

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

Friday, February 11, 1949.

The Senate was called to order by the President.

Prayer by the Reverend Wesley U. Riedel of Augusta.

Journal of yesterday read and approved.

Order

(Out of Order)

On motion by Mr. Haskell of Penobscot, out of order and under suspension of the rules, it was

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, February 15th, 1949, at eleven o'clock in the forenoon. (S. P. 384)

Sent down for concurrence.

Subsequently the foregoing order was returned from the House, having been read and passed in concurrence.

From the House

Bill "An Act Relating to Wild Bees." (H. P. 1025) (L. D. 457)

Which was referred to the Committee on Agriculture in concurrence.

"Resolve Relating to the Compilation and Printing of the History of Selective Service in Maine." (H. P. 1026) (L. D. 458)

"Resolve in Favor of the University of Maine for Buildings." (H. P. 1027) (L. D. 459)

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

"Resolve in Favor of Wyman & Simpson, Inc., of Augusta." (H. P. 1028) (L. D. 460)

Which was referred to the Committee on Claims in concurrence.

Bill "An Act Relative to Closed Time on Deer." (H. P. 1035) (L. D. 461)

"Resolve Relating to Fishing in Rocky Pond and Johnson Pond in Knox County." (H. P. 1045) (L. D. 462)

"Resolve Closing Rocky Pond and Johnson Pond in Knox County to Ice Fishing." (H. P. 1046) (L. D. 463)

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

Bill "An Act Relating to Transfer of Corporate Stock." (H. P. 1048) (L. D. 464)

Bill "An Act Relating to Taking of Land by Towns for Parking Purposes." (H. P. 1049) (L. D. 465)

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

Bill "An Act to Incorporate the Town of Lubec School District." (H. P. 1050) (L. D. 466)

Bill "An Act Relating to Annual Audits for Cities, Towns, Plantations, Village Corporations, Sewer Districts, School Districts and School Activity Funds." (H. P. 1051) (L. D. 467)

Bill "An Act to Incorporate the Town of Dexter School District." (H. P. 1052) (L. D. 468)

Bill "An Act to Incorporate the Town of Yarmouth School District." (H. P. 1054) (L. D. 469)

Bill "An Act Creating the Bath School District." (H. P. 1055) (L. D. 470)

Bill "An Act to Incorporate the Town of Gorham School District." (H. P. 1057) (L. D. 471)

Bill "An Act to Incorporate the Town of Hermon School District." (H. P. 1058) (L. D. 472)

"Resolve Authorizing the State Plumbers Examining Board to Issue a License to Philip M. Emmott of Southwest Harbor." (H. P. 1059) (L. D. 473)

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

Bill "An Act to Amend the Charter of the Yarmouth Water District." (H. P. 1068) (L. D. 474)

Bill "An Act to Amend the Charter of the Freeport Sewer District." (H. P. 1069) (L. D. 475)

Bill "An Act Relating to the Houlton Water Company." (H. P. 1070) (L. D. 476)

Which were severally referred to the Committee on Public Utilities in concurrence.

Bill "An Act Relating to Automobile Travel by State Employees." (H. P. 1071) (L. D. 477)

Bill "An Act Relating to Salaries of Inland Fish and Game Wardens and Deputy Commissioner." (H. P. 1072) (L. D. 478)

Bill "An Act Relating to the Salary of the County Attorney of Waldo County." (H. P. 1073) (L. D. 479)

Bill "An Act Relating to the Salary of the Sheriff of Waldo County." (H. P. 1074) (L. D. 480)

Bill "An Act Relating to Salary of Register of Probate in Kennebec County." (H. P. 1075) (L. D. 481)

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

Bill "An Act Relating to Tax Exemption of Property." (H. P. 1076) (L. D. 482)

Bill "An Act to Repeal the Tax on Cigars and Tobacco Products." (H. P. 1077) (L. D. 486)

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

Bill "An Act Relating to Applications for Old Age Assistance." (H. P. 1078) (L. D. 483)

Which was referred to the Committee on Welfare in concurrence.

