

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, March 3, 1943

The Senate was called to order by the President.

Prayer by the Rev. L. L. Dunn of Gardiner.

Journal of yesterday read and approved.

House Committee Reports

The Committee on Banks and Banking on Bill "An Act Relating to Mortgage Loans of Savings Banks," (H. P. 932) (L. D. 485) reported that the same ought to pass.

The Committee on Inland Fisheries and Game on "Resolve Relating to Fishing for Smelts in Waters of Androscoggin Watershed," (H. P. 180) (L. D. 726) reported that the same ought to pass.

The Committee on Legal Affairs on Bill "An Act Relating to Expenses of Quarantine," (H. P. 255) (L. D. 189) reported that the same ought to pass.

The same Committee on Bill "An Act to Amend the Charter of the City of Bangor," H. P. 563) (L. D. 313) reported that the same ought to pass.

The same Committee on Bill "An Act Concerning Listing of Dogs by Assessors," (H. P. 801) (L. D. 383) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Deposits of County Funds," (H. P. 803) (L. D. 386) reported that the same ought to pass.

The Committee on Public Health on Bill "An Act to Enable Towns to Obtain State Aid in Securing Public Health Nursing Service," (H. P. 341) (L. D. 203) reported that the same ought to pass.

The Committee on Sea and Shore Fisheries on "Resolve Relating to Close Time on Lobsters in Certain Waters," (H. P. 602) (L. D. 354) reported that the same ought to pass.

The same Committee on Bill "An Act to Regulate the Sale and Packing of Sardines During the Present Emergency," (H. P. 834) (L. D. 400) reported that the same ought to pass.

The Committee on Banks and Banking on Bill "An Act Relating to the Capital Stock of Telephone Workers Credit Union of Maine," (H. P. 165) (L. D. 119) reported the same in a new draft (H. P. 1235)

(L. D. 729) under the same title and that it ought to pass.

The Committee on Legal Affairs on Bill "An Act Relating to the Voting Precincts in the Town of Harpswell," (H. P. 103) (L. D. 62) reported the same in a new draft (H. P. 1236) (L. D. 728) under a new title, Bill "An Act Relating to the Voting Districts in the Town of Harpswell," and that it ought to pass.

The Committee on Mercantile Affairs and Insurance on Bill "An Act Relating to Insurance Agents and Brokers," (H. P. 24) (L. D. 10) reported the same in a new draft (H. P. 1237) (L. D. 727) 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.

Joint Order

Mr. Boucher of Androscoggin presented the following order and moved its passage.

ORDERED, the House concurring, that the State Tax Assessor shall report to the 91st Legislature as soon as possible the valuations of the several cities, towns and plantations as returned to the Board of Equalization by said cities, towns and plantations for the municipal year of 1942, and the valuations of the several cities, towns and plantations as fixed by the Board of Equalization for the municipal years of 1941 and 1942.

Mr. ELLIOT of Knox: Mr. President, I note the absence of the chairman of the Taxation Committee and I move that this order be laid upon the table pending passage.

Thereupon the order was laid upon the table pending passage.

First Reading of Printed Bills

Bill "An Act Relating to Relief of Veterans of All Wars, and Their Dependents," (S. P. 430) (L. D. 747)

Bill "An Act Relating to Vehicle Parking on Ways," (S. P. 432) (L. D. 749)

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

Senate Committee Reports

Mr. Bishop from the Committee on Education on bill, "An Act Relating to Towns Having no Free High Schools," (S. P. 210) (L. D. 322) reported that the same ought

to pass as amended by Committee Amendment "A" submitted herewith.

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

The Secretary read Committee Amendment "A"; "Amend said bill by drawing a line through the word 'an' in the 8th line thereof, and by inserting after said stricken out word the underlined word 'any.'"

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

Mr. Dunbar from the Committee on Legal Affairs on bill, "An Act Relating to the Signature of the Treasurer of State," (S. P. 294) (L. D. 443), reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

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

The Secretary read Committee Amendment "A": "Amend said bill by inserting after the word 'the' in the first line thereof, the word 'facsimile.'"

