

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Second Legislature

OF THE

STATE OF MAINE

1945

DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

SENATE

February 1, 1945.

The Senate was called to order by the President.

Prayer by the Reverend Walter Wood of Hallowell.

Journal of yesterday read and approved.

ORDER

(Out of Order)

Out of order and under suspension of the rules, on motion by Mr. Brown of Aroostook, it was

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet Tuesday, February 6th, 1945, at eleven o'clock in the forenoon. (S. P. 174)

Sent down for concurrence.

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

Papers from the House referred in concurrence.

From the House:

"Resolve in Favor of the University of Maine" (H. P. 409) (L. D. 133)

In the House, referred to the Committees on Appropriations and Financial Affairs, and University of Maine, jointly.

In the Senate, on motion by Mr. Brown of Aroostook, the Resolve was referred to the Committee on Appropriations and Financial Affairs in non-concurrence.

Sent down for concurrence.

The following bills and resolves were received and on recommendation by the Committee on Reference of Bills were referred to the following committees:

Agriculture

Mr. Denny of Lincoln presented Bill "An Act Relating to Prevention of Bang's Disease by the Department of Agriculture." (S. P. 125)

Sent down for concurrence.

Appropriation and Financial Affairs

The same Senator presented "Resolve to Provide Funds for Eradication of Bang's Disease, Tuberculosis, and Other Infectious and Contagious Diseases of Livestock." (S. P. 126)

(Ordered printed.)

Sent down for concurrence.

Claims

Mr. Boucher of Androscoggin presented "Resolve in Favor of Hospice Marcotte, of Lewiston." (S. P. 127)

The same Senator presented "Resolve in Favor of William Bolduc, of Lewiston." (S. P. 128)

Mr. Willey of Hancock presented "Resolve in Favor of James R. Hale of Castine." (S. P. 129)

Mr. Morrill of Cumberland presented "Resolve Relating to Reimbursement to James Y. Kinmond of Westbrook." (S. P. 130)

Mr. McKusick of Piscataquis presented "Resolve in Favor of Melbourne Wilson, of Guilford." (S. P. 131)

Mr. Spear of Cumberland presented, by request, "Resolve in Favor of J. R. Collins, South Portland, Maine." (S. P. 132)

Mr. Noyes of Hancock presented "Resolve to Reimburse the Town of Westbrook for Suppression of a Forest Fire." (S. P. 133)

(Severally ordered printed.)

Sent down for concurrence.

Education

Mr. Leavitt of Cumberland presented Bill "An Act Providing Authority to the Board of Trustees of the Maine Maritime Academy to Confer the Degree of Bachelor of Science." (S. P. 134)

(Ordered printed.)

Sent down for concurrence.

Indian Affairs

Mr. Bishop of Sagadahoc presented "Resolve Creating an Interim Committee to Study the Tribal Rights and Needs of the Indians." (S. P. 135)

(Ordered printed.)

Sent down for concurrence.

Inland Fisheries and Game

Mr. Welch of Aroostook presented Bill "An Act Relative to Open Season on Woodcock." (S. P. 136)

(Ordered printed.)

Sent down for concurrence.

Judiciary

Mr. Boucher of Androscoggin presented "Resolve Proposing an Amendment to the Constitution to Provide for Lowering the Voting Age." (S. P. 137)

Mr. Batchelder of York presented Bill "An Act Relating to Recording of Certificates of Incorporation." (S. P. 138)

Mr. Leavitt of Cumberland presented Bill "An Act Relating to Transfer of Inmates from the Re-

formatory for Men to the State Prison and the State School for Boys." (S. P. 139)

Mr. Morrill of Cumberland presented Bill "An Act to Incorporate the 'General Mortgage Company.'" (S. P. 140)

Mr. Boucher of Androscoggin presented Bill "An Act Relating to Appointment of Police Commission for City of Lewiston." (S. P. 141)

(Severally ordered printed.)

Sent down for concurrence.

