

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

Thursday, February 27, 1941.

The Senate was called to order by the President.

Prayer by the Reverend Edwin Cunningham of Augusta.

Journal of yesterday read and approved.

Order

(Out of Order)

Out of order and under suspension of the rules,

Mr. Friend of Somerset presented the following order and moved its passage:

ORDERED, the House concurring, that the State Highway Commission be and hereby is authorized and directed to expend not to exceed \$25,000 from the Highway maintenance fund, appropriation 9055 for matching federal funds for the construction of defense highways, with the provision that the maintenance fund shall be reimbursed from the general highway fund, appropriation 9010 within the present fiscal year.

Mr. FRIEND of Somerset: Mr. President, this order is of considerable importance and I believe that it requires a brief explanation at this time. This \$25,000 in cash is the amount of money that it is necessary for the state to raise in order to make available \$660,000 of federal money for the construction of nine state highway projects.

These projects, as I have said, are all on state highways and will be built under state highway specifications and built under the supervision of the Highway Commission, with highway engineers, highway foremen, etc. This is the only manner in which this federal money can be made available. That is, there are not sufficient funds in the hands of the Maine Defense Commission, and the Highway Commission cannot produce the money to make these federal monies available without legislative authorization.

Now, we have it on good authority that unless these projects are started immediately the State of Maine will lose a large amount of federal money that is now available to the State for military highways, which amounts to some \$3,000,000. These projects, if this order goes through, will start at once. They already

have been surveyed and approved by the federal government.

The State Highway Commission is strongly in favor of this, the Maine Municipal Association, which represents over half the towns of the state of Maine and over sixty percent of the population, is strong for this, and so is the Governor of our State. The Ways and Bridges Committee, before which this order was presented, is unanimous in its approval of the passage of the order. I believe when the State of Maine can receive \$660,000 of federal money which will put 1000 men to work immediately with a cash appropriation of only \$25,000 it is a good bargain and good business for the people of Maine, and I urge the passage of this order.

Thereupon, the order received passage.

Sent down for concurrence.

From the House:

Bill "An Act to Amend the Charter of the Hallowell Water District." (H. P. 1505) (L. D. 765)

(In the Senate on February 20, passed to be engrossed in concurrence.)

Comes from the House, engrossing reconsidered, House Amendment "A" read and adopted and the bill as amended, passed to be engrossed in non-concurrence.

In the Senate, that Body voted to reconsider its former action whereby the bill was passed to be engrossed, House Amendment A was read and adopted in concurrence and the bill as so amended was passed to be engrossed in concurrence.

From the House:

"Resolve Regulating Fishing in Certain Lincoln County Waters." (H. P. 628) (L. D. 264)

(In the Senate on February 21, passed to be engrossed in concurrence.)

Comes from the House, engrossing reconsidered; House Amendment "A" read and adopted, and the bill as amended, passed to be engrossed in non-concurrence.

In the Senate, that Body voted to reconsider its former action whereby the bill was passed to be engrossed, House Amendment A was read and adopted in concurrence, and the bill as so amended was passed to be engrossed in concurrence.

House Committee Reports Withdrawn

The Committee on Judiciary on Bill "An Act Relating to the Rights of Minority Stockholders," (H. P. 1162) (L. D. 459) reported that leave be granted to withdraw the same.

The Committee on Salaries and Fees on Bill "An Act Relating to Automobile Travel by State Employees," (H. P. 1204) (L. D. 422) reported that leave be granted to withdraw, the same.

Recommended

The Committee on Appropriations and Financial Affairs on Bill "An Act Relating to Androscoggin Lake Dam," (H. P. 612) (L. D. 250) reported that the same be referred to the Committee on Legal Affairs.

The Committee on Claims on "Resolve in Favor of the City of Eastport," (H. P. 1322) reported that the same be referred to the Committee on Ways and Bridges.

The Committee on Judiciary on Bill "An Act Relating to Traffic Safety," (H. P. 1429) (L. D. 731) reported that the same be referred to the Committee on Motor Vehicles.

Ought Not to Pass

The Committee on Claims on "Resolve in Favor of L. R. Dionne," (H. P. 781) (L. D. 332) reported that that the same ought not to pass.

The same Committee on "Resolve in Favor of Herbert Young, of Greenbush," (H. P. 606) reported that the same ought not to pass.

