

# 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, April 2, 1947.

The Senate was called to order by the President.

Prayer by the Rev. Cymbrid Hughes of Augusta.

Journal of yesterday read and approved.

**Referred to Committees**

From the House:

Bill "An Act to Authorize the Treasurer and County Commissioners of Kennebec County to Procure a Loan, and Issue Bonds of said County Therefor, for the Purpose of Adding to the Present Court House." (H. P. 1662) (L. D. 1360)

Which was received by unanimous consent and referred to the Committee on Judiciary in concurrence.

"Resolve Authorizing Maine State Park Commission to Convey Mount Blue State Park to Town of Weld." (H. P. 1661) (L. D. 1359)

Which was received by unanimous consent and referred to the Committee on State Lands and Forest Preservation in concurrence.

**House Committee Reports**

The Committee on State Lands and Forest Preservation on "Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Aroostook County to Ovila Picard of Guerette, (P. O. Stockholm)," (H. P. 1322) (L. D. 919) reported that the same ought to pass.

The same Committee on "Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Land in Aroostook County to Maxime J. Michaud of St. Agatha," (H. P. 134) (L. D. 90) reported that the same ought to pass.

The same Committee on "Resolve Authorizing the State Tax Assessor to Convey Certain Land in Aroostook County to Maxime F. Albert, of Frenchville," (S. P. 38) (L. D. 32) 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 Sea and Shore Fisheries on "Resolve Relating to Fishing in Pleasant River," (H. P.

1319) (L. D. 916) reported the same in a new draft, (H. P. 1656) (L. D. 1351) under a new title, "Resolve Relating to Fishing for Salmon in Pleasant River," and that it ought to pass.

The Committee on Agriculture on Bill "An Act Relating to State Sealer of Weights and Measures." (H. P. 1138) (L. D. 838) reported the same in a new draft (H. P. 1655) (L. D. 1350) 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.

The Committee on Judiciary on Bill "An Act Concerning Medical Examiners," (H. P. 1486) (L. D. 1087) 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.

**Senate Committee Reports**

Mr. Dunbar from the Committee on Judiciary on "Resolve Authorizing the George Green Estate to Sue the State of Maine," (S. P. 437) (L. D. 1230) reported that the same ought not to pass.

Mr. Baker from the Committee on Temperance on Bill "An Act Relating to Licenses of Hotels, Restaurants and Clubs," (S. P. 267) (L. D. 729) reported that the same ought not to pass, as covered by other legislation.

Which reports were severally read and adopted.

**Passed to be Engrossed**

Bill "An Act Relating to Relief of Paupers in Deorganized Towns." (H. P. 887) (L. D. 499)

"Resolve Authorizing the Forest Commissioner to Convey the State's Interest in Certain Lands." (H. P. 955) (L. D. 558)

Bill "An Act Relating to Protection of Alewives in Town of Orland." (H. P. 1321) (L. D. 918)

Bill "An Act Relating to Licenses for Lease of Real Estate by Probate Court." (H. P. 1504) (L. D. 1129)

Bill "An Act Relating to Notice in

Trust Estates to be Sold." (H. P. 1508) (L. D. 1133)

Bill "An Act Relating to Qualifications of the Recorder of the Gardiner Municipal Court." (H. P. 1585) (L. D. 1238)

Bill "An Act Relating to Tuition for Pupils from Towns Not Maintaining a Standard Secondary School." (H. P. 1651) (L. D. 1349)

Bill "An Act Relating to the Fort Fairfield Municipal Court." (H. P. 1653) (L. D. 1348)

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

Bill "An Act Relating to the Apportionment of Estate Taxes." (H. P. 1353) (L. D. 954)

Bill "An Act Relating to Obstructions of Public Ways." (H. P. 1503) (L. D. 1128)

Bill "An Act Relating to Obstructions of Snow and Ice on Traveled Roads." (H. P. 1505) (L. D. 1130)

Bill "An Act Relating to Expenses of Town and City Clerks." (H. P. 1525) (L. D. 1118)

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

Bill "An Act Relating to Increasing the Maximum Payment in Old Age Assistance." (S. P. 487) (L. D. 1355)

Bill "An Act Relating to Increasing the Maximum Payment in Aid to the Blind." (S. P. 488) (L. D. 1354)

Which were severally read a second time and passed to be engrossed. Sent down for concurrence.