"Resolve in Favor of Cecil C. Woodard of Bangor." (H. P. 1113)

"Resolve in Favor of Ralph G. Plaisted, of Livermore Falls." (H. P. 1114)

"Resolve to Reimburse the Town of Bridgewater." (H. P. 1115)

"Resolve in Favor of Mary Williams of Charleston." (H. P. 1116)

"Resolve in Favor of Albert L. Winship of South Windham." (H. P. 1117)

"Resolve in Favor of Leo Sahagian, of Cambridge, Massachusetts." (H. P. 1118)

"Resolve to Reimburse the Town of Sangerville." (H. P. 1119)

"Resolve in Favor of Dolard Foster of Bingham." (H. P. 1120)

"Resolve to Reimburse the Town of Berwick." (H. P. 1121)

"Resolve in Favor of Mrs. W. H. Kyle, of Scarsdale, New York." (H. P. 1122)

"Resolve in Favor of Carl Houston Dow, of Brunswick." (H. P. 1123)

"Resolve in Favor of Wallace Cook Jr., of Winthrop." (H. P. 1124)

"Resolve in Favor of James P. Hathaway, of Saco." (H. P. 1125)

"Resolve in Favor of the Town of Chapman." (H. P. 1126)

"Resolve in Favor of Frank L. Coffin, of Harpswell." (H. P. 1127)

"Resolve in Favor of Marguerite W. Goodall, of Mechanic Falls." (H. P. 1128)

"Resolve in Favor of Stanley Bros., of Kezar Falls." (H. P. 1129)

"Resolve in Favor of Stanley Robash, of Farmington." (H. P. 1130)

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

"Resolve Providing for an Increase in State Pension for Ulmont Hovey of Augusta." (H. P. 1177)

"Resolve Providing for State Pension for Mantford A. Reid, of Bridgewater." (H. P. 1178)

"Resolve Providing for State Pension for Sadie Turner, of Palermo." (H. P. 1179)

"Resolve Providing for an Increase in State Pension for Charlotte M. Armstrong, of Belmont." (H. P. 1180)

"Resolve Providing for an Increase in State Pension for Victor J. Gardner, of Veazie." (H. P. 1181)

"Resolve Providing for State Pension for George A. Johnson, of East Machias." (H. P. 1182)

"Resolve Providing for State Pension for Clarence S. Chapman, of Gardiner." (H. P. 1183)

"Resolve Providing for State Pension for Robert Calman, of Pittston." (H. P. 1184)

"Resolve Providing for State Pension for Willford M. Dorr, of Randolph." (H. P. 1185)

"Resolve Providing for State Pension for Isaac Sawtelle, of Pittston." (H. P. 1186)

"Resolve Providing for State Pension for Kenneth Edwards, of Pittston." (H. P. 1187)

"Resolve Providing for State Pension for Edward Seymour, of Old Town." (H. P. 1188)

"Resolve Providing for State Pension for Lawrence Bosse, of Old Town." (H. P. 1189)

"Resolve Providing for State Pension for Jeannette Fortier, of Old Town." (H. P. 1190)

"Resolve Providing for State Pension for Ada Murry, of Chapman." (H. P. 1191)

"Resolve Providing for State Pension for Harrison F. Smith, of Gouldsboro." (H. P. 1192)

"Resolve Providing for State Pension for Cecil Esters, of Auburn." (H. P. 1193)

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

"Resolve in Favor of the Town of Wayne." (H. P. 1204)

"Resolve in Favor of the Town of Rome." (H. P. 1205)

"Resolve in Favor of the Town of Rome." (H. P. 1206)

"Resolve in Favor of the Town of Monticello." (H. P. 1207)

"Resolve in Favor of the Town of Greenville." (H. P. 1208)

"Resolve in Favor of the Town of Stow." (H. P. 1209)

"Resolve in Favor of the Town of Belmont." (H. P. 1210)

"Resolve in Favor of the Town of Palermo." (H. P. 1211)

"Resolve in Favor of the Town of Searsmont." (H. P. 1212)

"Resolve in Favor of the Town of Knox." (H. P. 1213)

"Resolve in Favor of the Town of Portage Lake." (H. P. 1214)

"Resolve in Favor of the Town of Ashland." (H. P. 1215)

"Resolve in Favor of the Town of Masardis." (H. P. 1216)

"Resolve in Favor of the Town of Masardis." (H. P. 1217)

"Resolve in Favor of the Town of Hebron." (H. P. 1218)

"Resolve in Favor of Perkins Township." (H. P. 1219)

"Resolve in Favor of Washington Township." (H. P. 1220)

"Resolve in Favor of the Town of Windsor." (H. P. 1221)

"Resolve in Favor of the Town of Randolph." (H. P. 1222)

"Resolve in Favor of the Town of Windsor." (H. P. 1223)

"Resolve in Favor of the Town of Pittston." (H. P. 1224)

"Resolve in Favor of the Town of China." (H. P. 1225)

"Resolve in Favor of the Town of China." (H. P. 1226)

"Resolve in Favor of the Town of China." (H. P. 1227)

"Resolve in Favor of the City of Old Town." (H. P. 1228)

