

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, April 17, 1947.

The Senate was called to order by the President.

Prayer by the Reverend Wesley U. Riedel of Augusta.

Journal of yesterday read and approved.

From the House

Memorial to Congress in Favor of Changing the Method of Determining the Pollution of Clam Flats." (H. P. 1687) (L. D. 1393)

On motion by Mr. Cross of Kennebec the Memorial was laid upon the table pending adoption.

"Resolve Providing for an Additional State Pension for George H. Babb, of Augusta." (H. P. 1449) (L. D. 1322)

(In the Senate on April 11th, 1947, passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.)

Comes from the House, Senate Amendment "A" indefinitely postponed and the bill passed to be engrossed in non-concurrence.

In the Senate, on motion by Mr. Cross of Kennebec, the resolve and accompanying papers were laid on the table pending consideration.

House Committee Reports

The Committee on Sea and Shore Fisheries on "Resolve to Provide Funds for Clam Cleansing Research," (H. P. 1620) (L. D. 1292) 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.

The Committee on Inland Fisheries and Game on bill "An Act Providing for Giving Complimentary Hunting and Fishing Licenses by Governor to Congressional Medal of Honor Holders." (H. P. 1160) (L. D. 769) reported the same in a new draft (H. P. 1667) (L. D. 1372) under the same title, and that it 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 read once; 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 Relating to Board of Boiler Rules," (H. P. 1400) (L. D. 1017) reported that the same ought to pass as amended by Committee Amendment "A."

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

In the Senate, the report was read and adopted in concurrence, Committee Amendment A and House Amendment A were read and adopted in concurrence, and the bill as so amended was tomorrow assigned for second reading.

The Majority of the Committee on Legal Affairs on Bill "An Act Relating to Town of Norridgewock School District," (H. P. 615) (L. D. 380) reported that the same ought to pass as amended by Committee Amendment "B".

(Signed)

Senators:

BATCHELDER of York
BLANCHARD of Aroostook
BAKER of Kennebec

Representatives:

ANDERSON of New Sweden
RANKIN of Bridgton
PAYSON of Union

The Minority of the same Committee on the same subject matter reported that the same ought not to pass.

(Signed)

Representatives:

WOODWORTH of Fairfield
WEEKS of South Portland
ATHERTON of Bangor
SNOW of Auburn

Comes from the House, the Majority Report "Ought to Pass" having been adopted, and the bill passed to be engrossed as amended by Committee Amendment B.

In the Senate, on motion by Mr. Blanchard of Aroostook, the Majority report "Ought to Pass" was adopted in concurrence and the bill was given its first reading; Committee Amendment B was read and adopted in concurrence, and the bill as so amended was tomorrow assigned for second reading.

Orders

On motion by Mr. Hopkins of Kennebec, it was

ORDERED that the Superintendent of Buildings make such improvement in the desks of the Senate as he deems will make them more convenient for the use of the Senators.

Mr. Hopkins of Kennebec presented the following amendment and moved its adoption:

ORDERED, the House concurring, that the first sentence and the first word of the second sentence of Joint Rule 8 be deleted and that there be inserted in place thereof the following: "When a bill, resolve or order is rejected in either House, it shall be forwarded to the other House for further consideration."

Mr. HOPKINS of Kennebec: Mr. President, I thought I knew as much about the subject matter covered by the first order as any of the other Senators, but I am not sure that I do about this order. There has been considerable discussion among the Senators relative to the change and speed of the handling of legislation here this session, and I thought it might be well to present this order and give the Senators a chance to think it over for a day or two. Then, if you feel as I do about it, and feel that the joint rules should be changed, you might so express yourselves.

I won't go into the merits of the order, because I think all of you know what the order means. I think you know there has been a different procedure in handling legislation this session than in previous sessions, and further discussion at this time on my part is not necessary, although I hope the rest of you will debate it.

The PRESIDENT: The question before the Senate is on the passage of the Order.

Mr. LEAVITT of Cumberland: Mr. President, in view of the remarks by Senator Hopkins, I move that the Order be placed on the table until we have had a chance to think it over.

The motion prevailed and the Order was laid upon the table pending passage.

