

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*Ninety-Fourth Legislature*

OF THE

STATE OF MAINE

1949

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

## SENATE

Tuesday, February 8, 1949.

The Senate was called to order by the President.

Prayer by the Rev. F. Ernest Smith of Hallowell.

Journal of Friday, February 4th, 1949 read and approved.

## From the House

"Resolve in Favor of State Military Defense Commission." (H. P. 812) (L. D. 309)

Which was referred to the Committee on Appropriations and Financial Affairs in concurrence.

Bill "An Act Relating to Destruction of Old Bank Records." (H. P. 813) (L. D. 310)

Which was referred to the Committee on Banks and Banking in concurrence.

Bill "An Act Relating to Acceptance of Provisions of Federal Law and Federal Grants." (H. P. 826) (L. D. 311)

Which was referred to the Committee on Federal Relations in concurrence.

Bill "An Act Relating to Hunting of Deer in Washington County." (H. P. 827) (L. D. 312)

Which was referred to the Committee on Inland Fisheries and Game in concurrence.

Bill "An Act Regulating Boats for Hire on Inland Waters." (H. P. 828) (L. D. 313)

Which was referred to the Committee on Interior Waters in concurrence.

Bill "An Act Relating to Sale of Personal Property by Minors." (H. P. 829) (L. D. 314)

Bill "An Act Relating to Right of Appeal in Cigarette and Tobacco Products Law." (H. P. 830) (L. D. 315)

Bill "An Act Relating to Powers of Baxter State Park Authority." (H. P. 831) (L. D. 316)

Bill "An Act Relating to Issuing of Licenses for the Carrying of Concealed Weapons." (H. P. 832) (L. D. 317)

Bill "An Act Creating a State Highway Commissioner and Advisory Council." (H. P. 833) (L. D. 318)

Bill "An Act Relating to the Collection on Payment and Dishonor of Demand Items by Banks and the Revocation of Credit for, and Payment of, Such Items." (H. P. 834) (L. D. 333)

Bill "An Act Relating to Certificates of Marriage." (H. P. 835) (L. D. 319)

Bill "An Act Relating to Vital Statistics." (H. P. 836) (L. D. 320)

Which were severally referred to the Committee on Judiciary in concurrence.

Bill "An Act to Incorporate the Dover-Foxcroft School District." (H. P. 837) (L. D. 334)

Bill "An Act Amending the Charter of the City of Lewiston." (H. P. 838) (L. D. 321)

Bill "An Act to Create the Boothbay Region Community School District." (H. P. 839) (L. D. 335)

Which were severally referred to the Committee on Legal Affairs in concurrence.

"Resolve for the Development and Improvement of Baxter State Park." (H. P. 840) (L. D. 322)

Which was referred to the Committee on Maine Publicity in concurrence.

Bill "An Act Relating to Motor Vehicle Registration for Amputee Veterans." (H. P. 841) (L. D. 336)

Which was referred to the Committee on Motor Vehicles in concurrence.

Bill "An Act Relating to Public Health Nursing Service." (H. P. 853) (L. D. 323)

Which was referred to the Committee on Public Health in concurrence.

Bill "An Act Relating to Corinna Water District." (H. P. 854) (L. D. 324)

Which was referred to the Committee on Public Utilities in concurrence.

Bill "An Act Relating to Fees Payable to Registers of Deeds." (H. P. 855) (L. D. 325)

Bill "An Act Relating to Salary of the Judge of the Rockland Municipal Court." (H. P. 856) (L. D. 337)

Which were severally referred to the Committee on Salaries and Fees in concurrence.

Bill "An Act Relating to the Digging of Clams in the Town of Owl's Head." (H. P. 857) (L. D. 326)

Which was referred to the Committee on Sea and Shore Fisheries in concurrence.

"Resolve, Authorizing the State Tax Assessors to Convey by Sale Certain Interest of the State in Lands in the Unorganized Territory." (H. P. 858) (L. D. 327)

"Resolve, Authorizing the Forest Commissioner to Convey Certain Interest of the State in Lands in Aroostook County to Burton Porter of Mapleton." (H. P. 859) (L. D. 328)

Which were severally referred to the Committee on State Lands and Forest Preservation in concurrence.

