

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

Wednesday, March 19, 1941

The Senate was called to order by the President.

Prayer by the Reverend John W. Poole of Gardiner.

Journal of yesterday read and approved.

From the House:

"Resolve Authorizing the Forest Commissioner to Convey Certain Land to Mrs. Grace E. Kelley c/o Ballard F. Keith of Bangor." (H. P. 1210) (L. D. 428)

(In the Senate on March 14th passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.)

Comes from the House passed to be engrossed as amended by Senate Amendment "A" as amended by House Amendment "A" thereto, 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 as amended by Senate Amendment "A"; House Amendment "A" to Senate Amendment "A" was read and adopted in concurrence, and the bill as amended by Senate Amendment "A" as amended by House Amendment "A" thereto was passed to be engrossed in concurrence.

From the House:

Bill "An Act Amending the Law Relating to Unemployment Compensation with Respect to Keeping Separated Accounts." (H. P. 1256) (L. D. 555)

(In the Senate on March 11th passed to be engrossed in concurrence.)

Comes from the House, passed to be engrossed as amended by House Amendment "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 amended by House Amendment "A" was passed to be engrossed in concurrence.

Papers from the House referred in concurrence.

**House Committee Reports
Ought to Pass**

The Committee on Judiciary on Bill "An Act Relating to Absentee Ballots," (H. P. 1401) (L. D. 779) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Warrants Posted in Wards in Cities and in Towns," (H. P. 1403) (L. D. 781) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to the Primary Elections Law," (H. P. 1523) (L. D. 863) reported that the same ought to pass.

The Committee on Legal Affairs on Bill "An Act Relating to Public Exhibitions," (H. P. 1272) (L. D. 542) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Municipal Ordinances," (H. P. 1440) (L. D. 577) reported that the same ought to pass.

The Committee on Sea and Shore Fisheries on Bill "An Act Permitting the Digging of Clams in the York River for Bait Only," (H. P. 1467) (L. D. 743) reported that the same ought to pass.

The same Committee on "Resolve Relating to Catching Lobsters near Monhegan," (H. P. 1593) (L. D. 945) reported that the same ought to pass.

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

The Committee on Judiciary on Bill "An Act Relating to Names on Ballots," (H. P. 1409) (L. D. 787) reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

The same Committee on Bill "An Act Relating to Referendum Ballots," (H. P. 1407) (L. D. 785) reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

Which reports were severally read and accepted in concurrence. Committee Amendments "A" were severally read and adopted in concurrence and tomorrow assigned for second reading.

Communications
STATE OF MAINE

Office of the Secretary of State
March 14, 1941

To the Honorable Senate of the Ninetieth Legislature of the State of Maine:

I have the honor to transmit herewith a petition of Rudolph Vanasse of Biddeford and others to initiate a bill entitled "An Act Relating to Elections in the City of Biddeford."

This bill is initiated in accordance with Section 18 of Article XXXI of the Constitution of Maine and is proposed by what is purported to be not less than 12,000 electors, namely 12,581, as shown by the signatures on the petitions accompanying this communication, which were filed in the office of the Secretary of State on March 13, 1941.

There has been no check in the office of the Secretary of State as to the sufficiency of the signatures on said petitions.

Respectfully yours,
FREDERICK ROBIE,
Secretary of State

(S. P. 497)

Bill "An Act Relating to Elections in the City of Biddeford." (I. B. 2)

On motion by Mr. Friend of Somerset, communication and accompanying bill were laid upon the table pending consideration.

STATE OF MAINE

Department of Health and Welfare
Augusta

March 17, 1941

To the Honorable House and Senate of the Ninetieth Maine Legislature:

In compliance with the Order of February 20, 1941, of the Ninetieth Legislature (H. P. 1504) requesting the names of persons receiving Old Age Assistance or applying for Old Age Assistance, we submit the following statement:

There is attached hereto the names and residences of all persons receiving Old Age Assistance as of March 1, 1941, together with their monthly allotments, arranged by towns and counties.

There is attached hereto the names and residences of all persons whose applications for Old Age Assistance have been investigated, arranged by towns and counties. There are no monthly allotments shown inasmuch as no

monthly allotments have been approved for these cases. The Old Age Assistance Commission has not passed on these cases, and we call your attention to the fact that should additional funds be made available to the Department it will be necessary to recheck the salient points of eligibility on these cases as many of the original investigations were made months ago.

There is attached hereto, the names and residences of all applicants who have filed applications for Old Age Assistance and whose applications have not been allowed, approved or denied, arranged by towns and counties.

Respectfully submitted,
JOEL EARNEST
Commissioner of Health
and Welfare

(S. P. 498)

Which communication and accompanying report were read and ordered placed on file.

