

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, March 6, 1941.

The Senate was called to order by the President.

Prayer by the Reverend Lansing G. Putnam of Augusta.

Journal of yesterday read and approved.

From the House:

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

(In the Senate on February 27th passed to be engrossed in concurrence.)

Comes from the House, passage to be engrossed reconsidered, House Amendment "A" offered and adopted and the bill passed to be engrossed as amended by House Amendmen "A" in non-concurrence.

In the Senate, under suspension of the rules, 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:

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)

(In the Senate on February 28th passed to be engrossed.)

Comes from the House, recommended to the Committee on Federal Relations in non-concurrence.

In the Senate:

Mr. FELLOWS of Augusta: Mr. President, I am fully informed as to the reason for the non-concurrent action of the House. It is purely a matter of clarification of one paragraph of the bill and I move now that the Senate recede and concur with the House.

The motion to recede and concur prevailed.

House Committee Reports

Ought Not to Pass

The Committee on Agriculture on Bill "An Act to Regulate the Sale of Whole Corn, Cracked Corn and Corn Meal." (H. P. 1107) (L. D. 355) reported that the same ought not to pass.

The Committee on Appropriations and Financial Affairs on "Resolve Relating to Purchase of Land by State," (H. P. 1111) (L. D. 369) reported that the same ought not to pass.

The same Committee on "Resolve in Favor of Presque Isle General Hospital," (H. P. 1112) reported that the same ought not to pass.

The same Committee on "Resolve Providing for the Setting of Buoys in Inland Waters," (H. P. 786) (L. D. 336) reported that the same ought not to pass.

The Committee on Claims on "Resolve in Favor of Ralph M. Davis of Old Town," (H. P. 1066) reported that the same ought not to pass.

The same Committee on "Resolve in Favor of Mrs. Alfred Lausier of Frenchville," (H. P. 764) reported that the same ought not to pass.

The Committee on Inland Fisheries and Game on Bill "An Act Relating to the Transportation of Deer Within the State," (H. P. 1129) (L. D. 378) reported that the same ought not to pass.

The same Committee on Bill "An Act Relative to Size of Fish and Weight of Catch Limited," (H. P. 1371) (L. D. 717) reported that the same ought not to pass.

The same Committee on Bill "An Act Relative to Closing Stocked Waters," (H. P. 1374) (L. D. 724) reported that the same ought not to pass.

The same Committee on "Resolve Relative to Open Season on Pheasants in Cumberland and York Counties," (H. P. 304) (L. D. 114) reported that the same ought not to pass.

The same Committee on Bill "An Act Relative to Closed Time on Deer in Oxford County," (H. P. 800) (L. D. 313) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Sale of Deer Meat," (H. P. 1355) (L. D. 701) reported that the same ought not to pass.

The same Committee on "Resolve Closing Swan Pond to Ice Fishing," (H. P. 1140) (L. D. 440) reported that the same ought not to pass.

The same Committee on "Resolve Regulating Fishing in Big and Little Dyer Pond," (H. P. 1141) (L. D. 441) reported that the same ought not to pass.

The same Committee on "Resolve Relating to Shipping of Hares and Rabbits," (H. P. 1265) (L. D. 537) re-

ported that the same ought not to pass.

The same Committee on "Resolve Regulating Fishing in Tributaries of Lake Auburn," (H. P. 630) (L. D. 266) reported that the same ought not to pass.

The same Committee on "Resolve Relating to Fishing in Androscoggin County Lakes," (H. P. 632) (L. D. 268) reported that the same ought not to pass.

The Committee on Judiciary on Bill "An Act Relating to the Foreclosure of Real Estate Mortgages," (H. P. 1521) (L. D. 861) reported that leave be granted to withdraw the same.

The same Committee on Bill "An Act Relating to Interest Charges on Unpaid State and County Taxes," (H. P. 1394) (L. D. 772) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Eviction," (H. P. 1397) (L. D. 775) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to the Publication of Legal Notices, Legal Advertising and Other Matter Required by Law to be Published in a Newspaper," (H. P. 1398) (L. D. 776) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Attorney's Fees in Notes," (H. P. 1524) (L. D. 864) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to the Election of County Attorneys," (H. P. 1399) (L. D. 777) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Registers of Deeds," (H. P. 1430) (L. D. 593) reported that the same ought not to pass.

The Committee on Mercantile Affairs and Insurance on Bill "An Act Relating to the Harpswell Mutual Fire Insurance Company," (H. P. 835) (L. D. 348) reported that leave be granted to withdraw.

The Committee on Motor Vehicles on Bill "An Act Relating to Fees for Registration of Motor Vehicles," (H. P. 650) (L. D. 231) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Date of Inspection of Motor Vehicles," (H. P. 434) (L. D. 182) reported that the same ought not to pass, as covered by other legislation.

