

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-first Legislature

OF THE

STATE OF MAINE



1943

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

SENATE

Friday, February 19, 1943.

The Senate was called to order by the President.

Prayer by the Reverend Cymbrid Hughes of Augusta.

Journal of yesterday read and approved.

Order

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

ORDERED, the House concurring, that when the Senate and House adjourn at the close of this week's session, they adjourn to meet on Tuesday morning, February 23rd, 1943, at 11.30 A. M. (S. P. 405)

Sent down for concurrence.

Subsequently the foregoing order was returned from the House, having been read and passed in concurrence.

Papers from the House referred in concurrence.

From the House:

Bill "An Act Relating to Audit and Use of Funds of Maine Forestry District." (H. P. 1070) (L. D. 559)

In the House, referred to the Committee on Appropriations and Financial Affairs.

In the Senate, on motion by Mr. Sterling of Somerset, tabled pending reference in concurrence.

From the House:

Bill "An Act Relating to Employing Units under the Unemployment Compensation Law." (H. P. 1128) (L. D. 593)

In the House, referred to the Committee on Labor.

In the Senate, on motion by Mr. Elliot of Knox, tabled pending reference in concurrence.

From the House:

Bill, "An Act Relating to Disqualification for Benefits Under the Unemployment Compensation Law." (H. P. 1129) (L. D. 594)

In the House, referred to the Committee on Labor.

In the Senate, on motion by Mr. Elliot of Knox, tabled pending reference in concurrence.

From the House:

Bill "An Act Relating to Em-

ployees of Private Employers." (H. P. 1130) (L. D. 595)

In the House, referred to the Committee on Labor.

In the Senate, on motion by Mr. Elliot of Knox, referred to the Committee on Labor in concurrence.

From the House:

Bill "An Act Amending the Unemployment Compensation Law." (H. P. 1131) (L. D. 596)

In the House, referred to the Committee on Labor.

In the Senate, on motion by Mr. Elliot of Knox, tabled pending reference in concurrence.

From the House:

The Committee on Legal Affairs on Bill "An Act Relating to the Town of Athens," (H. P. 337) (L. D. 210) reported that legislation thereon is inexpedient.

The same Committee on Bill "An Act Relating to Rules and Regulations of the State Racing Commission," (H. P. 460) (L. D. 262) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to the Disposition of Tax Acquired Property," (H. P. 566) (L. D. 315) reported that the same ought not to pass.

Which reports were severally read and accepted in concurrence.

From the House:

The Committee on Inland Fisheries and Game on "Resolve Closing Cobbossee Stream and Tributaries to Muskrat Trapping," (H. P. 321) reported that the same ought not to pass.

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

In the Senate, on motion by Mr. Hanold of Cumberland, the "Ought Not to Pass" report of the Committee accepted in non-concurrence.

Sent down for concurrence.

From the House:

The Committee on Judiciary on Bill "An Act Relating to the Bath Municipal Court," (H. P. 249) (L. D. 165) reported that the same ought to pass.

In the House, recommitted to the Committee on Judiciary.

In the Senate, recommitted to the Committee on Judiciary in concurrence.

From the House:

The Committee on Legal Affairs on Bill "An Act to Aid the Prosecution of the War by Providing for the Creation of Local Agencies to Cooperate with the Federal Government in Making Housing Available for Persons Engaged in War Industries and Activities and by Granting Certain Powers to Public Bodies," (H. P. 23) (L. D. 9) reported that the same ought to pass.

In the House, recommitted to the Committee on Legal Affairs.

In the Senate, recommitted to the Committee on Legal Affairs in concurrence.

From the House:

The Committee on Inland Fisheries and Game on Bill "An Act Relative to Fox Hunting in York County," (H. P. 316) (L. D. 224) reported that the same ought to pass.

In the House, read and accepted. In the Senate, on motion by Mr. Hanold of Cumberland, tabled pending acceptance of the report in concurrence.

From the House:

The same Committee on Bill "An Act Prohibiting Trapping in Certain Territory," (H. P. 312) (L. D. 226) reported that the same ought to pass.

