

# 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, March 22, 1949.

The Senate was called to order by the President.

Prayer by the Reverend Robert Brackley of Hallowell.

Journal of Friday, March 18th, 1949 read and approved.

**From the House**

Bill "An Act to Incorporate the City of Brunswick." (H. P. 1982) (L. D. 1366)

Bill "An Act Amending the Charter of the City of Saco." (H. P. 1988) (L. D. 1373)

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

Bill "An Act to Increase the Death Benefits Payable to Children by Fraternal Beneficiary Societies." (H. P. 1985) (L. D. 1367)

Which was referred to the Committee on Mercantile Affairs and Insurance in concurrence.

Bill "An Act Relating to the Bangor Water District." (H. P. 1989) (L. D. 1371)

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

Bill "An Act Relating to Quantity in Purchasing Herring." (H. P. 1990) (L. D. 1372)

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

Bill "An Act to Ratify and Make Valid the Incorporation of Second Congregational Society of Searsport Harbor, in Searsport, Maine." (H. P. 1993) (L. D. 1374)

Which was received by unanimous consent and referred to the Committee on Legal Affairs in concurrence.

Bill "An Act to Amend the Charter of the Van Buren Light and Power District." (H. P. 1994) (L. D. 1370)

Which was received by unanimous consent, and referred to the

Committee on Public Utilities in concurrence.

"Resolve in Favor of the Town of Phippsburg." (H. P. 2002)

Which was received by unanimous consent and referred to the Committee on Ways and Bridges in concurrence.

"Resolve in Favor of Laurence Jenkins of Topsfield." (H. P. 2003)

Which was received by unanimous consent and referred to the Committee on Claims in concurrence.

The Committee on Judiciary on 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) reported that the same ought not to pass.

Comes from the House, recommended to the Committee on Judiciary.

In the Senate, on motion by Mr. Slocum of Cumberland, the Senate voted to recommit the Resolution to the Committee on judiciary in concurrence.

**House Committee Reports**

The Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Moneys for Anticipated Overdrafts in the Department of Forestry Due to Insufficient Appropriations," (H. P. 1904) (L. D. 1269) reported that the same ought to pass.

The Committee on Maine Publicity on "Resolve for the Development and Improvement of Baxter State Park," (H. P. 840) (L. D. 322) reported that the same ought to pass.

The Committee on Motor Vehicles on Bill "An Act Relating to Pedestrians on Ways," (H. P. 705) (L. D. 251) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Stop Signs at Multi-entrance Intersections," (H. P. 1406) (L. D. 765) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Parking in Danger-

ous Places," (H. P. 1407) (L. D. 766) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Stop Intersections," (H. P. 1409) (L. D. 768) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Lights on Motor Vehicles," (H. P. 1514) (L. D. 856) reported that the same ought to pass.

The same Committee on Bill "An Act to Protect the Blind and Incapacitated Pedestrians on Public Streets and Highways," (H. P. 1728) (L. D. 1083) reported that the same ought to pass.

The Committee on State Lands and Forest Preservation on Bill "An Act Concerning the Improvement, Protection or Preservation of Shade, Forest or Ornamental Trees," (H. P. 1740) (L. D. 1094) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Extinguishing Forest Fires by Backfiring," (H. P. 1916) (L. D. 1278) reported that the same ought to pass.

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

The Majority of the Committee on Welfare on Bill "An Act Relating to Age Requirement for Old Age Assistance," (H. P. 320) (L. D. 100) reported that the same ought not to pass.

(signed)

Senators:

WILLIAMS of Penobscot  
McKUSICK of Piscataquis

Representatives:

LACKEE of Addison  
GATES of Millinocket  
SANDERSON of Greene  
CHASE of Cape Elizabeth  
TAYLOR of Lyman

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

(signed)

Senator:

BOUCHER of Androscoggin

Representatives:

LESSARD of Skowhegan  
BUBAR of Blaine

Comes from the House, the Majority Report read and accepted.

In the Senate, on motion by Mr. Williams of Penobscot the majority report of the committee "Ought Not to Pass" was accepted in concurrence.

### Orders

On motion by Mr. Allen of Cumberland, it was

ORDERED, the House concurring, that House Paper 1759, Legislative Document 1031, bill "An Act Relating to Boards of Registration" be recalled to the Senate from the Governor for further consideration.

Mr. Ela of Somerset, presented the following order and moved its passage:

WHEREAS, the Senate is informed of the birth of an eight pounds and three ounce baby boy on March 18th at 6:07 a.m. to Senator R. Leon Williams and Mrs. Williams, and

WHEREAS, the members of the Senate are much pleased and wish to extend their heartiest congratulations to Mrs. Williams and the Senator, be it.

ORDERED, that the baby boy be named Melvin Leon Williams and that the Secretary of the Senate be directed to send to Mrs. Williams an attested copy of this order.

