

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-first Legislature

OF THE

STATE OF MAINE



1943

KENNEBEC JOURNAL COMPANY  
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## SENATE

Monday, March 22, 1943

The Senate was called to order by the President.

Prayer by the Reverend J. C. Rice of Hallowell.

Journal of Friday, March 19th, 1943, read and approved.

## From the House

Joint Order:

ORDERED, the Senate concurring, that Rule 8 of the Joint Rules be amended by striking out at the end thereof the following:

"and the Secretary of the Senate shall enter on the journal of the Senate the day on which such bills or resolutions are so presented to the Governor," and inserting in place thereof the following:

"and the Secretary of the Senate shall communicate to the Senate, the House and the Secretary of State the time which such bills or resolutions are so presented to the Governor, which time shall be entered upon the Journals of the Senate and House." (H. P. 1298)

In the House, read and passed.

In the Senate, on motion by Mr. Elliot of Knox, tabled pending passage in concurrence.

## House Committee Reports:

The Committee on Appropriations and Financial Affairs on "Resolve in Favor of Central Maine Sanatorium, at Fairfield," (H. P. 1074) (L. D. 563) reported that the same ought to pass.

In the House recommitted to the Committee on Appropriations and Financial Affairs.

In the Senate, recommitted to the Committee on Appropriations and Financial Affairs in concurrence.

The Committee on Education on Bill "An Act Permitting the Department of Education to Cooperate in Establishing University Extension and Correspondence Courses," (H. P. 536) (L. D. 308) reported that the same ought not to pass.

The Committee on Legal Affairs on Bill "An Act Relating to Tax Abatements," (H. P. 191) (L. D. 138) reported that the same ought not to pass.

The Committee on Mines and Mining on Bill "An Act Relating to Mining," (H. P. 257) (L. D. 166) reported that the same ought not to pass.

Which reports were severally read and accepted in concurrence.

The Committee on Agriculture on Bill "An Act Relating to the Protection of Bees," (H. P. 763) (L. D. 408) reported the same in a new draft (H. P. 1282) (L. D. 797) under the same title, and that it ought to pass.

The Committee on Appropriations and Financial Affairs on "Resolve Relating to Payment of Special Legislative Pensions from Appropriations for Same," (H. P. 768) (L. D. 412) reported the same in a new draft (H. P. 1283) (L. D. 798) under a new title, Bill "An Act Relating to Payment of Special Legislative Pensions from Appropriations for Same," and that it ought to pass.

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

The Committee on Banks and Banking on Bill "An Act Relating to the Bank Commissioner's Office," (H. P. 236) (L. D. 185) reported the same in a new draft, (H. P. 1284) (L. D. 799) under the same title and that it ought to pass.

The Committee on Judiciary on Bill "An Act to Clarify the Laws Relating to Paroles and Good Time Allowances to Convicts in State Prison," (H. P. 796) (L. D. 379) reported that the same ought to pass.

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

The Committee on Inland Fisheries and Game on Bill "An Act Relative to Hunting Foxes with Hounds in the County of Franklin," (H. P. 241) (L. D. 160) 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 Members of Teachers' Retirement System in Military Service," (H. P. 549) (L. D. 311) reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

The Committee on Legal Affairs on Bill "An Act Relating to Municipal Planning and Zoning," (H. P. 190) (L. D. 127) 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.

The Committee on Judiciary on Bill "An Act Further Amending the Financial Responsibility Law," (H. P. 1122) (L. D. 587) reported that the same ought to pass as amended by Committee Amendment A submitted herewith.

Which report was read and accepted in concurrence, and the bill was given its first reading.

Committee Amendment A was read.

Thereupon on motion by Mr. Boucher of Androscoggin, the bill was laid upon the table pending adoption of Committee Amendment A in concurrence.

The Committee on Legal Affairs on Bill "An Act to Provide a Town Manager Form of Government for the Town of Brunswick," (H. P. 187) (L. D. 129) reported that the same ought to pass.

In the House passed to be engrossed as amended by House Amendment "A".

In the Senate, the report was read and accepted in concurrence and the bill was given its first reading; House Amendment A was read and adopted in concurrence, and the bill as so amended was tomorrow assigned for second reading.

