

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

Ninety-Second Legislature

OF THE

STATE OF MAINE

1945

DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

SENATE

Monday, April 2, 1945.

The Senate was called to order by the President.

Prayer by the Reverend William R. Wood of Augusta.

Journal of Friday, March 30, 1945, read and approved.

From the House:

"Resolve Providing for Purchase of Land for the Maine State Prison." (S. P. 396) (L. D. 1023)

(In Senate on March 28th, 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. Cleaves of Cumberland, that Body voted to recede from its former action whereby the Resolve was passed to be engrossed, and on further motion by the same Senator, House Amendment A was read and adopted in concurrence, and the Resolve as so amended was passed to be engrossed in concurrence.

Bill "An Act Relating to Assignment of Counsel by the Superior Court." (H. P. 824) (L. D. 428)

(In Senate, on March 2nd passed to be engrossed in concurrence.)

Comes from the House, recommended to the Committee on Judiciary in non-concurrence.

In the Senate, on motion by Miss Clough of Penobscot, that Body voted to recede from its former action whereby the bill was passed to be engrossed, and on further motion by the same Senator, the bill was recommitted to the Committee on Judiciary in concurrence.

"Resolve Providing for Purchase of Land and Buildings for the State Reformatory for Women." (S. P. 273) (L. D. 614)

(In Senate on March 15th, passed to be engrossed.)

Comes from the House, passed to be engrossed in concurrence; subsequently engrossing reconsidered, House Amendment "A" adopted, and the bill as amended passed to be engrossed in non-concurrence.

In the Senate, on motion by Mr. Leavitt of Cumberland, that Body voted to recede from its former ac-

tion whereby the Resolve was passed to be engrossed and on further motion by the same Senator, House Amendment A was read and adopted in concurrence and the bill as so amended was passed to be engrossed in concurrence.

House Committee Reports

House Report from the Committee on Legal Affairs, Majority Report "Ought Not to Pass"; Minority Report, "Ought to Pass," on Bill "An Act Relating to Taxation of Real Estate on Leased Land," (H. P. 96) (L. D. 41)

(In Senate, on March 29th, Majority Report "Ought Not to Pass" adopted in non-concurrence.)

Comes from the House, that Body having insisted on its former action whereby the Minority Report was read and adopted, and the bill passed to be engrossed.

In the Senate, on motion by Mr. Batchelder of York, that Body voted to adhere.

The Committee on Salaries and Fees on Bill "An Act Relating to Salary of Register of Deeds and Clerk Hire in Office of Register of Deeds in Penobscot County," (H. P. 1002) (L. D. 602) reported the same in a new draft (H. P. 1375) (L. D. 1038) under the same title, and that it ought to pass.

Comes from the House, report adopted, and bill in new draft passed to be engrossed as amended by House Amendment "A."

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

The Committee on Education on Bill "An Act Designating Certain Academies as High Schools," (H. P. 1176) (L. D. 738) reported the same in a new draft (H. P. 1361) (L. D. 1019) under the same title, and that it ought to pass.

Comes from the House, the report read and adopted, the bill in new draft read twice, and subsequently recommitted to the Committee on Education.

In the Senate, on motion by Mr. Bishop of Sagadahoc, the bill was recommitted to the Committee on Education in concurrence.

The Committee on Salaries and Fees on Bill "An Act Relating to Clerk Hire in the Office of Clerk of Courts, Cumberland County," (H. P. 214) (L. D. 75) reported that the same ought to pass.

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

In the Senate, the report was read and adopted 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.

"Resolve for the Laying of the County Taxes for the Year Nineteen Hundred Forty-five." (H. P. 1390) (L. D. 1078)

Comes from the House, that Body having accepted the report of the Committee on County Estimates, and under suspension of the rules passed to be engrossed without reference to a Committee.

In the Senate, the report of the Committee was read and adopted in concurrence and the resolve was given its first reading.

Mr. Brown of Aroostook presented Senate Amendment A and moved its adoption: "Senate Amendment A to H. P., 1390 L. D. 1078. Amend said Resolve by inserting before the emergency clause 'and be it further resolved that the County taxes for the several counties for the year 1945 may be apportioned during the month of April of said year upon the last state valuation.'"

Senate Amendment A was adopted and the resolve as so amended was tomorrow assigned for second reading.

