and approved.

Papers from the House referred in concurrence.

From the House:

Resolve for Screening Outlet of Moosehead Lake at Indian Pond. (H. P. 820) (L. D. 292)

In the House referred to the Committee on Inland Fisheries and Game.

In the Senate, on motion by Mr. Snow of Piscataquis, tabled pending reference.

House Committee Reports

The Committee on Appropriations and Financial Affairs on Bill "An Act Clarifying the Disposition of Dog Tax Funds," (H. P. 13) (L. D. 12) reported that the same ought not to pass.

The Committee on Ways and Bridges on "Resolve in Favor of the Town of Lovell," (H. P. 160) reported that the same ought not to pass.

Which reports were severally read and accepted in concurrence.

From the House:

"Resolve in Favor of Mrs. Alfred Lausier, of Frenchville." (H. P. 764)

"Resolve to Reimburse the City of Portland for the Support of Lewis Heath, Minor Son of William Heath." (H. P. 765)

"Resolve to Reimburse the City of Portland for the Support of Albert Mattson, and his Wife, Ruth Mattson." (H. P. 766)

"Resolve to Reimburse the City of Portland for the Support of Anele Russo and Family." (H. P. 767)

"Resolve to Reimburse the City of Portland for the Support of Donald Edward Duran, Minor Son of Grace Duran Smith." (H. P. 768)

"Resolve to Reimburse the City of Portland for the Support of Grace R. McVane and her Children." (H. P. 769)

"Resolve to Reimburse the City of

Portland for the Support of Mary Jean Johnson." (H. P. 770)

"Resolve to Reimburse the City of Portland for the Support of Robert C. Lundy and Children." (H. P. 771)

In the House referred to the Committee on Claims.

In the Senate, referred to the Committee on Claims in concurrence and on motion by Mr. Boothby of York, 500 copies ordered printed.

Communications

PUBLIC UTILITIES COMMISSION

State of Maine
Augusta.

February 3, 1941.

To the Honorable Senate of the 90th Legislature

Royden V. Brown, Secretary.

The Public Utilities Commission, replying to your Honorable Body on an order dated January 30th, 1941 requesting information as to:

First: A list of all attorneys employed during the calendar year 1940 for legal services in connection with the prosecution or defense of any and all cases involving the Commission;

Second: The names of the cases;

Third: The remuneration for each service;

begs to report:
First: Employment of an attorney on but one occasion for 1940 of Frank Elwin Southard, Jr., Augusta, Maine;

Second: The case was Fred W. Stoddard d/b/a Fred's Motor Transportation Company, a Bill in Equity involving Injunctive proceedings;

Third: Remuneration paid was \$262.00.

STATEMENT

Injunctive process was filed against a decree issued by this Commission before Justice James H. Hudson by Fred's Motor Transportation Company against Frank E. Southard, Edward Chase and C. Carroll Blaisdell—Public Utilities Commission, and Franz U. Burkett, Attorney General.

Extensive briefs were filed, arguments made before Justice Hudson and case referred to Law Court. Decision is now pending.

Respectfully submitted,

MAINE PUBLIC

UTILITIES COMMISSION

By C. CARROLL BLAISDELL,

Commissioner.

Which was read and ordered placed on file.
(On motion by Mr. Bishop of Sagadahoc, 500 copies ordered printed.)

State of Maine
Executive Department
Augusta
February 3, 1941

Communication to:
The Honorable Senate and
House of Representatives

I am submitting herewith the Fourth Annual Report of the Maine Unemployment Compensation Commission which was submitted to me by the Commission in accordance with law.

Respectfully,
SUMNER SEWALL,
Governor.
(S. P. 291)

Which communication and accompanying report were read and accepted and ordered placed on file.
Sent to the House.

EXECUTIVE DEPARTMENT

Augusta, Maine.
January 30, 1941.

Communication to:
The Honorable Senate and
House of Representatives.

As required by Section 7 of the Maine Unemployment Compensation Law of 1936 the Unemployment Compensation Commission has duly submitted to me a report on the benefits payment experience of employers subject to the Maine law, together with the Commission's recommendations as to the advisability of establishing a system of merit rating.

I now transmit this complete report to the Legislature in order that it may receive the careful study and consideration which it merits.

Respectfully,
SUMNER SEWALL
Governor.
(S. P. 292)

Which communication and accompanying report were read and accepted and ordered placed on file.
Sent to the House.