The same Committee on "Resolve in Favor of Watts Detective Agency, Inc.," (H. P. 229) (L. D. 75) reported that the same ought not to pass.

(On motion by Mr. Fellows of Augusta, the resolve was laid upon the table pending acceptance of the "Ought Not to Pass" report in concurrence.)

The same Committee on "Resolve in Favor of Harold F. Wing, of Bingham," (H. P. 40) reported that the same ought not to pass.

The same Committee on "Resolve in Favor of Earle S. Damon of Mechanic Falls," (H. P. 329) reported that the same ought not to pass.

The same Committee on "Resolve in Favor of Oliver B. Libby, of Warren," (H. P. 460) reported that the same ought not to pass.

The same Committee on "Resolve in Favor of Charles Darrington, of

Canton," (H. P. 583) reported that the same ought not to pass.

The Committee on Federal Relations on "Resolve Abating Improperly Assessed Unemployment Compensation Taxes of A. J. Stevens," (H. P. 298) (L. D. 108) reported that the same ought not to pass.

The Committee on Inland Fisheries and Game on "Resolve Regulating Fishing in Spencer Lake," (H. P. 1138) (L. D. 387) reported that the same ought not to pass.

The same Committee on "Resolve Relating to Non-resident Fishing Licenses," (H. P. 1130) (L. D. 379) reported that the same ought not to pass.

The same Committee on "Resolve Opening Taylor Pond in Androscoggin County to Ice Fishing," (H. P. 633) (L. D. 269) reported that the same ought not to pass.

The same Committee on "Resolve for Building Fishway on the Kennebec River," (H. P. 819) (L. D. 291) reported that the same ought not to pass.

The same Committee on "Resolve Relative to Preserving Smelts for Bait," (H. P. 1133) (L. D. 382) reported that the same ought not to pass.

The same Committee on "Resolve Relative to Game Preserve on Spruce Head Island," (H. P. 470) (L. D. 206) reported that the same ought not to pass.

The Committee on Legal Affairs on Bill "An Act Relating to the City Charter of Portland," (H. P. 1178) (L. D. 476) reported that the same ought not to pass.

The Committee on Salaries and Fees on Bill "An Act Relating to License Fees for Portable Saw Mills," (H. P. 21) (L. D. 16) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Deputy Forest Fire Warden," (H. P. 1465) (L. D. 741) reported that the same ought not to pass.

The Committee on Sea and Shore Fisheries on "Resolve Relating to Fishing in Flanders Bay," (H. P. 1147) (L. D. 447) reported that the same ought not to pass.

The same Committee on Bill "An Act to Encourage Marine Farming in the Tidal Waters of the State," (H. P. 1206) (L. D. 424) reported that the same ought not to pass.

Which reports were severally read and accepted in concurrence.

House Committee Reports Ought to Pass

The Committee on Inland Fisheries and Game on "Resolve Regulating Fishing in Certain Piscataquis County Waters," (H. P. 806) (L. D. 319) reported the same in a new draft (H. P. 1613) (L. D. 956) under the same title and that it ought to pass.

The same Committee on "Resolve Regulating Fishing in Echo Lake," (H. P. 624) (L. D. 260) reported the same in a new draft (H. P. 1612) (L. D. 957) under the same title and that it ought to pass.

The same Committee on "Resolve Regulating Fishing in Lake Embden," (H. P. 1139) (L. D. 388) reported that the same ought to pass.

The same Committee on "Resolve Regulating Ice Fishing on Great Lake in Belgrade," (H. P. 636) (L. D. 272) reported that the same ought to pass.

The same Committee on "Resolve Regulating Fishing in Belgrade Chain of Lakes," (H. P. 635) (L. D. 271) reported that the same ought to pass.

The same Committee on "Resolve Relative to Game Preserve in York County," (H. P. 468) (L. D. 204) reported that the same ought to pass.

The Committee on Judiciary on Bill "An Act Relating to Mutilation or Concealment of Dead Bodies," (H. P. 1155) (L. D. 454) reported the same in a new draft (H. P. 1614) (L. D. 958) under the same title and that it ought to pass.

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

First Reading of Printed Bill

Bill "An Act Permitting the Department of Health and Welfare to Cooperate with the United States Department of Agriculture," (S. P. 470) (L. D. 964)

Which bill was read once, and tomorrow assigned for second reading.

