

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

Tuesday, March 16, 1943.

The Senate was called to order by the President.

Prayer by the Reverend Percy Vernon of Lewiston.

Journal of Friday, March 12th, 1943, read and approved.

From the House

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

(In the Senate on February 19th, passed to be engrossed.)

Comes from the House, under suspension of the rules, passage to be engrossed reconsidered, House Amendment "A" offered and adopted, and the bill as amended, passed to be engrossed in non-concurrence.

In the Senate, on motion by Mr. Sanborn of Cumberland, the bill and the amendment were laid upon the table pending consideration.

The Committee on Banks and Banking on Bill "An Act Relating to Insurance Held by Loan and Building Associations," (H. P. 771) (L. D. 414) reported that the same ought to pass.

Comes from the House, the bill indefinitely postponed.

In the Senate, on motion by Mr. Dow of Oxford, tabled pending acceptance of the report.

The Committee on Salaries and Fees on Bill "An Act Increasing the Compensation of the Judge of Probate of Knox County," (H. P. 599) (L. D. 355) reported that the same ought not to pass.

(In the Senate on March 11, report read and accepted in concurrence, and on March 12, returned to the House)

Comes from the House, recommended to the Committee on Salaries and Fees in non-concurrence.

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

The Committee on Judiciary on Bill "An Act Enacting the Consumer's Cooperative Act," (H. P. 1126) (L. D. 591) reported that the same ought to pass as amended by Committee Amendment "A".

In the House, bill and report recommended to the Committee on Judiciary.

In the Senate, the bill and report were recommended to the Committee on Judiciary in concurrence.

The same Committee on Bill "An Act Relating to Execution of Sentences," (H. P. 1112) (L. D. 577) reported that the same ought not to pass.

Which report was read and accepted in concurrence.

The Committee on Salaries and Fees on Bill "An Act Granting Increase in Salary to County Commissioners of Washington County," (H. P. 830) (L. D. 397) 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.

The Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Money for the State Soil Conservation Law," (H. P. 125) (L. D. 105) 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 Salary of the Register of Deeds for Knox County," (H. P. 577) (L. D. 344) reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

The same Committee on Bill "An Act Increasing the Compensation for Clerk of Courts in Knox County," (H. P. 580) (L. D. 347) reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

The same Committee on Bill "An Act Increasing the Salary of the Sheriff of Knox County," (H. P. 581) (L. D. 348) reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

The same Committee on Bill "An Act to Increase the Salary of the Register of Deeds of Washington County," (H. P. 824) (L. D. 392) reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

Which reports were severally read and accepted in concurrence and the bills read once; Committee Amendments "A" were severally

read and adopted in concurrence, and the bills as amended were tomorrow assigned for second reading.

Orders

On motion by Mr. Elliot of Knox, it was

ORDERED, that the use of the Senate Chamber be granted to the Unemployment Compensation Commission for the purpose of holding a hearing, on Friday, March 26, 1943, at 2 P. M. in the afternoon.

On motion by Mr. Elliot of Knox, it was

ORDERED, that the use of the Senate Chamber be granted to the Men's Club of the Penney Memorial Baptist Church for the purpose of listening to an address by the Hon. Lee Gooe on the evening of March 19.

On motion by Mr. Bragdon of Aroostook, it was

ORDERED, the House concurring, that free additional telephone service be provided for each member and officer of the Senate and House to the number of 25 calls of reasonable duration from Augusta to points within the limits of the state of Maine, and that each member and officer of the Senate and House be provided with a card to be certified to by the Secretary of the Senate and the Clerk of the House, respectively, the charge for this service to be paid to the New England Telephone and Telegraph Company at regular tariff rates.

First Reading of a Printed Bill

Bill "An Act Relating to the Penalty for Violation of Certain Sections in the Health and Welfare Laws." (S. P. 441) (L. D. 766)

Which bill was read once, and tomorrow assigned for second reading.

