

# 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, March 5, 1943.

The Senate was called to order by the President.

Prayer by the Rev. Alfred Earle 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, March 9th, 1943, at 11:30 o'clock in the forenoon. (S. P. 438)

Sent down for concurrence.

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

From the House:

**Communication**

State of Maine  
Office of Revisor of Statutes

March 2, 1943.

To the Honorable House of Representatives and The Senate of the 91st Legislature:

The title of a Resolve, "Resolve in Favor of Susie Devine, of Fort Fairfield," and insufficient data therefor was in my office some time before the closing date for the introduction of bills. The complete data arrived after I had filed the bills. The Resolve might have been introduced in incomplete form, but I was not certain of the intent of the proponent. I enclose the Resolve herewith.

Respectfully submitted,

**SMITH DUNNACK**  
Revisor of Statutes

(H. P. 1250)

Which was read and placed on file in concurrence.

From the House:

Bill "An Act Permitting Short Period Registration of Trucks." (H. P. 37) (L. D. 27)

(In Senate, on February 23rd, passed to be engrossed in concurrence.)

Comes from the House, passage to be engrossed reconsidered, under suspension of the rules; House Amendment "A" read and adopted,

and the bill passed to be engrossed as amended in non-concurrence.

In the Senate, the rules were suspended and that Body voted to reconsider its action of February 23 whereby the bill was passed to be engrossed in concurrence. House Amendment "A" was read and adopted in concurrence and the bill as amended was passed to be engrossed in concurrence.

From the House:

**Joint Order**

**ORDERED**, the Senate concurring, that the Joint Standing Committee on State Lands and Forest Preservation be authorized to conduct such investigations as they may deem necessary in order to ascertain the value of State owned lands, Resolves for the sale of which have been referred to that committee; and that the expense of such investigations be paid from the legislative appropriation. (H. P. 1255)

Which was read and passed in concurrence.

From the House:

**Joint Order**

**ORDERED**, the Senate concurring, that the State Highway Commission furnish a copy of the Maine Traffic Flow Atlas to all members of the 91st Legislature who were not members of the 90th Legislature. (H. P. 1254)

Which was read and passed in concurrence.

From the House:

"Resolve in Favor of Susie Devine, of Fort Fairfield." (H. P. 1253)

Which was received by unanimous consent, under suspension of the rules, and referred to the Committee on Pensions in concurrence.

**House Committee Reports**

The Committee on Salaries and Fees on Bill "An Act Relating to the Salary of the Register of Probate of Sagadahoc County." (H. P. 118) (L. D. 72) reported that the same ought to pass as amended by Committee Amendment "A."

Comes from the House, recommended to the Committee on Salaries and Fees

In the Senate, the bill was recommended to the Committee on Salaries and Fees in concurrence.

The Committee on Legal Affairs

on Bill "An Act Making Columbus Day a School Holiday," (H. P. 806) (L. D. 388) reported that the same ought not to pass.

The Committee on Mercantile Affairs and Insurance on Bill "An Act Relating to Limitation of Rights to Issue Life Insurance Policies," (H. P. 1180) (L. D. 658) reported that the same ought not to pass as the subject matter is covered by other legislation.

The Committee on Sea and Shore Fisheries on Bill "An Act to Encourage Marine Farming in the Tidal Waters of the State," (H. P. 207) (L. D. 131) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Digging Clam Worms," (H. P. 1161) (L. D. 616) reported that the same ought not to pass.

The same Committee on "Resolve Relative to Catching Lobsters Near Monhegan," (H. P. 1162) (L. D. 617) reported that the same ought not to pass.

Which reports were severally read and accepted in concurrence.

The Committee on Appropriations and Financial Affairs on "Resolve in Favor of Fort McClary," (H. P. 523) (L. D. 306) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Expenses of the State Racing Commission," (H. P. 764) (L. D. 409) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to the Organized Townships Fund," (H. P. 765) (L. D. 410) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Fees for Eating and Lodging Places," (H. P. 766) (L. D. 411) reported that the same ought to pass.

The Committee on Judiciary on Bill "An Act Relating to Parole of Inmates of Reformatory for Men," (H. P. 942) (L. D. 488) reported that the same ought to pass.

The same Committee on Bill "An Act Relative to Widows and Widowers Sharing in Estates," (H. P. 943) (L. D. 489) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Appeals from Magistrates," (H. P. 945) (L. D. 491) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Jurisdiction of Vi-

olations of the Potato Tax Law," (H. P. 787) (L. D. 416) reported the same in a new draft (H. P. 1248) (L. D. 750) under the same title, and that it ought to pass.

The Committee on Legal Affairs on Bill "An Act Relating to Military Accounts," (H. P. 807) (L. D. 464) reported that the same ought to pass.

The same Committee on Bill "An Act to Provide for Town Elections for the Town of Millinocket," (H. P. 104) (L. D. 63) reported that the same ought to pass.

