

# 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

Thursday, March 4, 1943

The Senate was called to order by the President.

Prayer by the Rev. Weston Holman of Hallowell.

Journal of yesterday, read and approved.

From the House:

Bill "An Act Permitting Excise Tax Collectors to Issue Motor Vehicle Registration Licenses." (S. P. 418) (L. D. 722)

(In Senate on February 24th, referred to the Committee on Judiciary.)

Comes from the House, referred to the committee on Motor Vehicles in non-concurrence.

In the Senate, on motion by Mr. Elliot of Knox, the rules were suspended and that body voted to reconsider its action of February 24th whereby the bill was referred to the Committee on Judiciary; and on further motion by the same Senator the bill was referred to the Committee on Motor Vehicles in concurrence.

From the House:

Bill "An Act Permitting Excise Tax Collectors to Issue Motor Vehicle Operators' Licenses." (S. P. 419) (L. D. 721)

(In Senate, on February 24th, referred to the Committee on Judiciary.)

Comes from the House, referred to the Committee on Motor Vehicles in non-concurrence.

In the Senate, on motion by Mr. Elliot of Knox, the rules were suspended and that body voted to reconsider its action of February 24th whereby the bill was referred to the Committee on Judiciary; and on further motion by the same Senator the bill was referred to the Committee on Motor Vehicles in concurrence.

From the House:

Bill "An Act Defining the Word 'Teacher' under Teachers' Pensions." (S. P. 144) (L. D. 146)

(In Senate on February 17th, passed to be engrossed.)

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

In the Senate, on motion by Mr.

Haskell of Penobscot, tabled pending consideration.

From the House:

Bill "An Act Relating to Slaughtering-houses." (H. P. 1221) (L. D. 708)

(In Senate, on February 26th, referred to the Committee on Legal Affairs, in concurrence.)

Comes from the House, having been recalled from the Committee on Legal Affairs by Joint Order; reference to Committee on Legal Affairs by Joint Order; reference to Committee on Legal Affairs reconsidered, under suspension of the rules, and the bill referred to the Committee on Public Health in non-concurrence.

In the Senate, on motion by Mr. Elliot of Knox, the rules were suspended and that body voted to reconsider its action of February 26th whereby the bill was referred to the Committee on Legal Affairs; and on further motion by the same Senator the bill was referred to the Committee on Public Health in concurrence.

## House Committee Reports

The Committee on Inland Fisheries and Game on "Resolve Relating to Bounty on Bears," (H. P. 541) (L. D. 319) reported that leave be granted to withdraw the same.

The same Committee on Bill "An Act Relating to Bounty on Bears," (H. P. 86) (L. D. 78) reported that leave be granted to withdraw the same.

The same Committee on Bill "An Act Relating to Bounty on Bobcats, Loupcervier, and Canada Lynx," (H. P. 540) (L. D. 317) reported that leave be granted to withdraw the same.

The Committee on Judiciary on Bill "An Act Relating to Terms of Superior Court in Oxford and Piscataquis Counties," (H. P. 1118) (L. D. 583) reported that leave be granted to withdraw the same.

The same Committee on Bill "An Act to Abolish the System of Personnel Administration in State Employment," (H. P. 792) (L. D. 421) reported that leave be granted to withdraw the same.

The same Committee on Bill "An Act Amending the Personnel Law," (H. P. 790) (L. D. 419) reported that leave be granted to withdraw the same.

The Committee on Mercantile Affairs and Insurance on Bill "An Act

Relating to the Signing of Insurance Policies, Except Life," (H. P. 463) (L. D. 247) reported that leave be granted to withdraw the same.

The Committee on Education on Bill "An Act to Promote Proper Recording and Education Concerning Vital Statistics," (H. P. 133) (L. D. 107) reported that the same ought not to pass.

The Committee on Inland Fisheries and Game on Bill "An Act Relating to Fishing and Hunting Licenses," (H. P. 828) (L. D. 467) reported that the same ought not to pass.

(On motion by Mr. Harvey of York, tabled pending acceptance of the report in concurrence.)

The Committee on Judiciary on Bill "An Act Relating to Driving Vehicles on Right of Road," (H. P. 795) (L. D. 378) reported that the same ought not to pass.

