

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

Ninety-Fourth Legislature

OF THE

STATE OF MAINE

1949

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Thursday, February 10, 1949

The Senate was called to order by the President.

Prayer by the Reverend Leonard LeClair of Togus.

Journal of yesterday read and approved.

Mr. Boucher of Androscoggin was granted unanimous consent to address the Senate.

Mr. BOUCHER of Androscoggin: Mr. President, I am about to offer to this Senate and to the legislature, a Memorial to Congress. This Memorial to Congress concerns the recent arrest of Joseph Cardinal Mindszenty of Hungary. Do not think I am creating a precedent because if my recollection is correct, the Governor of this state has already made representation to the Congress on this matter. The Congressman from this district, this second district, has already spoken publicly in the hall of the House of Representatives of the Congress in that way of thinking, the American way of life, I think it is only proper that we, the legislature of Maine, take a position on this matter and ask our Congress in Washington to act on this matter.

Therefore I offer at this time, Mr. President and members of the Senate, the following Memorial:

STATE OF MAINE

In the Year of Our Lord One Thousand Nine Hundred and Forty Nine.

MEMORIAL

To the Honorable Senate and House of Representatives of the United States of America in Congress assembled:

We, your Memorialists, the Senate and House of Representatives of the State of Maine in the 94th Legislative Session assembled, most respectfully present and petition your Honorable Body as follows:

Whereas, Joseph Cardinal Mindszenty of Hungary was sentenced to life imprisonment by the government of Hungary; and

Whereas, we memorialists feel that such sentence threatens freedom of religion and speech; now, therefore, be it

Resolved: That we, your Memorialists, do hereby respectfully petition and urge the Members of Congress to take whatever action that can be taken to have the sentence imposed upon Joseph Cardinal Mindszenty of Hungary removed; and be it further

Resolved: That a copy of this Memorial, duly authenticated by the Secretary of State, be immediately transmitted by the Secretary of State, by registered mail, to the proper officers and committees of the United States Senate and House of Representatives, the President of the United States and to each of the Representatives and Senators representing the State of Maine in the United States Congress.

Thereupon, on motion by Mr. Boucher of Androscoggin, out of order and under suspension of the rules, the Memorial was received; and on further motion by the same Senator, the Memorial was adopted and sent forthwith to the House, without reference to a committee.

From the House

Bill "An Act Relative to Licensing Dealers in Livestock." (H. P. 971) (L. D. 413)

Bill "An Act Imposing an Assessment of One Cent Per Hundred-weight on Milk for Advertising and Research of the Milk Industry." (H. P. 972) (L. D. 414)

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

Bill "An Act Relative to Fishing Contests." (H. P. 984) (L. D. 415)

Bill "An Act Relating to Fishing Licenses for Persons Over Eighty Years of Age." (H. P. 985) (L. D. 416)

Bill "An Act Relative to Fishing Licenses." (H. P. 986) (L. D. 417)

Bill "An Act Relative to the Possession of Partridge and Pheasants." (H. P. 987) (L. D. 418)

“Resolve Regulating Fishing in Spruce Pond in the County of Somerset.” (H. P. 933) (L. D. 419)

Bill “An Act Relating to Guides.” (H. P. 939) (L. D. 420)

“Resolve Regulating Fishing in Hancock Pond in the County of Oxford.” (H. P. 990) (L. D. 421)

“Resolve Regulating Fishing in Sand Pond in the County of Oxford.” (H. P. 991) (L. D. 422)

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

Bill “An Act Relating to Penalty for Operating Motor Vehicle Without an Operator’s License.” (H. P. 992) (L. D. 423)

Bill “An Act Relating to Penalty for Operating Motor Vehicle While Under the Influence of Liquor.” (H. P. 993) (L. D. 424)

Joint Resolution Proposing a Constitutional Convention of the United States or Amendments to the Constitution of the United States Relating to Strengthening the United Nations and Limited World Federal Government.” (H. P. 994) (L. D. 425)

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

Bill “An Act to Incorporate the Town of Orrington School District.” (H. P. 995) (L. D. 423)

Bill “An Act to Create the Town of Windsor School District.” (H. P. 996) (L. D. 427)

Bill “An Act to Open Meetings of Government of City of Lewiston.” (H. P. 997) (L. D. 428)

Bill “An Act Relating to Vacancies of Aldermen of the City of Lewiston.” (H. P. 998) (L. D. 429)

Bill “An Act Relating to Retirement Pensions for Police and Fire Departments of the City of Portland.” (H. P. 999) (L. D. 430)

Bill “An Act Granting Additional Powers to the Ogunquit Village Corporation.” (H. P. 1000) (L. D. 431)

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

Bill “An Act Relating to Insurance for Motor Vehicles Carrying Passengers for Hire.” (H. P. 1001) (L. D. 432)

Bill “An Act to Clarify Certain Provisions in the Motor Vehicle Law.” (H. P. 1002) (L. D. 433)

Which were severally referred to the Committee on Motor Vehicles in concurrence.

