

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, March 13, 1947

The Senate was called to order by the President.

Prayer by the Reverend Tom G. Akeley of Gardiner.

Journal of yesterday read and approved.

Papers from the House referred in concurrence.

From the House:

Bill "An Act Relating to Local Option Provisions." (H. P. 355) (L. D. 225)

(In Senate on March 6th, passed to be engrossed in concurrence)

Comes from the House that Body having reconsidered its action of February 28th whereby the bill was passed to be engrossed; House Amendment "A" was then adopted, and the bill as amended was passed to be engrossed in non-concurrence.

In the Senate, on motion by Mr. Morrill of Cumberland, the report and accompanying papers were laid upon the table pending consideration.

House Committee Reports

The Committee on Temperance on Bill "An Act to Prohibit Music, Dancing or Entertainment on Certain Premises Licensed for the Sale of Liquor," (H. P. 1099) (L. D. 674) reported that the same ought not to pass.

Comes from the House, the bill substituted for the report, and passed to be engrossed as amended by House Amendment "A".

In the Senate, on motion by Mr. Morrill of Cumberland, the report and accompanying papers were laid upon the table pending consideration.

The Committee on Ways and Bridges on "Resolve to Provide for Reimbursing the Town of Harmon for Emergency Road Work," (H. P. 218) (L. D. 1259) reported that the same ought to pass.

The same Committee on "Resolve Reallocating Road Resolve Money Previously Allocated to Road in Damariscotta," (H. P. 213) (L. D. 1258) reported that the same ought to pass.

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

The Committee on Judiciary on Bill "An Act to Establish the Town of Lincoln Municipal Court," (H. P. 839) (L. D. 483) reported the same in a new draft (H. P. 1592) (L. D. 1260) under the same title, and that it ought to pass.

The Committee on Ways and Bridges on "Resolve in Favor of the Town of Montville," (H. P. 77) reported the same in a new draft (H. P. 1608) (L. D. 1262) under the same title and that it ought to pass.

The same Committee on "Resolve in Favor of the Town of Patten," (H. P. 137) reported the same in a new draft (H. P. 1607) (L. D. 1261) under the same title and that it ought to pass.

The same Committee on "Resolve in Favor of the Town of Patten," (H. P. 137) reported the same in a new draft (H. P. 1607) (L. D. 1261) under the same title and that it ought to pass.

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

The Committee on Judiciary on Bill "An Act Relating to Statute of Frauds," (H. P. 1394) (L. D. 1012) reported that the same ought to pass as amended by Committee Amendment "A".

The same Committee on Bill "An Act Relating to Removal of Superintendents of State Institutions," (H. P. 1176) (L. D. 849) reported that the same ought to pass as amended by Committee Amendment "A".

The Committee on Legal Affairs on Bill "An Act to Provide a Town Council and Manager Form of Government for the Town of Old Orchard Beach," (H. P. 20) (L. D. 11) reported that the same ought to pass as amended by Committee Amendment "A".

Which reports were severally read and adopted in concurrence and the bills read once; Committee Amendments "A" were severally read and adopted in concurrence, and the bills as so amended were tomorrow assigned for second reading.

The Committee on Judiciary on Bill "An Act to Enforce Unfair Sales Practices in Cigarettes," (H. P. 1354) (L. D. 955) reported that the same ought to pass.

Comes from the House, report accepted, and the bill passed to be en-

grossed 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.

The Committee on Legal Affairs on Bill "An Act to Incorporate the Town of Strong School District," (H. P. 1279) (L. D. 947) reported that the same ought to pass as amended by Committee Amendment "A".

Comes from the House, report accepted, and the bill passed to be engrossed as amended by Committee Amendment "A", and by House Amendment "A" thereto.

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

Referred to Committee

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

Welfare

Mr. Leavitt of Cumberland presented Bill "An Act Relating to Old Age Recipients." (S. P. 460)

The same Senator presented Bill "An Act Relating to Old Age Assistance Payments." (S. P. 461)

(Ordered printed.)

Sent down for concurrence.

First Reading of a Printed Bill

Bill "An Act to Authorize Fraser Paper, Limited to Merge with and Into, or to Consolidate with, a Corporation Organized Under the Laws of the State of Maine." (S. P. 454) (L. D. 1274)

On motion by Mr. Blanchard of Aroostook, the bill was laid upon the table pending assignment for second reading.

Senate Committee Reports

Mr. Dunbar from the Committee on Judiciary on Bill "An Act Re-

lating to the Waldo County Municipal Court," (S. P. 210) (L. D. 577) reported that leave be granted to withdraw the same.

Which report was read and adopted.

