

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Third Legislature

OF THE

STATE OF MAINE

1947

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Wednesday, January 8, 1947

The Senate was called to order by the President.

Prayer by the Reverend Alfred Hendrickson of Augusta.

Journal of yesterday read and approved.

Communications

STATE OF MAINE
Office of the Governor
Augusta

January 8, 1947

The Honorable President of the Senate

The Honorable Speaker of the House
Ninety-third Legislature.

Dear Sirs:—

I deem it a pleasure to transmit herewith a letter from the Honorable Percival P. Baxter of Portland in which he offers an additional 10,740 acres of land in the Katahdin Baxter State Park area for public purposes.

This generous gift, if accepted by the 93rd Legislature, would increase the area of the Baxter State Park, which includes Mount Katahdin, to 127,028 acres.

Mr. Baxter's offer commands the deepest appreciation of every citizen of Maine, for he is making available to us and our children and the thousands of tourists who visit Maine each year one of the most magnificent natural recreational areas in the United States.

I solicit your most serious consideration and urge the acceptance of this gift, under the same terms and conditions as the previous ones, as being in the public interest.

Respectfully submitted,

HORACE HILDRETH (S.P.23)
Governor

Which communication was read and ordered placed on file.

Sent to the House.

Communication

To the Honorable Horace A. Hildreth, Governor and the Honorable Senate and House of Representatives of the Ninety-third Legislature:

"Beginning in 1931 I have come to several Maine Legislatures offering gifts of land to the State of Maine in Trust, and I now come to you to offer another gift, this one

of ten thousand seven hundred forty (10,740) acres, the same to be added to **BAXTER STATE PARK** in the Mount Katahdin region.

Up to the present time I have donated to the State one hundred sixteen thousand two hundred eighty-eight (116,288) acres and the additional acreage which I now bring to you will increase the total area of the park to one hundred twenty-seven thousand twenty-eight (127,028) acres, or approximately five and one-half (5½) Maine Wild Land townships.

In order that there may be a complete and accurate record of my gifts to the state over the years, I am including in the Act of Acceptance a list of the gifts in detail so that in the years to come this will be available to those who may be interested to have the record spread before them. Those of the members of this Ninety-third Legislature who have served in previous Legislatures, no doubt are familiar with the procedure adopted in connection with these Gifts.

The land that is now being donated to the State is my most recent purchase. When you accept this gift I then shall have donated to the state all the land in the Katahdin area that I have acquired since I began my project in 1917. This one hundred twenty-seven thousand twenty-eight (127,028) acres is a continuous unbroken area except for the fact that in the southwestern corner there is still outstanding an undivided ownership of six thousand seventeen (6,017) acres which I have not yet acquired and which is not included in the total of one hundred twenty-seven thousand twenty eight (127,028) acres.

I am still interested to enlarge the area of the Park and shall do so from time to time as additional purchases are made.

The conditions placed in the Act of Acceptance are the same as those in former Deeds of Gift. It now is just thirty (30) years since in 1917 I first conceived the project of donating to the State of Maine a large area of land for public park and recreational purposes. I shall be pleased if you will accept this gift in the spirit in which it is offered.

Respectfully,

(Signed) **PERCIVAL P. BAXTER**
Portland, Maine
January 8, 1947

Which communication was read and ordered placed on file.

Sent to the House.

Passed to be Engrossed

Mr. Cleaves of Cumberland presented Bill "An Act Accepting from Percival Proctor Baxter the Conveyance and Deed of Gift of Ten Thousand Seven Hundred Forty (10,740) Acres of land in the West One-half ($W\frac{1}{2}$) of Township Four (4) Range Ten (10) W. E. L. S. Piscataquis County. (S. P. 25)

Which bill was accepted by unanimous consent and under suspension of the rules, without reference to a committee, was read twice and passed to be engrossed.

Sent down for concurrence.

ORDER

Out of Order

On motion by Mr. Cleaves of Cumberland out of order and under suspension of the rules, it was

ORDERED, the House concurring, that in order that the records of the Gift by Percival Proctor Baxter to the State of Maine as Trustee in Trust of ten thousand seven hundred forty (10,740) acres in township four (4) range ten (10) W. E. L. S. Piscataquis County (Baxter State Park) be complete and in enduring form, the communication dated January eighth, 1947, addressed by said Baxter to the Honorable Horace A. Hildreth, Governor, and to the Honorable Senate and House of Representatives of the Ninety-third Legislature, together with the message of Governor Horace A. Hildreth transmitting the said communication to this Legislature, be printed in the Laws of Maine for 1947. (S.P. 26)

Sent down for concurrence.

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

Referred to Committees

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

Inland Fisheries and Game

Mr. Spear of Cumberland presented Bill "An Act Relating to Free Hunting, Trapping and Fishing Licenses for Indians." (S.P. 27)

Ordered printed.

Sent down for concurrence.

Judiciary

Mr. Cleaves of Cumberland presented Bill "An Act Providing for Procedure for Eminent Domain for Park Commission." (S.P. 28)

Ordered printed.

Sent down for concurrence.

