

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

Thursday, February 27, 1947.

The Senate was called to order by the President.

Prayer by the Reverend Elmer Colcord of Gardiner.

Journal of yesterday read and approved.

Papers from the House referred in concurrence.

House Committee Reports

The Committee on Judiciary on "Resolve Designating an Expiration Date for the Civilian Defense Act," (H. P. 843) (L. D. 538) reported that the same ought to pass.

The same Committee on Bill "An Act Validating Certain Divorces," (H. P. 926) (L. D. 544) reported that the same ought to pass.

The same Committee on Bill "An Act to Authorize the Town of York to Construct Tide Water Gates," (H. P. 609) (L. D. 374) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Duties of the Deputy Treasurer of State," (H. P. 498) (L. D. 320) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to System of Records and Accounting by Maine Teachers' Retirement Board," (H. P. 497) (L. D. 319) reported that the same ought to pass.

The same Committee on Bill "An Act to Change the Name of the Maine Universalist Convention," (H. P. 495) (L. D. 317) reported that the same ought to pass.

The same Committee on Bill "An Act Defining and Authorizing the Use of a System of Plane Coordinates for Designating and Stating Positions of Points on the Surface of the Earth Within the State of Maine," (H. P. 170) (L. D. 150) reported that the same ought to pass.

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

The Committee on Appropriations and Financial Affairs on Bill "An Act Relating to Disposition of Uncollectible Accounts Due the State," (H. P. 220) (L. D. 158) reported that the same ought to pass as

amended by Committee Amendment "A."

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

Orders

On motion by Mr. Welch of Aroostook, it was

ORDERED, that 500 additional copies of L. D. 62 be printed.

On motion by Mr. Denny of Lincoln, it was

ORDERED, that 500 copies of L. D. 1089 and L. D. 1077 be printed.

Senate Committee Reports

Mr. Boucher from the Committee on Temperance on Bill "An Act Relating to Sale of Malt and Malt Syrup," (S. P. 304) (L. D. 789) reported that the same ought not to pass.

Mr. Morrill from the same Committee on Bill "An Act Relating to the Responsibility of Licensees in Illegal Sales of Liquor," (S. P. 305) (L. D. 788) reported that the same ought not to pass.

Which reports were severally read and adopted.

Mr. Barnes from the Committee on Judiciary on Bill "An Act Relating to Insane Criminals," (S. P. 211) (L. D. 576) reported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act Amending the Acts Which Constitute the Charter of Colby College, Formerly Colby University," (S. P. 209) (L. D. 578) reported that the same ought to pass.

Miss Clough from the same Committee on Bill "An Act Relative to Hearings Conducted by the Secretary of State," (S. P. 207) (L. D. 57) reported that the same ought to pass.

Mr. Baker from the Committee on Temperance on Bill "An Act Relating to Business Hours in State Liquor Stores," (S. P. 265) (L. D. 727) reported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act Relating to Disposition of Fees for Certificates of Approval of Manufacturers and Foreign Wholesalers of Malt Liquor," (S. P. 266) (L. D. 728) re-

ported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act Relating to Hours of Sale of Liquor," (S. P. 336) (L. D. 787) reported that the same ought to pass.

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

Passed to Be Engrossed

"Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Oxford County to John Westleigh, of Mason." (H. P. 1032) (L. D. 668)

"Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Aroostook County to Wilfred Rosignol, of Guerette, (P. O. Stockholm)." (H. P. 1090) (L. D. 735)

"Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Oxford County to Dr. W. B. Twaddle, of Bethel." (H. P. 1091) (L. D. 735)

"Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Aroostook County to Fred Marquis, of Sinclair." (H. P. 1092) (L. D. 737)

"Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Aroostook County to Fred B. Simpson, of Bangor." (H. P. 1094) (L. D. 739)

Bill "An Act Relating to Proceedings to Bar Action on Undischarged Real Estate Mortgages." (H. P. 1457) (L. D. 1041)

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

"Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Oxford County to Verne E. Mills of Bethel." (H. P. 373) (L. D. 223)

"Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Aroostook County to Wilfred Rosignol (Nightingale) of Stockholm (Guerette RFD)." (H. P. 985) (L. D. 640)

"Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Oxford County to Dr. W. B. Twaddle, of Bethel." (H. P. 1089) (L. D. 734)

"Resolve Authorizing the State

Tax Assessor to Convey Certain Interest of the State in Lands in Aroostook County to Jules St. Peter, of Guerette." (H. P. 1093) (L. D. 738)

Which were severally read a second time and passed to be engrossed, as amended, in concurrence.

Bill "An Act Relating to Disposal of Poll-taxes Collected in Unincorporated Places." (S. P. 117) (L. D. 293)

Bill "An Act Relating to Permanent School Fund." (S. P. 166) (L. D. 427)

Bill "An Act Relating to Unredeemed Tickets on Pari - Mutuel Pools." (S. P. 212) (L. D. 575)

Bill "An Act Amending the Charter of the Town of Rumford." (S. P. 214) (L. D. 573)

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

Sent down for concurrence.

Bill "An Act Relating to Fire Wardens in Organized Towns." (S. P. 141) (L. D. 335)

Bill "An Act Relating to Trial Justices." (S. P. 168) (L. D. 425)

Which were severally read a second time and passed to be engrossed, as amended.

Sent down for concurrence.

