

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

Thursday, March 29, 1945.

The Senate was called to order by the President.

Prayer by the Rev. David Hickland of Oakland.

Journal of yesterday read and approved.

From the House:

Third Biennial Report of the Maine-New Hampshire Interstate Bridge Authority. (H. P. 1377)

Which was received and ordered placed on file in concurrence.

Bill "An Act Relating to the Salary of the County Attorney of Knox." (S. P. 156) (L. D. 330)

(In the Senate on March 23rd passed to be engrossed.)

Comes from the House, passed to be engrossed as amended by House Amendment "A" in non-concurrence.

In the Senate:

On motion by Mr. Smith of Knox the Senate voted to recede and concur with the House in the adoption of House Amendment A and the passage of the bill to be engrossed as so amended.

The Committee on Inland Fisheries and Game on "Resolve Opening Squa Pan Lake in Castle Hill, Masardis, and Township 11, Range 4, to Ice Fishing." (H. P. 513) (L. D. 203) reported that the same ought not to pass.

Comes from the House, recommended to the Committee on Inland Fisheries and Game.

In the Senate, on motion by Mr. Sayward of York, the report and accompanying papers were recommended to the Committee on Inland Fisheries and Game in concurrence.

The Committee on Inland Fisheries and Game on Bill "An Act Regulating the Use of Automatic Firearms." (H. P. 687) (L. D. 305) reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

Comes from the House, the report read and adopted, the bill as amended read twice, and recommended to the Committee on Inland Fisheries and Game.

In the Senate, on motion by Mr. Sayward of York, the report and committed to the Committee on Inland Fisheries and Game in concurrence.

The Majority of the Committee on Temperance on Bill "An Act Relating to Business Hours for State Liquor Stores," (H. P. 1015) (L. D. 534) reported that the same ought not to pass.

(Signed)

Senators:

TOWNSEND of Penobscot
BOUCHER of Androscoggin

Representatives:

COOMBS of Belfast
WARD of Millinocket
JALBERT of Lewiston
SMART of Ellsworth

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

(Signed)

Senator:

GOOD of Aroostook

Representatives:

ELLINGWOOD of Rockland
BLAKE of Brownfield
COLE of Casco

Comes from the House, recommended to the Committee on Temperance.

In the Senate:

Mr. GOOD of Aroostook: Mr. President, I move that we adopt the minority report "Ought to Pass" and by way of explanation I would like to say that to save time rather than to have this recommended we discussed it yesterday and there is an amendment which is harmonious to the Committee, which would be acceptable to all the temperance committee and it might save time to adopt the amendment rather than to recommit.

Thereupon the minority report of the Committee, "Ought to Pass," was adopted in non concurrence and the bill was given its first reading and tomorrow assigned for second reading.

The Committee on Inland Fisheries and Game on "Resolve Regulating Fishing in East Grand Lake," (H. P. 146) (L. D. 48) reported that the same ought not to pass as subject matter is covered in general law.

Comes from the House, recommended to the Committee on Inland Fisheries and Game.

In the Senate:

Mr. SAYWARD of York: Mr. President, I move that the report of the Committee, "Ought Not to Pass," be adopted for the simple reason that this matter has had a thorough hearing, the Committee has given it every consideration and we believe that the report of the Committee is right.

Thereupon the report of the Committee, "Ought Not to Pass," was adopted in non-concurrence.

Sent down for concurrence.

Senate Report from the Committee on Judiciary; Majority Report "Ought to Pass"; Minority Report "Ought Not to Pass" on Bill "An Act Relating to Transfer of Inmates from the Reformatory for Men to the State Prison and the State School for Boys," (S. P. 139) (L. D. 344)

(In the Senate, on March 22nd, Majority Report adopted, and the bill passed to be engrossed.)

Comes from the House, the Minority Report "Ought Not to Pass" adopted, in non-concurrence.

In the Senate, on motion by Mr. Leavitt of Cumberland the Senate voted to adhere.

Sent to the House.

The Committee on Claims on "Resolve in Favor of Mrs. Della M. Philbrook of West Enfield," (H. P. 491) (L. D. 242) reported that the same ought not to pass.

The same Committee on "Resolve to Reimburse the Town of Brownville," (H. P. 932) reported that the same ought not to pass.