The Committee on Legal Affairs on Bill "An Act Relating to the Collection of Taxes," (H. P. 808) (L. D. 389) reported that the same ought not to pass.

The Committee on Sea and Shore Fisheries on Bill "An Act to Provide for the Sale of Lobster Meat Legally Canned," (H. P. 833) (L. D. 460) reported that the same ought not to pass.

Which reports were severally read and accepted in concurrence.

The Committee on Education on Bill "An Act Relating to the Operation of the Normal Schools During the War," (H. P. 1095) (L. D. 567) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to the Age of Children Attending School," (H. P. 535) (L. D. 307) reported that the same ought to pass.

(On motion by Mr. Brown of Aroostook, tabled pending acceptance of the report in concurrence.)

The same Committee on Bill "An Act Relating to Schooling for Children of Parents Who Have a Temporary Residence," (H. P. 449) (L. D. 257) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Flags for Schools," (H. P. 159) (L. D. 101) reported that the same ought to pass.

The Committee on Inland Fisheries and Game on Bill "An Act Relating to Old Mill Pond Game Preserve," (H. P. 935) (L. D. 487)

reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Hunting of and Bounty for Foxes," (H. P. 315) (L. D. 212) reported the same in a new draft (H. P. 1240) (L. D. 739) under a new title, Bill "An Act Relating to the Hunting and Trapping of Foxes," and that it ought to pass.

(On motion by Mr. Worthen of Penobscot, tabled pending acceptance of the report in concurrence.)

The same Committee on Bill "An Act Relating to Open Season for Beaver," (H. P. 314) (L. D. 227) reported that the same ought to pass.

The Committee on Judiciary on Bill "An Act Relating to Payment to County Law Library of Knox County," (H. P. 789) (L. D. 418) reported that the same ought to pass.

The same Committee on Bill "An Act Granting the Court the Right to Issue Injunctions in Contests for Certain Offices," (H. P. 788) (L. D. 417) reported that the same ought to pass.

The Same Committee on Bill "An Act Relating to Disorderly Conduct on Public Conveyances," (H. P. 793) (L. D. 422) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Foreign Corporations," (H. P. 794) (L. D. 423) reported that the same ought to pass.

The Committee on Military Affairs on "Resolve Authorizing the Treasurer of State to Reconvey to the Town of Houlton Certain Unused Armory Sites," (H. P. 1141) (L. D. 606) reported that the same ought to pass.

The Committee on Public Utilities on Bill "An Act Relating to Safety Switches and Switch Lights at Railroad Sidings," (H. P. 1155) (L. D. 610) reported that the same ought to pass.

The same Committee on Bill "An Act to Confirm and Amend the Charter of the South Berwick Water Company, Inc.," (H. P. 574) (L. D. 305) reported the same in a new draft, (H. P. 1239) (L. D. 739) under the same title, and that it ought to pass.

The same Committee on Bill "An Act Creating the Caribou Utilities District," (H. P. 760) (L. D. 425) reported the same in a new draft, (H. P. 1238) (L. D. 737) under the same title, and that it ought to pass.

The Committee on Salaries and Fees on Bill "An Act to Increase the Salary of the County Attorney

of Sagadahoc County," (H. P. 117) (L. D. 71) reported that the same ought to pass.

The Committee on Taxation on Bill "An Act Relating to Refund of 3/4 of Engine Fuel Tax," (H. P. 835) (L. D. 401) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to the Report of the State Tax Assessor," (H. P. 155) (L. D. 114) reported that the same ought to pass.

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

The Committee on Inland Fisheries and Game on "Resolve Relating to Ice Fishing in Mud Pond in the Town of Peru," (H. P. 1101) (L. D. 740) reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

The Committee on Motor Vehicles on Bill "An Act Relating to Fee Required for Examination to Operate Motor Vehicles," (H. P. 812) (L. D. 391) reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

The Committee on Salaries and Fees on Bill "An Act Relating to the Compensation of the Register of Probate for Knox County," (H. P. 578) (L. D. 345) reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

The same Committee on Bill "An Act Increasing the Amount Paid for Clerk Hire in the Offices of Register of Probate and Clerk of Courts in Knox County," (H. P. 579) (L. D. 346) reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

Which reports were severally read and accepted in concurrence, the bills read once; Committee Amendments "A" were severally read and adopted in concurrence, and the bills as amended, tomorrow assigned for second reading.