Senate Committee Reports

Mr. McGlauffin from the Committee on Judiciary on Bill "An Act Relating to Parties in Interest in the Trial of Causes," (S. P. 290) (L. D. 447) reported that the same ought not to pass.

Mr. Sterling from the Committee on State Lands and Forest Preservation on "Resolve Authorizing the Forest Commissioner to Convey Certain Land to Danforth S. Hersey

of Portland," (S. P. 60) reported that the same ought not to pass.

Which reports were severally read and accepted.

Sent down for concurrence.

Mr. Farris from the Committee on Judiciary on Bill "An Act Relating to Civil Actions for Death," (S. P. 291) (L. D. 446) reported the same in a new draft (S. P. 446) under the same title, and that it ought to pass.

Mr. Varney from the Committee on Library on "Resolve Relating to Old Legislative Publications," (S. P. 322) reported that the same ought to pass.

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

Mr. Sanborn from the Committee on Federal Relations on Bill "An Act to Accept the Benefits of an Act of Congress to Provide for the Promotion of Vocational Education," (S. P. 211) (L. D. 323) reported that the same ought to pass.

Mr. McGlauffin from the Committee on Judiciary on Bill "An Act to Make Uniform the Law of Transfer of Shares of Stock in Corporations," (S. P. 287) (L. D. 450) reported that the same ought to pass.

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

Mr. Owen from the Committee on Library on Bill "An Act Relating to Report of Controller and its Publications," (S. P. 296) (L. D. 441) reported that the same ought to pass.

Mr. Worthen from the Committee on State Lands and Forest Preservation on "Resolve Authorizing the Forest Commissioner to Convey Certain Land to the Great Northern Paper Company," (S. P. 224) (L. D. 336) reported that the same ought to pass.

Mr. Sterling from the same Committee on "Resolve Authorizing the Forest Commissioner to Convey Certain Lands in Somerset County to George N. Cook, Jr., and Howard H. Chase," (S. P. 202) (L. D. 283) reported that the same ought to pass.

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

Mr. Bishop from the Committee

on Education on bill "An Act Relating to State Aid for Academies," (S. P. 281) (L. D. 439) 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. 281, L. D. 439, bill An Act Relating to State Aid for Academies. Amend said bill by drawing a line through the words 'have authority to' in the 14th line in the 2nd paragraph of said bill.

Further amend said bill by deleting the last crossed out sentence therein and inserting in place thereof the following: 'Institutions having incomes of over \$3,500 from invested funds shall not receive per capita allowance but may share in the adjustment fund.'

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

Mr. Bragdon from the Committee on Salaries and Fees on bill "An Act Relating to the Amount to be paid for Clerk Hire in the Office of the Recorder of the Municipal Court of the City of Portland" (S. P. 58) (L. D. 51) 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 L. D. 51, bill An Act Relating to the Amount to be Paid for Clerk Hire in the Office of the Recorder of the Municipal Court of the City of Portland. Amend said bill by inserting after the enacting clause 'Sec. 1'. Further amend said bill by adding at the end thereof the following paragraph: 'Sec. 2. Limitation of Act. This act shall remain in force for a period of two years only. It is the intent of the legislature to change the present statute for a period of two years only, after which period the present statute shall return to full force and effect.'

Committee Amendment A was adopted and the bill as so amended

was tomorrow assigned for second reading.

Passed to Be Engrossed

Bill "An Act to Amend the Charter of the City of Auburn." (H. P. 759) (L. D. 424)

Bill "An Act Relating to Limitation of Use of Vehicles Under Dealers' Registration." (H. P. 960) (L. D. 497)

Bill "An Act to Repeal the Act Creating the Bethel Village Corporation." (H. P. 1261) (L. D. 764)

Bill "An Act Permitting Members of the Armed Forces to Retain Motor Vehicle Operators' Licenses without Paying Additional Fee." (H. P. 109) (L. D. 69)

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

"Resolve Transferring Money from the Sinking Fund Reserve to the Penobscot Indian Trust Fund, the Passamaquoddy Indian Trust Fund, and the Indian Township Administration Fund." (S. P. 85) (L. D. 12)

Bill "An Act Permitting Men in the Armed Services to Make Valid Transfers of Property." (S. P. 434) (L. D. 752)

Bill "An Act Relating to the Salary of the Judge of Probate for Androscoggin County." (S. P. 166) (L. D. 767)

Bill "An Act Relating to Certain Carriers Under the Financial Responsibility Act." (S. P. 366) (L. D. 638)

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

Sent down for concurrence.