The Committee on Pensions on "Resolve Providing for a State Pension for Stanley Bolstridge, of Portage Lake," (H. P. 533) reported that the same ought not to pass.

The same Committee on "Resolve Providing for a State Pension for Martha B. Benner, of Waldoboro," (H. P. 438) reported that the same ought not to pass.

The same Committee on "Resolve in Favor of the Town of Danforth," (H. P. 532) (L. D. 213) reported that the same ought not to pass.

The same Committee on "Resolve Providing for a State Pension for

Nancy E. Boyce of Lakeville Plantation," (H. P. 537) reported that leave be granted to withdraw the same.

The Committee on Ways and Bridges on Bill "An Act Providing for Limited Access Facility to State Highways, Parkways and Freeways," (H. P. 867) (L. D. 510) reported that the same ought not to pass; legislation inexpedient.

The same Committee on Bill "An Act Relating to Maintenance of Unimproved Roads," (H. P. 249) (L. D. 99) reported that the same ought not to pass.

Which reports were severally read and adopted in concurrence.

The Committee on Salaries and Fees on Bill "An Act Relating to Salaries of Clerks in County Offices in Penobscot County," (H. P. 1150) (L. D. 729) reported that the same ought to pass.

Which report was read and adopted in concurrence, the bill read once and tomorrow assigned for second reading.

The Committee on Inland Fisheries and Game on "Resolve for Repairing Fish Screen at Outlet of Messalonskee Lake," (H. P. 419) (L. D. 188) reported the same in a new draft, (H. P. 1366) (L. D. 1026) under the same title, and that it ought to pass.

Which report was read and adopted in concurrence, the bill in new draft read once, and tomorrow assigned for second reading.

The Committee on Salaries and Fees on Bill "An Act Relating to Salary of County Attorney and Clerk Hire in Office of County Attorney in Penobscot County," (H. P. 855) (L. D. 456) reported that the same ought to pass as amended by Committee Amendment "A".

Which report was read and adopted in concurrence, the bill read once; Committee Amendment "A" was read and adopted in concurrence, and the bill as amended tomorrow assigned for second reading.

The Majority of the Committee on Legal Affairs on Bill "An Act Relating to Taxation of Real Estate

on Leased Land," (H. P. 96) (L. D. 41) reported that the same ought not to pass.

(signed)

Senators:

BATCHELDER of York
LEAVITT of Cumberland
GOULD of Androscoggin

Representatives:

WELCH of Mars Hill
RANKIN of Bridgton
WEEKS of Waterville
WARREN of Westbrook
SNOW of Auburn

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

(Signed)

Representatives:

PAYSON of Portland
DONAHUE of Biddeford

Comes from the House, the Minority Report read and accepted, and the bill passed to be engrossed.

In the Senate, on motion by Mr. Batchelder of York, the Majority report of the Committee, "Ought Not to Pass," was adopted in non-concurrence.

Sent to the House.

First Reading of Printed Mills

Bill "An Act Relating to the Salaries of the Judge and the Recorder of the Bangor Municipal Court." (S. P. 399) (L. D. 1039)

Bill "An Act to Increase the Salary of the Register of Probate in Penobscot County." (S. P. 400) (L. D. 1040)

Which bills were severally read once, and tomorrow assigned for second reading.

Senate Committee Reports

Mr. Cleaves from the Committee on Appropriations and Financial Affairs on "Resolve in Favor of the Maine State Apprenticeship Council, to Provide Funds for its Expense and Program," (S. P. 194) (L. D. 712) reported that the same ought not to pass.

The same Senator from the same Committee on "Resolve to Create a Special Joint Committee to Study Wild and Fur-Bearing Animals," (S. P. 383) (L. D. 983) reported that the same ought not to pass.

Mr. Willey from the Committee on Claims on "Resolve in Favor of Archie E. MacLeod of Orrington," (S. P. 356) (L. D. 907) reported that the same ought not to pass.

The same Senator from the same Committee on "Resolve in Favor of

Mrs. Etta White of Houlton," (S. P. 307) (L. D. 842) reported that leave be granted to withdraw the same.

Mr. Sayward from the Committee on Counties on Bill "An Act Relating to Duties of County Commissioners," (S. P. 237) (L. D. 647) reported that leave be granted to withdraw as it has been taken care of by other legislation.