"Resolve in Favor of the Town of Canaan." (H. P. 1229)

"Resolve in Favor of the Town of Hartland." (H. P. 1230)

"Resolve in Favor of the Town of St. Agatha." (H. P. 1231)

"Resolve in Favor of the Town of Madawaska." (H. P. 1232)

"Resolve in Favor of the Town of Frenchville." (H. P. 1233)

"Resolve in Favor of the Town of Carmel." (H. P. 1234)

"Resolve in Favor of the Town of Newburg." (H. P. 1235)

"Resolve in Favor of the Town of Levant." (H. P. 1236)

"Resolve in Favor of the Town of Dixmont." (H. P. 1237)

"Resolve in Favor of the Town of Kenduskeag." (H. P. 1238)

"Resolve in Favor of the Town of Etna." (H. P. 1239)

"Resolve in Favor of the Town of Plymouth." (H. P. 1240)

"Resolve in Favor of the Town of Union." (H. P. 1241)

"Resolve in Favor of the Town of Cranberry Isles." (H. P. 1242)

"Resolve in Favor of the Town of Minot." (H. P. 1243)

"Resolve in Favor of the Town of Turner." (H. P. 1244)

"Resolve in Favor of the Town of Minot." (H. P. 1245)

"Resolve in Favor of the Town of Houlton." (H. P. 1246)

"Resolve in Favor of the Town of Winter Harbor." (H. P. 1247)

"Resolve in Favor of the Town of Gouldsboro." (H. P. 1248)

"Resolve in Favor of the Town of Porter." (H. P. 1249)

"Resolve in Favor of the Town of Porter." (H. P. 1250)

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

"Resolve Improving the Fish Screen at Outlet of Long Pond in Sandy River Plantation." (H. P. 1036) (L. D. 520)

"Resolve Regulating Fishing in Long Pond, in the County of Franklin." (H. P. 1037) (L. D. 521)

Bill "An Act Relative to Possession of Moose and Caribou." (H. P. 1034) (L. D. 519)

"Resolve Regulating Fishing in Haley Pond, in the County of Franklin." (H. P. 1038) (L. D. 522)

"Resolve Regulating Fishing in Kemankeag Pond, in the County of Franklin." (H. P. 1039) (L. D. 523)

"Resolve Authorizing the Sale of Hatcheries and Feeding Station Property." (H. P. 1040) (L. D. 524)

"Resolve Providing for a Fish Screen at Outlet of North Pond, in the Town of Woodstock, in the County of Oxford." (H. P. 1041) (L. D. 525)

"Resolve Reducing the Daily Bag Limit on Trout, in the County of Aroostook." (H. P. 1042) (L. D. 526)

"Resolve Regulating Fishing in Red River, in Aroostook County." (H. P. 1043) (L. D. 527)

"Resolve Closing all the Waters of the State to Fishing Through the Ice for Salmon, Trout and Togue." (H. P. 1044) (L. D. 528)

"Resolve Regulating Fishing in McGrath and Ellis Ponds, in the County of Kennebec." (H. P. 1047) (L. D. 529)

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

Bill "An Act to Repeal the Charter of the Bay Point Village Corporation." (H. P. 1053) (L. D. 530)

Bill "An Act Creating the Town of Wiscasset School District." (H. P. 1056) (L. D. 531)

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

House Committee Reports

The Committee on Motor Vehicles on Bill "An Act Relating to Operators' Licenses," (H. P. 60) (L.

D. 23) 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 Burnham School District," (H. P. 54) (L. D. 17) reported the same in a new draft (H. P. 810) (L. D. 263) under the same title and that it ought to pass.

Comes from the House, report read and accepted, and the bill 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 read once; House Amendment "A" was 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:

Agriculture

Mr. Greeley of Waldo presented Bill "An Act Relating to the Sales and Marketing of Eggs." (S. P. 374)

Mr. Goodwin of York presented Bill "An Act Relating to Investigation of Cases of Cruelty to Animals." (S. P. 375)

(Each ordered printed.)

Sent down for concurrence.

Appropriations & Financial Affairs

Mr. Haskell of Penobscot presented "Resolve to Provide for a Pollen and Fungus Survey of Maine." (S. P. 385)

(Ordered printed.)

Sent down for concurrence.

Judiciary

Mr. Barnes of Aroostook presented "Resolve Authorizing the Treasurer of State to Convey Certain Land to the Town of Houlton." (S. P. 377)

Mr. Haskell of Penobscot presented Bill "An Act Relating to Reinstatement of Dismissed State Employees." (S. P. 378)

The same Senator presented Bill "An Act Relating to Election of Presidential Electors." (S. P. 386)
(Each ordered printed.)
Sent down for concurrence.