The President laid before the Senate the following Bills and Resolves which were referred to this Legislature by the 92nd Legislature. On recommendation by the Committee on Reference of Bills, were referred to the following committees:

Agriculture

Bill "An Act Relating to Infectious Diseases of the Irish Potato." (S. P. 29)

Sent down for concurrence.

Claims

"Resolve in favor of Hugh J. Andrews, of Waterville." (S. P. 30)

Sent down for concurrence.

Education

Bill "An Act to Encourage the Improvement of School Facilities." (S. P. 31) Sent down for concurrence.

Judiciary

Bill "An Act Repealing the Personnel Law." (S. P. 32)

Bill "An Act Relating to Reinstatement of Dismissed State Employees." (S. P. 33)

Sent down for concurrence.

"Resolve in Favor of the Town of Palermo." (S. P.)

Mr. CROSS of Kennebec: Mr. President and members of the Senate, the action I am about to take upon this Resolve I would like to explain to you in a few words. Most of you are familiar with the situation—I don't think I need to go into it very thoroughly—regarding the so-called Special Resolves. This particular resolve is a hold-over, I believe, from the last Special Session and merely illustrates what will face us as time goes on. We passed, and most of you here had the privilege of voting either for or against it, an act which I introduced at the last session of the legislature setting up a substitute plan for the more equitable distribution of money for unimproved roads. I don't think there is any contention that we wish to muzzle any proper resolves for that purpose. It was the intent to substitute a better plan and one which would not be so open to abuse as the so-called blanket road resolves.

Now there will be, I anticipate, an attempt to, shall we say, have their cake and eat it too by certain members of the legislature and they will attempt to continue to have the so-called blanket. I have no intention of assuming the attitude that I know more than the rest of the legislature in regard to that problem. My only intention is, for the moment at least, to see that these things are held until such time as we have heard from the Governor in his budget message and see what action he will take in that message to set up any funds for that purpose, what action he will take by recommending funds for the so-called Cross bill, and after that time arrives, I will take further action to the best of my ability on these resolves. But for the moment I will ask your indulgence on a motion, Mr. President, that this resolve be laid upon the table.

Thereupon, the resolve was laid upon the table pending reference to a committee.

Military Affairs

Bill "An Act Creating the Department of Veterans' Affairs" (S. P. 35)
Sent down for concurrence.

Salaries and Fees

Bill "An Act Relating to the Salary of the Treasurer of State" (S. P. 36)

Orders

On motion by Mr. Williams of Penobscot, it was

ORDERED, the House concurring, that there be paid to the members of the Senate and House as advances on account of compensation established by statute, the amount of eighty-five dollars (\$85.00), fortnightly, according to lists certified to the State Controller by the Secretary of the Senate and Clerk of the House respectively; and that the final pay rolls bear the approval of the Joint Standing Committee on Appropriations and Financial Affairs. (S. P. 37)

Sent down for concurrence.

On motion by Mr. Savage of Somerset, it was

ORDERED, that the use of the Senate Chamber be granted to the Maine Dental Association for Saturday and Sunday, March 1 and 2, 1947.

Passed to be Enacted

Bill "An Act Accepting from Percival Proctor Baxter the Conveyance Ten Thousand Seven Hundred Forty (10,740) Acres of Land in the West One-half (W½) of Township Four (4) Range Ten (10) W. E. L. S. Piscataquis County." (S. P. 26)

Orders of the Day

On motion by Mr. Savage of Somerset, Mr. Cross of Kennebec was authorized to cast one ballot on the part of the Senate in favor of Ruth P. Foster, of Winthrop, for Page of the Senate.

This was done, and Ruth P. Foster was declared duly elected Page of the Senate for the political years 1947 and 1948.

On motion by Mr. Smith of Knox Mr. Hopkins of Kennebec was authorized to cast one ballot on the part of the Senate in favor of Marcia M. McCarthy, of Waterville, for Page of the Senate.

This was done, and Marcia M. McCarthy was declared duly elected Page of the Senate for the political years 1947 and 1948.

The President nominated the following Senators to serve on the Committee on Bills in the Second Reading:

Senators: DUNBAR of Washington
SMITH of Knox
McKUSICK of Piscataquis
BARNES of Aroostook

Which nominations were duly confirmed by the Senate.

The President nominated the following Senators to serve on the Committee on Engrossed Bills:

Senators: CROSBY of Franklin
DUNBAR of Washington
BATCHELDER of York
CLOUGH of Penobscot
DENNY of Lincoln
SPEAR of Cumberland
SAVAGE of Somerset
BLANCHARD of Aroostook
NOYES of Hancock
BAKER of Kennebec
EDWARDS of Oxford
BOUCHER of Androscoggin

Which nominations were duly confirmed by the Senate.

The President appointed the following Senators to fill the vacancies existing on the Interstate Cooperation Commission as created by Chapter 9 Section 34 of the Revised Statutes:

Senators: CROSBY of Franklin
MORRILL of Cumberland
land

The PRESIDENT: Is there any further business to come before the Senate under Orders of the Day?

On motion by Mr. Morrill of Cumberland,

Adjourned until tomorrow morning at ten o'clock.