

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

Wednesday, February 14, 1945.

The Senate was called to order by the President.

Prayer by the Reverend Gordon Washburn of Hallowell.

Journal of yesterday read and approved.

Papers from the House referred in concurrence.

From the House:

Bill "An Act to Increase Teachers' Pensions." (H. P. 811) (L. D. 504)

In the House, referred to the Committee on Judiciary.

In the Senate, on motion by Mr. Bishop of Sagadahoc, tabled pending reference in concurrence.

From the House:

Bill "An Act Relating to Fees of Town Clerks for Fishing and Hunting Licenses." (H. P. 988) (L. D. 588)

In the House, referred to the Committee on Salaries and Fees.

In the Senate, on motion by Mr. Spear of Cumberland, tabled pending reference in concurrence.

From the House:

Bill "An Act Relating to the Salary of the Commissioner of Inland Fisheries and Game." (H. P. 1003) (L. D. 551)

In the House, referred to the Committee on Salaries and Fees.

In the Senate, on motion by Mr. Spear of Cumberland, tabled pending reference in concurrence.

From the House:

Bill "An Act to Abolish Taxation of Intangibles." (H. P. 1009) (L. D. 530)

In the House, referred to the Committee on Taxation.

In the Senate, on motion by Mr. Leavitt of Cumberland, tabled pending reference in concurrence.

From the House:

Certification of Albert Dana, Passamaquoddy Tribe of Indians, as Representative to the Legislature (H. P. 1168)

In the House, read and ordered placed on file.

In the Senate, read and ordered placed on file in concurrence.

House Committee Reports

The Committee on Legal Affairs on Bill "An Act Relating to the Capitol Island Village Corporation," (H. P. 212) (L. D. 83) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to the Port of Calais Authority," (H. P. 333) (L. D. 147) reported that the same ought to pass.

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

Referred to Committees

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. Good of Aroostook presented Bill "An Act to Establish a Seed Potato Board and Define its Powers and Duties." (S. P. 300)

(Ordered printed.)

Sent down for concurrence.

Appropriations and Financial Affairs

Mr. Howes of Penobscot presented Bill "An Act Relating to State Aid for Agricultural Societies." (S. P. 301)

(Ordered printed.)

Sent down for concurrence.

Banks and Banking

Mr. Dow of Oxford presented Bill "An Act Relating to Registration or Renewal of Registration of Dealers in Securities." (S. P. 302)

(Ordered printed.)

Sent down for concurrence.

Claims

Mr. Washburn of Washington presented "Resolve in Favor of Mrs. Doris G. Cummings, of Perry." (S. P. 303)

Mr. Townsend of Penobscot presented "Resolve in Favor of Mrs. Olive Clark of Bangor." (S. P. 304)

The same Senator presented "Resolve in Favor of Thompson Guernsey, of Dover-Foxcroft." (S. P. 305)

Mr. Brown of Aroostook presented "Resolve in Favor of Velma Norton, of Caribou." (S. P. 306)

Mr. Good of Aroostook presented "Resolve in Favor of Mrs. Etta White of Houlton." (S. P. 307)

(Severally ordered printed.)

Sent down for concurrence.

Education

Mr. Good of Aroostook presented Bill "An Act to Encourage the Improvement of School Facilities." (S. P. 308)

Mr. Spear of Cumberland presented "Resolve in Favor of Bridgton Academy." (S. P. 309)

Mr. Leavitt of Cumberland presented Bill "An Act Creating the Maine Physical Rehabilitation School for Unemployed Citizens." (S. P. 310)

(Severally ordered printed.)

Sent down for concurrence.

Indian Affairs

Mr. Boucher of Androscoggin presented Bill "An Act Relating to Police Officers for the Penobscot Tribe of Indians." (S. P. 311)

(Ordered printed.)

Sent down for concurrence.

Inland Fisheries and Game

Mr. Dow of Oxford presented "Resolve Relating to Ice Fishing in Kezar Lake." (S. P. 312)

Mr. Noyes of Hancock presented "Resolve Relating to Fishing in Goose Pond in Hancock County." (S. P. 313)

(Ordered printed.)

Sent down for concurrence.

Judiciary

Mr. Batchelder of York presented Bill "An Act Relating to Powers of Attorney and Other Instruments by Persons in the Armed Forces." (S. P. 314)

Mr. Currier of Androscoggin presented "Resolve to Create a Special Joint Committee of Inquiry to Investigate Baby Homes, Nursing Homes, Old Age Homes and Boarding Homes of Children, Invalids and Aged." (S. P. 315)

The same Senator presented Bill "An Act Permitting Certain Prisoners to Apply for Reconsideration of Their Cases." (S. P. 316)

Mr. Noyes of Hancock presented Bill "An Act to Aid Towns in Controlling Forest Fires." (S. P. 317)

Mr. Bishop of Sagadahoc presented Bill "An Act Relating to the Determination of Mentally Defective Children." (S. P. 318)

Mr. Dow of Oxford presented "Resolve Proposing a Constitutional Amendment to Increase the Tenure of Sheriffs to Four Years." (S. P. 319)

(Severally ordered printed.)