Legal Affairs

The same Senator presented Bill "An Act Relating to the Police Commission for the City of Lewiston." (S. P. 142)

Mr. Denny of Lincoln presented Bill "An Act to Amend the Charter of Lincoln Academy." (S. P. 143)

Mr. Boucher of Androscoggin presented Bill "An Act Relating to Repeal of Ordinances in City of Lewiston." (S. P. 144)

The same Senator presented Bill "An Act Relating to Licenses for Lodging Houses in City of Lewiston." (S. P. 145)

Mr. Washburn of Washington presented Bill "An Act Amending 'An Act to Create the Port of Portland Authority', and to change the name to 'Maine Port Authority.'" (S. P. 146)

(Severally ordered printed.)

Sent down for concurrence.

Military Affairs

..Mr. Batchelder of York presented Bill "An Act Relating to Local Rehabilitation of Veterans." (S. P. 147)

(Ordered printed.)

Sent down for concurrence.

Pensions

Mr. Boucher of Androscoggin presented "Resolve Granting a State Pension to Maud Lowell Tufts, of Lewiston." (S. P. 148)

Mr. McKusick of Piscataquis presented "Resolve Granting a State Pension to Dana E. Smith of Guilford." (S. P. 149)

Mr. Welch of Aroostook presented "Resolve Providing for an Increase in State Pension for Everett Pelkey, of Mapleton." (S. P. 150)

The same Senator presented "Resolve Providing for an Increase in State Pension for Mildred Kennedy, of Easton." (S. P. 151)

Mr. Noyes of Hancock presented "Resolve in Favor of Albert Leslie Shorey, of Surry." (S. P. 152)

(Severally ordered printed.)

Sent down for concurrence.

Salaries and Fees

Mr. Batchelder of York presented Bill "An Act Relating to the Salary of the Recorder of the Municipal Court of the City of Biddeford." (S. P. 155)

Mr. Smith of Knox presented Bill "An Act Relating to the Salary of the County Attorney of Knox." (S. P. 156)

Mr. Noyes of Hancock presented Bill "An Act Relating to the Salary of the Recorder of the Ellsworth Municipal Court." (S. P. 157)

Mr. McKusick of Piscataquis presented Bill "An Act Relating to the Salaries of Clerks in the Offices of Register of Deeds, Register of Probate and Clerk of Courts in Piscataquis County." (S. P. 158)

Mr. Savage of Somerset presented Bill "An Act Relating to the Salary of Judge of Probate of Somerset County." (S. P. 159)

(On motion by Mr. Savage of Somerset, tabled pending reference.)

Mr. Dunbar of Washington presented Bill "An Act Clarifying the Law Relating to Official Fees of Registers of Probate." (S. P. 160)

Mr. Sterling of Somerset presented Bill "An Act Relating to Expense Accounts of Deputy Fire Wardens and Reports of Chief Fire Wardens." (S. P. 161)

Mr. Noyes of Hancock presented Bill "An Act Relating to the Salary of the Clerk of Courts of Hancock County." (S. P. 162)

Mr. Gould of Androscoggin presented Bill "An Act Relating to Salary of the Judge of the Lewiston Municipal Court." (S. P. 163)

Mr. Bishop of Sagadahoc presented Bill "An Act Relating to the Salary of the Governor." (S. P. 164)

Mr. McKusick of Piscataquis presented Bill "An Act Relating to the Salary of the Register of Probate of Piscataquis County." (S. P. 165)

The same Senator presented Bill "An Act Relating to the Salary of the Recorder of the Piscataquis Municipal Court." (S. P. 166)

Mr. Smith of Knox presented Bill "An Act Increasing the Salary of the Judge of the Rockland Municipal Court." (S. P. 167)

(Severally ordered printed.)

Sent down for concurrence.

Taxation

Mr. Good of Aroostook presented Bill "An Act Relating to Cigarette Tax Licenses." (S. P. 153)

(Ordered printed.)

Sent down for concurrence.

