

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

Friday, March 25, 1949.

The Senate was called to order by the President.

Prayer by the Reverend Hazen F. Rigby of Gardiner.

Journal of yesterday, read and approved.

**Joint 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 Monday, March 28th, 1949, at 4.30

Which was read and passed.

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 Taxation of Amusement and Musical Devices, to Provide Funds for Payment to Veterans." (H. P. 2005) (L. D. 1392)

Which was referred to the Committee on Military Affairs in concurrence.

House Committee Reports

The Committee on Judiciary on Bill "An Act Giving the Newspapers Access to Records of Vital Statistics," (H. P. 1578) (L. D. 901) reported that the same ought not to pass.

The Committee on Salaries and Fees on Bill "An Act to Increase the Salary of County Commissioners in Penobscot County," (H. P. 1662) (L. D. 970) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to the Salary of Register of Deeds of Kennebec County," (H. P. 673) (L. D. 219) reported that the same ought not to pass.

The Committee on Welfare on Bill "An Act Relating to Funeral Expenses for Recipients of Old

Age Assistance," (H. P. 1202) (L. D. 618) reported that the same ought not to pass.

The Committee on Welfare on Bill "An Act Relating to Aid to Dependent Children," (H. P. 1008) (L. D. 439) reported that the same ought not to pass.

Which reports were severally read and accepted in concurrence.

The Committee on Judiciary on "Resolve, Proposing an Amendment to the Constitution to Change the Date of Filing Initiated Legislation," (H. P. 1568) (L. D. 874) reported that the same ought to pass.

The same Committee on Bill "An Act to Amend the Charter of the Portland Water District Relative to Time of Filing Nomination Papers," (H. P. 1631) (L. D. 984) reported that the same ought to pass.

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

The Committee on Judiciary on Bill "An Act Relating to Consent to Adoption of Children," (H. P. 1831) (L. D. 1156) reported the same in a new draft (H. P. 2008) (L. D. 1390) 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 tomorrow assigned for second reading.

Order

On motion by Mr. Turgeon of Androscoggin, it was

ORDERED, that the Rev. Wallace H. Harris of Lewiston, Maine, be invited to officiate as Chaplain of the Senate on Wednesday, March 30, 1949.

Senate Committee Reports

Mr. Williams from the Committee on Appropriations and Financial Affairs on "Resolve in Favor of the Town of Brownfield," (S. P. 496) reported that leave be granted to withdraw the same as it is covered by other legislation.

Which report was read and accepted.

Sent down for concurrence.

Mr. Bowker from the same Committee on "Resolve Appropriating Moneys for Promotion of Highway Safety," (S. P. 604) (L. D. 1295) reported that the same ought not to pass.

On motion by Mr. Bowker of Cumberland, tabled pending consideration of the report.

The same Senator from the same Committee on "Resolve in Favor of Canaan School District," (S. P. 396) (L. D. 734) reported that the same ought not to pass.

On motion by Mr. Haskell of Penobscot, tabled pending consideration of the report.

Mr. Williams from the same Committee on "Resolve Appropriating Moneys to Build Armory in Lewiston," (S. P. 563) (L. D. 1228) reported that the same ought not to pass.

On motion by Mr. Haskell of Penobscot, tabled pending consideration of the report.

The same Senator from the same Committee on "Resolve in Favor of Healy Asylum of Lewiston," (S. P. 567) (L. D. 1232) reported that the same ought not to pass.

On motion by Mr. Haskell of Penobscot, tabled pending consideration of the report.

The same Senator from the same Committee on "Resolve in Favor of Saint Louis Home and School, West Scarborough," (S. P. 568) (L. D. 1233) reported that the same ought not to pass.

On motion by Mr. Haskell of Penobscot, tabled pending consideration of the report.

Mr. Bowker from the same Committee on "Resolve in Favor of the Marcotte Home of Lewiston," (S. P. 564) (L. D. 1229) reported that the same ought not to pass.

On motion by Mr. Haskell of Penobscot, tabled pending consideration of the report.