Mr. Welch from the Committee on Inland Fisheries and Game on Bill "An Act Relating to Open Season on Muskrats," (S. P. 198) (L. D. 486) reported that the same ought not to pass.

Mr. Brown from the Committee on Pensions on Bill "An Act Relating to Maximum Pensions," (S. P. 367) (L. D. 929) reported that the same ought not to pass.

(On motion by Mr. Bishop of Sagadahoc, the report and accompanying papers were laid upon the table pending consideration of the report.)

Mr. Hall from the Committee on Salaries and Fees on Bill "An Act Relating to the Salary of the Clerk of Courts of Hancock County," (S. P. 162) (L. D. 365) reported that the same ought not to pass.

Mr. Cleaves from the same Committee on Bill "An Act Relating to the Salary of the Governor," (S. P. 164) (L. D. 367) reported that the same ought not to pass.

(On motion by Mr. Bishop of Sagadahoc, the report and accompanying papers were laid upon the table pending consideration of the report.)

Which reports were severally read and adopted.

Sent down for concurrence.

Miss Clough from the Committee on Public Health on Bill, "An Act to Provide for Training and Licensing Nursing Attendants," (S. P. 79) (L. D. 73) reported the same in a new draft (S. P. 404) under the same title and that it ought to pass.

The same Senator from the same Committee on Bill, "An Act Relating to Licensing Hospitals and Related Institutions in the State of Maine," (S. P. 121) (L. D. 220) reported the same in a new draft (S. P. 405) under the same title, and that it ought to pass.

Mr. Cleaves from the Committee on Salaries and Fees on Bill "An Act Relating to the Salary of the Recorder of the Ellsworth Municipal Court," (S. P. 157) (L. D. 361) reported the same in a new draft (S.

F. 406) under the same title, and that it ought to pass.

Mr. Smith from the same Committee on Bill "An Act Relating to Salary of Register of Probate and Clerks in Office of Register of Probate in Hancock County," (S. P. 271) (L. D. 616) reported the same in a new draft (S. P. 407) under the same title, and that it ought to pass.

Mr. Hall from the same Committee on Bill "An Act Relating to the Salaries of Certain Officials in Knox County," (S. P. 96) (L. D. 138) reported the same in a new draft (S. P. 408) under the same title, and that it ought to pass.

The same Senator from the same Committee on Bill "An Act Relating to the Salaries of the Register of Deeds and Clerks in the Office of Register of Deeds in Androscoggin County," (S. P. 358) (L. D. 905) reported the same in a new draft, (S. P. 409) under the same title, and that it ought to pass.

Mr. Cleaves from the same Committee on Bill "An Act Relating to the Salary of the Clerk of Courts of York County," (S. P. 272) (L. D. 615) reported the same in a new draft (S. P. 410) under the same title and that it ought to pass.

Mr. Bishop from the Committee on Indian Affairs on Bill "An Act Relating to Agents and Health Officers of Indian Tribes," (S. P. 90) (L. D. 133) reported the same in a new draft, (S. P. 411) under a new title, Bill "An Act Relating to Agents, Health and Other Officers of Indian Tribes," and that it ought to pass.

Mr. Sterling from the Committee on State Lands and Forest Preservation on "Resolve Authorizing the Forest Commissioner to Convey Certain Interest of the State in Lands in Oxford County to Fred J. Lovejoy, of West Bethel," (S. P. 183) (L. D. 379) reported the same in a new draft (S. P. 412) under a new title, "Resolve Authorizing the Forest Commissioner to Convey Certain Interest of the State in Lands in Penobscot County to Donald L. Haskell, of Old Town," and that it ought to pass.

(On motion by Mr. Good of Aroostook, the report and accompanying papers were laid upon the table pending consideration of the report.)

Which reports were severally read and adopted, and the new drafts

laid upon the table for printing under the joint rules.

Mr. Bishop from the Committee on Education on Bill "An Act Relating to State Normal School and Teachers' College Board," (S. P. 283) (L. D. 727) reported that the same ought to pass.

Mr. Smith from the Committee on Salaries and Fees on Bill "An Act Relating to the Salary of the Recorder of the Municipal Court of the City of Biddeford," (S. P. 155) (L. D. 359) reported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act Relating to Expense Accounts of Deputy Wardens and Reports of Chief Fire Wardens," (S. P. 161) (L. D. 364) reported that the same ought to pass.