Senate Committee Reports

Mr. Barnes from the Committee on Salaries and Fees on Bill "An

Act Relating to Salary of the Clerk of Courts in Knox County," (S. P. 113) (L. D. 33) reported that the same ought not to pass.

Which report was read and adopted.

Mr. Haskell from the same Committee on Bill "An Act Relating to Certain Fees of State Police Officers," (S. P. 295) (L. D. 798) reported that the same ought not to pass.

On motion by Mr. Barnes of Aroostook, the report and accompanying papers were laid upon the table pending consideration of the report.

Mr. Ela from the Committee on Public Health on Bill "An Act Relating to Testing of Water Supplies for Public Schools," (S. P. 391) (L. D. 1104) reported the same in a new draft, (S. P. 517) (L. D. 1407) under the same title and that it ought to pass.

Mr. Barnes from the Committee on Salaries and Fees on Bill "An Act Relating to Clerk Hire in the Office of Clerk of Courts in Aroostook County," (S. P. 380) (L. D. 1093) reported that the same ought to pass.

Mr. Haskell from the same Committee on Bill "An Act Relating to Clerk Hire in the Office of Clerk of Courts in Hancock County," (S. P. 441) (L. D. 1234) reported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act Compensating Philip E. Lamb, of Gardiner, for Duties as Recorder," (S. P. 326) (L. D. 866) reported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act to Increase the Salary of the County Attorney of Kennebec County," (S. P. 183) (L. D. 520) reported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act Relating to Salary of Clerks in the Office of Register of Deeds for York County," (S. P. 388) (L. D. 1101) reported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act Relating to the Salary of Clerks in the Office of Clerk of Courts in York County," (S. P. 389) (L. D. 1102) reported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act Relating to Salary of the Judge of Probate Court of York County,"

(S. P. 298) (L. D. 795) reported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act to Increase the Amount for Clerk Hire in the Office of Register of Probate in York County," (S. P. 390) (L. D. 1103) reported that the same ought to pass.

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

Mr. Blanchard from the Committee on Legal Affairs on Bill "An Act to Incorporate the Town of Mars Hill School District," (S. P. 483) (L. D. 1345) reported that the same ought to pass as amended by Committee Amendment "A".

Mr. Batchelder from the Committee on Public Utilities on Bill "An Act to Create the Orono-Veazie Water District," (S. P. 459) (L. D. 1289) reported that the same ought to pass as amended by Committee Amendment "A".

Which reports were severally read and adopted, and the bills read once; Committee Amendments "A" were severally adopted without reading; and the bills as amended were tomorrow assigned for second reading.

Mr. Haskell from the Committee on Salaries and Fees on bill, "An Act Increasing the Salary of Register of Probate in Androscoggin County," (S. P. 221) (L. D. 569) reported that the same ought to pass as amended by Committee Amendment A.

Which report was adopted and the bill was given its first reading.

"Committee Amendment A to S. P. 221, L. D. 569, bill, An Act Increasing the Salary of Register of Probate in Androscoggin County. Amend said bill by striking out at the end thereof the underlined figures '\$2500' and inserting in place thereof the underlined figures '2300'."

Which amendment was adopted and the bill as so amended was tomorrow assigned for second reading.

The same Senator from the same Committee on bill, "An Act Relating to Salary of Register of Probate in York County," (S. P. 392) (L. D. 1105) reported that the same ought to pass as amended by Committee Amendment A.

Which report was adopted and

the bill was given its first reading.

The Secretary read Committee Amendment A.

"Committee Amendment A to bill, An Act Relating to Salary of Register of Probate in York County, S. P. 392, L. D. 1105. Amend said bill by striking out at the end thereof the following underlined figures: '\$3000' and inserting in place thereof the underlined figures: '\$2400'."

Which amendment was adopted and the bill as so amended was tomorrow assigned for second reading.

The same Senator from the same Committee on bill "An Act Increasing the Salary of Register of Deeds of York County," (S. P. 393) (L. D. 1106) reported that the same ought to pass as amended by Committee Amendment A.

Which report was read and adopted and the bill was given its first reading.

The Secretary read Committee Amendment A:

"Committee Amendment A to bill, An Act Increasing the Salary of Register of Deeds of York County, S. P. 393, L. D. 1106. Amend said bill by striking out at the end thereof the following underlined figures '\$3,000' and inserting in place thereof the underlined figures, '\$2500'."