STATE OF MAINE
Department of Finance
Bureau of Accounts and Control
Augusta

February 3, 1941.
To the Honorable Members of the
90th Legislature:

In compliance with Legislative Order dated January 30, 1941, I am submitting statement showing name of attorney employed by the Public Utilities Commission during the calendar year 1940 for legal services in connection with the prosecution or defense of any and all cases involving the said commission together with the name of the case and the remuneration paid for the service.

Respectfully submitted,
H. E. RODGERS
State Controller.

Which communication and accompanying statement were read, and accepted and ordered placed on file.

Sent to the House.

Referred to Committees

The following bills and resolves were received and on recommendation by the Committee on Reference of Bills were referred to the following committees:

Appropriations and Financial Affairs

Mr. Elliot of Knox presented "Resolve Authorizing a State Airplane for Defense Purposes." (S. P. 216)
(On motion by Mr. Elliot of Knox, tabled pending reference.)

Claims

Mr. Boucher of Androscoggin presented "Resolve in Favor of Leandre Morin, of Bowdoin Center." (S. P. 217)

Mr. Chamberlain of Penobscot presented "Resolve in Favor of Thomas H. Coffey of Eddington." (S. P. 218)

Mr. Dow of Franklin presented "Resolve in Favor of Town of Jay." (S. P. 219)

Mr. Emery of Hancock presented "Resolve in Favor of the Heirs of Charles H. Scott." (S. P. 220)

Mr. Fellows of Kennebec presented "Resolve in Favor of Thelda Lee, of Augusta." (S. P. 222)

The same Senator presented "Resolve in Favor of William Wallace, of Waterville." (S. P. 223)

Mr. Harvey of York presented "Resolve in Favor of Miss Leila C. Gaines of Saco." (S. P. 224)

Mr. Morse of Waldo presented "Resolve in Favor of the Children's Aid Society." (S. P. 225)

Mr. Snow of Piscataquis presented "Resolve in Favor of the Town of Atkinson." (S. P. 226)

The same Senator presented "Resolve in Favor of the Town of Dover-Foxcroft." (S. P. 227)

The same Senator presented "Resolve Reimbursing Town of Dover-Foxcroft for Pauper Expense." (S. P. 228)

The same Senator presented "Resolve in Favor of Mayo Memorial Hospital, of Dover-Foxcroft." (S. P. 229)

Mr. Townsend of Penobscot presented "Resolve in Favor of Charles Murray, of Bangor." (S. P. 230)

Mr. Emery of Hancock presented "Resolve in Favor of the Bucksport and Prospect Ferry Company." (S. P. 221)

(500 copies ordered printed.)

Sent down for concurrence.

Counties

Mr. Dow of Oxford presented Bill "An Act to Authorize Adequate Court Facilities in Oxford County." (S. P. 231)

(500 copies ordered printed.)

Sent down for concurrence.

Education

Mr. Townsend of Penobscot presented Bill "An Act Relating to State Aid for Academies." (S. P. 232)

(500 copies ordered printed.)

Sent down for concurrence.

Mr. Farris of Kennebec presented "Resolve in Favor of Oak Grove School in the Town of Vassalboro in the County of Kennebec." (S. P. 233)

The same Senator presented "Resolve in Favor of the Junior College Department of Oak Grove School in the Town of Vassalboro in the County of Kennebec." (S. P. 234)

Sent down for concurrence.

Inland Fisheries and Game

Mr. Chase of Washington presented "Resolve Regulating Fishing in Round Pond." (S. P. 235)

The same Senator presented "Resolve for Fish Hatchery in Washington County." (S. P. 236)

Mr. Dow of Oxford presented "Resolve Regulating Fishing in Tributaries to Twitchell Pond in Greenwood." (S. P. 237)

Mr. Harvey of York presented "Resolve Regulating Fishing in Saco and Mousam Rivers." (S. P. 238)

Mr. Morse of Waldo presented "Resolve Regulating Fishing in Waldo County." (S. P. 239)

The same Senator presented Bill "An Act Relative to Rabbits in Waldo County." (S. P. 240)

Mr. Sanborn of Cumberland presented Bill "An Act Relative to Standish Game Preserve." (S. P. 241)

Sent down for concurrence.

Mr. Stilphen of Lincoln presented "Resolve Regulating Fishing in Pemaquid River." (S. P. 242)

(On motion by Mr. Stilphen of Lincoln tabled pending reference.)

