

# 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**

Wednesday, February 16, 1949

The Senate was called to order by the President.

Prayer by the Reverend Tom G. Akeley of Gardiner.

Journal of yesterday read and approved.

**From the House**

Bill "An Act Relating to Exhibits of Agricultural Fair Associations." (H. P. 1267) (L. D. 668)

Bill "An Act Relating to Dog Licenses." (H. P. 1268) (L. D. 669)

Bill "An Act Defining Domestic Animals in the Slaughterhouse Law." (H. P. 1269) (L. D. 653)

Bill "An Act Relating to Veterinary Surgery." (H. P. 1270) (L. D. 670)

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

Bill "An Act Relating to Application of General Law to Community Schools." (H. P. 1286) (L. D. 671)

Which was referred to the Committee on Education in concurrence.

Bill "An Act Relative to Open Season on Beaver." (H. P. 1287) (L. D. 654)

Bill "An Act Relative to Fishing Licenses." (H. P. 1288) (L. D. 672)

Bill "An Act Relative to Stockholm Game Preserve." (H. P. 1289) (L. D. 655)

Bill "An Act Relative to Trapping Season on Fur-Bearing Animals." (H. P. 1290) (L. D. 673)

Bill "An Act Relating to Licensing of Fur Takers." (H. P. 1291) (L. D. 674)

Bill "An Act Relating to Licensing of Sellers of Bait for Trapping." (H. P. 1292) (L. D. 675)

Bill "An Act Relating to Non-Resident and Alien Trapping Licenses." (H. P. 1293) (L. D. 676)

Bill "An Act Relating to Open Season on Muskrats." (H. P. 1294) (L. D. 677)

Bill "An Act Relating to Trapping of Fisher." (H. P. 1295) (L. D. 678)

Bill "An Act Relating to Trapping of Beaver." (H. P. 1296) (L. D. 679)

Bill "An Act Relating to Damage to Rabbits by Dogs or Wild Animals." (H. P. 1297) (L. D. 680)

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

Bill "An Act Relating to Penalties for Pollution of Water." (H. P. 1298) (L. D. 631)

Bill "An Act Relative to Restricting the Use of Power Boats on Portage Lake in the County of Aroostook." (H. P. 1299) (L. D. 681)

Bill "An Act Relating to Technical Secretary of Sanitary Water Board." (H. P. 1300) (L. D. 632)

Which were severally referred to the Committee on Interior Waters in concurrence.

Bill "An Act Relating to the Care of Cemetery Lots." (H. P. 1155) (L. D. 608)

Bill "An Act Relating to Mortgaged Personal Property." (H. P. 1157) (L. D. 609)

Bill "An Act Assigning Counsel in Cases Punishable by Imprisonment." (H. P. 1158) (L. D. 610)

Bill "An Act Relating to Counsel Fees in Bastardy Proceedings." (H. P. 1159) (L. D. 611)

Bill "An Act Relating to Amending Complaints and Indictments in Matters of Substance." (H. P. 1160) (L. D. 612)

Bill "An Act Relating to Rental for the Western Somerset Municipal Court." (H. P. 1161) (L. D. 613)

Bill "An Act Relating to Illegal Marriage and Annulment Thereof." (H. P. 1162) (L. D. 614)

Bill "An Act to Make More Complete the Records of Real Estate Titles in Registries of Deeds by Amending the Law Regarding Liens." (H. P. 1163) (L. D. 615)

Bill "An Act to Protect Bona Fide Purchasers of Real Estate in Cases Where There Has Been a Divorce Among the Owners Thereof." (H. P. 1164) (L. D. 616)

Bill "An Act Relating to Effect of Bankruptcy in Financial Responsibility Law." (H. P. 1165) (L. D. 617)

Bill "An Act Relating to the Establishment of a Civil Defense Agency and other Organizations." (H. P. 1301) (L. D. 656)

Bill "An Act to Provide Reciprocal Comity for the Collection of Taxes." (H. P. 1302) (L. D. 682)

Bill "An Act Relating to Explanation of Constitutional Amendments." (H. P. 1903) (L. D. 683)

Bill "An Act Permitting Public Library Corporations to Participate in State Employees' Retirement System." (H. P. 1304) (L. D. 684)

"Resolve, Authorizing Donald S. Porter of Lowell to Sue the State of Maine." (H. P. 1305) (L. D. 685)

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

Bill "An Act Forbidding Employers to Charge a Fee for a Medical Examination as a Condition of Employment." (H. P. 1306) (L. D. 633)

Which was referred to the Committee on Labor in concurrence.