#### Passed to be Enacted

Bill "An Act Relating to Driving Motor Vehicles on Divided Highways." (S. P. 170) (L. D. 421)

Bill "An Act Relating to Driving Motor Vehicles on Roadways Laned for Traffic." (S. P. 171) (L. D. 422)

Bill "An Act Relating to Purposes and Powers of Maine Port Authority." (S. P. 315) (L. D. 877)

Bill "An Act Relating to Burglary and Breaking and Entering." (S. P. 387) (L. D. 1100)

Bill "An Act Relating to Prohibiting the Use of an Airplane in Driving or Molesting Any Wild Birds or Animals." (S. P. 464) (L. D. 1305)

Bill "An Act Relating to Transportation of Deer Within State." (S. P. 465) (L. D. 1304)

"Resolve, to Correct Error in 1945-46 Road Resolve Appropriations." (S. P. 74) (L. D. 1310)

Bill "An Act Declaring Greater Portland Public Development Commission as a State Agency." (H. P. 58) (L. D. 45)

Bill "An Act Relating to the Licensing of Life Insurance Agents." (H. P. 1026) (L. D. 666)

Bill "An Act Relating to Licenses for 'On Premise' sale of Malt Liquor." (H. P. 1103) (L. D. 678)

Bill "An Act Creating the Rockland School District." (H. P. 1274) (L. D. 945)

Bill "An Act Relating to the Licensing of Eating and Lodging Places." (H. P. 1310) (L. D. 889)

Bill "An Act Providing for Payment of Personal Property Tax on Trailers Before Motor Vehicle Registration Permitted." (H. P. 1512) (L. D. 1136)

Bill "An Act Relating to Manufacture and Sale of Apple Cider." (H. P. 1524) (L. D. 1117)

Bill "An Act Relating to Revocation of Liquor Licenses." (H. P. 1566) (L. D. 1195)

Bill "An Act Relating to the Salaries of the Judge and Recorder of the Millinocket Municipal Court." (H. P. 1635) (L. D. 1312)

Bill "An Act Relating to Fire Insurance Policies." (H. P. 1637) (L. D. 1317)

#### Finally Passed

"Resolve, Providing for an Increase in Retirement Pension for Oscar F. Williams." (H. P. 500) (L. D. 321)

"Resolve, Authorizing Warren Worster of Greenville to Construct a Wharf." (H. P. 1538) (L. D. 1168)

#### Orders of the Day

On motion by Miss Clough of Penobscot, the Senate voted to take from the table Senate Report from the Committee on Judiciary on (S. P. 126) (L. D. 289) bill, An Act Relating to Discriminating Against Persons. Majority Report "Ought Not to Pass", Minority Report "Ought to Pass in New Draft", tabled by that Senator on March 25 pending adoption of either report; and on further motion by the same Senator, the Majority Report "Ought Not to Pass" was adopted. Sent down for concurrence.

On motion by Mr. Leavitt of Cumberland, the Senate voted to

take from the table bill, An Act to Increase State Aid to Towns for the Support of Schools to Establish Minimum Salaries for Teachers (S. P. 478) (L. D. 1336) tabled by that Senator on March 27 pending assignment for second reading, and that Senator yielded to the Senator from Sagadahoc, Senator Bishop.

The Senator from Sagadahoc, Senator Bishop presented Senate Amendment A and moved its adoption.

The Secretary read the amendment:

"Senate Amendment A to S. P. 478, L. D. 1336, Bill An Act to Increase State Aid to Towns for the Support of Schools to Establish Minimum Salaries for Teachers.