Orders of the Day

On motion by Mr. Megill of Kennebec, the Senate voted to take from the table, House Report from the Committee on Inland Fisheries and Game "Ought Not to Pass" on bill, "An Act Permitting Non-Resident Citizens to Transport Deer" (S. P. 188) (L. D. 274) tabled by that Senator on March 5th pending acceptance of the report; and on further motion by the same Senator, the bill was substituted for the "Ought Not to Pass" report of the committee and was given its first reading.

That Senator presented Senate Amendment "A" and moved its adoption:

"Senate Amendment "A" to S. P. 188, L. D. 274, Bill "An Act Permitting Non-Resident Citizens to Transport Deer". Amend said bill by striking out the title thereof and inserting in place thereof the following: 'An Act Regulating the Transportation of Deer'. Further amend said bill by striking out the second paragraph and inserting in place thereof the following: 'provided, however, that any resident of this state may transport or carry or cause to be transported or carried beyond the limits of this state a deer legally killed by him within this state, provided that he purchases a license so to do from the state, the fee for which shall be \$10.15. Fifteen cents of this fee shall be retained by the clerk or other agent of the commissioner issuing such license. The commissioner is authorized to provide for such suitable tags as he may deem necessary to mark such deer. Any tag or other marker issued under the provisions of this section shall be in lieu of that provided for by section 68.'"

Mr. HANOLD of Cumberland: Mr. President and members of the Senate, I feel as though a few brief words of explanation regarding this amendment would be in order. At the time this bill came up for hearing two very serious objections arose, one of which was that clause in the bill which would permit a resident of the state who maintains another habitation without the state to transport deer out of the state. Another was in regard to the Lacey Act, so-called, a federal regulation prohibiting transportation of wild game and birds from within one state to another state where the law of that state does not permit it.

I will say that in my remarks I am not speaking as Chairman of the Inland Fisheries and Game Committee because we have not considered this except out of session. I will say that since this bill came up for hearing considerable work has been done to find a manner in which a resident could transport deer out of the state, which as you know, is now prohibited by law. Now, there are in the state

many hundreds of wealthy folks, we might say, who maintain a residence in the state, who for practical purposes are legal voters, but their normal habitation or place of residence for the winter months is out of the state, and they come and hunt and they want to take home some venison or a deer head, and under the present law this cannot be done. I have no objection to the bill at all and I think this will hold true for most of the members of the committee. I hope the amendment presented by the Senator from Kennebec, Senator Megill, will be adopted.

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

On motion by Mr. Worthen of Penobscot, the Senate voted to take from the table, House Report from the Committee on Inland Fisheries and Game "Ought to Pass in New Draft" on bill, "An Act Relating to Hunting of and Trapping of Foxes (H. P. 1240) (L. D. 739) tabled by that Senator on March 4th pending acceptance of the report; and on further motion by the same Senator, the report of the committee was accepted and the bill was given its first reading.

Thereupon, the same Senator presented Senate Amendment "A" and moved that the bill and amendment lie upon the table pending adoption and that 200 copies of the amendment be printed.

The motion to table and print prevailed.

On motion by Mr. Bishop of Sagadahoc, the Senate voted to reconsider its action taken earlier in today's session whereby Committee Amendment "A" to bill, "An Act Appropriating Money for the State Soil Conservation Law" (H. P. 125) (L. D. 105) was adopted in concurrence; and on further motion by the same Senator, the bill was laid upon the table pending adoption of Committee Amendment "A" in concurrence.

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