The order received a passage.

### Senate Committee Reports Ought Not to Pass

Mr. Hopkins from the Committee on Aeronautics on Bill "An Act Relating to the Aeronautical Bill," (S. P. 414) (L. D. 772) reported that the same ought not to pass.

(On motion by Mr. Allen of Cumberland, tabled pending consideration of the report.)

Mr. Ela from the same Committee on "Resolve Proposing an Amendment to the Constitution to Authorize a Bond Issue to Match Federal Funds for the Construc-

tion and Improvement of Airports," (S. P. 415) (L. D. 773) reported that the same ought not to pass.

(On motion by Mr. Allen of Cumberland, tabled pending consideration of the report.)

Mr. Smart from the Committee on Inland Fisheries and Game on Bill "An Act Relative to Search and Seizure of Game," (S. P. 425) (L. D. 830) reported that the same ought not to pass.

Which report was read and accepted.

Sent down for concurrence.

Mr. Bowker from the same Committee on Bill "An Act to Reduce Fatalities and Firearm Accidents in the Woods and Fields of Maine," (S. P. 540) (L. D. 1180) reported that the same ought not to pass.

Mr. SLOCUM of Cumberland: Mr. President, I introduced this measure at the request of Major Linwood Elliott of Falmouth. It was an attempt to educate the men going into the woods by having them take an examination before they got a license to hunt. The number of fatalities was so great this last year that it is the opinion of Major Elliott and myself that something should be done. Major Elliott presented the facts in a masterful way before the committee. The committee, however, considered that the method was impractical. It is hoped that the members of the Senate and other citizens will try to find some way of reducing the fatalities during our coming season, and with regret that some practical method could not have been worked out by the committee, I move that the committee report "Ought Not to Pass" be accepted.

Thereupon the "Ought Not to Pass" report of the committee was accepted.

#### OTP New Draft

Mr. Ela from the Committee on Inland Fisheries and Game on Bill "An Act Relative to Extending Hunting Season on Deer," (S. P. 300) (L. D. 494) reported the same in a new draft, and (S. P. 630) un-

der 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 the joint rules.

#### Ought to Pass

Mr. Bowker from the Committee on Inland Fisheries and Game on Bill "An Act Relative to Penalties for Beaver Trapping," (S. P. 349) (L. D. 575) reported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act Relative to Regulating Hunting, Fishing and Trapping on Game Management Areas," (S. P. 423) (L. D. 780) reported that the same ought to pass.

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

Mr. Varney from the Committee on Claims on "Resolve in Favor of the Town of East Millinocket," (S. P. 258) reported that the same ought to pass as amended by Committee Amendment "A"

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

#### OTP-Com. Amendment "A"

Mr. Haskell from the Committee on Taxation on Bill "An Act Relating to Sub-Jobber of Cigarettes and Tobacco Products," (S. P. 238) (L. D. 352) reported that the same ought to pass as amended by Committee Amendment "A"

Which report was read and accepted and the bill read once.

The Secretary read Committee Amendment A:—

"Committee Amendment A to bill, An Act Relating to Sub-Jobber of Cigarettes and Tobacco Products (S. P. 238) (L. D. 352). Amend said bill by inserting in 5th line thereof after the underlined word 'license' the following underlined words: 'to be known as a wholesale dealers' license'."

Committee Amendment A was adopted and the bill as so amended

was tomorrow assigned for second reading.

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**Passed to be Engrossed**

"Resolve in Favor of Frank D. Miller, of Orland." (H. P. 454) (L. D. 1349)

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

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"Resolve Providing for Certain Construction at the Bangor State Hospital." (H. P. 632) (L. D. 1350)

On motion by Mr. Brewer of Aroostook the resolve was laid upon the table pending passage to be engrossed.

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Bill "An Act Relating to Public and Private Cemeteries." (S. P. 369) (L. D. 586)

Bill "An Act Relating to Town Dumps." (S. P. 412) (L. D. 749)

Bill "An Act Relating to the Practice of Optometry." (S. P. 453) (L. D. 797)

Bill "An Act Relating to Payment to York County Law Library." (S. P. 520) (L. D. 1054)

Which were severally read a second time and passed to be engrossed. Sent down for concurrence.

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Bill "An Act to Appropriate Monies for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1950, and June 30, 1951." (S. P. 624) (L. D. 1360)

On motion by Mr. Leavitt of Cumberland the bill was laid upon the table pending passage to be engrossed.

