

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 18, 1943.

The Senate was called to order by the President.

Prayer by the Rev. Cymbrid Hughes of Augusta.

From the House

The Committee on Agriculture on Bill "An Act Requiring the Licensing of Creamery Companies," (H. P. 761) (L. D. 426) reported that leave be granted to withdraw the same.

The Committee on Banks and Banking on Bill "An Act Relating to Investment of Deposits in Mutual Savings Banks," (H. P. 1231) (L. D. 731) reported that leave be granted to withdraw the same.

The Committee on Education on "Resolve Granting a Pension Status to Payson Smith, of Orono," (H. P. 1198) reported that leave be granted to withdraw the same.

The Committee on Federal Relations on Bill "An Act Relating to Employing Units Under the Unemployment Compensation Law," (H. P. 1128) (L. D. 593) reported that leave be granted to withdraw the same.

The Committee on Judiciary on "Petition of a Committee for the Town of Cape Elizabeth Concerning the Constitutional Rights of said Town to Representation in the Maine House of Representatives," (H. P. 453) (L. D. 453) reported that legislation is inexpedient at this time.

The Committee on Welfare on Bill "An Act Relating to Appropriations for Private and Public Hospitals for Medical and Surgical Treatment," (H. P. 1196) (L. D. 669) reported that legislation is inexpedient at this time.

The Committee on Agriculture on Bill "An Act Regulating the Propagation and Keeping of Bees; the Suppression of Contagious Diseases Among Bees; Providing for the Registration and Regulation of Apiaries," (H. P. 621) (L. D. 374) reported that the same ought not to pass.

The Committee on Appropriations and Financial Affairs and Inland Fisheries and Game, jointly, on Bill "An Act Relating to Damage

by Deer to Crops and Orchards," (H. P. 1075) (L. D. 584) reported that the same ought not to pass.

The Committee on Banks and Banking on Bill "An Act Relating to Inactive Savings Accounts of Former Inmates of the State School for Boys," (H. P. 336) (L. D. 214) reported that the same ought not to pass.

The Committee on Judiciary on Bill "An Act Relating to Prostitution," (H. P. 1109) (L. D. 575) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to Maine Cash Sickness Compensation," (H. P. 1211) (L. D. 698) reported that the same ought not to pass.

The Committee on Legal Affairs on Bill "An Act to Regulate the Practice of Architecture and to Create a Board to Provide for the Examination and Registration of Architects," (H. P. 1179) (L. D. 657) reported that the same ought not to pass.

The Committee on Towns on Bill "An Act Relating to Appropriations by Towns for Salaries of Superintendents of Schools," (H. P. 1170) (L. D. 625) reported that the same ought not to pass.

Which reports were severally read and accepted in concurrence.

The Committee on Welfare on Bill "An Act Authorizing the Department of Health and Welfare to Regulate Public and Private Institutions" (H. P. 823) (L. D. 377) reported that the same ought not to pass.

Mr. BROWN of Aroostook: Mr. President, I move we substitute the bill for the report, and I yield to the Senator from Aroostook, Senator Good.

Mr. GOOD of Aroostook: Mr. President, this bill was carefully looked over in the committee and we felt that it ought not to pass, unanimously. Since that time we have talked with Mr. Page and he feels where the state contributes so much money to the institutions, they should have a right to go in and inspect institutions, if necessary. Therefore, he felt he would like to have the bill pass. Since then, in talking with members of the committee, I have found there

are no objections to the passage of the bill, and I therefore second the motion made by the Senator from Aroostook. Senator Brown.

On motion by Mr. Harvey of York, the bill and report were laid upon the table pending motion for the substitution of the bill for the report.

The Committee on Appropriations and Financial Affairs on "Resolve Appropriating Money for Control of Fruit or Blueberry Fly in Maine," (H. P. 929) (L. D. 482) reported that the same ought to pass.

The same Committee on Bill "An Act to Provide for the Issuance of Refunding Bonds of the State," (H. P. 1069) (L. D. 558) reported that the same ought to pass.

The Committee on Education on Bill "An Act Relating to Tuition in Secondary Schools," (H. P. 1096) (L. D. 566) reported the same in a new draft, (H. P. 1274) (L. D. 783) under the same title, and that it ought to pass.

The Committee on Legal Affairs on Bill "An Act Permitting Towns to Raise Money for Hospitals," (H. P. 1202) (L. D. 687) reported that the same ought to pass.