Judiciary

Mr. Bridges of Washington presented Bill "An Act Relating to the Jurisdiction of the Municipal Courts of Washington County." (S. P. 243)

Mr. Farris of Kennebec presented "Resolve Providing for the Revision of the Statutes." (S. P. 244)

(On motion by Miss Laughlin of Cumberland, tabled pending reference.)

Mr. Harvey of York presented Bill "An Act to Incorporate the Saco Bay Company." (S. P. 245)

Miss Laughlin of Cumberland presented Bill "An Act Relating to the Administration of State Institutions." (S. P. 246)

Mr. Melvin of Androscoggin presented Bill "An Act Creating the Lisbon Municipal Court." (S. P. 247)

Mr. Morse of Waldo presented Bill "An Act in Regard to the Waldo County Municipal Court." (S. P. 248)

Mr. Sanborn of Cumberland presented Bill "An Act Relating to the Attorney-General and the Justices." (S. P. 249)

The same Senator presented Bill "An Act Creating and Establishing a Body Corporate and Politic to be Designated and Known as the Maine State Office Building Authority." (S. P. 250)

(500 copies of each ordered printed.)

Sent down for concurrence.

Legal Affairs

Mr. Melvin of Androscoggin presented Bill "An Act Relating to Candidates for Mayor in the City of Lewiston." (S. P. 251)

(On motion by Mr. Melvin of Androscoggin tabled pending reference.)

Mr. Townsend of Penobscot presented Bill "An Act to Incorporate the Lincoln-Chester Bridge District." (S. P. 252)

(On motion by Mr. Townsend of Penobscot, tabled pending reference.)

Maine Publicity

Mr. Elliot of Knox presented "Resolve Relative to Employment of Public Relations Director." (S. P. 253)

(500 copies ordered printed.)
Sent down for concurrence.

Motor Vehicles

Mr. Libby of Cumberland presented Bill "An Act Relating to Every Motor Vehicle to Display Lights, Fusees, Flares (Pot Torch) and Flags" (S. P. 254)

The same Senator presented Bill "An Act Relating to Motor Vehicles to be Equipped with Lights, Reflectors and Specifications." (S. P. 255)

The same Senator presented Bill "An Act Relating to Motor Vehicles Carrying Objects Extending from Rear and Load to be Securely Fastened." (S. P. 256)

The same Senator presented Bill "An Act Relating to the Letting or Leasing of Motor Vehicles." (S. P. 257)

(On motion by Mr. Libby of Cumberland, that Senator was granted unanimous consent to withdraw the bill.)

The same Senator presented Bill "An Act Relating to the Weight of Motor Vehicles." (S. P. 258)

(500 copies of each ordered printed.)

Sent down for concurrence.

Public Health

Mr. Hildreth of Cumberland presented Bill "An Act Relating to the Manufacture of Bedding." (S. P. 259)

(500 copies ordered printed.)
Sent down for concurrence.

Pensions

Mr. Bate of Kennebec presented "Resolve in Favor of Lloyd L. Arnold of Randolph." (S. P. 260)

Mr. Dorr of Oxford presented "Resolve Granting a State Pension to James Madison of Mexico." (S. P. 261)

The same Senator presented "Resolve Providing for a State Pension for Emery Bartlett, of Mexico." (S. P. 262)

Mr. Fellows of Kennebec presented "Resolve in Favor of Peter Butler of Gardiner." (S. P. 263)

Mr. Libby of Cumberland presented "Resolve in Favor of Lewis F. Merrill." (S. P. 264)

Mr. Morse of Waldo presented "Resolve in Favor of Charles Herbert Hahn, Sr., of Belfast." (S. P. 265)

Mr. Stilphen of Lincoln presented "Resolve Providing for a State Pension for Everett Ervine of Damariscotta." (S. P. 266)

Mr. Townsend of Penobscot presented "Resolve Providing for a State Pension for Alfred Skofield of East Corinth." (S. P. 267)

Sent down for concurrence.

Public Utilities

Mr. Boucher of Androscoggin presented Bill "An Act Relating to the Androscoggin and Kennebec Railway Company." (S. P. 268)

(500 copies ordered printed.)

The same Senator presented Bill "An Act Relating to the Androscoggin and Kennebec Railway Company." (S. P. 269)

(500 copies ordered printed.)