Bill “An Act Relating to Continuous Driving of Commercial Motor Vehicles.” (H. P. 1003) (L. D. 434)

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

Bill “An Act Relating to Compensation of State Park Commissioners.” (H. P. 1004) (L. D. 435)

Bill “An Act Increasing the Salary of the Judge of the Norway Municipal Court.” (H. P. 1005) (L. D. 436)

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

Bill “An Act to Establish Date for Arbor Day.” (H. P. 1006) (L. D. 437)

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

Bill “An Act Relating to Taxation of Personal Property.” (H. P. 1007) (L. D. 438)

Which was referred to the Committee on Taxation in concurrence.

Bill “An Act Freeing the Richmond-Dresden Bridge of Tolls.” (H. P. 1014) (L. D. 441)

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

Bill “An Act Relating to Aid to Dependent Children.” (H. P. 1008) (L. D. 439)

Bill “An Act Relating to Aid to Dependent Children.” (H. P. 1009) (L. D. 440)

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

"Resolve in Favor of George V. Jordon, of North Waldoboro." (H. P. 1029)

"Resolve in Favor of Clarence R. Eaton, of Bath." (H. P. 1030)

"Resolve in Favor of Maxime Dionne, of Stockholm." (H. P. 1031)

"Resolve in Favor of Walter Bliss Cronkite, of Newport." (H. P. 1032)

"Resolve in Favor of Ralph E. Bowdoin of Milo." (H. P. 1033)

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

"Resolve for a Pension for Nellie Whitehead." (H. P. 1060)

"Resolve Providing for State Pension for Vera Strout of Manchester." (H. P. 1061)

"Resolve Providing for State Pension for Marie C. Roy of Skowhegan." (H. P. 1062)

"Resolve Providing for an Increase in State Pension for Francis Cyr, of St. Agatha." (H. P. 1063)

"Resolve Providing for an Increase in State Pension for Robert Arlo Fogg, of Bucksport." (H. P. 1064)

"Resolve Providing for State Pension for Frank C. Erskine of Bristol Mills." (H. P. 1065)

"Resolve Providing for State Pension for Myrtle Brewer, of Boothbay Harbor." (H. P. 1066)

"Resolve Providing for State Pension for Lillian Sibley of Old Town." (H. P. 1067)

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

"Resolve in Favor of the Town of Charlotte." (H. P. 1079)

"Resolve in Favor of the Town of Dennysville." (H. P. 1080)

"Resolve in Favor of the Town of Greenwood." (H. P. 1081)

"Resolve in Favor of the Town of Newry." (H. P. 1082)

"Resolve in Favor of the Town of Bethel." (H. P. 1083)

"Resolve in Favor of the Town of Stoneham." (H. P. 1084)

"Resolve in Favor of the Town of Gilead." (H. P. 1085)

"Resolve in Favor of Jerusalem Township." (H. P. 1086)

"Resolve in Favor of Wyman Township." (H. P. 1087)

"Resolve in Favor of the City of Belfast." (H. P. 1088)

"Resolve in Favor of the City of Belfast." (H. P. 1089)

"Resolve in Favor of the City of Belfast." (H. P. 1090)

"Resolve in Favor of the Town of South Berwick." (H. P. 1091)

"Resolve in Favor of the Town of Enfield." (H. P. 1092)

"Resolve in Favor of the Town of Manchester." (H. P. 1093)

"Resolve in Favor of the Town of West Gardiner." (H. P. 1094)

"Resolve in Favor of the City of Hallowell." (H. P. 1095)

"Resolve in Favor of the City of Hallowell." (H. P. 1096)

"Resolve in Favor of the Town of West Gardiner." (H. P. 1097)

"Resolve in Favor of the Town of Cornish." (H. P. 1098)