Sent to the House.

SUPREME JUDICIAL COURT
STATE OF MAINE

March 15, 1941.

Dear Mr. Brown:

This is to acknowledge receipt of Senate Order of March 14, 1941 requesting advisory opinions of the Justices of the Supreme Judicial Court as to whether a legislative imposition of a poll tax upon Indians living on reservations would be such a tax as to entitle Indians to vote in the light of the provisions of section 1, Article II of the Constitution.

I note that copies are being sent to the Associate Justices at their respective homes. You may assure the Senate that the question submitted will receive the early consideration of the Justices.

Very truly yours,
GUY H. STURGIS,
Chief Justice.

Which was read and ordered placed on file.

Referred to Committees

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

Taxation

Mr. Chamberlain of Penobscot presented Remonstrance of Clarence Milton of Waterville and 105 other Citizens of the State of Maine Opposing a Tax on Soft Drinks. (S. P. 499)

Sent down for concurrence.

Motor Vehicles

Mr. Elliot of Knox presented Bill "An Act Relating to Inspectors in the Department of Secretary of State." (S. P. 500)

(650 copies ordered printed.)

Sent down for concurrence.

Senate Committee Reports Ought Not to Pass

Mr. Batchelder from the Committee on Public Utilities on Bill "An Act Providing for the Use of the Highways by Motor Vehicles Transporting Property for Hire," (S. P. 323) (L. D. 525) reported that leave be granted to withdraw the same.

Mr. Libby from the same Committee on Bill "An Act Relative to the 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) (L. D. 416) reported that leave be granted to withdraw the same.

Mr. Snow from the same Committee on Bill "An Act Relative to Regulations of the Use of the Highways by Motor Vehicles Transporting Property for Hire," (S. P. 296) (L. D. 505) reported that leave be granted to withdraw the same as covered by other legislation.

Which reports were severally read and accepted.

Sent down for concurrence.

Ought to Pass

Mr. Batchelder from the same Committee on Bill "An Act Providing for the Regulation of the Use of the Highways Transporting Property for Hire," (S. P. 322) (L. D. 524) reported the same in a new draft (S. P. 501) under the same title and that it ought to pass.

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

The same Senator from the same Committee on Bill "An Act Providing for the Regulation of the Use

of the Highways by Motor Vehicles Transporting Property for Hire," (S. P. 407) (L. D. 642) reported the same in a new draft (S. P. 502) under the same title and that it ought to pass.

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

Passed to be Engrossed

Bill "An Act Relating to Collection of Poll Taxes." (H. P. 641) (L. D. 277)

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

Bill "An Act Relating to Notices to the State in Actions by Towns in Pauper Cases." (S. P. 338) (L. D. 627)

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

Sent down for concurrence.

Orders of the Day

On motion by Miss Laughlin of Cumberland, the Senate voted to take from the table, House Report from the Committee on Judiciary, "Ought Not to Pass" on bill, An Act Creating a Fuel Administration Board (H. P. 1525) (L. D. 877), tabled by that Senator on March 14th pending acceptance of the report; and on further motion by the same Senator, the report of the committee was accepted in concurrence.

On motion by Mr. Dow of Oxford, the Senate voted to take from the table, House Report from the Committee on Appropriations and Financial Affairs "Ought Not to Pass" on Resolve in Favor of Reed Plantation (H. P. 1110) (L. D. 368) tabled by that Senator on March 14th pending acceptance of the report; and that Senator yielded to the Senator from Washington, Senator Chase.

Thereupon, on motion by Mr. Chase of Washington, the report of the committee was accepted in non-concurrence.

Sent down for concurrence.

On motion by Mr. Dow of Oxford, the Senate voted to take from the table Senate Report from the Com-

mittee on State School for Boys, State School for Girls, and State Reformatories "Ought to Pass" on bill, An Act Relating to the State Reformatory for Men (S. P. 428) (L. D. 648), tabled by that Senator on March 14th pending acceptance of the report; and on further motion by the same Senator, the report of the committee was accepted, the bill was given its first reading and tomorrow assigned for second reading.

On motion by Mr. Morse of Waldo, the Senate voted to take from the table, bill, An Act Authorizing Bank Officers to Execute Certain Instruments (H. P. 1121) (L. D.

372) tabled by that Senator on March 14th pending passage to be engrossed; and on further motion by the same Senator, the bill was passed to be engrossed in concurrence.

The PRESIDENT: The Chair at this time will announce the appointment of the third member of the Committee on Appropriations and Financial Affairs, the Senator from Hancock, Senator Emery.

On motion by Mr. Friend of Somerset

Adjourned until tomorrow morning at ten o'clock.