Mr. Hopkins from the Committee on Mercantile Affairs and Insurance on Bill "An Act Relating to Protection of Interest of Employees, Beneficiaries or Joint Annuitants Under Group Annuity Contracts and Pension Trusts," (S. P. 337) (L. D. 966) reported the same in a new draft (S. P. 462) under the same title, and that it ought to pass.

Which report was read and adopted and the new draft laid upon the table for printing under the joint rules.

Mr. Dunbar from the Committee on Judiciary on Bill "An Act Relating to Arrests of Intoxicated Persons," (S. P. 259) (L. D. 721) reported that the same ought to pass.

Mr. Barnes from the same Committee on Bill "An Act Relating to Leases of Premises for State Stores, Warehouses and Other Merchandising Facilities," (S. P. 257) (L. D. 719) reported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act Authorizing the Governor with Advice and Consent of the Council, to Convey Lands and Easements Owned by the State," (S. P. 334) (L. D. 969) reported that the same ought to pass.

(On motion by Mr. Ela of Somerset, tabled pending assignment for second reading.)

Miss Clough from the same Committee on Bill "An Act Amending the Absent Voting Law With Reference to Towns and Plantations," (S. P. 279) (L. D. 811) reported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act Relating to Jurisdiction of Municipal Courts in Juvenile Cases," (S. P. 256) (L. D. 718) reported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act Providing for Reciprocal Agreements Relating to Public Assistance Recipients," (S. P. 331) (L. D. 972) reported that the same ought to pass.

Mr. Cleaves from the Committee on State Lands and Forest Preservation on Bill "An Act Relating

to Proceeds of Sale of Timber on the Indian Township," (S. P. 302) (L. D. 791) reported that the same ought to pass.

Mr. Williams from the same Committee on "Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Hancock County to Malcom P. Noyes of Franklin," (S. P. 222) (L. D. 568) reported that the same ought to pass.

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

Passed to be Engrossed

"Resolve in Favor of George E. Leatherbarrow, of Saco," (H. P. 112) (L. D. 638)

Bill "An Act Relating to Circuses and Traveling Amusement Shows." (H. P. 450) (L. D. 266)

"Resolve Providing for the Purchase of Seventy-five Copies of 'Maine Province and Court Records, Volume III,' (H. P. 454) (L. D. 302)

Bill "An Act to Amend the Charter of the Van Buren Light and Power District." (H. P. 508) (L. D. 329)

Bill "An Act to Amend the Library Law." (H. P. 1077) (L. D. 733)

Bill "An Act Relating to the State School for Boys." (H. P. 1174) (L. D. 848)

(On motion by Mr. Leavitt of Cumberland, tabled pending passage to be engrossed.)

Bill "An Act Amending Subsection (e) of Section 5 of Chapter 69 of the Private and Special Laws of 1941, Relative to Eminent Domain Proceedings." (H. P. 1181) (L. D. 897)

Bill "An Act Amending the Charter of the City of Portland." (H. P. 1276) (L. D. 946)

Bill "An Act Relating to Sidewalk Construction in the City of Portland." (H. P. 1277) (L. D. 937)

Bill "An Act to Incorporate the Town of Palmyra School District." (H. P. 1287) (L. D. 948)

Bill "An Act Relating to the Cumberland Mutual Fire Insurance Company." (H. P. 1305) (L. D. 910)

Bill "An Act Relating to Location of Children of Paupers for School Purposes." (H. P. 1330) (L. D. 923)

Bill "An Act Relating to Unfair Sales of Cigarettes." (H. P. 1355) (L. D. 956)

Bill "An Act Relating to State

Aid to Certain Educational Institutions." (H. P. 1374) (L. D. 995)

Bill "An Act to Create the Searsport Water District." (H. P. 1470) (L. D. 1074)

Bill "An Act Relating to Regulation of Contract Carriers." (H. P. 1515) (L. D. 1138)

Bill "An Act Relating to Fees for Permits and Plates for Motor Vehicle Carriers." (H. P. 1516) (L. D. 1139)

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

Bill "An Act Relating to Incorporation of Kittery Water District." (H. P. 72) (L. D. 52)

(On motion by Mr. Spear of Cumberland, tabled pending passage to be engrossed.)

"Resolve Granting a Pension to Annie M. Adams of North Edgecomb." (H. P. 6) (L. D. 637)

Bill "An Act to Incorporate the Naples Water Company." (H. P. 177) (L. D. 151)

Bill "An Act to Incorporate the Brunswick Sewer District and to Transfer to It the Sewers of the Brunswick Village Corporation." (H. P. 342) (L. D. 215)

Bill "An Act Creating the Ashland Water and Sewer District." (H. P. 683) (L. D. 439)

Bill "An Act to Incorporate the Corinna Water District." (H. P. 686) (L. D. 442)

(On motion by Mr. Hopkins of Kennebec, tabled pending passage to be engrossed.)