Sent down for concurrence.

Labor

Mr. Townsend of Penobscot presented Bill "An Act Establishing Minimum Wages of Labor on Public Works Projects Supported by State Funds." (S. P. 320)

(Ordered printed.)

Sent down for concurrence.

Legal Affairs

Mr. Welch of Aroostook presented Bill "An Act Relating to Powers of County Commissioners." (S. P. 321)

Mr. Savage of Somerset presented Bill "An Act Relating to Auctioneers." (S. P. 322)

Mr. Leavitt of Cumberland presented Bill "An Act Creating the Greater Portland Public Development Commission." (S. P. 323)

Mr. Howes of Penobscot presented Bill "An Act Relating to Pari-Mutuel Pools." (S. P. 324)

(Severally ordered printed.)

Sent down for concurrence.

Motor Vehicles

Mr. McKusick of Piscataquis presented Bill "An Act Permitting Members of the Armed Forces to Receive Operators' Licenses Without Payment of Fee." (S. P. 325)

The same Senator presented Bill "An Act Relating to Applications for Operators' Licenses by Members of the Armed Forces." (S. P. 326)

Mr. Welch of Aroostook presented, by request, Bill "An Act Relating to Weight and Width of Buses on Highways." (S. P. 327)

Mr. Sterling of Somerset presented Bill "An Act Relating to Examinations for Operators' Licenses." (S. P. 328)

Mr. Cross of Kennebec presented Bill "An Act Relating to Operating Motor Vehicles at Grade Crossings." (S. P. 329)

Mr. Down of Oxford presented Bill "An Act Relating to the Excise Tax on Motor Vehicles." (S. P. 330)

(Severally ordered printed.)

Sent down for concurrence.

Pensions

Mr. Willey of Hancock presented Bill "An Act Relating to Old Age Assistance." (S. P. 331)

Mr. Good of Aroostook presented "Resolve Providing for a State Pension for Mellon Hanagin, of Houlton." (S. P. 332)

(Severally ordered printed.)

Sent down for concurrence.

Post War Planning

Mr. Cleaves of Cumberland presented Bill "An Act Establishing a Forest Products and Industrial Research Laboratory." (S. P. 333)

Mr. Howes of Penobscot presented Bill "An Act to Construct a Toll Bridge Between Old Town and Indian Island." (S. P. 334)

(Severally ordered printed.)

Sent down for concurrence.

State Lands and Forest Preservation

Mr. Good of Aroostook presented Bill "An Act Relating to the School or Reserved Lands of the State." (S. P. 335)

(Ordered printed.)

Sent down for concurrence.

State School for Boys, State School for Girls, and State Reformatories

Mr. Smith of Knox presented "Resolve Relating to a Central Heating Plant at State School for Girls, in Hallowell." (S. P. 336)

Mr. Morrill of Cumberland presented, by request, Bill "An Act Relating to the State School for Girls." (S. P. 337)

(Severally ordered printed.)

Sent down for concurrence.

Taxation

Mr. Welch of Aroostook presented Bill "An Act Relating to the Assessment of Taxes." (S. P. 338)

(Ordered printed)

Sent down for concurrence.

Temperance

Mr. Currier of Androscoggin presented Bill "An Act Relating to Sale of Liquor in Glasses." (S. P. 339)

(Ordered printed.)

Sent down for concurrence.

Ways and Bridges

Mr. McKusick of Piscataquis presented Bill "An Act Relating to Removal of Notices on Roads Closed for Repairs." (S. P. 340)

(Ordered printed.)

Sent down for concurrence.

Senate Committee Report

Mr. Leavitt from the Committee on Legal Affairs on Bill "An Act Relating to Repeal of Ordinances in City of Lewiston." (S. P. 144) (L. D. 350) reported that the same ought to pass.