The Committee on Salaries and Fees on Bill "An Act Relating to the Salary of the Recorder of the Houlton Municipal Court" (H. P. 329) (L. D. 200) reported that the same ought to pass.

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

The Committee on Judiciary on Bill "An Act Relating to Adoption of Children" (H. P. 591) (L. D. 372) reported that the same ought to pass as amended by Committee Amendment "A."

Which report was read and accepted in concurrence, and the bill read once; Committee Amendment "A" was read and adopted in concurrence, and the bill as amended was the next legislative day assigned for second reading.

### Order

On motion by Mr. Bragdon of Aroostook it was

ORDERED, the Rev. E. Milton Grant of Presque Isle, be invited to officiate as Chaplain of the Senate, on the morning of Tuesday, March 9th, 1943, at 11.30 o'clock.

### Senate Committee Reports

Mr. Elliot from the Committee on Inland Fisheries and Game on Bill "An Act Permitting Non-Resident Citizens to Transport Deer," (S. P. 188) (L. D. 274) reported that the same ought not to pass.

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

The same Senator from the same Committee on "Resolve Relating to Fishing in Androscoggin County," (S. P. 407) (L. D. 704) reported that the same ought not to pass.

Mr. Peters from the Committee on Legal Affairs on Bill "An Act Relating to Termination of Contracts for Sale of Real Estate," (S. P. 393) (L. D. 679) reported that the same ought not to pass.

Which reports were severally read and accepted.

Sent down for concurrence.

Mr. Elliot from the Committee on Inland Fisheries and Game on Bill "An Act Relating to Disposal of Confiscated Ammunition and Small Arms," (S. P. 352) (L. D. 649) reported the same in a new draft (S. P. 439) under the same title, and that it ought to pass.

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 the Termination of Organization of Towns or Plantations," (S. P. 360) (L. D. 642) reported that the same ought to pass.

Which report was read and accepted, the bill read once, and the next legislative day assigned for second reading.

Mr. Harvey from the Committee on Mercantile Affairs and Insurance on bill, "An Act Relating to Proposed Standard Non-forfeiture Law" (S. P. 132) (L. D. 94) reported that the same ought to pass as amended by Committee Amendment "A."

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

The Secretary read Committee Amendment "A": "Amend said bill by changing the date '1944' in the fourth line of section 8 thereof to '1946'. Further amend said bill by deleting all after the date '1944' in the fourth line of section 8 thereof, and inserting in place thereof a period."

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

Mr. Peakes from the same Committee on Bill "An Act Relating to Proposed Standard Valuation Law" (S. P. 133) (L. D. 95) reported that the same ought to pass as amended by Committee Amendment "A."

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

The Secretary read Committee Amendment "A": "Amend said bill by changing the date '1944' in the 4th line of section 8 thereof to '1946'. Further amend said bill by deleting all after the date '1944' in the 4th line of section 8 thereof, and inserting in place thereof a period."

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

#### Passed to Be Engrossed

Bill "An Act to Increase the Salary of the County Attorney of Sagadahoc County." (H. P. 117) (L. D. 71)

Bill "An Act Relating to the Report of the State Tax Assessor." (H. P. 155) (L. D. 114)

Bill "An Act Relating to Flags for School" (H. P. 159) (L. D. 101)

Bill "An Act Relating to Open Season for Beaver." (H. P. 314) (L. D. 227)

Bill "An Act Relating to Schooling for Children of Parents Who Have a Temporary Residence." (H. P. 449) (L. D. 257)

Bill "An Act Granting the Court the Right to Issue Injunctions in Contests for Certain Offices." (H. P. 788) (L. D. 417)

Bill "An Act Relating to Payment to County Law Library of Knox County." (H. P. 789) (L. D. 418)

Bill "An Act Relating to Disorderly Conduct on Public Conveyances." (H. P. 793) (L. D. 422)

Bill "An Act Relating to Foreign Corporations." (H. P. 794) (L. D. 423)

Bill "An Act Relating to Refund of 3/4 of Engine Fuel Tax." (H. P. 835) (L. D. 401)

Bill "An Act Relating to Old Mill Pond Game Preserve." (H. P. 935) (L. D. 487)

Bill "An Act Relating to the Operation of the Normal Schools During the War." (H. P. 1095) (L. D. 567)

"Resolve Authorizing the Treasurer of State to Reconvey to the Town of Houlton Certain Unused Armory Sites." (H. P. 1141) (L. D. 606)

Bill "An Act Relating to Safety Switches and Switch Lights at Railroad Sidings." (H. P. 1155) (L. D. 610)

Bill "An Act Creating the Caribou Utilities District." (H. P. 1238) (L. D. 737)

Bill "An Act to Confirm and Amend the Charter of the South Berwick Water Company, Inc." (H. P. 1239) (L. D. 738)

Bill "An Act Relating to the Compensation of the Register of Probate for Knox County." (H. P. 578) (L. D. 345)