The same Committee on Bill "An Act to Amend the Act Providing a Pension for Members of the Police and Fire Departments of the City of Waterville," (H. P. 562) (L. D. 300) reported that the same ought to pass.

The same Committee on Bill "An Act to Establish a Board of Trustees of Public Cemeteries for the City of Waterville," (H. P. 561) (L. D. 299) reported that the same ought to pass.

The Committee on Library on "Resolve for the Purchase of One Hundred and Twenty-five Copies of 'Greater Portland's Community Survey,'" (H. P. 192) (L. D. 140) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Reports, Publications Etc. of Departments," (H. P. 162) (L. D. 104) reported that the same ought to pass.

The Committee on Maine Publicity on Bill "An Act Relating to the Maine Development Commission and the State Geologist," (H. P. 957) (L. D. 495) reported the same in a new draft (H. P. 1266) (L. D.

775) under the same title, and that it ought to pass.

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

The Committee on Military Affairs on Bill "An Act Relating to Employees in Military Service," (H. P. 340) (L. D. 206) reported the same in a new draft (H. P. 1269) (L. D. 780) under the same title, and that it ought to pass.

The Committee on Public Utilities on Bill "An Act to Incorporate the Kingman Water Power Company," (H. P. 260) (L. D. 167) reported the same in a new draft, (H. P. 1270) (L. D. 782) under the same title, and that it ought to pass.

The Committee on Sea and Shore Fisheries on "Resolve Relating to Dredging Quahaugs in Maquoit Bay," (H. P. 1188) (L. D. 665) reported the same in a new draft, (H. P. 1271) (L. D. 781) under the same title, and that it ought to pass.

The same Committee on Bill "An Act Relating to the Taking of Sea Moss from the Shores Bordering the Territorial Waters of the State," (H. P. 345) (L. D. 199) reported the same in a new draft, (H. P. 1264) (L. D. 773) under the same title, and that it ought to pass.

The Committee on State Lands and Forest Preservation on "Resolve Authorizing the Forest Commissioner to Convey Certain Interest of the State in Lands in Aroostook County to Joseph David of Edmunston, N. B.," (H. P. 346) (L. D. 219) reported that the same ought to pass.

The same Committee on "Resolve Authorizing the Commissioner of Institutional Service to Transfer Certain Land," (H. P. 1190) (L. D. 667) reported that the same ought to pass.

The Committee on Welfare on Bill "An Act Relating to Revolving Fund for the Payment of Taxes in Certain Cases by the Department of Health and Welfare," (H. P. 1171) (L. D. 626) reported that the same ought to pass.

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

Which reports were severally read and accepted in concurrence, the bills and resolves read once, and

tomorrow assigned for second reading.

The Committee on Appropriations and Financial Affairs on "Resolve Relating to Transfer of Money for Working Capital of the Liquor Commission," (H. P. 769) (L. D. 462) reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

The Committee on Judiciary on Bill "An Act Relating to the Powers of the Court in Juvenile Cases," (H. P. 946) (L. D. 540) reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

The Committee on Mercantile Affairs and Insurance on Bill "An Act Providing for Taxation of Annuity Premium Considerations," (H. P. 107) (L. D. 64) reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

The Committee on Military Affairs on Bill "An Act Revising the Military Laws," (H. P. 1245) (L. D. 746) 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 Judge of the Municipal Court of Portland," (H. P. 120) (L. D. 74) reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

The same Committee on Bill "An Act Relating to Clerk Hire in the Cumberland County Clerk of Courts Office," (H. P. 262) (L. D. 170) reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

The same Committee on Bill "An Act Relating to the Salary of the Recorder of the Sanford Municipal Court," (H. P. 976) (L. D. 547) reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

The same Committee on Bill "An Act Relating to the Salary of the Judge of the Sanford Municipal Court," (H. P. 977) (L. D. 548) reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

The Committee on State School for Boys, State School for Girls,

and State Reformatories, on "Resolve Providing for the Purchase of Land for the State School for Girls," (H. P. 471) (L. D. 266) reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

The Committee on State Lands and Forest Preservation on "Resolve Authorizing the Forest Commissioner to Convey Certain Interest of the State in Land in Somerset County to Marie E. Munster of Rockwood," (H. P. 1165) (L. D. 620) 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 and resolves read once; Committee Amendments "A" were severally read and adopted in concurrence, and the bills and resolves as amended were tomorrow assigned for second reading.