Mr. Hall from the same Committee on Bill "An Act Relating to Compensation of Fire Wardens," (S. P. 265) (L. D. 622) reported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act Relating to the Salary of the Judge of the Kennebunk Municipal Court," (S. P. 123) (L. D. 222) reported that the same ought to pass.

Mr. Cleaves from the same Committee on Bill "An Act Increasing the Salary of the County Attorney and Assistant County Attorney of Androscoggin County," (S. P. 359) (L. D. 904) reported that the same ought to pass.

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

Mr. Owen from the Committee on Education on Bill "An Act Creating the Maine Physical Rehabilitation School for Unemployed Citizens," (S. P. 310) (L. D. 838) reported that the same ought not to pass.

Which report was read and adopted.

Sent down for concurrence.

Passed to Be Engrossed

Bill "An Act Relating to State Land in Augusta as a Public Park." (H. P. 669) (L. D. 320)

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

Bill "An Act Creating the Caribou Utilities District." (H. P. 1362) (L. D. 1020)

Bill "An Act to Extend the Charter of Kingman Water Power Company." (H. P. 1363) (L. D. 1021)

Bill "An Act Relating to the Digging or Taking of Clam-Worms." (H. P. 195) (L. D. 58)

"Resolve Authorizing the Forest Commissioner to Convey Certain Interest of the State in Lands in Penobscot County to John Sharpe, of Argyle." (H. P. 443) (L. D. 195)

Bill "An Act Relating to the Redemption of United States Bonds and Certificates Issued in the Name of Minors." (H. P. 520) (L. D. 254)

"Resolve Authorizing the Forest Commissioner to Convey Argyle Grange Hall in Penobscot County to Alton Grange No. 411." (H. P. 858) (L. D. 458)

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

"Resolve in Favor of James R. Hale of Castine." (S. P. 129) (L. D. 334)

"Resolve Relating to Reimbursement to James Y. Kinmond of Westbrook." (S. P. 130) (L. D. 335)

"Resolve to Reimburse the Town of Eastbrook for Suppression of a Forest Fire." (S. P. 133) (L. D. 338)

"Resolve in Favor of Albert Leslie Shorey, of Surry." (S. P. 152) (L. D. 358)

Bill "An Act Relating to Tax Returns of Loan and Building Associations." (S. P. 397) (L. D. 1029)

Bill "An Act Relating to the Assessment of Taxes." (S. P. 398) (L. D. 1030)

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

Sent down for concurrence.

Passed to be Enacted

Bill "An Act Relating to Prevention of Bang's Disease by the Department of Agriculture." (S. P. 125) (L. D. 330)

(On motion by Mr. Denny of Lincoln, tabled pending passage to be enacted.)

Bill "An Act Relating to Re-enactment of Law Dealing with Unexpended Appropriations." (S. P. 190) (L. D. 491)

Bill "An Act Relating to Aid to Veterans." (S. P. 204) (L. D. 480)

Bill "An Act Relating to Baxter State Park Payments to the Maine Forestry District." (S. P. 274) (L. D. 613)

Bill "An Act Relating to Removal of Notices on Roads Closed for Repairs." (S. P. 340) (L. D. 811)

Bill "An Act Relating to Compromise of Claims." (S. P. 385) (L. D. 985)

"Resolve Authorizing Conveyance of the Interest of the State in Certain Land in Township 1, Range 1, N. B. K. P. in Somerset County." (S. P. 97) (L. D. 139)

(On motion by Mr. Good of Aroostook, tabled pending final passage.)

Bill "An Act Relating to Retirement of Justices of the Superior and Supreme Judicial Courts." (H. P. 243) (L. D. 86)

Bill "An Act to Eliminate the '1937 Deficiency Account'." (H. P. 406) (L. D. 182)

Bill "An Act Relating to Hearings in Vacation." (H. P. 645) (L. D. 296)

Bill "An Act to Incorporate the Clinton Water District." (H. P. 671) (L. D. 321)

Bill "An Act Relating to State Normal Schools Reserve Accounts." (H. P. 717) (L. D. 394)

Bill "An Act Permitting Assessment of Taxes in Towns for Highway Purposes." (H. P. 866) (L. D. 519)