Mr. Chase of Washington presented Bill "An Act Relating to the Town of Princeton Lighting District." (S. P. 270)

(500 copies ordered printed.)

Sent down for concurrence.

Mr. Dow of Oxford presented Bill "An Act to Enable the Plantation of Magalloway to Produce and Distribute Electricity Within Its Territorial Limits." (S. P. 271)

The same Senator presented Bill "An Act to Enable the Town of Upton to Produce and Distribute Electricity Within its Territorial Limits." (S. P. 272)

The same Senator presented Bill "An Act to Enable the Plantation of Lincoln to Produce and Distribute Electricity within its Territorial Limits." (S. P. 273)

(On motion by Mr. Dow of Oxford the above three bills were tabled pending reference.)

State Lands and Forest Preservation

Mr. Harkins of Androscoggin presented "Resolve Granting Authority to the Forestry Department to Convey Certain Land." (S. P. 274)

Sent down for concurrence.

Ways and Bridges

Mr. Boothby of York presented "Resolve in Favor of the Town of Berwick." (S. P. 275)

Mr. Bridges of Washington presented "Resolve in Favor of the Town of Chesterville." (S. P. 276)

The same Senator presented "Resolve in Favor of the Town of Charlotte." (S. P. 277)

The same Senator presented "Resolve in Favor of Plantation No. 14, Washington County." (S. P. 278)

The same Senator presented "Resolve in Favor of the Town of Columbia Falls." (S. P. 279)

Mr. Brown of Aroostook presented "Resolve in Favor of the Town of Island Falls." (S. P. 280)

Mr. Dorr of Oxford presented "Resolve in Favor of the Town of Mexico." (S. P. 281)

The same Senator presented "Resolve in Favor of the Houghton-Cquossoc Road." (S. P. 282)

The same Senator presented "Resolve in Favor of Wilson's Mills Road." (S. P. 283)

The same Senator presented "Resolve in Favor of the Town of Mexico." (S. P. 284)

The same Senator presented "Resolve in Favor of the Town of Rumford." (S. P. 285)

Mr. Emery of Hancock presented "Resolve in Favor of the Town of Bar Harbor." (S. P. 286)

Mr. Snow of Piscataquis presented "Resolve in Favor of the Town of Atkinson." (S. P. 288)

The same Senator presented "Resolve in Favor of the Town of Orneville." (S. P. 289)

Mr. Tompkins of Aroostook presented "Resolve in Favor of the Smyrna and Rockabeema Road." (S. P. 290)

Mr. Fellows of Kennebec presented Bill "An Act to Authorize the Construction of a Bridge Across the Kennebec River." (S. P. 287)
(500 copies ordered printed.)

Sent down for concurrence.

Senate Committee Report

Mr. Elliot of Knox from the Committee on Inland Fisheries and Game on "Resolve Regulating Fishing in Tributaries to Garland Pond," (S. P. 64) (L. D. 72) reported that the same ought to pass.

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

Passed to Be Engrossed

Bill "An Act Relating to the Reorganization of Corporations Under the National Bankruptcy Act." (S. P. 66) (L. D. 40)

Bill "An Act Relative to Joint Control by Sureties." (S. P. 92) (L. D. 96)

Sent down for concurrence.

Orders of the Day

On motion by Mr. Sanborn of Cumberland, the Senate voted to take from the table, An Act Relating to Higher Standards of Education (S. P. 191) tabled by that Senator on January 30 pending reference and that Senator yielded to the Senator from Kennebec, Senator Bate.

Thereupon, on motion by Mr. Bate of Kennebec that Senator was granted unanimous consent to withdraw the bill.

On motion by Mr. Libby of Cumberland, the Senate voted to take from the table bill An Act Relative to Regulation of the Use of the Highways by Motor Vehicles Transporting Property and for the Supervision and Control of Such Motor Vehicles, (S. P. 198) tabled by that Senator on January 30 pending reference; and on further motion by the same Senator the bill was referred to the Committee on Public Utilities and 500 copies ordered printed.

Sent down for concurrence.

On motion by Mr. Elliot of Knox, the Senate voted to take from the table An Order Relative to Amending Joint Rules (S. P. 12) tabled by that Senator on January 14 pending consideration; and on further motion by the same Senator the Order was indefinitely postponed in concurrence.

On motion by Mr. Friend of Somerset

Adjourned until tomorrow morning at ten o'clock.