Bill "An Act Increasing the Amount Paid for Clerk Hire in the Offices of Register of Deeds, Register of Probate and Clerk of Courts in Knox County." (H. P. 579) (L. D. 346)

Bill "An Act Relating to Fee Required for Examination to Operate Motor Vehicles." (H. P. 812) (L. D. 391)

"Resolve Relating to Ice Fishing in Mud Pond in the Town of Peru." (H. P. 1101) (L. D. 740)

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

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

Bill "An Act to Provide General Public Health Services." (S. P. 234) (L. D. 337)

Bill "An Act to Control and Eradicate Venereal Diseases." (S. P. 235) (L. D. 338)

Bill "An Act Relating to Annual Registration of Osteopathic Physicians." (S. P. 303) (L. D. 433)

Bill "An Act Relating to Disposal of Poll-taxes Paid by Electors in Unorganized Territory." (S. P. 340) (L. D. 514)

Bill "An Act Relating to Emergency Municipal Finance Board." (S. P. 341) (L. D. 515)

Bill "An Act Relating to Examination and Registration of Osteopathic Physicians."

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

Sent down for concurrence.

#### Passed to Be Enacted

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

An Act Relating to Compensation of Collectors (S. P. 102) (L. D. 38).

An Act Relating to the Dumping of Waste Potatoes (S. P. 155) (L. D. 175).

On motion by Mr. Bragdon of Aroostook, the rules were suspended and the Senate voted to reconsider

its former action whereby this bill was passed to be engrossed.

Mr. Bragdon of Aroostook presented the following amendment and moved its adoption:

"Senate Amendment 'A' to S. P. 155, L. D. 175, Bill, 'An Act Relating to the Dumping of Waste Potatoes.'"

"Amend said Bill by adding before the enacting clause thereof the following:

"**Emergency preamble.** Whereas, a state of war exists between the United States and Germany and Japan, and

"Whereas, the production of food is vital for the prosecution of the war, and

"Whereas, the passage of this act will materially assist the immediate production of food, and

"Whereas, in the judgment of the legislature these facts create an emergency within the meaning of section 16 of Article XXXI of the constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

"Further amend said Bill by adding at the end thereof the following:

"**Emergency clause.** In view of the emergency cited in the preamble, this act shall take effect when approved."

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

Sent down for concurrence.

#### Passed to Be Enacted

An Act Relating to Mirrors on Motor Vehicles. (S. P. 301) (L. D. 434)

An Act Relating to Fees of Expert Witnesses in Homicide Cases. (S. P. 406) (L. D. 670)

An Act Relating to Membership and Creditable Service in the Jointly-Contributory Retirement System for State Employees, Except Teachers. (H. P. 15) (L. D. 20)

An Act Relating to Investments by Savings Banks. (H. P. 54) (L. D. 54)

An Act Granting Prior Service to Stenographers of the Former Supreme Judicial or Superior Courts. (H. P. 93) (L. D. 81)

An Act Relative to Hunting of Game Birds in York County. (H. P. 313) (L. D. 228)

An Act Relating to Counting of Ballots. (H. P. 323) (L. D. 223)

An Act Relating to Protection of Children. (H. P. 348) (L. D. 218)

An Act Extending the Period for which the Board of Finance in the City of Waterville is Established. (H. P. 455) (L. D. 259)

An Act Relating to the Examination of the Public Debt Amortization Fund of the City of Waterville. (H. P. 456) (L. D. 245)

An Act Relating to Transfer of Title Under Court Order. (H. P. 547) (L. D. 290)

An Act Relating to Membership in the Jointly-Contributory Retirement System for Employees in the Inland Fish and Game Department. (H. P. 550) (L. D. 312)

An Act Relating to the Definition of Interest Under the Teachers' Retirement System. (H. P. 551) (L. D. 292)

An Act to Amend the Charter of the Maine Central Institute. (H. P. 567) (L. D. 302)

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#### Finally Passed

Resolve Authorizing Removal of Screen at Outlet of Tunk Pond. (S. P. 318) (L. D. 671)

#### Orders of the Day

On motion by Mr. Dorr of Oxford, the Senate voted to take from the table, Resolve Designating the Baxter State Park Road (H. P. 326) (L. D. 207) tabled by that Senator on February 26th pending second reading.

That Senator presented Senate Amendment "A" and moved its adoption: "Senate Amendment 'A' to Resolve Designating the Baxter State Park Road (H. P. 326) (L. D. 207) as amended by Committee Amendment 'A' is hereby further amended by striking out the words 'designated and' which appear in the fourth line of said resolve and by striking out the word 'designated' which appears in the fifth line of said resolve and substituting in place of said word, the word 'described'."

Senate Amendment "A" was adopted, and the Resolve as so amended was passed to be engrossed in non-concurrence.

Sent down for concurrence.

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On motion by Mr. Elliot of Knox Adjourned until next Tuesday morning at 11.30 o'clock.