Which amendment was adopted, and the bill as so amended was tomorrow assigned for second reading.

The same Senator from the same Committee on bill "An Act Relating to the Salary of Local Health Officers," (S. P. 296) (L. D. 797) reported that the same ought to pass as amended by Committee Amendment A.

Which report was read and adopted and the bill was given its first reading.

The Secretary read Committee Amendment A:

"Committee Amendment A to bill, An Act Relating to the Salary of Local Health Officers, S. P. 296, L. D. 797. Amend said bill by striking out in the 9th line thereof the underlined figures '\$1500' and inserting in place thereof the underlined figures '\$1200'."

Which amendment was adopted, and the bill as so amended was tomorrow assigned for second reading.

The Majority of the Committee on Appropriations and Financial Affairs on "Resolve in Favor of

Freedom Academy," (S. P. 375) (L. D. 1059) reported that the same ought not to pass.

(signed) Senators:

Savage of Somerset
 CLEAVES of Cumberland
 WILLIAMS of Penobscot

Representatives:

BREWER of Presque Isle
 BOWKER of Portland
 FINNEGAN of Bangor
 BIRD of Rockland
 POULIN of Waterville
 SEEGER of Kittery

The Minority of the same Committee on the same subject matter reported that the same ought to pass.

(signed) Representative:

BROWN of Unity

On motion by Mr. Greeley of Waldo, the reports and accompanying papers were laid on the table pending consideration of the reports.

The Majority of the Committee on Legal Affairs on Bill "An Act Relating to Fees for Licenses for Recreational Camps and Roadside Places," (S. P. 285) (L. D. 804) reported that the same ought to pass.

(signed) Senators:

BATCHELDER of York
 BLANCHARD of Aroostook
 BAKER of Kennebec

Representatives:

ANDERSON of New Sweden
 RANKIN of Bridgton
 PAYSON of Union

The Minority of the same Committee on the same subject matter reported that the same ought not to pass.

(signed) Representatives:

WOODWORTH of Fairfield
 WEEKS of South Portland
 SNOW of Auburn
 ATHERTON of Bangor

On motion by Mr. Batchelder of York, the Majority Report "Ought to Pass" was adopted and the bill was given its first reading and tomorrow assigned for second reading.

Passed to be Engrossed

Bill "An Act Relating to Convictions Affecting Credibility and Constituting Criminal Records." (H. P. 1682) (L. D. 1399)

"Resolve, Authorizing Maine State Park Commission to Lease Mount Blue State Park to Town of Weld." (H. P. 1683) (L. D. 1401)

"Resolve, Authorizing the State Tax Assessor to Convey by Sale

Certain Interest of the State in Lands in the Unorganized Territory and in the City of Bangor." (H. P. 1684) (L. D. 1402)

Bill "An Act to Regulate Public Dance Halls." (H. P. 1685) (L. D. 1400)

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

Bill "An Act Providing for Fire Escapes with the Approval Thereof of the Insurance Commissioner or Fire Inspector." (H. P. 444) (L. D. 262)

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

Tabled Pending Passage to be Engrossed

"Bill An Act Preventing Drinking in Public Places." (S. P. 505) (L. D. 1391) (Tabled by Mr. Barnes of Aroostook.)

Tabled Pending Passage to be Enacted

Bill "An Act Relating to Registration of Motor Vehicles." (S. P. 130) (L. D. 283) (Tabled by Mr. Noyes of Hancock.)

Passed to be Enacted

Bill "An Act Relating to Membership of Maine State Office Building Authority." (H. P. 621) (L. D. 382)

Bill "An Act to Amend the Charter of the Ogunquit Village Corporation." (H. P. 1286) (L. D. 941)

Bill "An Act to Incorporate the Saco Sewerage District." (H. P. 1313) (L. D. 950)

Bill "An Act Creating the Bridgton Utilities District." (H. P. 1669) (L. D. 1373)

Bill "An Act Relating to the Digging of Clams in Southwest Harbor." (H. P. 1670) (L. D. 1374)

Bill "An Act Relating to the Digging of Clams in Lamoine." (H. P. 1671) (L. D. 1375)

Finally Passed

"Resolve, in Favor of the Town of Baileyville." (H. P. 1557) (L. D. 1379)