Towns

Mr. Dunbar of Washington presented Bill "An Act to Provide for the Surrender by Town of Trescott of Its Organization." (S. P. 154)

(Ordered printed.)

Sent down for concurrence.

Judiciary

Mr. Spear of Cumberland presented "Resolve Proposing an Amendment to the Constitution Providing for Permanent Sites and Locations of Public Wharves and Port Facilities." (S. P. 168)

Which was referred to the Committee on Judiciary.

(1500 copies ordered printed.)

Sent down for concurrence.

Ways and Bridges

Mr. McKusick of Piscataquis presented "Resolve in Favor of the Town of Parkman." (S. P. 169)

Mr. Dunbar of Washington presented "Resolve to Aid in Construction of a Bridge in Township 31, ND, Washington County." (S. P. 170)

Mr. McKusick of Piscataquis presented "Resolve in Favor of the Town of Wellington." (S. P. 171)

The same Senator presented "Resolve in Favor of the Town of Abbott." (S. P. 172)

Mr. Smith of Knox presented "Resolve in Favor of the Town of Warren." (S. P. 173)

(Ordered printed.)

Sent down for concurrence.

Order

Mr. Currier of Androscoggin presented the following order and moved its passage:

ORDERED, the House concurring, that a Joint Committee be appointed immediately to investigate thoroughly and completely the fire at LaCoste Babies Home, 195 South Main Street, Auburn, occurring about 5:30 A. M. January 31, 1945, in which sixteen small children and one adult were reported to have perished.

Said Committee to supersede all other investigating committees, and to be empowered to subpoena witnesses and pursue any line of investigation it might deem advisable to determine responsibility, if any, of this fire, and make complete report of all findings to the Legislature and to the Attorney General for any criminal prosecution that said Attorney General's department might see fit; and be it further

ORDERED, that this committee be empowered to investigate all

children's homes throughout the State, to suspend licenses of so-called homes when conditions justify such suspension, and to recommend detailed specifications regarding buildings, and operation of said children's homes for legislative action. All necessary expenses of this committee to be paid from the general funds of the State.

On motion by Mr. Brown of Aroostook, the Order was laid upon the table pending passage.

Committee Report

Mr. DUNBAR from the Committee on Judiciary on Bill "An Act Authorizing the Withholding of the Federal Income Tax." (S. P. 31) reported that the same ought to pass as amended by Committee Amendment "A."

Which report was read and accepted and the Secretary read Committee Amendment A as follows:

"Committee Amendment A to S. P. 31, bill An Act Authorizing the Withholding of the Federal Income Tax.

Amend said bill by inserting after the title and before the enacting clause thereof the following:

'Emergency preamble.

Whereas, in order to cooperate with the federal government in the collection of income taxes it is necessary to provide for the withholding of a certain per cent of the salaries and wages of all state, county and municipal officials and employees; and

Whereas, any delay in setting up the mechanics for withholding said income taxes would work a hardship on said state, county and municipal officials and employees, and the state; 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.'

Committee Amendment A was adopted, and the bill as so amended was laid upon the table for printing under the joint rules.

Orders of the Day

Mr. SPEAR of Cumberland: Mr. President, may I inquire if Senate Paper No. 116 is in the possession of the Senate?

The PRESIDENT: The Chair will state that Senate Paper No. 116, Resolve to Amend Article 9 of the Constitution of Maine, is in the possession of the Senate.

Mr. SPEAR: Mr. President, I ask leave to withdraw this Resolve as the subject matter is included in Senate Paper No. 168 introduced by me today.

Leave to withdraw was granted.

On motion by Mr. Spear of Cumberland, the Senate voted to take from the table, Resolve opening "No Name Pond" in Lewiston, to Ice Fishing (H. P. 196, L. D. 65) tabled by that Senator on January 25th pending reference; and on further motion by the same Senator, the resolve was referred to the Committee on Inland Fisheries and Game in concurrence.

On motion by Mr. Morrill of Cumberland,

Adjourned until next Tuesday, February 6, at eleven o'clock.