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

Passed to be Engrossed

Bill "An Act Relating to Shippers of Potatoes." (H. P. 163) (L. D. 118)

Bill "An Act to Amend the Charter of the Kennebec Water District." (H. P. 468) (L. D. 250)

Bill "An Act Relating to the Stipend for Agricultural Societies During the War Emergency." (H. P. 522) (L. D. 316)

Bill "An Act Relating to the Sale of Oils." (H. P. 181) (L. D. 126)

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

"Resolve in Favor of Lake Webb Fish and Game Association." (S. P. 67) (L. D. 733)

Bill "An Act Relating to Unexpended Balances of School Fund." (S. P. 206) (L. D. 320)

Bill "An Act Relating to Licenses for Building Wharves and Fish Weirs." (S. P. 427) (L. D. 734)

Bill "An Act to Make Valid the Acts and Doings of Norway Pine Grove Cemetery Corporation, and to Define its Membership and Restrict Use of its Funds." (S. P. 220) (L. D. 332)

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

Sent down for concurrence.

Orders of the Day

From the House, out of order and under suspension of the rules, the following order:—

"ORDERED, the Senate concurring, that there be paid to the representatives at the legislature of the Penobscot and Passamaquoddy tribes of Indians the amount fixed by law for their attendance together with mileage."

In the House, read and passed.

In the Senate, read and passed in concurrence.

Mr. BATCHELDER of York: Mr. President, I ask unanimous consent to address the Senate.

The PRESIDENT: The Senator from York, Senator Batchelder, asks unanimous consent to address the Senate. There being no objection, the request is granted.

Mr. BATCHELDER: Mr. President, I might say that we are engaged in a very serious struggle, with a great many of our boys now serving as soldiers and sailors, scattered all over the world, serving in a great many foreign countries including in the Pacific and South American countries, and it may become necessary, because they did not have an opportunity to straighten out many of their affairs before leaving, due to short notice and being in the Service, that they may have to execute various legal papers that require acknowledgment before an authorized magistrate.

Realizing the seriousness of such a situation and the difficulties many of the boys will doubtless have in executing such acknowledgments, we believe that some provision should be made whereby they may appear before their commanding officer, such as their lieutenant or the next officer in charge, and make such acknowledgments.

Therefore, Mr. President, I ask at this time unanimous consent to introduce a bill, notwithstanding the closing rule.

The PRESIDENT: The Senator from York, Senator Batchelder, asks unanimous consent to introduce a bill. There being no objection the bill will be received.

Thereupon, Mr. Batchelder of York presented bill, "An Act Per-

mitting Men in the Armed Services to Make Valid Transfers of Property" (S. P. 434).

The PRESIDENT: Does the Senator wish this bill read without reference to a committee or does he wish it referred to the Committee on Reference of Bills?

Mr. BATCHELDER: I would suggest that it be referred to the Committee on Reference of Bills.

The PRESIDENT: If the Senator has any preference such as the Committee on Military Affairs he may now move that it be referred to that Committee, or it may be referred to the Committee on Reference of Bills.

Mr. BATCHELDER: I will ask, Mr. President, that the bill be referred to the Committee on Military Affairs.

Thereupon, under suspension of the rules, the bill was referred to the Committee on Military Affairs. (Ordered printed.)

Sent down for concurrence.

On motion by Mr. Sanborn of Cumberland, the Senate voted to take from the table, Senate Report from the Committee on Legal Affairs "Ought Not to Pass" on bill, "An Act Relating to Digest of Maine Reports" tabled by that Senator on February 25th pending acceptance of the report; and on further motion by the same Senator, the report of the committee was accepted.

Sent down for concurrence.

On motion by Mr. Varney of York, the Senate voted to take from the table, bill, An Act Relating to Notices to the State in Actions by Towns in Pauper Cases (H. P. 1892) (L. D. 139) tabled by that Senator on February 25th pending passage to be engrossed.