"Resolve in Favor of the Town of Camden." (H. P. 1099)

"Resolve in Favor of the Town of Poland." (H. P. 1100)

"Resolve in Favor of the Town of Orland." (H. P. 1101)

"Resolve in Favor of the Town of Dedham." (H. P. 1102)

"Resolve in Favor of the Town of South Bristol." (H. P. 1103)

"Resolve in Favor of the Town of Smithfield." (H. P. 1104)

"Resolve in Favor of the Town of Mercer." (H. P. 1105)

"Resolve in Favor of the Town of Smithfield." (H. P. 1106)

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

Bill "An Act Relating to Pedestrians on Ways." (H. P. 705) (L. D. 251)

(In the Senate, on February 8th, referred to the Committee on Motor Vehicles in non-concurrence.)

Comes from the House, that body having insisted on its former action whereby the bill was referred to the Committee of Conference.

In the Senate, on motion by Mr. Allen of Cumberland, the Senate voted to insist on its former ac-

tion and join with the House in a Committee of Conference.

The President appointed as member of such committee on the part of the Senate, Senators Allen of Cumberland, Brown of Washington, and Noyes of Hancock.

House Committee Reports

The Committee on Inland Fisheries and Game on "Resolve Regulating Fishing in Colcord Pond in the County of Oxford," (H. P. 355) (L. D. 411) reported that the same ought to pass.

The same Committee on "Resolve Regulating Fishing in Smelt Brook in the County of Washington," (H. P. 354) (L. D. 410) reported that the same ought to pass.

The same Committee on "Resolve Closing Salt Pond in the Towns of Friendship and Cushing to Ice Fishing," (H. P. 292) (L. D. 409) reported that the same ought to pass.

The same Committee on "Resolve Regulating Fishing in Forest Lake in the Town of Friendship, Knox County," (H. P. 291) (L. D. 408) reported that the same ought to pass.

The same Committee on "Resolve Regulating Fishing in Salt Pond in the Towns of Friendship and Cushing," (H. P. 290) (L. D. 407) reported that the same ought to pass.

The same Committee on "Resolve Providing for a Fish Screen at John's Pond in Davis Plantation," (H. P. 285) (L. D. 412) reported that the same ought to pass.

The same Committee on "Resolve Opening Thistle Pond in the Town of Monroe, Waldo County, to Ice Fishing," (H. P. 177) (L. D. 405) reported that the same ought to pass.

The same Committee on "Resolve Regulating Fishing in Orange and Rocky Lakes in the County of Washington," (H. P. 176) (L. D. 404) reported that the same ought to pass.

The same Committee on "Resolve Relating to Fly Fishing in Stratton Brook in Coplin Plantation, in Franklin County," (H. P. 132) (L.

D. 403) reported that the same ought to pass.

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

The same Committee on "Resolve Closing Certain Ponds in Piscataquis County to Fishing," (H. P. 288) (L. D. 406) reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

Which report was read and accepted in concurrence and the resolve read once; Committee Amendment "A" was read and adopted in concurrence, and on motion by Mr. Barnes of Aroostook, the resolve was laid upon the table pending assignment 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:

Agriculture

Mr. Denny of Lincoln presented Bill "An Act Relating to Pasteurized Milk" (S. P. 333)

The same Senator presented Bill "An Act Defining Homogenized Milk." (S. P. 334)

The same Senator presented Bill "An Act Relating to Cattle Tested for Bang's Disease." (S. P. 335)

(Each ordered printed.)

Sent down for concurrence.

Appropriations and Financial Affairs

Mr. Brown of Washington presented

"Resolve Providing for Certain Construction at the Central Maine Sanatorium." (S. P. 336)

Mr. Haskell of Penobscot presented

"Resolve in Favor of the University of Maine for Law School." (S. P. 337)

(Each ordered printed.)

Sent down for concurrence.

Claims

Mr. Smart of Hancock presented "Resolve in Favor of Eva Eaton, of North Ellsworth." (S. P. 338)

The same Senator presented "Resolve in Favor of Winslow S. Lobdell, of Bartlett, New Hampshire." (S. P. 339)

The same Senator presented "Resolve in Favor of Morton Whitcomb, of Ellsworth." (S. P. 340)

Mr. Collins of Caribou presented "Resolve in Favor of J. Philip Jacobs, of Caribou." (S. P. 341)

The same Senator presented "Resolve in Favor of James F. Cox, of Caribou." (S. P. 342)

Sent down for concurrence.