Bill "An Act to Incorporate the Town of Orono High School District." (H. P. 1166) (L. D. 624)

Bill "An Act to Incorporate the Town of Otisfield School District." (H. P. 1169) (L. D. 625)

Bill "An Act to Create the Town of Benton School District." (H. P. 1170) (L. D. 626)

Bill "An Act to Incorporate the Town of Searsport School District." (H. P. 1171) (L. D. 627)

Bill "An Act to Create the Town of South Berwick School District." (H. P. 1172) (L. D. 628)

Bill "An Act to Incorporate the Town of Whitefield School District." (H. P. 1173) (L. D. 629)

Bill "An Act to Incorporate the Town of Bay Point." (H. P. 1174) (L. D. 621)

Bill "An Act to Incorporate the Town of Hartland School District." (H. P. 1175) (L. D. 630)

Bill "An Act to Incorporate the Augusta School District." (H. P. 1251) (L. D. 622)

Bill "An Act Relating to Licenses for Junk Dealers." (H. P. 1307) (L. D. 634)

Bill "An Act Providing for the Method of Payment of Wages by Check or Draft." (H. P. 1308) (L. D. 635)

Bill "An Act to Incorporate the Topsham School District." (H. P. 1309) (L. D. 686)

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

Bill "An Act Relating to Sirens on Automobiles Operated by Fire Inspectors." (H. P. 1310) (L. D. 657)

Bill "An Act Relating to Lights on Certain Motor Vehicles." (H. P. 1311) (L. D. 636)

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

Bill "An Act Relating to the Salary of the Recorder of the Augusta Municipal Court." (H. P. 1195) (L. D. 620)

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

Bill "An Act Relating to Pollution of Tidal Waters." (H. P. 1318) (L. D. 687)

Bill "An Act Relating to Buoys on Lobster Traps or other Submerged Objects." (H. P. 1319) (L. D. 688)

Bill "An Act Relating to Smelt Fishing in the Tidewaters of the Penobscot River and Its Tributaries." (H. P. 1320) (L. D. 689)

"Resolve Relating to the Use of Purse, Drag or Stop Seines in Damariscotta River." (H. P. 1321) (L. D. 690)

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

"Resolve Providing for the Abatement of Certain Inheritance and Estate Taxes." (H. P. 1201) (L. D. 607)

Bill "An Act Increasing the Share of the State in Pari Mutuel Pools." (H. P. 1323) (L. D. 637)

"Resolve Providing for a Citizens Tax Committee." (H. P. 1324) (L. D. 638)

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

Bill "An Act Relating to Liquor License Fees." (H. P. 1325) (L. D. 639)

Which was referred to the Committee on Temperance in concurrence.

Bill "An Act Relating to State Aid Highways." (H. P. 1203) (L. D. 619)

Bill "An Act to Facilitate the Construction and Operation of Additional Sections of the Maine Turnpike." (H. P. 1327) (L. D. 692)

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

Bill "An Act Relating to Funeral Expenses for Recipients of Old Age Assistance." (H. P. 1202) (L. D. 618)

Bill "An Act Relating to Aid to Dependent Children." (H. P. 1326) (L. D. 691)

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

"Resolve in Favor of Knox Memorial Association, Inc. for Support and Maintenance of 'Montpelier.'" (H. P. 1338)

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

"Resolve to Reimburse the Town of Stetson for Certain Pauper Expenses." (H. P. 1339)

"Resolve in Favor of John Manchester." (H. P. 1340)

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

"Resolve in Favor of Corinna Union Academy." (H. P. 1341)

"Resolve in Favor of Leavitt Institute." (H. P. 1342)

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

"Resolve Providing for State Pension for Milton Conners, of Winterport." (H. P. 1347)

"Resolve Providing for an Increase in State Pension for Edward M. Conley of Monmouth." (H. P. 1348)

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

"Resolve in Favor of the Town of Brooksville." (H. P. 1355)

"Resolve in Favor of the Town of Stetson." (H. P. 1356)

"Resolve in Favor of the Town of Exeter." (H. P. 1357)

"Resolve in Favor of the Town of Warren." (H. P. 1358)

"Resolve in Favor of the Town of Thomaston." (H. P. 1359)

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

#### House Committee Reports

The Committee on Legal Affairs on Bill "An Act to Incorporate the Town of North Yarmouth School District," (H. P. 182) (L. D. 58) reported the same in a new draft (H. P. 1254) (L. D. 556) under the same title and that it ought to pass.

The Committee on Motor Vehicles on Bill "An Act Relating to the Issuance of Dealer's Registration," (H. P. 586) (L. D. 188) reported the same in a new draft (H. P. 1252) (L. D. 555) under the same title, and that the same ought to pass.