Bill "An Act Relating to Payments to Town of Masardis by Seed Potato Board." (H. P. 860) (L. D. 329)

Bill "An Act Relating to Payments from Baxter State Park to Forestry District." (H. P. 861) (L. D. 330)

Bill "An Act Relating to Motor Vehicle Excise Tax for Amputee Veterans." (H. P. 862) (L. D. 338)

Which were severally referred to the Committee on Taxation in concurrence.

Bill "An Act to Authorize the Town of York to Construct a Public Wharf." (H. P. 864) (L. D. 331)

Which was referred to the Committee on Towns in concurrence.

Bill "An Act Relating to Old Age Assistance." (H. P. 865) (L. D. 332)

Which was referred to the Committee on Welfare in concurrence.

"Resolve in Favor of General Ice Cream Corporation of Rockland." (H. P. 898)

"Resolve in Favor of Olin R. Beal, of Durham." (H. P. 899)

"Resolve in Favor of Alice P. Gillespie, of Meddybemps." (H. P. 900)

"Resolve in Favor of Daniel W. Munroe of Waterville." (H. P. 901)

"Resolve in Favor of Webber's Dairy, Inc. of Waterville." (H. P. 902)

"Resolve in Favor of Fred Foy of Montville." (H. P. 903)

"Resolve in Favor of Maine Bonding and Casualty Company of Portland." (H. P. 904)

"Resolve in Favor of American Oil Company, of Portland." (H. P. 905)

"Resolve in Favor of Ronald D. Grant, of Sanford." (H. P. 906)

"Resolve in Favor of Dr. Melvin Bacon, of Sanford." (H. P. 907)

"Resolve in Favor of Aloyse Zbink of Monmouth." (H. P. 908)

"Resolve in Favor of John M. Schwerin, of Portland." (H. P. 909)

"Resolve in Favor of Harold N. Weed, of Portland." (H. P. 910)

"Resolve in Favor of Peter T. Benson, of Seawall, Manset." (H. P. 911)

"Resolve in Favor of Mildred F. Anderson, of Newton Center, Massachusetts." (H. P. 912)

"Resolve in Favor of P. E. Severance, of Hampden Highlands." (H. P. 913)

Which were severally referred to the Committee on Claims in concurrence.

"Resolve in Favor of Foxcroft Academy." (H. P. 915)

"Resolve in Favor of Berwick Academy." (H. P. 916)

Which were severally referred to the Committee on Education in concurrence.

"Resolve for the Purchase of Two Hundred Copies of 'The Length and Breadth of Maine.'"

Which was referred to the Committee on Library in concurrence.

"Resolve Providing for State Pension for Manley E. Cooper of Chelsea." (H. P. 933)

"Resolve Providing for an Increase in State Pension for Elvin L. Trimm, of Charleston." (H. P. 934)

"Resolve Providing for an Increase in State Pension for Guy Babb, of Hudson." (H. P. 935)

"Resolve in Favor of Lillis B. Goodwin, of East Corinth." (H. P. 936)

"Resolve Providing for an Increase in State Pension for Melvin Steven Belden, of Palermo." (H. P. 937)

"Resolve Providing for an Increase in State Pension of Dudley P. Howard, of Searsmont." (H. P. 938)

"Resolve Providing for State Pension for Elmira A. Brown, of Lewiston." (H. P. 939)

"Resolve Providing for State Pension for Arthemise Bernier, of Winthrop." (H. P. 940)

Which were severally referred to the Committee on Pensions in concurrence.

"Resolve in Favor of the Town of Orono." (H. P. 948)

"Resolve in Favor of the Town of Cooper." (H. P. 949)

"Resolve in Favor of the Town of Alexander." (H. P. 950)

"Resolve in Favor of the Town of Harrison." (H. P. 951)

"Resolve in Favor of Carroll Plantation." (H. P. 952)

"Resolve in Favor of the Town of Northport." (H. P. 953)

"Resolve in Favor of the Town of Lincolnville." (H. P. 954)

"Resolve in Favor of the Town of Freedom." (H. P. 955)

"Resolve in Favor of the Town of Morrill." (H. P. 956)

"Resolve in Favor of the Town of Liberty." (H. P. 957)

"Resolve in Favor of the Town of Solon." (H. P. 958)

"Resolve in Favor of the Town of Solon." (H. P. 959)

"Resolve in Favor of the Town of Sangerville." (H. P. 960)

"Resolve in Favor of the Town of Dover-Foxcroft." (H. P. 961)