The same Senator from the same Committee on "Resolve in Favor of Saint Joseph Orphanage of Lewiston," (S. P. 565) (L. D. 1230) reported that the same ought not to pass.

On motion by Mr. Haskell of Penobscot, tabled pending consideration of the report.

The same Senator from the same Committee on "Resolve in Favor of Hospital General Ste. Marie of Lewiston," (S. P. 566) (L. D. 1231) reported that the same ought not to pass.

On motion by Mr. Haskell of Penobscot, tabled pending consideration of the report.

Mr. McKusick from the Committee on Education on Bill "An Act to Provide Driver Education in Secondary Schools," (S. P. 543) (L. D. 1290) reported that the same ought not to pass.

Which report was read and accepted.

Sent down for concurrence.

Mr. Barnes from the Committee on Judiciary on Bill "An Act Relating to Arrest by Virtue of Warrant Not in Officer's Possession," (S. P. 522) (L. D. 1052) reported that the same ought not to pass.

Which report was read and accepted.

Sent down for concurrence.

Mr. Ward from the same Committee on Bill "An Act Relating to Permits to Cut Logs," (S. P. 262) (L. D. 393) reported that the same ought not to pass.

On motion by Mr. Batchelder of York, tabled pending consideration of the report.

Mr. Boucher from the Committee on Temperance on Bill "An Act Relating to Limitation of Liquor Licenses," (S. P. 495) (L. D. 945) reported that the same ought not to pass.

On motion by Mr. Hopkins of Kennebec, tabled pending consideration of the report.

Mr. Smart from the same Committee on Bill "An Act Relating to Limitation of Liquor Licenses by Liquor Commission," (S. P. 493) (L. D. 953) reported that the same ought not to pass.

On motion by Mr. Hopkins of Kennebec, tabled pending consideration of the report.

Mr. Ward from the Committee on Judiciary on Bill "An Act Relating to Employees of Counties, Cities and Towns Entitled to Membership in State Employees' Retirement System," (S. P. 406) (L. D. 741) reported the same in a new draft (S. P. 636) 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. Williams from the Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Moneys for Anticipated Overdrafts in the Racing Commission Due to Insufficient Appropriations," (S. P. 607) (L. D. 1298) reported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act Appropriating Moneys for Anticipated Overdrafts in the State Treasury Due to Insufficient Appropriations," (S. P. 606) (L. D. 1297) reported that the same ought to pass.

Mr. McKusick from the Committee on Education on Bill "An Act Relating to Conveyance or Board of Children," (S. P. 608) (L. D. 1299) reported that the same ought to pass.

The same Senator from the same Committee on Bill "An Act Relating to State Assistance for Supervision," (S. P. 609) (L. D. 1300) reported that the same ought to pass.

Mr. Ward from the Committee on Judiciary on Bill "An Act Relating to Power of Certain Corporations to Hold Property," (S. P. 503) (L. D. 1004) reported that the same ought to pass.

Mr. Ela from the same Committee on Bill "An Act Relating to Interference with Certain Officers," (S. P. 521) (L. D. 1053) reported that the same ought to pass.

Mr. Brown from the Committee on State Senatoriums on "Resolve in Favor of Bangor Anti-Tuberculosis Association," (S. P. 492) (L. D. 952) reported that the same ought to pass.

Mr. Baker from the Committee on Temperance on Bill "An Act Relating to Wholesale Sale of Spirituous and Vinous Liquor," (S. P. 541) (L. D. 1103) reported that the same ought to pass.

The same Senator from the same Committee on bill, "An Act Relating to Sale of Malt Liquor by Trade Name," (S. P. 512) (L. D. 1011) reported that the same ought to pass.

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

Mr. Haskell from the Committee on Salaries and Fees on bill, "An Act Relating to the Salaries of the Judge and of the Recorder of the Old Town Municipal Court," (S. P. 365) (L. D. 582) reported that the same ought to pass as amended by Committee Amendment "A" enclosed herewith.

The report of the committee was accepted and the bill was given its first reading.