The same Committee on Bill "An Act Relative to Game Preserve in York County," (H. P. 179) (L. D. 135) reported that the same ought to pass.

The Committee on Motor Vehicles on Bill "An Act Permitting Short Period Registration of Trucks," (H. P. 37) (L. D. 27) reported that the same ought to pass.

The Committee on State Lands and Forest Preservation on Bill "An Act Relating to Payment of Costs of Suspending Open Season for Hunting and Fishing," (H. P. 265) (L. D. 172) reported that the same ought to pass.

The same Committee on Bill "An Act Providing for Transfer of Property to State of Maine by the Maine Maritime Academy on Dissolution," (H. P. 210) (L. D. 142) reported that the same ought to pass.

The same Committee on Bill "An Act to Authorize Stacyville Plantation to Withdraw from the Maine Forestry District," (H. P. 121) (L. D. 65) reported that the same ought to pass.

Which reports were severally read and accepted in concurrence,

the bills read once and Tuesday next assigned for second reading.

From the House:

The Committee on Inland Fisheries and Game on Bill "An Act Relating to Trapping in Unorganized Territory," (H. P. 47) (L. D. 30) reported the same in a new draft, (H. P. 979) (L. D. 549) under the same title and that it ought to pass.

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

Referred to Committees

The following bills and resolves were transmitted by Revisor of Statutes, pursuant to Joint Order, (S. P. 310) and on recommendation by the Committee on Reference of Bills, were referred to the following committees:

Appropriations and Financial Affairs

Mr. Bishop of Sagadahoc presented "Resolve Providing for the Publication of Georgetown Vital Records," (S. P. 386) (Printing ordered) Sent down for concurrence.

Claims

Mr. Bishop of Sagadahoc presented "Resolve in Favor of Dr. R. E. Libby, of Richmond," (S. P. 387)

Mr. Boucher of Androscoggin presented "Resolve in Favor of Orphelinat St. Joseph et Hospice Marcotte, of Lewiston," (S. P. 388)

The same Senator presented "Resolve in Favor of Orphelinat St. Joseph et Hospice Marcotte, of Lewiston," (S. P. 389)

Sent down for concurrence.

Judiciary

Mr. Peters of Androscoggin presented Bill "An Act Relating to Compensation for Personal Injury to Employees," (S. P. 390)

(Printing ordered)

Mr. Clements of Androscoggin presented Bill "An Act Relating to the Terms of County Commissioners," (S. P. 391)

(Printing ordered)

Sent down for concurrence.

Legal Affairs

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

Special Deputy Sheriffs in Cumberland County." (S. P. 392)

(Printing ordered)

Mr. McGlauffin of Cumberland presented Bill "An Act Relating to Termination of Contracts for Sale of Real Estate." (S. P. 393)

(Printing ordered)

Sent down for concurrence.

Pensions

Mr. Peters of Androscoggin presented "Resolve Granting a Soldier's Pension to Austin W. Blair of Lewiston." (S. P. 394)

Sent down for concurrence.

Salaries and Fees

Mr. Sterling of Somerset presented Bill "An Act Relating to the Salary of the Secretary of State." (S. P. 395)

(Printing ordered)

Mr. Farris of Kennebec presented Bill "An Act Relating to the Salary of the Attorney-general." (S. P. 396)

(Printing ordered)

Mr. Worthen of Penobscot presented Bill "An Act Relating to the Salary of the Commissioner of Agriculture." (S. P. 397)

(Printing ordered)

Mr. Bragdon of Aroostook presented Bill "An Act Relating to the Salary of the Commissioner of Labor and Industry." (S. P. 398)

(Printing ordered)

Sent down for concurrence.

Ways and Bridges

The same Senator presented "Resolve in Favor of the Town of Easton." (S. P. 399)

Mr. Washburn of Washington presented Bill "An Act Relating to Expenses of Maintaining County Roads." (S. P. 400)

(Printing ordered)

Sent down for concurrence.

