

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-first Legislature

OF THE

STATE OF MAINE



1943

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**SENATE**

Wednesday, February 10, 1943

The Senate was called to order by the President.

Prayer by the Reverend Louis Staples of Gardiner.

Journal of yesterday read and approved.

Papers from the House referred in concurrence.

From the House:

The Committee on Public Utilities on Bill "An Act Relating to Fares on Passenger Boats Plying Between the Westerly End of Peaks Island and the Mainland in Portland," (H. P. 116) (L. D. 70) reported that leave be granted to withdraw the same.

Which report was read and accepted in concurrence.

From the House:

The Committee on Inland Fisheries and Game on Bill "An Act Establishing the Tomhegan Game Sanctuary," (H. P. 33) (L. D. 256) reported that the same ought to pass.

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

Additional papers from the House referred in concurrence.

From the House:

Bill "An Act Relating to Compensation of Department Heads," (H. P. 598) (L. D. 356)

In the House, referred to the Committee on Salaries and Fees.

In the Senate, on motion by Mr. Varney of York, tabled pending reference in concurrence.

**Communications**

A communication was received from the State Department of Audit under date of January 26, 1943, addressed to the President of the Senate and the Speaker of the House, "In Relation to Impounded Bank Accounts—State Trust Funds" (S. P. 311).

On motion by Mr. Elliot of Knox the communication and accompanying papers were referred to the Committee on Appropriations and Financial Affairs.

Sent down for concurrence.

A communication was received from the State Department of Audit under date of January 26, 1943, addressed to the President of the Senate and the Speaker of the House, "In Relation to Statutory Interest Rates on Certain Trust Funds" (S. P. 312).

On motion by Mr. Elliot of Knox the communication and accompanying papers were referred to the Committee on Appropriations and Financial Affairs.

Sent down for concurrence.

**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:

**Claims**

Mr. Dow of Oxford presented "Resolve in Favor of Peter LeClair, of Rumford," (S. P. 255)

The same Senator presented "Resolve in Favor of Lester Grant, of Norway," (S. P. 256)

Mr. Peters of Androscoggin presented "Resolve in Favor of Donald A. Newton, of Minot," (S. P. 257)

Sent down for concurrence.

**Inland Fisheries and Game**

Mr. Dow of Oxford presented Bill "An Act Relating to Trapping for Beaver," (S. P. 258)

(Printing ordered)

Sent down for concurrence.

**Pensions**

Mr. Farris of Kennebec presented "Resolve in Favor of Minnie Ware of Augusta," (S. P. 259)

Mr. Dorr of Oxford presented "Resolve Providing for a State Pension for Mertie O. Ford, of Dixfield," (S. P. 260)

Mr. Woodbury of Waldo presented "Resolve Providing for a State Pension for Effie Ann Hannon, of Palermo," (S. P. 261)

The same Senator presented "Resolve Providing for a State Pension for Melvin Stephen Balden, of Palermo," (S. P. 262)

Sent down for concurrence.

**Salaries and Fees**

Mr. Hall of Franklin presented by request, Bill "An Act Relating to Salary of Clerk of Office of Clerk of Courts of Franklin County," (S. P. 263)

Mr. Dunbar of Washington presented Bill "An Act to Increase the

Salary of the Clerk of Courts of Washington County." (S. P. 264)

Mr. Dow of Oxford presented Bill "An Act Granting Increase in Salary to County Attorney of Oxford County." (S. P. 265)

Mr. Emery of Hancock presented Bill "An Act Relating to the Salary of the Sheriff of Hancock County." Sent down for concurrence.

Mr. Woodbury of Waldo presented Bill "An Act Granting Increase in Salary to Judge of Probate of Waldo County." (S. P. 267)  
(Printing ordered)

Mr. Sanborn of Cumberland presented Bill "An Act Relating to the Salary of the Reporter of Decisions." (S. P. 268)

(Printing ordered)

Mr. Farris of Kennebec presented Bill "An Act Relating to the Salary of the County Treasurer and Clerk Hire for the County of Kennebec." (S. P. 269)

(Printing ordered)

Sent down for concurrence.

#### Ways and Bridges

Mr. Emery of Hancock presented "Resolve in Favor of Township 9, Hancock County." (S. P. 270)

Mr. Hall of Franklin presented "Resolve in Favor of the Town of Wilton." (S. P. 271)

The same Senator presented "Resolve in Favor of the Town of Industry." (S. P. 272)

The same Senator presented "Resolve in Favor of the Town of Wilton." (S. P. 273)

The same Senator presented "Resolve in Favor of the Town of Strong." (S. P. 274)

Mr. Dunbar of Washington presented "Resolve in Favor of the Town of Roque Bluffs." (S. P. 275)

Mr. Washburn of Washington presented "Resolve in Favor of Baring Township." (S. P. 276)

Mr. Dunbar of Washington presented "Resolve in Favor of the Town of Machias." (S. P. 277)

Mr. Washburn of Washington presented "Resolve in Favor of the Town of Perry." (S. P. 278)

The same Senator presented "Resolve in Favor of Edmunds Township." (S. P. 279)

Sent down for concurrence.