Mr. Sanborn of Cumberland presented Senate Amendment "A" and moved its adoption:—

"Senate Amendment 'A' to Legislative Document 139; Amend said bill by striking out the word 'department' in the fourth line and inserting in place thereof the words 'State of Maine'."

Senate Amendment "A" was adopted and the bill as amended was passed to be engrossed in non-concurrence

Sent down for concurrence.

Mr. BISHOP of Sagadahoc: Mr. President, I ask the personal privilege of addressing the Senate.

The PRESIDENT: There being no objection, personal privilege is granted.

Mr. BISHOP: Mr. President and members of this honorable Body, I have a most peculiar thing to discuss with you. It may be a bit out of order. It may be out of place; but a most unusual event has happened within the last 24 hours, and not being legally trained and not knowing the exact procedure or where to discuss such a matter, I feel this is the place to do it. Being a member of this body and because you people have been so patient and so tolerant with me upon other occasions I have asked this privilege.

I would like to state first, I think it is generally and universally known that I have had no previous legislative training. I am just a plain dirt farmer. I have a large stock of cattle at home and it is necessary that each night I go home to do my work. I do the chores and milking in the morning and my ten year old boy comes home from school in the afternoon and does the work at night. Therefore, it is often the case that I am not able to get here in the morning much before the session opens. This morning I was a few minutes late. Yesterday morning I came in just as the gong rang.

As we were going through the calendar yesterday morning two bills flashed in front of me. One was an act relating to the expenses of the Western Somerset Municipal Court. Another was an act relating to the expenses of County Commissioners. Not having had the time to read these bills, I asked to have them tabled. Now, this is not unusual for me to do for I have done this several times before. On February 16th I asked to have a bill tabled pertaining to the expenses of visiting committees to institutions. I know no other procedure. It was my understanding that these several readings are designed so members of the assembly may ask to have the bills tabled if they wish. I supposed it was the common and usual practice.

I hold no brief with anyone. I have the highest admiration for every member of the Senate and of the Legislature. We are all elected and sent here by the people under the same or similar circumstances. Your opinions are yours, and you are welcome to them, and I appre-

ciate them. I feel I have the same privilege. I believe it is our duty as legislators to check on these things, especially expense measures.

Following the session yesterday I was accosted in the Senate Retiring Room by our worthy Senate Secretary and asked what I had in mind. I admitted that I had nothing in mind more than to check the bill or bills. I was told by him that I had no right to hold up bills of Somerset County. I have the greatest respect for every group here and for the representatives from any county or any locality, and I believe they understand that, and when I was told I had no right to do this, I was just a bit touched. I thought that was a perfect right that we had.

To go further, I was threatened that if I were going to hold up Somerset County bills, we (meaning the Secretary and the Somerset delegation) would hold up Sagadahoc bills. That I did not understand nor appreciate.

Now, I have been led to believe that the employees of this body were here to aid us and to assist us and I have appreciated that and respected that, and upon occasions when I have sought their advice and aid and help, in most every case I have received it. But this threat seemed just a bit out of order. It was mentioned several times, and I will say I did not know

at the time that our Secretary was the municipal judge and that this bill pertained to him in particular. He told me he didn't care about the matter. It didn't matter any to him—yet he was making the complaint and issue.

I simply ask for this time to discuss this while it is fresh in my mind because I am on so many committees and have been tied up in so many hearings and have been unable to appear at committee hearings to hear the discussion on many bills. The only reason I have tabled the bills was to take the time to ask the committee what did happen, and in this particular case I did not have the opportunity to thoroughly satisfy myself.

I want to take this time and this opportunity to state that when any employe of this assembly assumes so much arbitrary authority that they dictate to us, then I believe it is time we checked up on matters and if necessary, change our personnel. Thank you.

The PRESIDENT: There is no motion before the Chair. The notices have been read. If there is no further business, the Chair awaits the adjournment motion.

Upon motion by Mr. Elliot of Knox

Adjourned until tomorrow morning at ten o'clock.