The same Committee on Bill "An

Act Relating to Non-resident Vehicles and Operators," (H. P. 1455) (L. D. 581) reported that the same ought not to pass.

The Committee on Public Utilities on Bill "An Act to Enable Cities, Towns and Organized Plantations to Produce and Distribute Electricity within Their Territorial Limits," (H. P. 1461) (L. D. 582) reported that the same be withdrawn.

The Committee on Salaries and Fees on Bill "An Act Relating to Salary of County Attorney in Aroostook County," (H. P. 1284) (L. D. 550) reported that the same ought not to pass.

The same Committee on Bill "An Act to Increase the Salary of the Judge of Probate of Androscoggin County," (H. P. 353) (L. D. 140) reported that the same ought not to pass.

Which reports were severally read and accepted in concurrence.

Ought to Pass

The Committee on Counties on Bill "An Act Relating to the Maintenance of a Public Building in Rumford," (H. P. 1125) (L. D. 376) reported that the same ought to pass.

The Committee on Public Utilities on Bill "An Act to Extend the Charter of the Vanceboro Water Company," (H. P. 1194) (L. D. 487) reported that the same ought to pass.

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

The Committee on Banks and Banking on Bill "An Act Relating to Expenses of Loans by Savings Banks," (H. P. 1120) (L. D. 356) reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

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

First Reading of Printed Bills:

Bill "An Act to Enable the Town of Upton to Acquire the Capital Stock of Company Producing and Distributing Electricity within its Territorial Limits." (S. P. 477) (L. D. 990)

Bill "An Act to Enable the Plantation of Magalloway to Acquire the

Capital Stock of Company Producing and Distributing Electricity within its Territorial Limits." (S. P. 478) (L. D. 989)

Bill "An Act to Enable the Plantation of Lincoln to Acquire the Capital Stock of Company Producing and Distributing Electricity within its Territorial Limits." (S. P. 479) (L. D. 991)

Which bills were severally read once, and tomorrow assigned for second reading.

Senate Committee Reports Ought Not to Pass

Mr. Morse from the Committee on Legal Affairs on Bill "An Act Relating to Beauty Culture." (S. P. 443) (L. D. 885) reported that the same ought not to pass.

Mr. Sanborn from the same Committee on Bill "An Act Relating to Qualifications of Instructors in Hair-dressing." (S. P. 347) (L. D. 630) reported that the same ought not to pass.

Which reports were severally read and accepted.

Sent down for concurrence.

Ought to Pass

Mr. Harvey from the Committee on Judiciary on Bill "An Act Relating to Technical Errors in Pleading and Procedure Before the Law Court." (S. P. 363) (L. D. 676) reported that the same ought to pass.

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

Mr. Elliot from the Committee on Public Health on Bill "An Act Relating to the Appointment of Health Officers." (S. P. 466) (L. D. 963) reported that the same ought to pass.

Which report was read and accepted and the bill was given its first reading. Thereupon, on motion by Mr. Stilphen of Knox, under suspension of the rules, the bill was given its second reading and passed to be engrossed.

Sent down for concurrence.

Mr. Stilphen from the Committee on Salaries and Fees on Bill "An Act Relating to the Office of the Register of Probate of Lincoln County." (S. P. 325) (L. D. 826) reported that the same ought to pass, as amended by Committee Amendment "A" submitted herewith.

Which report was read and accepted and the bill was given its

first reading. Committee Amendment "A" read as follows:

"Committee Amendment A. Amend said bill by striking out in the last line thereof the words 'five hundred' and substituting therefor the words 'two hundred fifty'."

Committee Amendment A was adopted, and the bill as so amended was tomorrow assigned for second reading.

Mr. Farris from the Committee on Judiciary on Bill "An Act to Incorporate the Reef Point Gardens Corporation." (S. P. 187) (L. D. 220) reported the same in a new draft (S. P. 481) under the same title, and that it ought to pass.

Which report was read and accepted and the bill laid upon the table for printing under the joint rules.

Mr. Townsend from the Committee on Public Health on Bill "An Act Relating to the Practice of Chiropractic." (S. P. 410) (L. D. 635) reported the same in a new draft (S. P. 482) under the same title, and that it ought to pass.

On motion by Mr. Bachelder of York, the bill was laid upon the table pending acceptance of the report.