"Resolve, in Favor of the Town of Trenton." (H. P. 1558) (L. D. 1380)

"Resolve, Reallocating Road Resolve Money Previously Allocated

to Road in Bucksport." (H. P. 1658) (L. D. 1381)

Emergency Measure

Bill "An Act to Create the Augusta Parking District." (S. P. 203) (L. D. 594)

Which bill being an emergency measure and having received the affirmative vote of 31 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 Senate Report "Ought Not to Pass" from the Committee on Inland Fisheries and Game on Resolve Relating to Fishing in Tote Road Pond in Moro Plantation in Aroostook County (S. P. 158) (L. D. 395) tabled by that Senator on February 28 pending consideration of the report; and on further motion by the same Senator, the resolve was recommended to the Committee on Inland Fisheries and Game.

Order

(Out of Order)

On motion by Mr. Williams of Penobscot, it was

ORDERED, that there be printed one thousand additional copies of L. D. 1405, report of the Committee on Welfare, and 500 additional copies of each of the supplementary reports on Welfare; namely, the report of Ernst and Ernst and the report of Stanley L. Bird.

On motion by Mr. Morrill of Cumberland, the Senate voted to take from the table House Report "Ought to Pass" from the Committee on Sea and Shore Fisheries on bill, An Act Providing for Restoration and Development of Shellfish Resources, (H. P. 1453) (L. D. 1050) tabled by that Senator on April 8 pending consideration of the report; and on further motion by the same Senator, the report was adopted and the bill was given its first reading.

That Senator presented Senate Amendment A and moved its adoption.

Mr. MORRILL of Cumberland: Mr. President, the explanation of that amendment is quite a long one, and in consideration of the Secretary of the Senate, I will ex-

plain it. The original bill has to do with setting up shellfish license fees, and the license fees to go with canning clams. Within it, it embodies the arm of the Department of Agriculture in the enforcement of the sanitary conditions under which clams are shucked and packed. There was some wording in there that we hadn't changed to make it conform with the wording now used in the forms already in use by the Department of Agriculture.

The second point was a correction so that this bill will conform with section 91 of another bill which is coming in which will revise the whole of Chapter 34 of the laws regarding Sea and Shore Fisheries.

I assure you it is a technical and functional amendment.

Thereupon, the amendment was adopted without reading, and the bill as amended by Senate Amendment A was tomorrow assigned for second reading.

On motion by Mr. Barnes of Aroostook, the Senate voted to take from the table bill, An Act Relating to Eligibility of Certain Clubs for Liquor Licenses (S. P. 476) (L. D. 1329) tabled by that Senator on April 16 pending passage to be enacted; and on further motion by the same Senator, the bill was passed to be enacted.

Mr. Bishop of Sagadahoc was granted unanimous consent to address the Senate.

Mr. BISHOP of Sagadahoc: Mr. President and members of the Senate, this may be an unusual request, but this afternoon just before the House convenes, arrangements have been made to give a little time to a young boy, a young fellow in the State who has just competed in an oratorical contest sponsored by the American Legion, who won the State honors. It is said he did a remarkable job. His subject was The Constitution of the United States. It was compiled by his own efforts. It seems to be a remarkable approach to the subject.

He went to the regional contest in New Hampshire and was eliminated with a very close second place, but he has done such a fine job that it seems we ought to recognize him in this state as having accomplished quite a feat. He will

speak this afternoon about four o'clock. It will be informal.

We hope the members of the Senate will join at the time with the members of the House and form a large and receptive audience to hear him give this address. It takes only about 10 minutes but it seems we are so concerned about the position that Maine holds in the educational field that one who could do as good a job as this should have some recognition.

I hope the members of the Senate will find it convenient to join with the House this afternoon and hear this address.

Mr. Welch of Aroostook was

granted unanimous consent to address the Senate.

Mr. WELCH of Aroostook: Mr. President and Members of the Senate, I just want to make a few remarks in regard to the potatoes which you find once again placed on your desks this morning.

These potatoes were furnished by Elwood Noyes of Limestone and presented through the efforts of Representative Burgess from the same town. I hope you will enjoy them.

On motion by Mr. MacKinnon of Oxford

Adjourned until tomorrow morning at ten o'clock.