Pensions

Mr. Sterling of Somerset presented "Resolve Granting a Pension to Ralph Burrill, of Canaan." (S. P. 401)

The same Senator presented "Resolve Granting a Pension to George L. Hayden of Athens." (S. P. 402)

The same Senator presented "Resolve Granting a Pension to Eugene L. Noyes, of Athens." (S. P. 403)

Sent down for concurrence.

Salaries and Fees

Mr. Bishop of Sagadahoc presented Bill "An Act Relating to the

Salary of the Governor." (S. P. 404)

(Printing ordered)

Sent down for concurrence.

Order

Mr. Megill of Kennebec presented the following order and moved its passage:

ORDERED, whereas Howard S. Slosberg, a Page in this Senate, has been called into the service of the armed forces of this country,

ORDERED, that Howard S. Slosberg, be granted a leave of absence from his duties as Page, and that he now be paid the same compensation as was paid to Pages at the last regular session minus such amounts as may have been advanced to him pursuant to Joint Order, (S. P. 9).

The PRESIDENT: The Chair would like to say at this time that loyal employees of the Senate, in order to enable this order to receive passage in honor of Mr. Slosberg, have volunteered to assume his duties for the remainder of the session without any additional compensation.

Is it the pleasure of the Senate that the order receive passage?

Thereupon, the order received passage.

Committee Reports

Mr. Elliot from the Committee on Inland Fisheries and Game on Bill "An Act Creating the Lily Bay Game Preserve," (S. P. 194) (L. D. 275) reported that the same ought not to pass.

The same Senator from the same Committee on Bill "An Act Relating to Designation of Inland Fisheries and Game Wardens," (S. P. 103) (L. D. 273) reported that the same ought not to pass.

Mr. McGlauffin from the Committee on Judiciary on Bill "An Act Relating to Service on Municipal and Other Corporations," (S. P. 173) (L. D. 236) reported that leave be granted to withdraw.

Mr. Harvey from the same Committee on Bill "An Act Enlarging the Powers and Duties of the State Auditor," (S. P. 217) (L. D. 329) reported that the same ought not to pass.

Which reports were severally read and accepted.

Sent down for concurrence.

Mr. Dow from the Committee on

Banks and Banking on Bill "An Act Relating to Tax on Resources of Banks," (S. P. 137) (L. D. 144) reported that the same ought to pass.

Mr. Hanold from the Committee on Inland Fisheries and Game on Bill "An Act Relating to Rules and Regulations of the Commissioner of Inland Fisheries and Game," (S. P. 170) (L. D. 233) reported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act Relating to Game Management and Game Management Areas," (S. P. 159) (L. D. 180) reported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act Relating to Collection and Disposition of Money Received Under the Inland Fish and Game Laws," (S. P. 212) (L. D. 324) reported that the same ought to pass.

Mr. Farris from the Committee on Judiciary on Bill "An Act Relating to Unstamped Cigarettes and Forfeiture Proceedings," (S. P. 215) (L. D. 327) reported that the same ought to pass.

Mr. Harvey from the same Committee on Bill "An Act Providing Authorization for Reimbursement of Officers and Directors of Corporations for Expenses Incurred by Them in Connection with the Defense of Certain Suits," (S. P. 190) (L. D. 276) reported that the same ought to pass.

Mr. McGlaulin from the same Committee on Bill "An Act to Authorize the Charging off of Uncollectible Accounts," (S. P. 216) (L. D. 328) reported that the same ought to pass.

Mr. Batchelder from the Committee on Military Affairs on Bill "An Act Relating to the Improvement of the Military Laws," (S. P. 297) (L. D. 440) reported that the same ought to pass.

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

Mr. Elliot from the Committee on Inland Fisheries and Game on "Resolve Authorizing Removal of Screen at Outlet of Tunk Pond," (S. P. 318) reported that the same ought to pass.

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

Mr. McGlaulin from the Committee on Judiciary on Bill "An Act Relating to Jurisdiction of Municipal Courts in Washington County," (S. P. 180) (L. D. 281) 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.