"Resolve for the Laying of the County Taxes for the Year Nineteen Hundred Forty-six." (H. P. 1391) (L. D. 1079)

Comes from the House, that Body having accepted the report of the Committee on County Estimates, and under suspension of the rules passed to be engrossed without reference to a Committee.

In the Senate, the report of the Committee was read and adopted in concurrence and the bill was given its first reading; under suspension of the rules, the bill was read a second time and passed to be engrossed in concurrence.

The Committee on Education on Bill "An Act to Equalize Opportunities for Education in Occupational Training," (H. P. 804) (L. D. 501) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Tuition to be Paid by Towns," (H. P. 803) (L. D. 500) reported that the same ought to pass.

The Committee on Inland Fisheries and Game on "Resolve Relating to Belgrade Stream," (H. P. 1183) (L. D. 744) reported that the same ought to pass.

The same Committee on "Resolve Appropriating Money to Repair Fish Screen at Eagle Lake," (H. P. 322) (L. D. 143) reported that the same ought to pass.

The Committee on Judiciary on Bill "An Act Providing for Equitable Apportionment of Estate Taxes and Collection and Payment Thereof," (H. P. 422) (L. D. 192) reported that the same ought to pass.

The Committee on Pensions on "Resolve Granting Additional Pension for Burtis F. Fowler, of Augusta," (H. P. 1103) (L. D. 787) reported that the same ought to pass.

The Committee on Salaries and Fees on Bill "An Act Relating to Salary of Clerks in the Office of Register of Deeds in Hancock County," (H. P. 1000) (L. D. 600) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to the Salaries of the Judge and Recorder of the Northern Cumberland Municipal Court," (H. P. 1149) (L. D. 795) reported that the same ought to pass.

The same Committee on Bill "An Act to Increase the Salaries of the Judge and the Recorder of the Westbrook Municipal Court," (H. P. 1151) (L. D. 730) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Yearly Fees for Boxers," (H. P. 355) (L. D. 121) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to the Salary of the Recorder of the Brunswick Municipal Court," (H. P. 546) (L. D. 215) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to the Salary for Clerks in the Office of Register of Probate in York County," (H. P.

48) (L. D. 19) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to the Amount to be Paid for Clerk Hire in the Office of the Recorder of the Municipal Court of the City of Portland," (H. P. 103) (L. D. 33) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to the Salary of the Judge of the Municipal Court of Portland," (H. P. 103) (L. D. 34) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to the Salary of the Recorder of the Portland Municipal Court," (H. P. 104) (L. D. 35) reported that the same ought to pass.

The same Committee on Bill "An Act to Increase the Amount to be Paid for Clerk Hire in the Office of Register of Deeds in the County of Cumberland," (H. P. 191) (L. D. 57) reported that the same ought to pass.

The same Committee on Bill "An Act to Increase the Amount to be paid for Clerk Hire in the Office of Register of Probate in the County of Cumberland," (H. P. 192) (L. D. 56) reported that the same ought to pass.

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

The Committee on Claims on "Resolve in Favor of Dr. Charles H. Buck of Naples," (H. P. 1048) (L. D. 800) reported the same in a new draft (H. P. 1378) (L. D. 1048) under the same title, and that it ought to pass.

The same Committee on "Resolve in Favor of the Estate of R. Byron Flewelling, Late of West Gardiner, Deceased; for Loss of Life," (H. P. 138) (L. D. 66) reported the same in a new draft (H. P. 1379) (L. D. 1049) under the same title, and that it ought to pass.

The same Committee on "Resolve in Favor of Charles B. Buck of Newfield," (H. P. 14) reported the same in a new draft (H. P. 1380) (L. D. 1050) under the same title, and that it ought to pass.

The same Committee on "Resolve in Favor of Roy Marshall of Sanford," (H. P. 1052) (L. D. 801) reported the same in a new draft (H. P. 1389) (L. D. 1053) under the same title, and that it ought to pass.

The same Committee on "Resolve to Reimburse the Town of Amherst for Suppression of a Forest Fire," (H. P. 928) (L. D. 566) reported the same in a new draft (H. P. 1381) (L. D. 1051) under the same title, and that it ought to pass.

The Committee on Education on Bill "An Act Relating to Towns Having No Free High Schools," (H. P. 503) (L. D. 200) reported the same in a new draft (H. P. 1382) (L. D. 1044) under the same title, and that it ought to pass.