Amend said Bill by striking out, in subsection II in that part designated Sec. 201, the 10th, 11th, 12th and 13th lines and inserting in place thereof the following:

'approved by the commissioner, a budgetary balance after deducting subsidy as above mentioned, which shall provide an amount sufficient to allocate to each municipality, units, as hereinafter determined, which shall be not less than \$100 each, based on the effort made'."

Mr. BISHOP of Sagadahoc: Mr. President, this amendment simply clarifies the grammatical construction of that section. It doesn't change the meaning of the bill any except to make it a little more clear.

Thereupon, Senate Amendment A was adopted.

On motion by Mr. Leavitt of Cumberland, the rules were suspended and the bill was given a second reading and passed to be engrossed as amended.

Sent down for concurrence.

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table Senate Report "Ought Not to Pass" from the Committee on Legal Affairs on bill, An Act Relating to the Salaries of the Police Department of the City of Lewiston (S. P. 234) (L. D. 976) tabled by that Senator on March 7 pending adoption of the report; and on further motion by the same Senator, the "Ought Not to Pass" report of the committee was adopted.

Sent down for concurrence.

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table Senate Report

"Ought Not to Pass" from the Committee on Legal Affairs on Bill "An Act Relating to the Salary of the Police Matron of the City of Lewiston (S. P. 321) (L. D. 871) tabled by that Senator on March 7 pending adoption of the report; and on further motion by the same Senator, the "Ought Not to Pass" report of the committee was adopted.

Sent down for concurrence.

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table Senate Report "Ought Not to Pass" from the Committee on Legal Affairs on bill, An Act Relating to Salaries of Police Officers of the City of Lewiston (S. P. 320) (L. D. 872) tabled by that Senator on March 7 pending adoption of the report; and on further motion by the same Senator, the "Ought Not to Pass" report of the committee was adopted.

Sent down for concurrence.

#### Emergency Measure

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

"An Act Amending the Charter of the City of Lewiston." (S. P. 475) (L. D. 1331)

Which Bill being an Emergency Measure, and having received the affirmative vote of 28 Members of the Senate, and none opposed, was passed to be enacted.

On motion by Mr. Williams of Penobscot, the Senate voted to take from the table bill, An Act Relating to Bank Accounts and Deposits of Town Treasurers (H. P. 273) (L. D. 185) tabled by that Senator on March 6 pending passage to be enacted.

Mr. WILLIAMS of Penobscot: Mr. President and Senators, the reason for tabling this bill was that I felt that in its present form it might be a little hardship on some town officials or town treasurers in the matter of depositing because there are seasons of the year when, as you all know, in the smaller towns of the state very little money is taken in. And under this bill I could conceive where the town treasurer would have to bother to deposit maybe a matter of \$1.98 or something like that a couple of times a month.

It may be a minor matter but I have prepared an amendment which would do away with that inconvenience. The amendment reads:

"The provisions of the preceding sentence shall not apply to cash balances until such balances shall exceed \$100", which would appear to me more reasonable than that they should have to deposit twice a month any amount they might have, and I think this amendment will take care of the smaller towns and the bill still do away with the abuses that there could be under the present law that town treasurers could hold funds for some time until they were deposited. I offer Senate Amendment A and move its adoption.

Thereupon, on motion by Mr. Williams of Penobscot, the rules were suspended and the Senate voted to reconsider its former action whereby this bill was passed to be engrossed. That Senator presented Senate Amendment A and moved its adoption.

The Secretary read the amendment:

"Senate Amendment A to (H. P. 273) (L. D. 185) bill, An Act Relating to Bank Accounts and Deposits of Town Treasurers. Amend said bill by adding at the end thereof the following underlined sentence: 'The provisions of the preceding sentence shall not apply to cash balances until such balances shall exceed \$100.'"

Senate Amendment A was adopted and the bill as so amended was passed to be engrossed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Haskell of Penobscot,

Adjourned until tomorrow morning at ten o'clock.