The Majority of the Committee on Legal Affairs on Bill "An Act Relating to Fees Allowed under the Tax Lien Law, so-called," (H. P. 1213) (L. D. 694) reported that the same ought not to pass.

(Signed)

Senators: Sanborn of Cumberland  
Dunbar of Washington  
Peters of Androscoggin

Representatives: Anderson of New Sweden  
Ward of Millinocket  
Bartlett of Portland  
Haskell of Portland  
Sichol of Lisbon Falls  
Payson of Portland

The Minority of the same Committee on the same subject matter, reported that the same ought to pass.

(Signed)

Representative: Donahue of Biddeford

In the House, the Majority Report was read and accepted.

In the Senate, the Majority Report was read and accepted in concurrence.

### Senate Committee Reports

Mr. Dorr from the Committee on Claims on "Resolve in Favor of Anton R. Jordan, or Osborn Plantation," (S. P. 73) reported that the same ought not to pass.

The same Senator from the same Committee on "Resolve in Favor of Hugh Comber, of West Forks Plantation," (S. P. 253) reported that the same ought not to pass.

The same Senator from the same Committee on "Resolve in Favor of Arthur L. Willette, of Skowhegan," (S. P. 40) reported that the same ought not to pass.

Mr. Dunbar from the Committee on Legal Affairs on Bill "An Act to Provide for Safety Against Fire," (S. P. 118) (L. D. 46) reported that legislation thereon is inexpedient.

Mr. Peters from the same Committee on Bill "An Act Forbidding the Use of Revolving Doors," (S. P. 422) (L. D. 718) 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 Medical Examiners," (S. P. 174) (L. D. 235) reported the same in a second new draft (S. P. 460) under the same title, and that it ought to pass.

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

**Passed to be Engrossed**

Bill "An Act Authorizing the Department of Health and Welfare to Regulate Public and Private Institutions." (H. P. 823) (L. D. 377)

Bill "An Act to Abolish the Old Age Assistance Commission." (H. P. 1272) (L. D. 778)

(On motion by Mr. Hanold of Cumberland tabled pending second reading.)

Bill "An Act Relating to Investment of Teachers' Retirement Fund." (H. P. 1275) (L. D. 795)

Bill "An Act Relating to Investment of Permanent Trust Funds." (H. P. 1276) (L. D. 789)

Bill "An Act Relating to the Teachers' Retirement Annuity Fund and Appropriation of Money Therefor." (H. P. 1277) (L. D. 790)

Bill "An Act Amending the Law Relating to Deposits of State Funds." (H. P. 1278) (L. D. 791)

Bill "An Act Relating to Terms of the Northern Arrostook Municipal Court at Fort Kent for the Trial of Actions of Forcible Entry and Detainer." (H. P. 1279) (L. D. 792)

Bill "An Act to Provide for the Surrender by Milton Plantation of Its Organization." (H. P. 1281) (L. D. 794)

Bill "An Act Relating to Regulation of Loans by Trust Companies." (H. P. 55) (L. D. 55)

Bill "An Act Relating to the Salary of the Recorder of the Portland Municipal Court." (H. P. 119) (L. D. 73)

Bill "An Act Relating to Mutual Fire Insurance Companies." (H. P. 1273) (L. D. 779)

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

Bill "An Act to Amend the Charter of the Town of Old Orchard." (S. P. 222) (L. D. 333)

Bill "An Act Relating to Salary of Clerk of Court in Office of Clerk of Courts of Franklin County." (S. P. 263) (L. D. 469)

Bill "An Act Relating to the Office of State Auditor." (S. P. 411) (L. D. 700)

Bill "An Act Relating to Savings Deposits in Trust Companies." (S. P. 451) (L. D. 800)

Bill "An Act Revising the State Library Laws." (S. P. 242) (L. D. 362)

Bill "An Act Relating to the Salary of the Sheriff of Hancock County." (S. P. 266) (L. D. 472)

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

Sent down for concurrence.