#### Agriculture

Mr. Sanborn of Cumberland presented Bill "An Act for the Further Prevention of Bang's Disease." (Printing ordered)

Sent down for concurrence.

#### Education

Mr. Varney of York presented Bill "An Act Relating to State Aid for Academies." (S. P. 281)

(Printing ordered)

Sent down for concurrence.

#### Federal Relations

Mr. Dow of Oxford presented Bill "An Act Providing for Experience Rating Under Unemployment Compensation Law." (S. P. 282)

(On motion by Mr. Dow of Oxford, tabled pending reference. Printing ordered.)

#### Judiciary

Mr. Sanborn of Cumberland presented by request Bill "An Act Relating to Offenses Against the Person." (S. P. 283)

(Printing ordered)

The same Senator presented Bill "An Act to Fix the Penalty for Negligently Killing a Human Being while Operating a Motor Vehicle." (S. P. 284)

(Printing ordered)

The same Senator presented Bill "An Act Authorizing Intra-State Fresh Pursuit of Criminals." (S. P. 285)

(Printing ordered)

The same Senator presented Bill "An Act Relating to Search Warrants." (S. P. 286)

(Printing ordered)

The same Senator presented, by request, Bill "An Act to Make Uniform the Law of Transfer of Shares of Stock in Corporations." (S. P. 287)

(Printing ordered)

Mr. Dunbar of Washington presented Bill "An Act Amending the Financial Responsibility Law Relating to Obtaining Revoked Licenses." (S. P. 288)

(Printing ordered)

Mr. Dow of Oxford presented Bill "An Act Relating to Attached Mortgaged Property." (S. P. 289)

(Printing ordered)

Mr. Megill of Kennebec presented Bill "An Act Relating to Parties in Interest in the Trial of Causes." (S. P. 290)

(Printing ordered)

The same Senator presented Bill "An Act Relating to Civil Actions for Death." (S. P. 291)

(Printing ordered)

Sent down for concurrence.

#### Legal Affairs

Mr. Sanborn of Cumberland presented Bill "An Act Relating to a

Digest of the Maine Reports." (S. P. 292)

(Printing ordered)

The same Senator presented Bill "An Act Relating to Surplus of Port of Portland Authority." (S. P. 293)

(Printing ordered)

Mr. Owen of Kennebec presented Bill "An Act Relating to the Signature of the Treasurer of State." (S. P. 294)

(Printing ordered)

Mr. Dorr of Oxford presented Bill "An Act to Authorize Walter M. Holman to Practice Veterinary Surgery, Medicine, and Dentistry." (S. P. 295)

(Printing ordered)

Sent down for concurrence.

### Library

Mr. Owen of Kennebec presented Bill "An Act Relating to Report of Controller and Its Publication." (S. P. 296)

(Printing ordered)

Sent down for concurrence.

### Military Affairs

Mr. Batchelder of York presented Bill "An Act Relating to the Improvement of the Military Laws." (S. P. 297)

(Printing ordered)

Sent down for concurrence.

### Motor Vehicles

Mr. Elliot of Knox presented Bill "An Act Relating to Vehicle Parking on Ways." (S. P. 298)

(Printing ordered)

The same Senator presented Bill "An Act Relating to Conditions in Passing Vehicles on the Roads." (S. P. 299)

(Printing ordered)

The same Senator presented Bill "An Act Relating to Penalties of Motor Vehicle Violations." (S. P. 300)

(Printing ordered)

Mr. Clement of Androscoggin presented Bill "An Act Relating to Mirrors on Motor Vehicles." (S. P. 301)

(Printing ordered)

The same Senator presented Bill "An Act Relating to Speed Regulations of Vehicles." (S. P. 302)

(Printing ordered)

Sent down for concurrence.

### Public Health

Mr. Farris of Kennebec presented Bill "An Act Relating to Annual Registration of Osteopathic Physicians." (S. P. 303)

(Printing ordered)

The same Senator presented Bill "An Act Relating to Examination and Registration of Osteopathic Physicians." (S. P. 304)

(Printing ordered)

Sent down for concurrence.

### Salaries and Fees

Mr. Peakes of Piscataquis presented Bill "An Act Relating to the Salaries of Clerks in the Offices of the Register of Probate; and Clerk of Courts in Piscataquis County." (S. P. 305)

(Printing ordered)

Sent down for concurrence.

### Taxation

Mr. Farris of Kennebec presented Bill "An Act Relating to the Inheritance Tax Law." (S. P. 306)

(Printing ordered)

The same Senator presented Bill "An Act Amending the Inheritance and Estate Tax Laws."