The Committee on Pensions on "Resolve Granting a State Pension to Eva M. Farrington Cary, of Bowdoinham," (H. P. 154) reported the same in a new draft (H. P. 1384) (L. D. 1052) under the same title, and that it ought to pass.

The same Committee on Bill "An Act Relating to Special Legislative Pensions," (H. P. 342) (L. D. 120) reported the same in a new draft (H. P. 1383) (L. D. 1045) under the same title, and that it ought to pass.

The Committee on Ways and Bridges on Bill "An Act Relating to Permits for Truck Loads Upon Designated Roads," (H. P. 1158) (L. D. 810) reported the same in a new draft (H. P. 1386) (L. D. 1047) under the same title, and that it ought to pass.

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

Mr. Savage of Somerset presented "Remonstrance for Defeat of Bill "An Act Relating to Registration of Motor Vehicles." (S. P. 206) (L. D. 478) (S. P. 419)

Which was read and ordered placed on file.

Sent to the House.

First Reading of Printed Bills

Bill "An Act to Provide for Training and Licensing Nursing Attendants." (S. P. 404) (L. D. 1064)

Bill "An Act Relating to Licensing Hospital and Related Institutions in the State of Maine." (S. P. 405) (L. D. 1063)

Bill "An Act Relating to the Salary of the Recorder of the Ellsworth Municipal Court." (S. P. 406) (L. D. 1062)

Bill "An Act Relating to Salary of Register of Probate and Clerks

in Office of Register of Probate in Hancock County." (S. P. 407) (L. D. 1061)

Bill "An Act Relating to the Salaries of Certain County Officials in Knox County." (S. P. 408) (L. D. 1060)

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. 409) (L. D. 1057)

Bill "An Act Relating to the Salary of the Clerk of Courts of York County." (S. P. 410) (L. D. 1059)

Bill "An Act Relating to Agents, Health and Other Officers of Indian Tribes." (S. P. 411) (L. D. 1058)

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

Senate Committee Reports

Mr. Dow from the Committee on Judiciary on Bill "An Act to Incorporate the General Mortgage Company," (S. P. 140) (L. D. 345) reported that the same ought not to pass.

(On motion by Mr. Dunbar of Washington, recommitted to the Committee on Judiciary)

Miss Clough from the same Committee on Bill "An Act Relating to State Personnel Law," (S. P. 203) (L. D. 481) reported that the same ought not to pass.

Mr. Dow from the Committee on Post War Planning on "Resolve to Provide for Construction of a State Garage," (S. P. 261) (L. D. 626) reported that leave be granted to withdraw the same.

Mr. Spear from the same Committee on "Resolve Providing for Certain Construction at the Augusta State Hospital," (S. P. 291) (L. D. 720) reported that the same be referred to the Committee on Appropriations and Financial Affairs.

The same Senator from the same Committee on "Resolve Providing for Certain Construction at the Bangor State Hospital," (S. P. 292) (L. D. 719) reported that the same be referred to the Committee on Appropriations and Financial Affairs.

Which reports were severally read and adopted.

Sent down for concurrence.

Mr. Dow from the Committee on Post War Planning to which were referred the following Bills:

Bill "An Act to Construct a Toll Bridge Between Old Town and Indian Island." (S. P. 334) (L. D. 817)

Bill "An Act Establishing a Forest Products and Industrial Research Laboratory." (S. P. 333) (L. D. 818)

Bill "An Act Appropriating Funds from the Maine Post War Public Works Reserve for State House Improvements." (H. P. 1211) (L. D. 762)

Bill "An Act Appropriating Funds from the Maine Post War Public Works Reserve for Certain State Departments." (H. P. 1276) (L. D. 919)

"Resolve Providing for Construction and Repair of Houses on the Passamaquoddy and Penobscot Reservations." (H. P. 986) (L. D. 549) reported that the same be placed in the custody of the Secretary of the Senate, until the next regular or special session of the Legislature.

Which report was read and adopted.

Sent down for concurrence.

Mr. Savage from the Committee on Appropriations and Financial Affairs on "Resolve to Provide Funds for Eradication of Bang's Disease, Tuberculosis, and Other Infectious and Contagious Diseases of Livestock," (S. P. 126) (L. D. 331) reported the same in a new draft (S. P. 420) under the same title, and that it ought to pass.