Labor

The same Senator presented Bill "An Act to Create an Industrial Safety Code Commission." (S. P. 379)
(Ordered Printed.)
Sent down for concurrence.

Legal Affairs

Mr. Barnes of Aroostook presented "Resolve Authorizing the Trustees of Town of Houlton School District to Convey Certain Land to the State of Maine." (S. P. 380)
(Ordered Printed.)
Sent down for concurrence.

Pensions

Mr. Cobb of Oxford presented "Resolve Providing for an Increase in State Pension for Grace Booth of Fryeburg." (S. P. 381)
Sent down for concurrence.

Salaries and Fees

Mr. Haskell of Penobscot presented "Resolve Appropriating Moneys to Continue the Cost of Living Increases of State Employees." (S. P. 382)

The same Senator presented "Resolve Appropriating Moneys to Maintain Present Salary Scale for State Employees." (S. P. 383)
(Each ordered printed.)
Sent down for concurrence.

Senate Committee Reports

Mr. Ela from the Committee on Judiciary on "Resolve Proposing an Amendment to the Constitution Changing the Tenure of Office of Senators to Four-Year Terms," (S. P. 84) (L. D. 72) reported that the same ought not to pass.

(On motion by Mr. Bowker of Cumberland, tabled pending acceptance of the report.)

Report from Commission created by the 93rd Legislature to Study the Need for a Medical School,

submitted by Clyde J. Swett, M. D., Chairman. (S. P. 387)

Report of Commission Created by the 93rd Legislature to Study the Need for a Medical School

To Chester T. Winslow
Secretary, Senate of the 93rd Legislature.

Sir:

The Commission to study the need for a medical school begs leave to file the following report:

This Commission was created by the 93rd Legislature and \$1,000 was appropriated for its expenses. There is a provision in the Act permitting the Commission to have such assistance as it deems necessary and to pay for it from the appropriation. The apparent feeling of the Legislature was that there would be considerable data in several survey reports from other states whose experience should be studied and digested by someone engaged and paid for that purpose. It was also apparent that information and data concerning the situation in this State should be collected and collated. These seemed to be functions which one would scarcely expect to be performed by the busy people who would be appointed to such a Commission and would in the usual course of affairs be delegated to a paid but competent employee of the Commission.

The Commission was handicapped, however, by the fact that the appropriation granted was totally inadequate for the purposes outlined and a somewhat greater amount would be necessary even to do those things outlined in the legislative enactment.

The late Dr. Edward L. Herlihy of Bangor, who had been previously Chairman of a Committee of the Maine Medical Association for a study of this same problem and had in that position accumulated much material on the subject, was made a member of this Commission and acted as its Chairman. He obtained further reports and data which he forwarded to the members of this Commission. Dr. Herlihy enthusiastically attempted by himself

to obtain information concerning the medical situation from every town and city in Maine. He had also conferred with the Director of the State Bureau of Health concerning the adequacy of hospital care and the provisions for its growth and expansion in this State. He had performed gratuitously and willingly all this work but its results and correlation, being in an unfinished state, were known only to him. His unexpected and untimely death November 1, 1948 left the Commission leaderless and the efforts to study the problem in a chaotic condition.

Among the questions that this Commission was requested to answer was that of the desirability of a medical school in Maine. It is well known that a good medical school in a state soon has the result of raising the standards of medical care in that state; this is universal experience. It is also true that Maine has far from the number of doctors per capita which is necessary for adequate medical care. And further it is known that the number of students in medical schools who are Maine boys is the lowest per capita of any state in the country. There is no guarantee, however, that a medical school in Maine would produce more doctors who would stay here to practice, especially in rural communities where they are needed most.

This Commission is convinced, from what study it has made, that a medical school is a very costly institution in both construction and maintenance. We have no doubt that the initial capital investment would have to be at least \$3,000,000, and some of our members think it would be twice that amount. The operating costs of such a school beyond the amounts received for tuition, etc., would mean an appropriation by the State at the very lowest of \$250,000 per year.

The Commission also believes that a medical school located at Bangor as a part of the University of Maine, would be very limited in its potential because the clinical facilities and

teachers are obviously limited in that area.

Without definite assurance that more doctors in Maine, for Maine would result; with initial costs assuredly running into millions and operating costs at a very high rate; with a limited potential of development in the school, this Commission doubts that the costs of such a school would be offset by the benefits which could reasonably be expected from it.