#### First Reading of a Printed Resolve

"Resolve in Favor of the Maine Historical Society." (S. P. 91) (L. D. 751)

Which resolve was read once,

and tomorrow assigned for second reading.

#### Senate Committee Reports

Mr. Harvey from the Committee on Judiciary on "Resolve Proposing an Amendment to the Constitution Changing the Minimum Age of Voters from Twenty-one Years to Eighteen Years," (S. P. 339) (L. D. 513) reported that the same ought not to pass.

(On motion by Mr. Boucher, tabled pending acceptance of the report.)

Mr. Sanborn from the Committee on Legal Affairs on Bill "An Act to Regulate the Sale of Fireworks in the State of Maine," (S. P. 100) (L. D. 36) reported that the same ought not to pass.

Which reports were severally read and accepted.

Sent down for concurrence.

Mr. Varney from the Committee on Mercantile Affairs and Insurance on Bill "An Act Relating to Fraternal Beneficiary Associations," (S. P. 103) (L. D. 39) reported the same in a new draft (S. P. 436) under the same title, and that it ought to pass.

Mr. Peakes from the same Committee on Bill "An Act Providing for the Payment of a Filing Fee for Statements of Domestic and Foreign Insurance Companies," (S. P. 119) (L. D. 44) reported the same in a new draft (S. P. 437) under the same title and that it ought to pass.

Which reports were severally read and accepted, and the bills laid upon the table for printing under the joint rules.

Mr. Dunbar from the Committee on Legal Affairs on Bill "An Act Relating to Disposal of Poll-taxes Paid by Electors in Unorganized Territory," (S. P. 340) (L. D. 514) reported that the same ought to pass.

Mr. Sanborn from the same Committee on Bill "An Act Relating to Emergency Municipal Finance Board," (S. P. 341) (L. D. 515) reported that the same ought to pass.

Mr. Townsend from the Committee on Public Health on Bill "An Act to Provide General Public Health Services," (S. P. 234) (L. D. 337) reported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act to Con-

trol and Eradicate Venereal Diseases." (S. P. 235) (L. D. 338) reported that the same ought to pass.

Mr. Brown from the same Committee on Bill "An Act Relating to Annual Registration of Osteopathic Physicians," (S. P. 303) (L. D. 433) reported that the same ought to pass.

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

Mr. Farris from the Committee on Public Health on Bill "An Act Relating to Examination and Registration of Osteopathic Physicians," (S. P. 304) (L. D. 432) reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

Which report was read and accepted and the bill read once.

The Secretary read Committee Amendment "A": Amend said bill by striking out the underlined words "as a war emergency" in the 23rd and 24th lines thereof, and substituting in place thereof the following words: "during the present war emergency and six months thereafter."

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

#### Passed to Be Engrossed

"Resolve Relating to Fishing for Smelts in Waters of Androscoggin Watershed." (H. P. 180) (L. D. 726)

Bill "An Act Relating to Expenses of Quarantine." (H. P. 255) (L. D. 189)

Bill "An Act to Enable Towns to Obtain State Aid in Securing Public Health Nursing Service." (341) (L. D. 203)

Bill "An Act to Amend the Charter of the City of Bangor." (H. P. 563) (L. D. 313)

"Resolve Relating to Close Time on Lobsters in Certain Waters." (H. P. 602) (L. D. 354)

Bill "An Act Concerning Listing of Dogs by Assessors." (H. P. 801) (L. D. 383)

Bill "An Act Relating to Deposits of County Funds." (H. P. 803) (L. D. 386)

Bill "An Act to Regulate the Sale and Packing of Sardines During the Present Emergency." (H. P. 834) (L. D. 400)

Bill "An Act Relating to Mort-

gage Loans of Savings Banks." (H. P. 932) (L. D. 485)

Bill "An Act Relating to the Capital Stock of Telephone Workers Credit Union of Maine." (H. P. 1235) (L. D. 729)

Bill "An Act Relating to the Voting Districts in the Town of Harpswell." (H. P. 1236) (L. D. 728)

Bill "An Act Relating to Insurance Agents and Brokers." (H. P. 1237) (L. D. 727)

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

Bill "An Act Relating to Towns Having no Free High Schools." (S. P. 210) (L. D. 322)

Bill "An Act Relating to the Signature of the Treasurer of State." (S. P. 294) (L. D. 443)

(On motion by Mr. Elliot of Knox, tabled pending passage to be engrossed.)