Miss Clough from the Committee on Judiciary on Bill "An Act Relating to Complaint in Cases of Neglect of Children," (S. P. 56) (L. D. 25) reported the same in a new draft (S. P. 421) under the same title, and that it ought to pass.

Mr. Dunbar from the same Committee on Bill "An Act Relating to Relief During the Emergency for Businesses in Financial Distress Because of Wartime Conditions," (S. P. 284) (L. D. 726) reported the same in a new draft (S. P. 422) under the same title and that it ought to pass.

Which reports were severally read and adopted, and the bills in new draft laid upon the table for printing under the joint rules.

Mr. Savage from the Committee on Appropriations and Financial Affairs on Bill "An Act to Simplify Finances of the Department of Education," (S. P. 191) (L. D. 490) reported that the same ought to

pass as amended by Committee Amendment "A".

Which report was read and adopted and the bill read once.

The Secretary read Committee Amendment "A":

"Committee Amendment A to S. P. 191, L. D. 490, Bill, 'An Act to Simplify Finances of the Department of Education'.

"Amend said Bill by striking out the last line of section 5 of said bill and inserting in place thereof the following: 'shall not be at a rate exceeding \$1,200 for 1 year.' "

Committee Amendment "A" was adopted and the bill was tomorrow assigned for second reading.

Mr. Brown from the Committee on Library on "Resolve for the Purchase of Five Hundred Copies of 'The Length and Breadth of Maine'" (S. P. 93) (L. D. 135) reported that the same ought to pass as amended by Committee Amendment A submitted herewith.

Which report was read and adopted and the resolve read once. The Secretary read Committee Amendment A:

"Committee Amendment A to S. P. 93, L. D. 135, Resolve for the Purchase of Five Hundred Copies of 'The Length and Breadth of Maine'.

Amend said Resolve by striking out the figures '500' in the 1st line thereof and inserting in place thereof the figures '100'. Further amend said Resolve by striking out the figures '\$2,500' in the last line thereof and inserting in place thereof the figures '\$500'.

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

Passed to Be Engrossed

"Resolve in Favor of the Town of Lincolnville." (H. P. 411) (L. D. 184)

Bill "An Act to Provide for the Making of a Survey of all Hospital and Health Center Facilities in the State." (H. P. 844) (L. D. 508)

Bill "An Act Clarifying the Law in Relation to Parkways and Freeways." (H. P. 874) (L. D. 522)

Bill "An Act Providing for Maintenance of the Road Leading to Roaring Brook in Baxter State Park." (H. P. 875) (L. D. 459)

Bill "An Act Relating to Guaranteed Loans for Veterans by Trust Companies, Savings Banks, and Loan and Building Associations." (H. P. 1360) (L. D. 1025)

"Resolve in Favor of Guy Brown of Guilford." (H. P. 929) (L. D. 567)

"Resolve in Favor of Mary Louise Bernier, of Sanford." (H. P. 1053) (L. D. 802)

"Resolve in Favor of Louis P. Fleming, of Bangor." (H. P. 1119) (L. D. 670)

"Resolve in Favor of the Town of Smyrna." (H. P. 1229) (L. D. 853)

Bill "An Act to Increase the Salary of the Judge of the Municipal Court of Dexter." (H. P. 1368) (L. D. 1031)

Bill "An Act Relating to Salary of Clerk of Courts and Clerk Hire in Office of Clerk of Courts in Penobscot County." (H. P. 1369) (L. D. 1032)

Bill "An Act to Increase Salaries of Judge and Recorder of the Milinocket Municipal Court." (H. P. 1372) (L. D. 1035)

Bill "An Act to Increase Salary of Judge of Probate and Clerks in Office of Register of Probate in Penobscot County." (H. P. 1373) (L. D. 1036)

Bill "An Act Relating to the Salary of the Recorder of the Old Town Municipal Court." (H. P. 1370) (L. D. 1033)

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

Bill "An Act Permitting Members of the Armed Forces to Receive Operators' Licenses Without Payment of Fee." (S. P. 325) (L. D. 826)

Bill "An Act Relating to Applications for Operators' Licenses by Members of the Armed Forces." (S. P. 326) (L. D. 825)

"Resolve Authorizing Preparation of a Digest of the Opinions of the Law Court." (S. P. 346) (L. D. 894)

(On motion by Mr. Dow of Oxford, tabled pending passage to be engrossed.)