Senate Committee Reports Recommitted

Mr. Harvey from the Committee on Judiciary on Bill "An Act Relating to the Pauper Settlement of Recipients of Public Assistance," (S. P. 360) (L. D. 671) reported that

the same be referred to the Committee on Legal Affairs.

Which report was read and accepted.

Sent down for concurrence.

Divided Report

Report "A" of the Committee on Legal Affairs on Bill "An Act Relating to the Conservation of Soil and Soil Resources and the Prevention and the Control of Soil Erosion," (S. P. 68) (L. D. 51) reported that the same ought to pass.

(Signed) Representatives:

SOUTHARD of Augusta
LAPLEUR of Portland
SIOSBERG of Gardiner
DWINAL of Camden
DONAHUE of Biddeford

Report "B" of the same Committee on the same subject matter reported that the same ought not to pass.

(Signed) Senators:

DOW of Oxford
MORSE of Waldo
SANBORN of Cumberland

Representatives:

SHESONG of Portland
SYLVIA of Danforth

On motion by Mr. Dow of Franklin the bill and accompanying reports were laid upon the table pending acceptance of either report and especially assigned for next Tuesday morning.

Passed to be Engrossed

Bill "An Act Relating to Kennebec County Law Library," (H. P. 239) (L. D. 78)

Bill "An Act Relative to the Use of the Word 'Savings' by Loan and Building Associations," (H. P. 456) (L. D. 198)

"Resolve Regulating Dipping of Smelts from the Tributaries of Crotched Pond," (H. P. 623) (L. D. 259)

Bill "An Act Relating to the Practice of Dentistry," (H. P. 676) (L. D. 228)

Bill "An Act Relating to Payment of Secondary School Tuition," (H. P. 789) (L. D. 339)

Bill "An Act to Repeal the Incorporation of the Phillips Village Corporation," (H. P. 1159) (L. D. 362)

Bill "An Act Relative to Charter of the Fort Kent Telephone Company," (H. P. 1201) (L. D. 419)

Bill "An Act Relative to Guaranty Fund of Loan and Building Associations." (H. P. 1228) (L. D. 491)

Bill "An Act Relative to Rate of Interest to be Charged by Loan and Building Associations." (H. P. 1229) (L. D. 492)

Bill "An Act Relative to Annual Examination of Affairs of Loan and Building Associations." (H. P. 1230) (L. D. 493)

Bill "An Act Relative to Rate of Interest to be Charged by Loan and Building Associations." (H. P. 1231) (L. D. 494)

Bill "An Act Amending the Unfair Sales Act." (H. P. 1234) (L. D. 496)

Bill "An Act Relating to Corporations." (H. P. 1267) (L. D. 539)

Bill "An Act Relating to Foreign Corporations." (H. P. 1268) (L. D. 540)

Bill "An Act Relating to Sale of Soft Drinks and Ice Cream by Certain Vendors." (H. P. 1280) (L. D. 546)

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

Bill "An Act Relating to Clerk Hire in Somerset County." (S. P. 399) (L. D. 819)

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

Sent down for concurrence.

Passed to be Enacted

Bill "An Act to Dissolve Dexter and Piscataquis Railroad Company." (S. P. 103) (L. D. 148)

Bill "An Act Relating to Investment of Trust Funds of the University of Maine." (S. P. 119) (L. D. 154)

Bill "An Act Relating to Suffrage to Qualified Voters in Unorganized Territory." (S. P. 154) (L. D. 223)

Bill "An Act Amending the Charter of the City of Augusta." (S. P. 195) (L. D. 286)

Bill "An Act Enlarging the Powers and Duties of the State Auditor." (S. P. 431) (L. D. 823)

"Resolve Authorizing the Commissioner of Inland Fisheries and Game to Convey the interest of the State in Certain Land in Belgrade." (S. P. 98) (L. D. 126)

(On motion by Mr. Sanborn of Cumberland, the resolve was laid upon the table pending passage to be enacted.)