**Passed to be Enacted**

An Act Relating to Examination and Registration of Osteopathic Physicians. (S. P. 304) (L. D. 432)

**Orders of the Day**

On motion by Mr. Hanold of Cumberland the Senate voted to take from the table, Senate Report from the Committee on Inland Fisheries and Game "Ought to Pass in New Draft" on bill, "An Act to Simplify the Inland Fishing Laws" (New Draft S. P. 455) tabled by that Senator on March 19th 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 and tomorrow assigned for second reading.

On motion by Mr. Farris of Kennebec, the Senate voted to take from the table, bill "An Act Relating to Salary of County Treasurer and Clerk Hire for County of Kennebec" (S. P. 269) (L. D. 457) tabled by that Senator on March 17th pending adoption of House Amendment "A" in concurrence; and on further motion by the same Senator, House Amendment "A" was adopted in concurrence, and the bill as so amended was passed to be engrossed in concurrence.

On motion by Mr. Elliot of Knox, the Senate voted to reconsider its action of Friday, March 19th, whereby bill, "An Act Revising the Military Law" (H. P. 1245) (L. D. 746) was passed to be engrossed in concurrence. Thereupon, on further motion by the same Senator, the bill was laid upon the table pending passage to be engrossed in concurrence.

On motion by Mr. Harvey of York, the Senate voted to take from the table, House Report from the Committee on Mercantile Affairs and In-

surance, Majority Report "Ought Not to Pass", Minority Report "Ought to Pass" on bill, An Act Relating to Standard Form Insurance Policy (H. P. 959) (L. D. 496) tabled by that Senator on March 19th pending acceptance of either report; and on further motion by the same Senator the majority report "Ought Not to Pass" was accepted in concurrence.

On motion by Mr. Worthen of Penobscot, the Senate voted to take from the table, bill "An Act Relating to Hunting and Trapping of Foxes" (H. P. 1240) (L. D. 739) tabled by that Senator on March 16th pending adoption of Senate Amendment "A".

Mr. WORTHEN of Penobscot: Mr. President, I now move the indefinite postponement of Senate Amendment "A" and in explanation I wish to state that I wish to offer Senate Amendment "B". It does not change the meaning of the bill. There is an error in Senate Amendment "A". I wish to correct it by offering Senate Amendment "B".

The motion prevailed and Senate Amendment "A" was indefinitely postponed.

Thereupon, Mr. Worthen presented Senate Amendment "B" and moved its adoption:

"Senate Amendment 'B'. Amend said bill by striking out all of Section 1 thereof after the headnote thereof and substituting the following in place thereof 'for a period of two years from the effective date of this act it shall be lawful to dig out foxes at any time and to hunt foxes at any time except Sunday in organized territory in this state. It shall also be lawful for a period of two years from the effective date of this act to trap foxes or to cause to have foxes trapped at any time on one's own land within a distance of one hundred yards from a range or shelter where poultry is raised or kept.'"

Senate Amendment "B" was adopted, and the bill as amended

was tomorrow assigned for second reading.

On motion by Mr. Elliot of Knox, the Senate voted to take from the table bill "An Act Relating to Signature of State Treasurer" (S. P. 294) (L. D. 443) tabled by that Senator on March 4 pending passage to be engrossed; and that Senator presented Senate Amendment A and moved its adoption.

The Secretary read Senate Amendment A:

"Senate Amendment 'A' to S. P. 294, L. D. 443, Bill 'An Act Relating to the Signature of the Treasurer of State.'"

"Amend said Bill by adding at the end of the title thereof the following:

'and Endorsement of Bonds in the State Treasury.'

Further amend said Bill by adding before the headnote thereof the following: 'Sec. 1.'

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

'Sec. 2. R. S. c. 2, § 83, repealed. Section 83 of chapter 2 of the revised statutes is hereby repealed.'

Thereupon, on motion by Mr. Elliot of Knox, the bill and the amendment were laid upon the table pending adoption of Senate Amendment A.

On motion by Mr. Bishop of Sagadahoc, the Senate voted to reconsider its action taken earlier in today's session whereby the "Ought Not to Pass" report of the Committee on Legal Affairs on Bill, "An Act Forbidding the Use of Revolving Doors" (S. P. 422) (L. D. 718) was accepted; and on further motion by the same Senator the bill and the report were laid upon the table pending acceptance of the report.

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