Bill "An Act Relating to Limitations of Actions for Tort." (H. P. 916) (L. D. 613)

Bill "An Act Instructing the Commissioner of Education to Establish and Grant State High School Equivalency Certificates." (H. P. 1264) (L. D. 935)

Bill "An Act Relating to the Town of Fort Fairfield School District." (H. P. 1278) (L. D. 938)

Bill "An Act Amending the Charter of the Farmington Village Corporation." (H. P. 1285) (L. D. 940)

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

"Resolve Permitting Central Maine Power Company to Erect Pole Line Across Property of Western Maine Sanatorium, in Hebron." (S. P. 135) (L. D. 518)

"Resolve Relating to Teaching

Service of Frank Kent, of Guilford." (S. P. 201) (L. D. 1256)

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

Sent down for concurrence.

Bill "An Act Relating to Dentists and Dental Hygienists." (S. P. 102) (L. D. 198)

Miss Clough of Penobscot presented Senate Amendment A and moved its adoption. The Secretary read the amendment:

"Senate Amendment A to S. P. 102, L. D. 198, Bill An Act Relating to Dentists and Dental Hygienists. Amend said bill by striking out in the 10th line of that part designated as 'Sec. 20' the word 'deceased' and inserting in place thereof the word 'diseased'."

Which amendment was adopted, and the bill as so amended was read a second time and passed to be engrossed.

Sent down for concurrence.

"Resolve in Favor of a Special Recess Committee to Study the Creation of Domestic and Family Courts and Report to the Legislature." (S. P. 283) (L. D. 806)

Miss Clough of Penobscot presented Senate Amendment A and moved its adoption. The Secretary read the amendment:

"Senate Amendment A to S. P. 283, L. D. 806, Resolve in Favor of a Special Recess Committee to Study the Creation of Domestic and Family Courts and Report to the Legislature.

Amend said Resolve by striking out the last 6 lines of the 1st paragraph thereof and inserting in place thereof the following:

'1 member from the supreme judicial court, 1 member from the superior court, and 1 member from the judges of probate, all to be appointed by the chief justice; 1 member from the municipal court judges to be appointed by the president of their association; and a representative of the department of health and welfare to be appointed by the commissioner thereof; and be it further."

Which amendment was adopted, and the bill as so amended was given its second reading and passed to be engrossed.

Sent down for concurrence.

"Resolve in Favor of the Town of Palermo." (S. P. 453) (L. D. 1257)

Mr. Greeley of Waldo presented Senate Amendment A and moved its adoption. The Secretary read the amendment:

"Senate Amendment A to S. P. 453, L. D. 1257, Resolve in Favor of the Town of Palermo. Amend said resolve by striking out in the third from the last line the date 'June 30, 1947' and inserting in place thereof the date 'June 30, 1948'."

Which amendment was adopted, and the bill as so amended was given its second reading and passed to be engrossed.

Sent down for concurrence.

Passed to be Enacted

Bill "An Act Guaranteeing Loans for Veterans." (S. P. 77) (L. D. 104)

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

Bill "An Act Relating to Fire Wardens in Organized Towns." (S. P. 141) (L. D. 336)

Bill "An Act to Validate the Use of Check Marks in Elections." (S. P. 144) (L. D. 339)

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

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

Bill "An Act Relative to Hearings Conducted by the Secretary of State." (S. P. 207) (L. D. 579)

Bill "An Act Amending the Acts Which Constitute the Charter of Colby College, Formerly Colby University." (S. P. 209) (L. D. 578)

Bill "An Act Relating to Insane Criminals." (S. P. 211) (L. D. 576)

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)

Bill "An Act Relating to Business Hours in State Liquor Stores." (S. P. 265) (L. D. 727)

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)

Bill "An Act Relating to Hours of Sale of Liquor." (S. P. 306) (L. D. 787)

Bill "An Act Relating to Taxation of Imported Cigarettes." (H. P. 23) (L. D. 13)

Bill "An Act Relating to Rental for the Old Town Municipal Court." (H. P. 235) (L. D. 164)

Bill "An Act Relating to the Northern Aroostook Municipal Court." (H. P. 660) (L. D. 436)

Bill "An Act Relating to Rental for the Millinocket Municipal Court." (H. P. 823) (L. D. 476)

Bill "An Act Relating to Penalty for Failure to Report After Motor Vehicle Accidents." (H. P. 831) (L. D. 480)

Bill "An Act to Amend the Act Providing for the Retirement of Firemen in the City of Augusta Upon Half Pay." (H. P. 848) (L. D. 504)

Bill "An Act Providing for the Perambulation of the Maine and New Hampshire Boundary Line" (H. P. 850) (L. D. 506)

(On motion by Mr. Savage of Somerset, tabled pending passage to be enacted.)