The Committee on State Lands and Forest Preservation on "Resolve Authorizing the Treasurer of State to Convey Certain Land to Fred J. Lovejoy, of West Bethel," (H. P. 1164) (L. D. 619) reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith, said Committee Amendment to provide in part for changing the title of bill to read as follows: "Resolve, Authorizing the Forest Commissioner to Convey Certain Land to Fred J. Lovejoy, of West Bethel."

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 tomorrow assigned for second reading.

Referred to Committee

The following remonstrances were received and on recommendation by the Committee on Reference of Bills were referred to the following committee:

Inland Fisheries and Game

Mr. Bragdon of Aroostook presented the following "Remonstrance of Otto L. Currier and 37 others against (H. P. 1240) (L. D. 739) Bill "An Act Relating to Hunting and Trapping of Foxes." (S. P. 452)

"Remonstrance of Ora E. Smart and 95 others of Aroostook County, against (H. P. 1240) (L. D. 739) Bill "An Act Relating to Hunting and Trapping of Foxes." (S. P. 453)

Sent down for concurrence.

Order

On motion by Mr. Clement of Androscoggin, it was

ORDERED, that five hundred copies be printed of (S. P. 448) Communication from the State Tax Assessor.

First Reading of Printed Bills

"Resolve Relating to Old Legislative Publications." (S. P. 322) (L. D. 787)

Bill "An Act Relating to Civil Actions for Death." (S. P. 446) (L. D. 788)

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

Senate Committee Reports

Mr. Worthen from the Committee on Manufactures submitted its Final Report.

Mr. Harvey from the Committee on Sea and Shore Fisheries submitted its Final Report.

Which reports were severally read and accepted.

Sent down for concurrence.

The PRESIDENT: The Chair takes note that these are the first final reports submitted and wishes to express his pleasure and extend his congratulations.

Mr. Harvey from the Committee on Judiciary on Bill "An Act Amending the Financial Responsibility Law," (S. P. 49) (L. D. 49) reported that the same ought not to pass.

Mr. McGlauffin from the same Committee on Bill "An Act Relating to Redemption of Mortgaged Real Estate from Foreclosure," (S. P. 336) (L. D. 510) reported that the same ought not to pass.

Mr. Dunbar from the Committee on Legal Affairs on Bill "An Act Relating to the Appointment of

Heads of all Police Departments," (S. P. 343) (L. D. 516) reported that the same ought not to pass.

Mr. Sanborn from the same Committee on Bill "An Act to Increase the Salary of the Police Patrolmen and Inspectors in the City of Lewiston," (S. P. 55) (L. D. 776) reported that Legislation thereon is inexpedient, as the same is covered by other legislation.

Which reports were severally read and accepted.

Sent down for concurrence.

Mr. Peters from the same Committee on Bill "An Act Relating to Sessions of Boards of Registration in Cities," (S. P. 163) (L. D. 178) reported that the same ought to pass.

On motion by Mr. Farris of Kennebec, tabled pending acceptance of the report.

Passed to Be Engrossed

Bill "An Act Re-naming Webber Pond, so-called." (H. P. 8) (L. D. 769)

"Resolve Designating Part of New Meadows River as New Meadows Lake." (H. P. 89) (L. D. 80)

Bill "An Act Relative to Fox Hunting in York County." (H. P. 316) (L. D. 224)

Bill "An Act Relating to Superintendent of Public Buildings." (H. P. 1262) (L. D. 770)

Bill "An Act Relating to Taking of Soft-shelled Clams or Quahaugs." (H. P. 1263) (L. D. 771)

"Resolve Relating to the Dipping of Alewives in Machias River." (H. P. 1265) (L. D. 772)

Bill "An Act Relating to Vital Statistics; Birth Certificates of Foundlings." (H. P. 183) (L. D. 137)

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

Bill "An Act Relating to the Governor's Expense Account." (S. P. 443) (L. D. 784)

"Resolve Relating to the Completion of the Eighth Revision of the General and Public Laws." (S. P. 444) (L. D. 785)

Bill "An Act Relating to the Penalty for Interfering with any Con-

trivance Used in the Lobster Industry." (S. P. 445) (L. D. 786)

Bill "An Act Permitting the Pembroke Trotting Association to Conduct Amateur Races on Sunday." (S. P. 241) (L. D. 361)

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 Relating to Proposed Standard Valuation Law. (S. P. 133) (L. D. 95)

An Act Relating to Proposed Standard Non-forfeiture Law. (S. P. 132) (L. D. 94)