Bill "An Act Amending An Act to Authorize the Incorporation of Credit Unions." (S. P. 389) (L. D. 998)

"Resolve in Favor of Mrs. Doris G. Cummings of Perry." (S. P. 401) (L. D. 1041)

"Resolve in Favor of Alphonso S. Dube of Togus." (S. P. 402) (L. D. 1043)

"Resolve in Favor of Velma Norton of Caribou." (S. P. 403) (L. D. 1042)

Bill "An Act Relating to Use of Drugs or Appliances in Horse Racing." (S. P. 290) (L. D. 721)

Bill "An Act Relating to State Board of Arbitration and Conciliation." (S. P. 347) (L. D. 893)

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 to Provide for Scientific Investigation with Blueberries." (S. P. 72) (L. D. 68)

(On motion by Mr. Owen of Kennebec, tabled pending passage to be enacted.)

"Resolve, in Favor of the Maine Historical Society." (S. P. 70) (L. D. 62)

"Resolve, in Favor of J. R. Collins, South Portland, Maine." (S. P. 132) (L. D. 337)

"Resolve, Relating to a Central Heating Plant at State School for Girls, in Hallowell." (S. P. 336) (L. D. 815)

Bill "An Act to Create a Division of Special Education for Physically Handicapped Children." (H. P. 417) (L. D. 187)

Bill "An Act Relating to Requirement for Restaurant Licenses." (S. P. 1265) (L. D. 888)

(On motion by Mr. Batchelder of York, tabled pending passage to be enacted.)

Bill "An Act Relieving Towns from Care of Neglected Children." (H. P. 1332) (L. D. 980)

(On motion by Mr. Owen of Kennebec, tabled pending passage to be enacted.)

"Resolve, in Favor of the University of Maine." (H. P. 409) (L. D. 183)

"Resolve, to Reimburse the Town of Salem for Forest Fire." (H. P. 501) (L. D. 999)

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

"Resolve, in Favor of Knox Memorial Association Inc., for Support and Maintenance of 'Montpelier.'" (H. P. 617) (L. D. 283)

"Resolve in favor of Penobscot Tribe of Indians." (H. P. 792) (L. D. 415)

"Resolve, in Favor of Joseph Martin, of Eagle Lake." (H. P. 927) (L. D. 565)

"Resolve, in Favor of the New England Shipbuilding Corporation." (H. P. 1050) (L. D. 657)

"Resolve, in Favor of the Estate of R. Byron Flewelling Late of West Gardiner, Deceased; for Damage to Property." (H. P. 1347) (L. D. 1000)

"Resolve, in Favor of Henry K. Morey of Deer Isle." (H. P. 1348) (L. D. 1001)

Emergency Measure

Bill "An Act to Establish a Seed Potato Board and Define its Powers and Duties." (S. P. 300) (L. D. 849)

Which bill being an emergency measure and having received the affirmative vote of 26 members of the Senate, and none opposed, was passed to be enacted.

Orders of the Day

On motion by Mr. Willey of Hancock, the Senate voted to take from the table, Senate Report from the Committee on Welfare "Ought not to Pass" on Bill, An Act Relating to Old Age Assistance (S. P. 331) (L. D. 820) tabled by that Senator on March 20th pending acceptance of the report, and on further motion by the same Senator the report of the committee was accepted.

Sent down for concurrence.

On motion by Mr. Noyes of Hancock, the Senate voted to take from the table, Bill, An Act Relating to the State Police Retirement System (S. P. 76) (L. D. 71) tabled by that Senator on March 30th pending adoption of Senate Amendment "A".

Mr. NOYES: Mr. President, I hope the motion of the Senator from Sagadahoc, Senator Bishop, will prevail.

Thereupon, Senate Amendment "A" was adopted, and the bill as so amended was passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Hopkins of Kennebec, the Senate voted to take from the table, Senate Report "Ought Not to Pass" from the Committee on Judiciary on Bill, An Act Relating to Responsibility of Parents for Juvenile Delinquency (S. P. 286) (L. D. 723) tabled by that Senator on March 30th pending acceptance of the report; and on fur-

ther motion by the same Senator, the report of the committee was accepted.

Sent down for concurrence.

On motion by Mr. Savage of Somerset

Adjourned until tomorrow morning at ten o'clock.