"Resolve in Favor of the Town of Roque Bluffs." (H. P. 962)

"Resolve in Favor of the Town of Wesley." (H. P. 963)

"Resolve in Favor of the Town of Marshfield." (H. P. 964)

"Resolve in Favor of the Town of East Machias." (H. P. 965)

"Resolve in Favor of the Town of Northfield." (H. P. 966)

"Resolve in Favor of the Town of Machias." (H. P. 967)

"Resolve in Favor of the Town of Passadumkeag." (H. P. 968)

"Resolve in Favor of the Town of Lincoln." (H. P. 969)

"Resolve in Favor of the Town of Sanford." (H. P. 970)

Which were severally referred to the Committee on Ways and Bridges in concurrence.

On motion by Mr. Slocum of Cumberland, the Senate voted to reconsider its action taken earlier in today's session whereby Bill, An Act Relating to Motor Vehicle Registration for Amputee Veterans (H. P. 841) (L. D. 336) was referred to the Committee on Motor Vehicles in concurrence; and on further motion by the same Senator, the bill was laid upon the table pending reference to a committee.

On motion by Mr. Slocum of Cumberland, the Senate voted to reconsider its action taken earlier in today's session whereby Bill, An Act Relating to Motor Vehicle Excise Tax for Amputee Veterans (H. P. 862) (L. D. 338) was referred to the Committee on Taxation in concurrence; and on further motion by the same Senator, the bill was laid upon the table pending reference to a committee.

#### House Committee Reports

The Committee on Judiciary on Bill "An Act Establishing the Limestone Municipal Court," (H. P. 294) (L. D. 82) reported that the same ought not to pass.

Which report was read and accepted in concurrence.

The Committee on Legal Affairs on Bill "An Act to Incorporate the

Town of Penobscot School District," (H. P. 183) (L. D. 59) reported the same in a new draft (H. P. 889) (L. D. 308) under the same title, and that it ought to pass.

Which report was read and accepted in concurrence, the bill in new draft read once, and on motion by Mr. Baker of Kennebec, under suspension of the rules, the bill was read a second time and passed to be engrossed in concurrence.

The same Committee on Bill "An Act to Incorporate the Town of Troy School District," (H. P. 299) (L. D. 87) reported the same in a new draft (H. P. 888) (L. D. 307) under the same title, and that it ought to pass.

Comes from the House, report read and accepted, and the bill as in new draft passed to be engrossed as amended by House Amendment "A".

In the Senate, the report was read and accepted 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 same Committee on Bill "An Act to Create the Limestone School District," (H. P. 180) (L. D. 56) reported that the same ought to pass as amended by Committee Amendment "A"

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

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

#### Referred to Committees

The following bills and resolves were received, and on recommendation by the Committee on Reference

of Bills, were referred to the following committees:

#### Education

Mr. Collins of Aroostook presented Bill "An Act Creating a State Commission of Nursing Attendant Education." (S. P. 269)

(Ordered printed.)

Sent down for concurrence.

#### Inland Fisheries and Game

Mr. Brewer of Aroostook presented "Resolve Authorizing the Sale of Feeding Station Property in the County of Aroostook." (S. P. 270)

The same Senator presented Bill "An Act Relative to Open Season on Muskrats in the County of Aroostook." (S. P. 271)

The same Senator presented Bill "An Act Relative to Closed Season on Pheasant in the County of Aroostook." (S. P. 272)

(Each ordered printed.)

Sent down for concurrence.

#### Judiciary

Mr. Cobb of Oxford presented Bill "An Act Relating to Certain Procedures in Inheritance Tax Law." (S. P. 273)

Mr. Baker of Kennebec presented, by request, Bill "An Act Relating to Cremation of Old State Bonds." (S. P. 274)

(Each ordered printed.)

Sent down for concurrence.

#### Legal Affairs

Mr. Batchelder of York presented Bill "An Act Enlarging the Territory of the Parsonsfield Kezar Falls Village Corporation." (S. P. 275)

The same Senator Presented Bill "An Act to Increase the Salary of the Mayor of the City of Saco." (S. P. 276)

(Each ordered printed.)

Sent down for concurrence.

#### Salaries and Fees

Mr. Baker of Kennebec presented Bill "An Act Increasing the Salary of the Judge of the Gardiner Municipal Court." (S. P. 277)

(Ordered printed.)