Passed to be Engrossed

Bill "An Act to Regulate the Packing of Sardines." (H. P. 22) (L. D. 17)

Bill "An Act Relating to Consent of Parents to Marriages." (H. P. 1414) (L. D. 791)

Bill "An Act Relating to Custody of Children." (H. P. 1416) (L. D. 585)

Bill "An Act Relating to Boards of Zoning Ordinances." (H. P. 1417) (L. D. 726)

Bill "An Act Relating to Harbor Masters." (H. P. 1422) (L. D. 587)

Bill "An Act Relating to Investments by Savings Banks." (H. P. 1511) (L. D. 854)

Bill "An Act Relating to Stolen Goods." (H. P. 1519) (L. D. 859)

Bill "An Act Relating to Hearings Before Masters in Chancery." (H. P. 1522) (L. D. 862)

Bill "An Act Appropriating Monies for Overdrafts Already Incurred Due to Insufficient Appropriations and Anticipated Overdrafts and Other Obligations for which no Legislative Appropriations have been made." (H. P. 1629) (L. D. 976)

"Resolve Relating to the Taking

and Sale of Clams in the Town of Scarborough." (H. P. 1630) (L. D. 977)

"Resolve Relating to the Taking and Sale of Clams in the Town of Kennebunkport." (H. P. 1631) (L. D. 978)

"Resolve Relating to the Digging of Clams in the Town of Woolwich." (H. P. 1632) (L. D. 979)

"Resolve Relating to the Taking and Sale of Clams in the Town of Cape Elizabeth." (H. P. 1633) (L. D. 980)

"Resolve Relating to the Taking and Sale of Clams in the Town of Kennebunk." (H. P. 1634) (L. D. 981)

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

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)

Bill "An Act Relating to Licenses of Insurance Companies." (S. P. 383) (L. D. 621)

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

Sent down for concurrence.

Passed to Be Enacted

Bill "An Act Relative to Industrial Banks." (S. P. 81) (L. D. 67)

Bill "An Act to Validate the Incorporation of Redington Memorial Hospital Association and to Extend its Powers." (S. P. 194) (L. D. 952)

Bill "An Act Relating to the State Boxing Commission." (S. P. 196) (L. D. 287)

Bill "An Act Relating to the Town of Princeton Lighting District." (S. P. 270) (L. D. 413)

Bill "An Act to Amend the Workmen's Compensation Act." (S. P. 305) (L. D. 512)

Bill "An Act Relating to Amendment of Pleadings in Cases Referred under Rule of Court." (S. P. 306) (L. D. 513)

Bill "An Act Relating to the Resignation of Attorneys at Law." (S. P. 308) (L. D. 515)

Bill "An Act Authorizing and Empowering the Chief Justice of the Supreme Judicial Court to Appoint a Committee to Study the Practice and Procedure of the Supreme Judicial and Superior Courts." (S. P. 309) (L. D. 516)

Bill "An Act Relating to Vacating

Attachments." (S. P. 311) (L. D. 518)

Bill "An Act Relating to Valuation and Release of Attached Property." (S. P. 313) (L. D. 520)

Bill "An Act Relating to Expense for Treatment of Blind Persons." (S. P. 408) (L. D. 636)

Bill "An Act to Promote Cancer Control." (S. P. 411) (L. D. 639)

Bill "An Act Relating to Guides for Non-residents." (S. P. 455) (L. D. 906)

Bill "An Act Relating to Kennebec County Law Library." (S. 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)

Bill "An Act Relative to Game Preserve in York County." (H. P. 468) (L. D. 204)

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 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)

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

Bill "An Act Relating to the Slash Law." (H. P. 1603) (L. D. 909)

Bill "An Act Relating to Mutila-

tion or Concealment of Dead Bodies." (H. P. 1614) (L. D. 958)

Finally Passed

"Resolve Regulating Fishing in Tributaries to Twitchell Pond in Greenwood." (S. P. 237) (L. D. 397)

"Resolve Regulating Fishing in Waldo County." (S. P. 239) (L. D. 394)

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

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

"Resolve Regulating Fishing in Belgrade Chain of Lakes." (H. P. 635) (L. D. 271)

"Resolve Regulating Ice Fishing on Great Lake in Belgrade." (H. P. 636) (L. D. 272)

"Resolve Regulating Fishing in Embden." (H. P. 1139) (L. D. 388)

"Resolve Regulating Fishing on Echo Lake." (H. P. 1612) (L. D. 957)

"Resolve Regulating Fishing in Certain Piscataquis County Waters." (H. P. 1613) (L. D. 956)

Emergency Measure

Bill "An Act to Exempt the American National Red Cross and its Local Chapters from Municipal Taxation." (S. P. 56) (L. D. 11)

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.

Emergency Measure

Bill "An Act in Regard to the Waldo County Municipal Court." (S. P. 248) (L. D. 404)

Which bill being an emergency measure, and having received the affirmative vote of 29 members of the Senate, and none opposed was passed to be enacted.

Orders of the Day

On motion by Mr. Dow of Oxford, the Senate voted to take from the table, House Report from the Committee on Banks and Banking, "Leave to Withdraw" on bill, An Act to Establish a Banking Board (H. P. 1571) (L. D. 913) tabled by that Senator on February 28th pending acceptance of the report in concurrence and on further motion by the same Senator, the report of the committee was accepted in concurrence.

On motion by Mr. Elliot of Knox, Adjourned until tomorrow morning at ten o'clock.