There was in existence in this State a committee on interstate cooperation in education which met with similar committees of other states of New England, to discuss and work out cooperative efforts in education. Since some of the other New England states have medical schools, we feel that such cooperation could be continued with much advantage to this State. We, therefore, urge that the Governor give consideration to continuance of this committee on interstate cooperation in education.

Further, this Commission must not by this report be felt to be unaware of the health needs of this state, including the shortage of doctors. There is also the shortage of hospital beds, and, particularly in rural communities, of any hospital facilities; there is a shortage of nurses, of dentists, and other medical technicians and attendants; there is a lack of even basic, minimum public health services in a large part of the State. We hope that this State may make intelligent efforts to solve its own problems. We do, however, recognize the fact that the Federal Government, especially in recent years, has been prone to undertake activities in the social service field and to buy state adherence to Federal policies by subsidizing such activities with monies extracted from our own people.

If the Federal Congress should enact, as is now proposed, legislation along the lines suggested above, we recommend that either existing health agencies of this state, or a new committee, be instructed to

study and plan for implementation of such enactments if deemed desirable. If a new committee be necessary, we urge that it be given sufficient funds with which to function effectively.

MEDICAL SCHOOL COMMISSION

Signed By:

Clyde J. Swett, M. D. Chairman

Which report was read and ordered placed on file, and the same ordered printed in the Legislative Record.

Sent to the House.

Mr. Barnes from the Committee on Judiciary on Bill "An Act Relating to Power of Corporations Without Capital Stock to Hold Property," (S. P. 100) (L. D. 105) reported the same in a new draft (S. P. 388) under the same title, and that it ought to pass.

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

Mr. Hopkins from the Committee on Public Utilities on Bill "An Act Relating to Caboose-cars Used by Railroads," (S. P. 192) (L. D. 245) reported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act Relating to Fares Between the Westerly End of Peaks Island and Portland," (S. P. 119) (L. D. 140) reported that the same ought to pass.

Mr. Batchelder from the same Committee on Bill "An Act Relating to Chief Inspectors of Utilities," (S. P. 176) (L. D. 234) reported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act to Provide for Authorization of Issues of Stocks, Bonds or Notes by Public Utilities and Railroads," (S. P. 59) (L. D. 35) reported that the same ought to pass.

Mr. Noyes from the same Committee on Bill "An Act Relating to Suspension of Public Utility Rates," (S. P. 177) (L. D. 233) reported that the same ought to pass.

Which reports were severally read and accepted, the bills read

once and tomorrow assigned for second reading.

Passed to be Engrossed

"Resolve Relating to Fly Fishing in Stratton Brook in Coplin Plantation, in Franklin County." (H. P. 132) (L. D. 403)

"Resolve Regulating Fishing in Orange and Rocky Lakes in the County of Washington." (H. P. 176) (L. D. 404)

"Resolve Opening Thistle Pond in the Town of Monroe, Waldo County, to Ice Fishing." (H. P. 177) (L. D. 405)

"Resolve Providing for a Fish Screen at John's Pond in Davis Plantation." (H. P. 285) (L. D. 412)

"Resolve Regulating Fishing in Salt Pond in the Towns of Friendship and Cushing." (H. P. 290) (L. D. 407)

"Resolve Regulating Fishing in Forest Lake in the Town of Friendship, Knox County." (H. P. 291) (L. D. 408)

"Resolve Closing Salt Pond in the Towns of Friendship and Cushing to Ice Fishing." (H. P. 292) (L. D. 409)

"Resolve Regulating Fishing in Smelt Brook in the County of Washington." (H. P. 354) (L. D. 410)

"Resolve Regulating Fishing in Colcord Pond in the County of Oxford." (H. P. 355) (L. D. 411)

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

Bill "An Act Excluding Television for Use in Motor Vehicles." (S. P. 173) (L. D. 231)

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

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

Sent down for concurrence.

Passed to be Enacted

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)

Emergency Measures

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

(On motion by Mr. Batchelder of York, tabled pending passage to be enacted.)

Bill "An Act to Incorporate the Town of Penobscot School District." (H. P. 889) (L. D. 308)

(On motion by Mr. Batchelder of York, tabled pending passage to be enacted.)

Orders of the Day

On motion by Mr. Collins of Aroostook, the Senate voted to take from the table bill, An Act Relating to Assistant Probation Officers and Clerk Hire for County of Washington (S. P. 351) tabled by that Senator on February 10 pending reference to a committee; and on further motion by the same Senator, the bill was referred to the Committee on Judiciary.

Sent down for concurrence.

On motion by Mr. Haskell of Penobscot

Adjourned until Tuesday, February 15, 1949 at eleven o'clock in the forenoon.