Bill "An Act Relating to Financial Responsibility Following Accident." (H. P. 1070) (L. D. 689)

Bill "An Act Imposing a Tax on Sweet Corn for the Suppression of the European Corn Borer." (H. P. 1135) (L. D. 693)

Bill "An Act Relating to Trustee Process." (H. P. 1186) (L. D. 747)

Bill "An Act to Extend the Charter of the Patten Water and Power Company." (H. P. 1217) (L. D. 767)

Bill "An Act Relating to Aides-de-Camp." (H. P. 1340) (L. D. 991)

Bill "An Act to Incorporate the Patten Water District." (H. P. 1341) (L. D. 992)

Finally Passed

"Resolve, Authorizing the Forest Commissioner to Convey Certain Interest of the State in Lands in Oxford County to Harland E. Kimball, of West Bethel." (H. P. 742) (L. D. 410)

Emergency Measure

"Resolve, Appropriating Money for Forest Insect Detection Service." (H. P. 718) (L. D. 388)

Which resolve being an emergency measure, and having received the affirmative vote of 25 members of the Senate and none opposed, was finally passed, and having been signed by the President, was by the Secretary presented to the Governor for his approval.

Ordres of the Day

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table, Bill, An Act Relating to Culverts Crossing Under Roads, Streets and Ways (S. P. 361) (L. D. 903) tabled by that Senator on March 28th pending adoption of Committee Amendment "A"; and on further motion by the same Senator, Committee Amendment "A" was adopted, and the bill as so amended was tomorrow assigned for second reading.

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table, Bill, An Act Amending An Act to Authorize the Incorporation of Credit Unions (S. P. 389) (L. D. 998) tabled by that Senator on March 22nd pending assignment for second reading; and on further motion by the same Senator, the bill was tomorrow assigned for second reading.

Mr. SMITH of Knox: Mr. President, may I inquire if S. P. 103, L. D. 178, Bill, An Act to Regulate the Practice of Architecture and to Create a Board to Provide for the Examination and Registration of Architects is still in the possession of the Senate?

The PRESIDENT: The Chair will reply that Legislative Document 178 is in the possession of the Senate, having been held at the request of the Senator for reconsideration.

Mr. SMITH: Mr. President, I now move the Senate reconsider its action taken yesterday whereby Legislative Document 178 was indefinitely postponed. Due to the absence of a number of those who voted on this measure yesterday and who are vitally interested, I move this matter be tabled and especially assigned for next Tuesday.

The motion prevailed and the bill was laid upon the table pending the motion to reconsider the action whereby the bill was indefinitely postponed, and especially assigned for Tuesday next.

On motion by Mr. Cross of Kennebec, the Senate voted to take from the table, Bill, An Act Relating to Animal Husbandry (S. P. 233) (L. D. 651) tabled by that Senator on March 21st pending passage to be engrossed.

Mr. CROSS of Kennebec: Mr. President and members of the Senate; this is a very small bill and doesn't involve very much money. My only reason for tabling it and the only reason I speak on it now is because it seemed to me the bill called for a very small amount of money to be passed as an emergency. I think sometimes we pass bills out as emergencies which could very properly wait a reasonable time for the law to go into effect.

I have had some conversation with the Department of Agriculture and with Mr. Mossman, and through some legal quirk in the law as written, it seems they could not get this through the contingent fund without causing some switching in the earmarked money which must be spent for that purpose. I therefore consider it is not a very stringent emergency but as that is about all the objection I have, I move it be passed to be engrossed.

The motion prevailed and the bill was passed to be engrossed.
Sent down for concurrence.

On motion by Mr. Morrill of Cumberland, the Senate voted to take from the table, Senate Report "Ought Not to Pass" from the Committee on State Lands and Forest Preservation on Resolve Providing for a Special Interim Commission for the Study of Growing Wood and Timber and Measures to Conserve and Increase the Forest and Water Resources of the State (S. P. 294) (L. D. 717) tabled by that Senator on March 21st pending acceptance of the report; and on further motion by the same Senator, the resolve was recommitted to the Committee on State Lands and Forest Preservation.

Sent down for concurrence.

The PRESIDENT: Are there any other matters to come before the Senate under Orders of the Day?

On motion by Mr. Noyes of Hancock,
Adjourned until tomorrow morning at ten o'clock.