Sent down for concurrence.

### Committee Reports

Mr. Peakes from the Committee on Inland Fisheries and Game on "Resolve Relating to Ice Fishing in East Grand Lake," (S. P. 42) reported that the same ought not to pass.

Which report was read and accepted.

Sent down for concurrence.

Mr. Elliot from the Committee on Inland Fisheries and Game on Bill "An Act Relating to Bounty on Bobcats, etc." (S. P. 43) reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

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

Mr. Sanborn from the Committee on Legal Affairs on Bill "An Act Relating to Itinerant Vendors," (S. P. 97) (L. D. 91) reported the same in a new draft (S. P. 308) and that it ought to pass.

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

The same Senator from the same Committee on Bill "An Act Relating to Compensation of Collectors," (S. P. 102) (L. D. 38) reported that the same ought to pass as amended by Committee Amendment "A".

Which report was read and accepted and the bill was given its first reading.

The Secretary read Committee Amendment "A":

"Committee Amendment A to S. P. 102, L. D. 38, bill, An Act Relating to Compensation of Collectors. Amend said bill by striking out the words 'and not redeemed' appearing on the 4th and 5th lines of the first paragraph thereof."

Committee Amendment A was adopted.

Thereupon, on motion by Mr. Bragdon of Aroostook, the bill as amended by Committee Amendment A was laid upon the table pending assignment for second reading.

Mr. Peters from the Committee on Legal Affairs on Bill "An Act to Clarify the Purposes of United Baptist Convention of Maine, (S. P. 145) (L. D. 147) reported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act Amending the Charter of the Portsmouth-Kittery Bridge Authority," (S. P. 176) (L. D. 237) reported that the same ought to pass.

Mr. Clement from the Committee on Taxation on Bill "An Act Relating to Redemption of Cigarette Tax Stamps," (S. P. 84) (L. D. 11) reported that the same ought to pass.

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

#### Passed to be Engrossed

Bill "An Act Relating to the Capital Stock of the Atlantic & St. Lawrence Railroad Company." (S. P. 120) (L. D. 45)

Bill "An Act Relating to Regulation, Supervision, and Control of Motor Vehicles Transporting for Hire Petroleum Products." (S. P. 135) (L. D. 97)

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

Sent down for concurrence.

#### Orders of the Day

Mr. BROWN of Aroostook: Mr. President, I would like to ask if Senate Paper 154 An Act Forbidding the Planting of Chippewa Potatoes is in the possession of the Senate? The PRESIDENT: It is.

Mr. BROWN: Mr. President, I would like now to ask leave to withdraw this bill and a brief explanation as to the reasons, both for the introduction and the withdrawal might be in order.

I will say that I introduced this bill at the request of a very large and successful farmer, a former member of this Senate, George Findlen. He requested me to introduce the bill for the reason that Chippewa potatoes are claimed by a great many people to be a spreader of potato disease and, as I said, at his request I introduced the bill. I now have a letter from Mr. Findlen asking me to withdraw the bill, which I will read:—

"Dear George: I believe you should withdraw the Chippewa bill that I asked you to introduce, for the following reasons.

"A great many people up here still want to grow Chippewas and feel that we are infringing on their rights when we outlaw that variety. There are some people in the county who can grow good Chippewas and they want the privilege.

"I believe I am right in trying to have Chippewas outlawed but I don't believe I could have any real support at a hearing. I wouldn't want to ask Aroostook people to come to a hearing that was one-sided. For these reasons I am asking you to withdraw the bill."

Mr. President, I ask leave to withdraw the bill.

Leave to withdraw was granted. Sent down for concurrence.

#### Order

On motion by Mr. Emery of Hancock, out of order and under suspension of the rules, it was

ORDERED, the House concurring, that Resolve in Favor of Hancock County, S. P. 123, L. D. 93, be recalled from the Committee on Appropriations and Financial Affairs to the Senate.

Sent down for concurrence.

Mr. ELLIOT of Knox: Mr. President, to allow time for the preparation of an order, I move that the Senate do now recess for fifteen minutes.

The motion to recess prevailed.

#### After Recess

The Senate was called to order by the President.

**Order**

On motion by Mr. Elliot of Knox, out of order and under suspension of the rules, it was

ORDERED, the House concurring, that notwithstanding joint orders now in effect, that all Resolves and Public Acts data for which shall be in the hands of the Revisor of Statutes on or before four P. M., February 10, 1943, shall be received in the same manner as if received before February 10, 1943, and be it further

ORDERED, that the said Revisor shall file a list of the titles of Resolves and Public Acts data for which is in his hands at that time, with the Secretary of the Senate and Clerk of the House.

Thereupon, on further motion by the same Senator, the Order was sent forthwith to the House for concurrence.

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