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

Passed to be Engrossed

Bill "An Act Transferring the Rights, Duties and Obligations of the Livermore Falls Sewer District to the Inhabitants of Livermore Falls Sewer District as a Separate Municipal Corporation." (H. P. 209) (L. D. 95)

Bill "An Act to Ratify and Make Valid the Incorporation of the Harry G. Decker Post No. 51, The American Legion." (H. P. 210) (L. D. 91)

Bill "An Act to Amend 'An Act to Incorporate Madison Village Corporation'" (H. P. 337) (L. D. 150)

Bill "An Act to Consolidate Penobscot Lodge No. 7, I. O. O. F. and Oriental Lodge No. 60, I. O. O. F. as a New Corporate Entity Under the Name Penobscot-Oriental Lodge No. 7, I. O. O. F." (H. P. 338) (L. D. 151)

Bill "An Act Relating to Assessment of Taxes in Plantations" (H. P. 340) (L. D. 118)

Bill "An Act Relating to Accounting Systems in Towns." (H. P. 745) (L. D. 386)

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

Orders of the Day

On motion by Mr. Brown of Aroostook, the Senate voted to take from the table Joint Order Relative to Register of Bills (H. P. 1030) tabled by that Senator on February 13 pending passage in concurrence.

Mr. BROWN of Aroostook: Mr. President, at the time I tabled this Order there was considerable doubt in my mind as to the value and the cost of having these printed. I understand that the indexing of bills, after all the bills are in, costs about \$400. I have had considerable expression of opinion that it is of great value to many of the members of the legislature and that they want it, and I therefore move the passage of this Order in concurrence.

Thereupon, the Order received passage in concurrence.

On motion by Mr. Noyes of Hancock, the Senate voted to reconsider its former action, taken earlier in today's session whereby bill, An Act to Aid Towns in Controlling Forest Fires (S. P. 317) was referred to the Committee on Judiciary; and on further motion by the same Senator, the bill was laid upon the table pending reference.

On motion by Mr. Brown of Arcostok, the Senate voted to take from the table Majority Report "Ought to pass as Amended by Committee Amendment A." Minority Report "Ought Not to Pass," from the Committee on Legal Affairs on bill, An Act Creating a Division of Community Recreation Under the State Park Commission (S. P. 50) (L. D. 13), tabled by that Senator on February 13 pending motion of the Senator from Cumberland, Senator Cleaves, that the Majority Report be accepted.

Mr. BROWN of Aroostook: Mr. President, I wish to say that in tabling this matter yesterday, I had not had time to look into it and the Senator from Cumberland (Senator Cleaves) by his glowing description of it and the far reaching powers of this bill led me to think it was something worth looking into.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Cumberland, Senator Cleaves, that the Majority Report "Ought to Pass as Amended by Committee Amendment A" be accepted. Is this the pleasure of the Senate?

Thereupon, the Majority Report was accepted and the bill was given its first reading.

The Secretary read Committee Amendment A:

"Committee Amendment A to S. P. 50, L. D. 13, Bill An Act Creating a Division of Community Recreation Under the State Park Commission. Amend said bill by inserting in the 4th line of that part designated 'Sec. 23-D' thereof, after the underlined word 'on', the underlined word 'community'.

"Further amend said bill by inserting in the 2nd line of subsection I of that part designated 'Sec. 23-F' of said bill, after the underlined word 'public', the underlined word 'community'.

"Further amend said bill by inserting in the 1st line of subsection II of that part designated 'Sec. 23-F' of said bill, after the underlined word 'on' the underlined word 'community'.

"Further amend said bill by inserting in the 1st line of subsection V of that part designated 'Sec. 23-F' of said bill, after the underlined word 'developing', the underlined word 'community'; and by adding,

before the semicolon at the end of said subsection V, the underlined words: 'in organized townships'.

"Further amend said bill by striking out all of that part of said bill designated 'Sec. 23-G', and substituting in place thereof the following 2 sections:

'Sec. 23-G. Limitation. Nothing in sections 23-A to 23-F, inclusive, shall be construed to interfere in any way with existing or future law pertaining to state parks now under the jurisdiction of the state park commission, anything in this act to the contrary notwithstanding.'

'Sec. 23-H. Appropriation. There is hereby appropriated the sum of \$15,000 from the general fund to carry out the purposes of sections 23-A to 23-F, inclusive.'

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

On motion by Mr. Bishop of Sagadahoc, the Senate voted to take from the table bill An Act Relating to Teachers' Pensions (S. P. 287) tabled by that Senator on February 13 pending reference.

Mr. BISHOP of Sagadahoc: Mr. President, inasmuch as this is purely an educational matter, financed by the Department of Education and heretofore these bills have always gone to the Committee on Education, I now move that this bill be referred to the Committee on Education.

The motion to refer prevailed and the bill was ordered printed.

Sent down for concurrence.

On motion by Mr. Bishop of Sagadahoc, the Senate voted to take from the table bill, An Act to Increase Teachers' Pensions (H. P. 811) (L. D. 504) tabled by that Senator earlier in today's session pending reference to the Committee on Judiciary in concurrence; and on further motion by the same Senator the bill was referred to the Committee on Education in non-concurrence.

Sent down for concurrence.

On motion by Mr. Morrill of Cumberland

Adjourned until tomorrow morning at ten o'clock.