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**Orders of The Day**

Mr. HASKELL of Penobscot: Mr. President, I am about to ask unanimous consent to introduce a resolve. I think it is the first time since I have been in the Legislature that I have done this. The story quite briefly is this: Yesterday morning in this Chamber, the wife of Frank McGinley came in and told Senator Baker and myself the problem that she and her husband were facing in relation to a techni-

cality in the Teachers' Pension law, and she had been advised only yesterday morning that even for consideration of the problem there must be a legislative resolve. I have been to the Chairman of the Committee on Pensions and he told me that it would in no way hold up his work. I therefore ask unanimous consent to introduce "Resolve in favor of Frank F. McGinley of Eddington."

Thereupon the resolve was received by unanimous consent, and on motion by the same Senator was referred to the Committee on Pensions.

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Mr. LARRABEE of Sagadahoc: Mr. President, I too have a Resolve which was brought to my attention last Saturday relating to a very deserving case. I have had several calls from church people and from the City of Bath, and I would ask unanimous consent to introduce "Resolve Providing a State Pension for Margarite Hilda Reed of Bath."

Thereupon the Resolve was received by unanimous consent, and on motion by the same Senator was referred to the Committee on Pensions.

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Mr. Collins of Aroostook was granted unanimous consent to address the Senate.

Mr. COLLINS of Aroostook: Mr. President and members of the Senate: I note in the balcony members of the Civics Class from the Fort Kent Community High School. As you know, the Community High School at Fort Kent was the first school that was established under the Community School Act, and these people have travelled over three hundred miles to attend a session of the legislature and to learn about the working of State Government. Therefore I hope the Senate will take recognition of that fact at this time.

The PRESIDENT: The Chair is very pleased, on behalf of the Senate, to greet the class from Fort Kent. We hope that their long journey will be rewarded by a very fine presentation of our Legislative

procedure by both Branches. (Applause)

Mr. SLEEPER of Knox: Mr. President, I would like to inquire whether H. P. 1975, L. D. 1351, "An Act Reestablishing Prohibition," is still in the possession of the Senate.

The PRESIDENT: The Chair will state that the bill is in the possession of the Senate being held at the request of the Senator from Knox for reconsideration.

Mr. SLEEPER: Mr. President and members of the Senate, I find that in the rather hasty action which the Senate took in order to expedite legislation that we had presupposed the minds of the proponents of this bill, and we did not understand that there was quite so much feeling. I find, much to our sorrow and shame, that in prohibiting a hearing on prohibition we are following down the same line that made prohibition so unpopular.

It was not the idea of doing away with liquor and intoxicating beverages that was so unpopular, but it was the prohibition part of it that people objected to, and I find that the proponents of this measure object very much to the prohibition of the hearing on prohibition, so I now move that the Senate reconsider its action whereby the bill was indefinitely postponed and that the bill be referred to the Committee on Temperance and a hearing be given on this apparently worthy bill.

Thereupon the Senate voted to reconsider its former action whereby the bill was indefinitely postponed, and on further motion by the same Senator the bill was referred to the Committee on Temperance and ordered printed.

On motion by Mr. Haskell of Penobscot the Senate voted to take from the table Emergency Measure "An Act Relating to Maine Forestry District Taxes" (H. P. 1586) (L. D. 908), tabled by the Senator from Somerset, Senator Savage, on March 18th, pending passage to be enacted.

Mr. HASKELL: Mr. President, I will assure the Senate that I have permission from Senator Savage, who is ill, to take this bill from the table, and I now move the bill be passed to be enacted.

This being an emergency measure A division of the Senate was had. Twenty four having voted in the affirmative, and none opposed, the bill was passed to be enacted.

On motion by Mr. Slocum of Cumberland, the Senate voted to take from the table Senate Report "Ought not to pass" from the Committee on Judiciary on Bill, "An Act Relating to Telephones for Members of the State Police." (S. P. 523) (L. D. 1051) tabled by that Senator on March 18, pending consideration of the report.

Mr. SLOCUM of Cumberland: Mr. President, the members of our State Police are required to have a telephone in their homes as a part of their equipment. They are on twenty-four hour a day service and they get very moderate pay. I am informed that there is before this Body a bill to give them an adequate wage, and that in effect would assist in taking care of the intent of this bill. I therefore move that we accept the Ought Not to Pass report of the Committee.

Thereupon the Senate voted to accept the Ought Not to Pass report of the Committee on Judiciary.

On motion by Mr. Brewer of Aroostook, the Senate voted to take from the table Bill, "An Act Relating to the Tax on Commercial Fertilizer." (S. P. 284) (L. D. 485), tabled by that Senator on March 8th pending passage to be engrossed.

Mr. BREWER of Aroostook: Mr. President and Members of the Senate, due to the fact that this particular bill involves raising new revenue, and the question was raised that it should come from the House, and due to the fact that a similar bill was introduced in the House by another member of the

Aroostook delegation, I would ask at this time leave to withdraw the bill.

Thereupon leave was granted to withdraw the bill.

On motion by Mr. Leavitt of Cumberland,

Adjourned until tomorrow at ten o'clock.