Bill "An Act Relating to the Town Manager Form of Government for the Town of Camden." (H. P. 852) (L. D. 515)

Bill "An Act Relating to Penalty for Town Officers' Neglect in Fire Prevention." (H. P. 856) (L. D. 511)

Bill "An Act Relating to the Filling of Vacancies in the Superintending School Committee in the Town of Fairfield." (H. P. 859) (L. D. 514)

Bill "An Act Relative to the Westbrook Municipal Court." (H. P. 915) (L. D. 543)

Bill "An Act Relating to Passing Motor Vehicles on the Right." (H. P. 922) (L. D. 545)

Bill "An Act Relating to the City of Brewer High School District." (H. P. 931) (L. D. 548)

Bill "An Act Relating to Revocation of Hunting Licenses." (H. P. 975) (L. D. 633)

Bill "An Act Relating to Passing of Motor Vehicles." (H. P. 976) (L. D. 632)

Bill "An Act Designating Through Ways." (H. P. 977) (L. D. 631)

Bill "An Act Relating to Liquor Commission Inspectors." (H. P. 1073) (L. D. 670)

Bill "An Act to Prevent the Employment of Minors on Premises Where Liquor to be Consumed on the Premises is Sold." (H. P. 1227) (L. D. 751)

Bill "An Act Relating to Manufacturing Liquor." (H. P. 1228) (L. D. 752)

Bill "An Act Relating to Transfer of Liquor Licenses." (H. P. 1229) (L. D. 753)

Bill "An Act Amending the Charter of the City of Brewer Relative to Election Date and Filing of Petitions." (H. P. 1288) (L. D. 942)

Bill "An Act Repealing the Law Relating to Prior Convictions in Offenses Against the Liquor Law." (H. P. 1477) (L. D. 1091)

Bill "An Act Relating to Income Accruing to the State." (H. P. 1478) (L. D. 1092)

Bill "An Act Compensating Gardiner G. Deering, of Bath, for Duties as Recorder." (H. P. 1530) (L. D. 1112)

Bill "An Act Relating to Civil Service Rules for Police and Fire Departments." (H. P. 1532) (L. D. 1113)

Constitutional Amendment

"Resolve, Proposing an Amendment to the Constitution Providing for Additional Signers in Petitions for Referendum." (S. P. 107) (L. D. 238)

Which resolve being a Constitutional Amendment and having received the affirmative vote of 23 members of the Senate and none opposed, was finally passed.

Emergency Measure

Bill "An Act to Incorporate the Town of Easton School District." (H. P. 853) (L. D. 508)

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. Barnes of Aroostook, the Senate voted to take from the table Bill, An Act to Incorporate the Town of Houlton School District (H. P. 614) (L. D. 379) tabled by that Senator on March 6th pending passage to be engrossed in concurrence; and on further motion by the same Senator the bill was passed to be engrossed in concurrence.

On motion by Mr. Ela of Somerset, the Senate voted to take from the table, Bill, An Act Authorizing the Governor with Advice and Consent of the Council, to convey Lands and Easements Owned by the State (S. P. 334) (L. D. 969) tabled by that Senator earlier in today's session pending assignment for second reading; and on further motion by the same Senator the bill was tomorrow assigned for second reading.

On motion by Mr. Welch of Aroostook, the Senate voted to take from the table Senate Order Relative to Information, re Recipients of Old Age Assistance and Aid to Dependent Children, from Commissioner of Health and Welfare, tabled by that Senator on March 12th pending passage; and on further motion by the same Senator, the order received passage.

On motion by Mr. Ela of Somerset, the Senate voted to take from the table, Bill, An Act Relating to the Control of Rats on Public Dumping Grounds (S. P. 241) (L. D. 662) tabled by that Senator on March 11th pending passage to be engrossed.

Mr. Morrill of Cumberland pre-

sented Senate Amendment "B" and moved its adoption:

"Senate Amendment "B" to Bill, An Act Relating to the Control of Rats on Public Dumping Grounds (S. P. 241) (L. D. 662)

Amend said bill by striking out in the sixth line thereof the second underlined word 'the' and inserting in place thereof the underlined word 'its'."

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

Sent down for concurrence.

On motion by Mr. Blanchard of Aroostook

Adjourned until tomorrow morning at ten o'clock.