Mr. Cobb of Oxford presented "Resolve in Favor of the Town of Fryeburg." (S. P. 343)

(Ordered printed.)

Sent down for concurrence.

Education

Mr. Leavitt of Cumberland presented

Bill "An Act Relating to Duty of Superintendent of Schools Concerning Habitual Truants." (S. P. 344)

Mr. Cobb of Oxford presented Bill "An Act Relating to State Aid for Academies." (S. P. 345)

Mr. Haskell of Penobscot presented

Bill "An Act Authorizing Northern Conservatory of Music to Confer Degrees." (S. P. 306)

(Each ordered printed.)

Sent down for concurrence.

Federal Relations

Mr. Batchelder of York presented

Bill "An Act Completing the Revision of the Unemployment Law." (S. P. 346)

(Ordered printed.)

Sent down for concurrence.

Inland Fisheries and Game

Mr. Haskell of Penobscot presented

"Resolve Regulating Fishing in Pleasant and Mud Lakes in the County of Penobscot." (S. P. 347)

Mr. Collins of Aroostook presented

"Resolve Appropriating Money to Improve the Approach to the Fish Way at Aroostook Falls." (S. P. 348)

Mr. Ela of Somerset presented Bill "An Act Relative to Penalties for Beaver Trapping." (S. P. 349)

(Each ordered printed.)

Sent down for concurrence.

Interior Waters

Mr. Brewer of Aroostook presented

"Resolve Relative to Changing the Name of Umsaskis Lake to Dow Lake." (S. P. 350)

(Ordered printed.)

Sent down for concurrence.

Judiciary

Mr. Varney of Washington presented

Bill "An Act Relating to Assistant Probation Officers and Clerk Hire for County of Washington." (S. P. 351)

(On motion by Mr. Collins of Aroostook tabled pending reference to a committee.)

Mr. Ward of Penobscot presented Bill "An Act Relating to the Maine State Prison." (S. P. 352)

(Each ordered printed.)

Sent down for concurrence.

Legal Affairs

Mr. Varney of Washington presented

Bill "An Act to Incorporate the Town of Cherryfield School District." (S. P. 353)

Mr. Denny of Lincoln presented Bill "An Act Relating to Maine Real Estate Commission and Brokers' Licenses and Fees." (S. P. 354)

Mr. Boucher of Androscoggin presented

Bill "An Act Relating to Pension for Chief of Police of City of Lewiston." (S. P. 355)

(Each ordered printed.)

Sent down for concurrence.

Motor Vehicles

Mr. Brown of Washington presented Bill "An Act Relating to Restricted Licenses." (S. P. 356)

(Ordered printed.)

Sent down for concurrence.

Pensions

Mr. McKusick of Piscataquis presented Resolve Providing for State Pension for Dana Earl Grant, of Dover-Foxcroft." (S. P. 357)

The same Senator presented "Resolve Providing for State Pension for Chester Simpson, of Monson." (S. P. 358)

The same Senator presented "Resolve Providing for State Pension for Carl W. Brasier, of Monson." (S. P. 359)

The same Senator presented "Resolve Providing for State Pension for Mary Alice Grant, of Dover-Foxcroft." (S. P. 360)

The same Senator presented "Resolve Providing for State Pension for Rev. Basil C. Gleason, of Brewer." (S. P. 361)

Sent down for concurrence.

Salaries and Fees

Mr. Collins of Aroostook presented Bill "An Act Relating to Clerk Hire in County Offices." (S. P. 362)

The same Senator presented Bill "An Act Relating to Clerk Hire in the Office of Register of Deeds, Southern District, Aroostook County." (S. P. 363)

Mr. Haskell of Penobscot presented Bill "An Act Relative to Salaries of Inland Fisheries and Game Wardens." (S. P. 364)

Mr. Ward of Penobscot presented Bill "An Act Relating to the Salaries of the Judge and of the Recorder of the Old Town Municipal Court." (S. P. 365)

(Each ordered printed.)

Sent down for concurrence.

Sea and Shore Fisheries

Mr. Sleeper of Knox presented "Resolve Directing Commissioner of Sea and Shore Fisheries to Make Study of Herring and Means of Avoiding Their Depletion." (S. P. 366)

Mr. Larrabee of Sagadahoc presented Bill "An Act to Encourage Marine Farming in the Tidal Waters of the State." (S. P. 367)

(Each ordered printed.)