Passed to be Enacted

"An Act Relative to the Limington, Hollis and Waterboro Game Preserve." (H. P. 433) (L. D. 257)

"An Act Relative to Open Season on Raccoons." (H. P. 435) (L. D. 297)

"An Act to Extend the Charter of the Patten Water and Power Company." (H. P. 506) (L. D. 327)

"An Act to Extend the Charter of the Vanceboro Water Company." (H. P. 507) (L. D. 328)

"An Act Repealing Rangeley Game Preserve in Franklin and Oxford Counties." (H. P. 603) (L. D. 408)

"An Act Relating to Licenses for Dealers in Deer Skins and Heads." (H. P. 607) (L. D. 373)

"An Act Relative to Closing Runnell's Brook to Hunting and Trapping of Fur-Bearing Animals." (H. P. 606) (L. D. 409)

"An Act Amending the Charter of the Brunswick and Topsham Water District." (H. P. 622) (L. D. 411)

"An Act Releasing to the City of Bangor the State's Interest in the Bed of Kenduskeag Stream in Said Bangor." (H. P. 1137) (L. D. 683)

Finally Passed

"Resolve, Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Washington County to Alvah B. Alexander, et als. of South Gardiner." (H. P. 191) (L. D. 136)

"Resolve, Establishing the Opening Date for Open Water Fishing in Sabbathday Lake in Cumberland County." (H. P. 438) (L. D. 300)

"Resolve, Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Washington County to Stanley J. Hinch, of Danforth." (H. P. 632) (L. D. 412)

"Resolve, Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Washington County to Hinch and Company, Inc., of Danforth." (H. P. 633) (L. D. 413)

"Resolve, Regulating Fishing in East Pond Stream, Town of Smithfield, Somerset County." (H. P. 656) (L. D. 454)

"Resolve, Regulating Fishing in Hatchery Brook in the Town of Begrade, Kennebec County." (H. P. 657) (L. D. 455)

"Resolve, Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Aroostook County to Ralph M. Robinson, of Sherman Mills." (H. P. 881) (L. D. 493)

"Resolve, Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Piscataquis County to Ernest G. Hathorn, of Bradford, Maine and Mabel I. Lafland, as heirs-at-law of Iva M. Hathorn, deceased, late of said Medford Township." (H. P. 884) (L. D. 496)

"Resolve, Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Piscataquis County to Mabel I. Lafland of Medford Township." (H. P. 885) (L. D. 497)

Emergency Measure

"Resolve, in favor of Maine Maritime Academy." (H. P. 889) (L. D. 595)

Which resolve being an emergency measure and having received the affirmative vote of 28 members of the Senate, and none opposed was passed to be enacted.

Orders of the Day

Mr. DUBE of Androscoggin: Mr. President, I would like to inquire if Senate Paper 213, Legislative Document 574, An Act Relating to Marriage After Intentions Are Filed, is in the possession of the Senate?

The PRESIDENT: The Chair will state that the papers are in the possession of the Senate in the form of an "Ought Not to Pass" report from the Committee on Legal Affairs.

Mr. DUBE: Mr. President, I now move that we reconsider our action of yesterday whereby the Senate accepted the "Ought Not to Pass" report of the Committee on Legal Affairs. I am making this motion for the purpose of having an amendment drawn which I think will be satisfactory and I hope my motion prevails. I intended to table this matter yesterday.

Thereupon, the Senate voted to reconsider its action of yesterday whereby the "Ought Not to Pass" report of the Committee on Legal Affairs was adopted.

On further motion by the same Senator, the report and accompanying papers were laid upon the table pending adoption of the report.

Mr. WILLIAMS of Penobscot: Mr. President, I would like to inquire if Senate Paper 33, Legislative Document 416, bill An Act Relating to Reinstatement of Dismissed State Employees is in the possession of the Senate?

The PRESIDENT: The Chair will state that it is.

Mr. WILLIAMS: Mr. President and Members of the Senate, I would like to move for a reconsideration due to the keen interest in this matter and the fact that the vote of this Body yesterday for indefinite postponement was 15 to 14. I do not make this motion with any idea of changing my vote but I think very strong evidence will be offered in debate and I would like to give all the Senators a chance to vote on this matter and for all interested to be heard.

Mr. WELCH of Aroostook: Mr. President, in fairness to the Senators who voted with me yesterday, I feel it is only fair that we should take another vote on this matter this morning by division and therefore when the vote is taken I ask for a division.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Penobscot, Senator Williams, that the Senate reconsider its action of yesterday whereby the "Ought to Pass" report was indefinitely postponed. Is the Senate ready for the question?

A division of the Senate was had. 11 having voted in the affirmative and 14 opposed, the motion to reconsider did not prevail.

On motion by Mr. Barnes of Aroostook the Senate voted to take from the table Bill, "An Act to Validate the Use of Check Marks in Elections (S. P. 144) (L. D. 339) tabled by that Senator on February 26th pending adoption of Senate Amendment "A"; and on further motion by the same Senator, Senate Amendment "A" was adopted and the bill as so amended was passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Bishop of Sagadahoc, the Senate voted to take from the table Bill, "An Act Relating to Penalty for Night Hunting" (H. P. 32) (L. D. 27) tabled by that

Senator on February 21st pending enactment; and on further motion by the same Senator the bill was passed to be enacted.

The Senate then retired to the Hall of the House where a Joint Convention was formed.

(For proceedings of Joint Convention, see House Report.)

In the Senate

The Senate was called to order by the President.

Emergency Measure (Out of Order)

From the House, out of order and under suspension of the rules:

Bill "An Act Relating to the Packing of Sardines." (H. P. 1476) (L. D. 1058)

Which bill being an emergency measure and having received the affirmative vote of 28 members of the Senate, was passed to be enacted.

On motion by Mr. Willey of Hancock

Adjourned until tomorrow morning at ten o'clock.