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

The Committee on Judiciary on Bill "An Act Relating to Liens for Architects and Engineers," (H. P. 579) (L. D. 177) reported that the same ought to pass.

The Committee on Legal Affairs on Bill "An Act Relating to Castle Hill-Mapleton School District," (H. P. 658) (L. D. 212) reported that the same ought to pass.

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

**Communication**

State of Maine  
House of Representatives  
Office of the Clerk  
Augusta

February 11, 1949

Honorable Chester T. Winslow  
Secretary of the Senate of the  
94th Legislature  
Sir:

The Speaker of the House today appointed the following conferees on the part of the House to serve on the Committee of Conference on the disagreeing action of the two branches of the legislature on Bill "An Act Relating to Pedestrians on Ways" (H. P. 705) (L. D. 251):

Messrs: WIGHT of Bangor  
ROBBINS of Houlton  
PATTERSON of Freeport

The Speaker also appointed the following members of the House to fill vacancies on Joint Standing Committees:

Mr. O'CONNELL of Van Buren to fill vacancy caused by resignation of Mr. ROBBINS of Houlton, on Committee on Aeronautics,

Mr. COLE of Liberty to fill vacancy caused by resignation of Mr. BROWN of Unity, on Committee on Manufacturers

Respectfully,

HARVEY R. PEASE,  
Clerk of the House

Which was read and ordered placed on file.

**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. Brewer of Aroostook presented Bill "An Act Relating to Branding of Potatoes." (S. P. 395)

(Ordered printed.)  
Sent down for concurrence.

**Appropriations and Financial Affairs**

Mr. Savage of Somerset presented "Resolve in Favor of Canaan School District." (S. P. 396)

Mr. Hopkins of Kennebec presented by request "Resolve Providing for a Multi-Purpose Building at the Oak Grove School." (S. P. 397) (Each ordered printed.)

Sent down for concurrence.

**Banks and Banking**

Mr. Varney of Washington presented Bill "An Act Relating to Investments of Savings Banks in Certain Mortgages." (S. P. 398)

Mr. Baker of Kennebec presented Bill "An Act Relating to Retiring Allowances or Life Insurance for Officers and Employees of Savings Banks." (S. P. 399)

(Each ordered printed.)

Sent down for concurrence.

**Claims**

Mr. McKusick of Piscataquis presented "Resolve in Favor of the Town of Parkman." (S. P. 400)

Sent down for concurrence.

Mr. Varney of Washington presented "Resolve in Favor of the Town of Jonesboro." (S. P. 401)

(Ordered printed.)

Sent down for concurrence.

**Inland Fisheries and Game**

Mr. Savage of Somerset presented Bill "An Act Relating to Hunting of Raccoons." (S. P. 402)

Mr. Ela of Somerset presented Bill "An Act Relating to Stamping of Beaver Skins." (S. P. 403)

(Each ordered printed.)

Sent down for concurrence.

**Judiciary**

Mr. Williams of Penobscot presented Bill "An Act Relative to Prosecutions of Inland Fisheries and Game Laws to be Published." (S. P. 404)

Mr. Edwards of Oxford presented Bill "An Act Relating to the Permission of Water Districts and Other Quasi-Municipal Corporations to Become Members of the State Employees' Retirement System." (S. P. 405)

The same Senator presented Bill "An Act Relating to Employees of Counties, Cities and Towns Entitled

to Membership in State Employees' Retirement System." (S. P. 406)  
(Each ordered printed.)

Sent down for concurrence.

**Legal Affairs**

Mr. McKusick of Piscataquis presented Bill "An Act Relating to Financing Community School Districts." (S. P. 407)

(Ordered printed.)

Sent down for concurrence.

**Mercantile Affairs  
and Insurance**

Mr. Bowker of Cumberland presented Bill "An Act Relating to Insurance Agents and Brokers." (S. P. 408)

(Each ordered printed.)

Sent down for concurrence.

**Salaries and Fees**

Mr. Brewer of Aroostook presented Bill "An Act Relating to Compensation for Members of the Racing Commission." (S. P. 409)

(Ordered printed.)

Sent down for concurrence.

**Sea and Shore Fisheries**

Mr. Larrabee of Sagadahoc presented Bill "An Act Relating to the Shipping of Clams, Quahogs and Mussels." (S. P. 410)

(Ordered printed.)

Sent down for concurrence.

**State Lands  
and Forest Preservation**

Mr. Varney of Washington presented "Resolve Authorizing the State Tax Assessor to Convey Certain Land in Washington County to A. G. Durgin, of Forest City." (S. P. 411)

(Ordered printed.)