Sent down for concurrence.

Taxation

Mr. Edwards of Oxford presented Bill "An Act Relating to an Excise Tax on Flying Machines." (S. P. 368)

(Ordered printed.)

Sent down for concurrence.

Towns

Mr. Varney of Washington presented Bill "An Act Relating to Public and Private Cemeteries." (S. P. 369)

(Ordered printed.)

Sent down for concurrence.

Ways and Bridges

Mr. Larrabee of Sagadahoc presented "Resolve in Favor of the Town of West Bath." (S. P. 370)

Sent down for concurrence.

Mr. Ward of Penobscot presented the following order and moved its passage.

The Secretary read the Order:

ORDERED, the House concurring, that a Joint Select Committee be appointed consisting of 3 on the part of the Senate and 7 on the part of the House to study the need for revision of the joint rules with respect to joint rule number 1, which provides for the number and designation of the Joint Standing Committees of the Legislature.

The Committee shall report to the Legislature no later than 10 A.M. on March 2, 1949 and any recommendations which the Committee may make shall be with respect to the 95th Legislature.

The President of the Senate and the Speaker of the House shall be ex officio members of the Committee.

Mr. WARD of Penobscot: Mr. President, if this order should receive passage, it simply will call for a committee to make some study in regard to revision with respect to joint standing committees, which is a matter that has been discussed among the members off the record off and on for some time. We have 40 joint standing committees and as of yesterday it was my understanding that 1,285 measures have

been referred to those committees. Of that number of bills and resolves 342 have been referred to the Committee on Claims, 315 to the Committee on Ways and Bridges, which leaves a balance of 628 bills and resolves.

Twenty-four committees have received 44 of those bills, and the balance of 584 bills have gone to 14 of the other joint standing committees.

Thereupon the Order received a passage.

Sent down for concurrence.

First Reading of a Printed Bill

Bill "An Act to Provide the Time for Filing Monthly Reports Relating to the Use Fuel Tax." (S. P. 280) (L. D. 455)

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

Senate Committee Reports

Mr. Baker from the Committee on Legal Affairs on Bill "An Act Relating to the West Gardiner School District," (S. P. 103) (L. D. 108) reported the same in a new draft (S. P. 371) under the same title and that it ought to pass.

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

Mr. Noyes from the Committee on Motor Vehicles on Bill "An Act Excluding Television for Use in Motor Vehicles," (S. P. 173) (L. D. 231) reported that the same ought to pass.

Which report was read and accepted, the bill read once and tomorrow assigned for second reading.

Passed to be Engrossed

Bill "An Act Relating to Special Guardians for Minors." (H. P. 295) (L. D. 83)

Bill "An Act Relating to Service on Foreign Corporations." (H. P. 298) (L. D. 86)

Bill "An Act Relating to Expenses of Publishing Delinquent Corporate Franchise Taxes." (H. P. 372) (L. D. 132)

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

Passed to be Enacted

Bill "An Act Relating to Proxies." (H. P. 50) (L. D. 13)

Bill "An Act Relating to Pensions for Members of Police Department for City of Bangor." (H. P. 53) (L. D. 16)

Bill "An Act Relating to the Bangor Family Welfare Society." (H. P. 133) (L. D. 39)

Finally Passed

"Resolve, in Favor of the Town of Medway." (H. P. 74) (L. D. 207)

Emergency Measures

Bill "An Act Relating to a Non-resident Fishing License." (S. P. 126) (L. D. 147)

Which bill being an emergency measure, and having received the affirmative vote of 29 members of the Senate, and none opposed, was passed to be enacted.

Bill "An Act Relating to the Vin-alhaven Port District." (H. P. 52) (L. D. 15)

Which bill being an emergency measure, and having received the affirmative vote of 29 members of the Senate, and none opposed, was passed to be enacted.

Orders of the Day

Mr. SLOCUM of Cumberland: Mr. President, I wish to commend the Chairman and Clerk of the Committee on Taxation on their thoughtfulness in having a note on my desk referring to bills coming before their committee for hearing this afternoon. I feel it is a very thoughtful act and worthy of being followed by all committees so that the sponsors of measures will be sure not to slip up on their appearance at committee hearings, due to pressure of business.

I think it is worthy of commendation.

On motion by Mr. Batchelder of York

Adjourned until tomorrow morning at ten o'clock.