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

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

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

Sent down for concurrence.

The PRESIDENT: The Chair notes at this time the presence in the Senate Chamber of the Honorable Charles A. Gurney, and will ask the Sergeant at Arms to escort Mr. Gurney to a seat at the right of the President for the remainder of this morning's session.

Thereupon the Honorable Charles A. Gurney was escorted to a seat at the right of the President amidst the applause of the Senate, the members rising.

#### Passed to be Enacted

An Act Relating to Tax on Resources of Banks. (S. P. 137) (L. D. 144)

An Act Relating to Game Management and Game Management Areas. (S. P. 159) (L. D. 180)

An Act Relating to Rules and Regulations of the Commissioner of Inland Fisheries and Game. (S. P. 170) (L. D. 233)

An Act Relating to Jurisdiction of Municipal Courts in Washington County. (S. P. 180) (L. D. 281)

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)

An Act Relating to the Publication of the Maine Reports. (S. P. 196) (L. D. 279)

An Act Relating to Collection and Disposition of Money Received Under the Inland Fish and Game Laws. (S. P. 212) (L. D. 324)

An Act Relating to Unstamped Cigarettes and Forfeiture Proceedings. (S. P. 215) (L. D. 327)

An Act to Authorize the Charging Off of Uncollectible Accounts. (S. P. 216) (L. D. 328)

An Act to Unite Two Academies in the Town of Bluehill. (S. P. 218) (L. D. 330)

An Act Relating to the Improvement of the Military Laws. (S. P. 297) (L. D. 440)

An Act Relating to the Registration of Farm Tractors. (S. P. 348) (L. D. 550)

(On motion by Mr. Clement of Androscoggin, tabled pending passage to be enacted.)

An Act Relating to Active Retired Justices of the Supreme Judicial and Superior Courts. (H. P. 19) (L. D. 24)

An Act Relating to Taxation of Loan and Building Associations. (H. P. 126) (L. D. 106)

An Act Relating to Convention of Town Assessors. (H. P. 164) (L. D. 117)

An Act Relating to Credit for Excise Tax Paid. (H. P. 268) (L. D. 194)

An Act Relative to Racing Commission. (H. P. 338) (L. D. 222)

An Act Relating to the Rules and Regulations of State Racing Commission. (H. P. 339) (L. D. 209)

An Act Relating to Aid to the Blind. (H. P. 349) (L. D. 195)

An Act Relating to the Houlton Water Company. (H. P. 573) (L. D. 304)

An Act Relating to the Abatement of Taxes. (H. P. 1172) (L. D. 652)

### Finally Passed

Resolve, Providing for Better Protection of Shellfish Within the Limits of the Town of Brunswick. (H. P. 208) (L. D. 132)

Resolve, Authorizing the Maine Defense Commission to Convey Certain Land in Presque Isle. (H. P. 211) (L. D. 133)

Resolve, Relating to Fishing in Sabbath Day Lake, in New Gloucester. (H. P. 785) (L. D. 691)

Resolve, Regulating Ice Fishing for White Perch in Chesuncook Lake. (H. P. 938) (L. D. 693)

Resolve, Regulating Fishing in Round Pond. (H. P. 1209) (L. D. 692)

### Orders of the Day

On motion by Mr. Elliot of Knox, the Senate voted to take from the table, Joint Order Relating to a Report from the State Tax Assessor, tabled by that Senator on March 3rd pending passage; and on further motion by the same Senator the joint order received passage.

Sent down for concurrence.

On motion by Mr. Sterling of Somerset, the Senate voted to take from the table bill, "An Act Relating to Trapping for Beavers (S. P. 258) (L. D. 455), tabled by that Senator on March 2nd pending passage to be engrossed; and on further motion by the same Senator the bill was passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Bishop of Sagadahoc, the Senate voted to take from the table, bill, "An Act Relating to Expenses of County Commissioners (S. P. 182) (L. D. 241) tabled by that Senator on March 2nd pending passage to be engrossed; and on further motion by the same Senator, the bill was passed to be engrossed.

Sent down for concurrence.

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