Sent down for concurrence

### State Lands and Forest Preservation

Mr. Williams of Penobscot presented "Resolve, Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Oxford County to Emile Pellerin of Rumford." (S. P. 278)

Sent down for concurrence.

The same Senator presented "Resolve, Transferring Supervision and Control of Certain Interest of the State in Lands in the Unorganized Territory from the State Tax Assessor to the Forest Commissioner." (S. P. 279)

(Ordered printed.)

Sent down for concurrence.

### Inland Fisheries and Game

Mr. Brewer of Aroostook presented "Resolve Closing Mantle Lake in the City of Presque Isle, Aroostook County, to All Fishing by Persons Over 17 Years of Age." (S. P. 281)

(Ordered printed.)

Sent down for concurrence.

### Judiciary

The same Senator presented Bill "An Act Relating to Ricker Classical Institute and Junior College." (S. P. 282)

(Ordered printed.)

Sent down for concurrence.

### Order

On motion by Mr. Baker of Kennebec, it was

ORDERED that the Reverend Leonard LeClair of Togus be invited to officiate as chaplain of the Senate on the morning of Thursday, February 10, 1949 at ten A. M.

### First Reading of a Printed Bill

"Resolve in Favor of the Town of Freeman." (S. P. 93) (L. D. 356)

Which bill was read once and tomorrow assigned for second reading.

### Senate Committee Report

Mr. Noyes from the Committee on Taxation on Bill "An Act to Provide the Time for Filing Monthly Reports Relating to the Use Fuel Tax," (S. P. 60) (L. D. 36) reported the same in a new draft (S. P. 230)

under the same title and that the same ought to pass.

Which report was read and accepted, and the bill in new draft laid upon the table for printing under joint rules.

### Passed to be Engrossed

Bill "An Act to Incorporate the Town of Lisbon School District (H. P. 58) (L. D. 21)

Which bill was given its second reading.

Mr. Baker of Kennebec presented Senate Amendment A and moved its adoption:

"Senate Amendment A to H. P. 58, L. D. 21, bill, An Act to Incorporate the Town of Lisbon School District.

"Amend said bill by inserting before the last sentence of section 9 the following sentence: "This act shall take effect for all the purposes hereof immediately upon its acceptance by a majority of the legal voters at said meeting'."

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

Sent down for concurrence.

Bill "An Act to Incorporate the Town of New Sweden School District." (H. P. 809) (L. D. 264)

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

Bill "An Act to Create the Ellsworth School District." (H. P. 56) (L. D. 19)

Bill "An Act Relating to the Board of Trustees of Maine Wesleyan Seminary and College." (H. P. 136) (L. D. 42)

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

Bill "An Act Relating to Application of Cigarette and Tobacco Taxes to Federal Income Tax." (S. P. 218) (L. D. 279)

Which was read a second time and passed to be engrossed.

Sent down for concurrence.

"Resolve Proposing an Amendment to the Constitution to Codify the Constitution." (S. P. 48) (L. D. 30)

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

Sent down for concurrence.

#### Orders of the Day

On motion by Mr. Allen of Cumberland, the Senate voted to take from the table bill, An Act Relating to Pedestrians on Ways (H. P. 705) (L. D. 251) tabled by that Senator on February 3 pending reference to a committee.

Mr. ALLEN of Cumberland: Mr. President, I will say that I have talked with the interested parties regarding this legislation and the reason I am going to make a motion other than was voted in the other Branch, is because it is a public safety measure, sponsored by the State Police Department, and we feel that it should be considered with other motor vehicle legislation at the same time. As I say, I have contacted the members of the Com-

mittee on Reference of Bills and the Committee on Judiciary. I therefore move that this bill be referred to the Committee on Motor Vehicles in non-concurrence.

The motion prevailed and the bill was referred to the Committee on Motor Vehicles in non-concurrence.

Sent down for concurrence.

On motion by Mr. Hopkins of Kennebec, the Senate voted to take from the table bill, An Act Increasing Tax Assessments of Dixfield Village Corporation (H. P. 137) (L. D. 43) tabled by that Senator on February 4 pending passage to be enacted; and that Senator moved that the bill be passed to be enacted.

This being an emergency measure, a division of the Senate was had.

Twenty-seven having voted in the affirmative and none opposed, the bill was passed to be enacted.

On motion by Mr. Batchelder of York

Adjourned until tomorrow morning at ten o'clock.