Sent down for concurrence.

**Towns**

Mr. Edwards of Oxford presented Bill "An Act Relating to Town Dumps." (S. P. 412)

(Ordered printed.)

Sent down for concurrence.

**Ways and Bridges**

Mr. Brewer of Aroostook presented "Resolve in Favor of the City of Presque Isle." (S. P. 413)

Sent down for concurrence.

**Orders**

On motion by Mr. Ela of Somerset, it was

ORDERED that the Reverend Albert Lawrence of North Anson be invited to officiate as Chaplain of the Senate on the morning of Tuesday, February 22, 1949.

On motion by Mr. Hopkins of Kennebec, it was

ORDERED, that 1000 additional copies of (S. P. 191) (L. D. 244) entitled "An Act to Provide Facilities for the Peaceful Settlement of Industrial Disputes through Mediation," be printed.

**First Reading of a Printed Bill**

Bill "An Act Relating to Power of Corporations Without Capital Stock to Hold Property." (S. P. 388) (L. D. 651)

Which was read once and tomorrow assigned for second reading.

**Passed to be Engrossed**

Bill "An Act Relating to Financing Community School Districts." (H. P. 482) (L. D. 157)

Bill "An Act Relating to the Water Supply of Boothbay Harbor." (H. P. 659) (L. D. 213)

Bill "An Act Relating to Fees of Secretary of State." (H. P. 601) (L. D. 184)

Bill "An Act Relating to the Rockland School District." (H. P. 709) (L. D. 255)

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

Bill "An Act to Incorporate the Town of South Thomaston School District." (H. P. 486) (L. D. 161)

Bill "An Act to Incorporate the Town of Bingham School District." (H. P. 657) (L. D. 211)

Bill "An Act to Incorporate the Town of Exeter School District." (H. P. 363) (L. D. 126)

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

Bill "An Act Relating to Excise Tax on Bicycles with Motors Attached." (S. P. 195) (L. D. 248)

Bill "An Act Relating to the West Gardiner School District." (S. P. 371) (L. D. 587)

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

Sent down for concurrence.

#### Orders of the Day

On motion by Mr. McKusick of Piscataquis, the Senate voted to take from the table bill, An Act to Provide for the Surrender by Kingsbury Plantation of its Organization, (H. P. 1168) (L. D. 595) tabled by that Senator on February 15 pending reference to a committee.

Mr. MCKUSICK of Piscataquis: Mr. President, I now move that this bill be referred to the Committee on Towns in non-concurrence. I will say that it has been the customary procedure in past sessions to refer all de-organization legislation to the Committee on Towns, and as it happens, there is an adjacent township which is applying for de-organization which has already been referred to the Committee on Towns and I think it is desirable to have both on the same Committee.

Thereupon, the bill was referred to the Committee on Towns in non-concurrence.

Sent down for concurrence.

On motion by Mr. Bowker of Cumberland, the Senate voted to take from the table bill, An Act Relative to Payment of Damage Caused by Collision Between Motor Vehicle and Deer (H. P. 1271) tabled by that Senator on February 15 pending reference to a committee.

Mr. BOWKER of Cumberland: Mr. President and members of the Senate, I feel that this bill should go to the Committee on Inland Fisheries and Game. I have talked with the Chairman of Claims to which the bill was referred, and I have also talked with the Committee on Reference of Bills and it is

perfectly all right with them. So, I now move that this bill be referred to the Committee on Inland Fisheries and Game.

Thereupon, the bill was referred to the Committee on Inland Fisheries and Game in non-concurrence, and ordered printed.

Sent down for concurrence.

On motion by Mr. Batchelder of York, the Senate voted to take from the table Bill, An Act to Incorporate the Town of New Sweden School District (H. P. 809) (L. D. 264) tabled by that Senator on February 11 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-eight having voted in the affirmative and none opposed, the bill was passed to be enacted.

On motion by Mr. Batchelder of York, the Senate voted to take from the table bill, An Act to Incorporate the Town of Penobscot School District (H. P. 889) (L. D. 308) tabled by that Senator on February 11 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-nine having voted in the affirmative and none opposed, the bill was passed to be enacted.

On motion by Mr. Noyes of Hancock, the Senate voted to take from the table Resolve to Reimburse the Town of Gouldsboro (S. P. 331) tabled by that Senator on February 9 pending reference to a committee; and on further motion by the same Senator, the resolve was referred to the Committee on Ways and Bridges and ordered printed.

Sent down for concurrence.

On motion by Mr. Boucher of Androscoggin

Adjourned until tomorrow morning at ten o'clock.