The Secretary read Committee Amendment A:

"Committee Amendment A to S. P. 160, L. D. 176, An Act Relating to Swan Island Game Preserve, Game Farm, and Game Management Area. Amend said bill by striking out all of that part designated 'Sec. 89-J' of Section 2 thereof and inserting in place thereof the following:

"Sec. 89-J. Swan Island Game Preserve, Game Farm and Game Management Area. It shall be unlawful to hunt, chase, trap, kill or pursue any wild animals or birds above high water mark within the following described tracts or territory situated in the county of Sagadahoc, to wit: The islands in the Kennebec River near Richmond known as Swan Island and Little Swan Island (formerly known as Alexander Islands). It shall also be unlawful to hunt, chase, trap, kill or pursue any wild animals or birds within any areas indicated by red boundary markers located on tidal flats, beginning at a red marker at Theobald Point, so-called, on the southwest shore of Swan Island running southerly and easterly around the south end of the island and northerly on the east side of said island to a red marker on the north point of Wade's Boat House Cove, no markers to be more than 50 yards from high water mark except that they may be placed to low water mark in Maxwell's Cove, so-called. It shall also be unlawful to have in possession any fire-arms, traps or other devices for the taking of wild animals or birds on the above islands, except that the Department of Inland Fisheries and Game may at any time take wild animals or birds from this area for propagation within the state or for scientific purposes."

Mr. BISHOP of Sagadahoc: Mr. President, so that I may check up on this, I move that this bill be laid upon the table pending adoption of Committee Amendment A.

The motion to table prevailed.

Mr. Hanold from the Committee on Inland Fisheries and Game on Bill, "An Act Relating to Swan Island Game Preserve, Game Farm, and Game Management Area," (S. P. 160) (L. D. 176) 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.

The Secretary read Committee Amendment A:

"Committee Amendment A to S. P. 180, L. D. 281, bill An Act Relating to Jurisdiction of Municipal Courts in Washington County. Amend said bill by striking out the word 'west' in the 4th line from the last and inserting in place thereof the word 'western'; and further amend said bill by striking out everything after the word 'law' in the next to the last line of said bill and adding a period."

Committee Amendment A was adopted and the bill as amended by Committee Amendment A was Tuesday next assigned for second reading.

Mr. Harvey from the same Committee on Bill "An Act Relating to Fees of Expert Witnesses in Homicide Cases," (S. P. 175) (L. D. 232) reported the same in a new draft (S. P. 406) under the same title, and that it ought to pass.

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

Passed to be Engrossed

Bill "An Act Relating to Membership of Teachers in the Jointly-Contributory Retirement System for State Employees." (H. P. 17) (L. D. 22)

Bill "An Act Relating to the Method of Financing the Jointly-Contributory Retirement System for

State Employees, Except Teachers." (H. P. 18) (L. D. 23)

Bill "An Act Relating to Abate-ments and Supplementary Assessments of Taxes by State Tax Assessor." (H. P. 136) (L. D. 108)

Bill "An Act Relating to Taxation of Railroad Companies." (H. P. 212) (L. D. 134)

Bill "An Act to Extend the Charter of the Central Aroostook Railway Company." (H. P. 261) (L. D. 168)

Bill "An Act Relating to Transfers from Appropriations for the Courts to Meet Expenses of Board of Bar Examiners." (H. P. 454) (L. D. 258)

Bill "An Act to Enlarge the Powers of the Bangor Hydro-Electric Company." (H. P. 465) (L. D. 265)

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

Bill "An Act Relating to the Publication of the Maine Reports." (S. P. 195) (L. D. 279)

Bill "An Act Relating to Membership in Farm Lands Loan Commission and Emergency Municipal Finance Board." (S. P. 197) (L. D. 280)

Bill "An Act to Unite Two Academies in the Town of Blue Hill." (S. P. 218) (L. D. 330)

Bill "An Act Amending the Charter of the Associated Hospital Service of Maine." (S. P. 221) (L. D. 340)

Bill "An Act Relating to the Registration of Farm Tractors." (S. P. 348) (L. D. 530)

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

Sent down for concurrence.

Additional House papers, out of order and under suspension of the rules, referred in concurrence.

On motion by Mr. Elliot of Knox, Adjourned until Tuesday morning, February 23 at 11:30 o'clock.