An Act Relating to the Termination of Organization of Towns or Plantations. (S. P. 360) (L. D. 642)

An Act Relating to Trapping for Beaver. (S. P. 258) (L. D. 455)

An Act Relating to Expenses of County Commissioners. (S. P. 182) (L. D. 241)

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

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

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

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

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

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

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

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

An Act Relating to the Madison Water District. (H. P. 140) (L. D. 109)

An Act to Confer Additional Powers upon East Branch Improvement Company. (H. P. 560) (L. D. 286)

An Act Relating to Hunting Rabbits in Oxford County. (H. P. 1099) (L. D. 569)

"An Act Relating to Trial Terms of the Superior Court in Aroostook County. (H. P. 1107) (L. D. 573)

An Act Relating to Enforcing Orders for Payment of Alimony, Support Money and Counsel Fees in Divorce Actions. (H. P. 1108) (L. D. 574)

An Act Relating to Marriage Certificates. (H. P. 1120) (L. D. 585)

An Act Authorizing the Issuance of Free Fishing Licenses for Soldiers and Sailors. (H. P. 1256) (L. D. 758)

An Act Relating to Temporary Insurance Agency Licenses. (H. P. 1258) (L. D. 760)

An Act Relating to Charges for Examinations of Foreign Insurance Companies. (H. P. 1259) (L. D. 761)

An Act Relating to the Furnishing of Lists of Wild Lands for Taxation Purposes. (H. P. 102) (L. D. 85)

(On motion by Mr. Sterling of Somerset, tabled pending passage to be enacted.

An Act Relating to Apportionment to Towns for Teaching Positions. (H. P. 238) (L. D. 186)

An Act Relating to Aroostook County Law Library. (H. P. 786) (L. D. 415)

An Act to Authorize the Charging off of Uncollectible Accounts due Counties. (H. P. 1106) (L. D. 572)

An Act Relating to Adoption of Children. (H. P. 591) (L. D. 372)

An Act Relating to Jurisdiction of Violations of the Potato Tax Law. (H. P. 1248) (L. D. 750)

An Act Relating to Appeals from Magistrates. (H. P. 945) (L. D. 491)

An Act Relating to Parole of Inmates of Reformatory for Men. (H. P. 942) (L. D. 488)

An Act Relating to Military Accounts. (H. P. 807) (L. D. 464)

An Act Relating to Fees for Eating and Lodging Places. (H. P. 766) (L. D. 411)

An Act Relating to the Salary of the Recorder of the Houlton Municipal Court. (H. P. 329) (L. D. 200)

An Act Relating to the Organized Townships Fund. (H. P. 765) (L. D. 410)

An Act to Provide for Town Elections for the Town of Millinocket. (H. P. 104) (L. D. 63)

An Act Relating to Expenses of the State Racing Commission. (H. P. 764) (L. D. 409)

An Act Relative to Widows and Widowers Sharing in Estates. (H. P. 943) (L. D. 489)

An Act Relating to a Bond for Town Clerks. (H. P. 629) (L. D. 371)

An Act to Provide for the Appointment of a Board of Commissioners of Police for the City of Augusta. (H. P. 558) (L. D. 297)

An Act Relating to Hunting and Trapping Bobcats. (H. P. 87) (L. D. 79)

An Act Relating to Costs of Tax Deeds. (H. P. 955) (L. D. 535)

An Act Relating to the Determination of Profits and the Working Capital of the State Liquor Commission. (H. P. 767) (L. D. 461)

Finally Passed

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

Resolve Designating the Baxter State Park Road. (H. P. 326) (L. D. 207)

Resolve in Favor of Fort McClary. (H. P. 523) (L. D. 306)

Resolve in Favor of Knox Memorial Association, Inc., for Support and Maintenance of "Montpelier". (H. P. 770) (L. D. 413)

Resolve Relating to Ice Fishing in Dyer's Long Pond, in Jefferson. (H. P. 784) (L. D. 762)

Emergency Measure

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

Which bill being an emergency measure, and having received the affirmative vote of 28 members of the Senate and none opposed, was passed to be enacted.

Emergency Measure

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

Which bill being an emergency measure, and having received the affirmative vote of 29 members of the Senate and none opposed, was passed to be enacted.

Orders of the Day

The PRESIDENT: The Chair takes note at this time that the graduating class of Winthrop High School is with us, and extends to the class his greetings and welcome.

On motion by Mr. Friend of Somerset

Adjourned until tomorrow morning at ten o'clock.