Bill "An Act Providing for the

Administration and Control of Baxter State Park." (H. P. 262) (L. D. 91)

Bill "An Act Relating to Registration Fees for Certain Motor Trucks." (H. P. 312) (L. D. 121)

Bill "An Act Relating to Absent Voting." (H. P. 338) (L. D. 134)

Bill "An Act Relating to the Taking of Eels." (H. P. 621) (L. D. 257)

Bill "An Act to Ratify and Make Valid the Incorporation of Riverside Lodge No 12, Knights of Pythias." (H. P. 642) (L. D. 278)

Bill "An Act Relating to the Construction of Branch Tracks by Railroad Corporations." (H. P. 680) (L. D. 235)

Bill "An Act to Define the Manner of Election of Directors of Houlton Water Company." (H. P. 681) (L. D. 236)

Bill "An Act Authorizing the Northern Water Company to Increase its Capital Stock." (H. P. 683) (L. D. 238)

Bill "An Act Relating to Deputy Clerk of Courts in Penobscot County." (H. P. 684) (L. D. 239)

Bill "An Act to Amend the Charter of Higgins Classical Institute." (H. P. 1197) (L. D. 417)

Bill "An Act to Extend the Charter of the Patten Water and Power Company." (H. P. 1198) (L. D. 418)

Bill "An Act Authorizing Penobscot County Water Company to Obtain and Maintain a Supply of Water for its Corporate Purposes." (H. P. 1332) (L. D. 596)

Finally Passed

"Resolve Authorizing the Forest Commissioner to Convey Certain Land to Maxime Albert of Sinclair." (H. P. 261) (L. D. 90)

"Resolve Regulating Fishing in Cumberland and York Counties." (H. P. 299) (L. D. 109)

"Resolve Regulating Fishing in Cumberland and York Counties." (H. P. 303) (L. D. 113)

"Resolve Granting Authority to the Forestry Department to Convey Certain Land to J. C. Briggs, of Caribou." (H. P. 322) (L. D. 122)

"Resolve Granting Authority to the Forestry Department to Convey Certain Land to Stanley Hinch, of Danforth." (H. P. 447) (L. D. 186)

"Resolve. Regulating Fishing in Chase's Mill Stream." (H. P. 471) (L. D. 207)

"Resolve Regulating Fishing in Ross Pond." (H. P. 627) (L. D. 263)

"Resolve. Regulating Fishing in

Hasting Pond." (H. P. 629) (L. D. 265)

"Resolve, Regulating Fishing in Roaring Brook Pond." (H. P. 805) (L. D. 318)

"Resolve, Regulating Fishing in Watchic Pond." (H. P. 812) (L. D. 325)

"Resolve Regulating Fishing in Dead River in Orland." (H. P. 815) (L. D. 328)

"Resolve, Regulating Fishing in Rattlesnake Pond." (H. P. 816) (L. D. 329)

"Resolve Regulating Fishing in Granger Pond." (H. P. 817) (L. D. 330)

"Resolve Regulating Fishing in Barker Pond." (H. P. 818) (L. D. 331)

"Resolve Regulating Fishing in East and West Richardson Ponds, in Oxford County." (H. P. 823) (L. D. 295)

"Resolve Regulating Fishing in Certain Waters." (H. P. 824) (L. D. 296)

"Resolve Regulating Fishing in Alford's Lake and Lermond's Pond." (H. P. 1508) (L. D. 840)

Emergency Measure

Bill "An Act to Provide for the Surrender by Silver Rdige Plantation of its Organization," (H. P. 1502) (L. D. 817)

Which bill being an emergency measure, and having received the affirmative vote of 28 members of the Senate, and none opposed, was passed to be enacted.

Orders

On motion by Mr. Friend of Somerset it was

ORDERED, that five hundred additional copies be printed of Senate

Paper 193, Legislative Document 506, "An Act to Provide Higher Standards of Education by Securing to Teachers Greater Permanency of Employment."

On motion by Mr. Townsend of Penobscot it was

ORDERED, that the Secretary of the Senate be directed to send flowers to Francis X. Mooney, Jr., Doorkeeper of the Senate, who is ill at his home in Bangor.

Orders of the Day

On motion by Mr. Stilphen of Lincoln, the Senate voted to take from the table, bill, An Act Relating to Old Age Assistance (H. P. 1574) (L. D. 925), tabled by that Senator on February 21st pending reference; and on further motion by the same Senator the bill was referred to the Committee on Federal Relations in concurrence.

On motion by Mr. Bridges of Washington, the Senate voted to take from the table, An Act Relating to Jurisdiction of the Municipal Courts of Washington County S. P. 243) (L. D. 398), tabled by that Senator on February 26th pending assignment for second reading; and on further motion by the same Senator, the bill was tomorrow assigned for second reading.

On motion by Mr. Friend of Somerset

Adjourned until tomorrow morning at ten o'clock.