The Secretary read Committee Amendment A:

"Amend said bill by striking out the underlined figures \$2,100 in the twelveth line thereof and inserting in place thereof the underlined figures \$1,800.

"Further amend said bill by striking out the underlined figures \$1,500 and inserting in place thereof the underlined figures \$1,200."

Committee Amendment A was adopted and the bill as so amended was tomorrow assigned for second reading.

Mr. Baker from the Committee on Temperance on bill "An Act to Provide for the Creation of a Liquor Research Commission," (S. P. 470) (L. D. 922) reported that the same ought to pass as amended by Committee Amendment "A".

On motion by Mr. Slocum of Cumberland, the bill and accompanying papers were laid upon the table pending consideration of the committee report.

Passed to be Engrossed

"Resolve in Favor of the Town of Kennebunk." (H. P. 102)

Bill "An Act Relative to Transportation of Fish, Game and Fur-Bearing Animals by Airplane." (H. P. 744) (L. D. 286)

"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)

"Resolve Regulating Fishing in Royal River, in the County of Cumberland." (H. P. 1397) (L. D. 729)

Bill "An Act Relating to Tax Stamp Discounts in Cigarette and Tobacco Products Law." (H. P. 1541) (L. D. 818)

Bill "An Act Relating to Night Hunting of Skunks and Raccoons." (H. P. 1628) (L. D. 981)

Bill "An Act Relating to the Revocation of License on Conviction of Hunting While Intoxicated." (H. P. 1773) (L. D. 1112)

Bill "An Act Relating to Election to Certain Town Officials." (H. P. 1784) (L. D. 1123)

Bill "An Act Validating Certain Recorded Mortgage Discharge." (H. P. 1832) (L. D. 1157)

Bill "An Act Relating to Discovery of Property of Deceased Persons." (H. P. 1834) (L. D. 1159)

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

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

(On motion by Mr. Slocum of Cumberland, tabled pending passage to be engrossed.)

Bill "An Act Relative to Bounty on Bears." (H. P. 1261) (L. D. 662)

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

Bill "An Act Relating to the Right of Eminent Domain for Municipalities for Recreational Purposes." (H. P. 1510) (L. D. 808)

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

"Resolve Permitting Socony-Vacuum Oil Company, Incorporated, to Lay a Pipeline Across Property of the State School for Girls in Hallowell and Property of the Augusta State Hospital in Augusta." (S. P. 216) (L. D. 278)

Bill "An Act Relating to the Salary of the County Attorney of York County." (S. P. 266) (L. D. 396)

Bill "An Act Relating to Clerk Hire in the Office of Register of Deeds, Southern District, Aroostook County." (S. P. 363) (L. D. 580)

Bill "An Act Relative to Extending Hunting Season on Deer." (S. P. 630) (L. D. 1385)

Bill "An Act Relating to the Salaries of Various County Officers of Franklin County." (S. P. 321) (L. D. 514)

Bill "An Act Relating to the Salary of the Judge of the Franklin Municipal Court." (S. P. 319) (L. D. 512)

Bill "An Act Relating to the Salaries of the Judge of Probate and Register of Probate, Franklin County." (S. P. 320) (L. D. 513)

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

Sent down for concurrence.

"Resolve in Favor of the Town of East Millinocket." (S. P. 258) (L. D. 1386)

Bill "An Act Relating to the Salaries of the Clerk of Courts and Deputy Clerk of Courts of Penobscot County." (S. P. 438) (L. D. 793)

Bill "An Act to Amend the Westport Wiscasset Bridge District." (S. P. 460) (L. D. 912)

Bill "An Act Relating to the Presque Isle Municipal Court." (S. P. 465) (L. D. 918)

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

Sent down for concurrence.

Enactors

Bill "An Act Relating to Taking of Clams in Hancock." (H. P. 67) (L. D. 26)

Bill "An Act Relating to Taking of Clams in Ogunquit Village Corporation." (H. P. 317) (L. D. 97)

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

Bill "An Act Relating to Inspections and Recounts in Municipal Elections." (H. P. 1493) (L. D. 849)

Bill "An Act Relating to Bond Issues of the City of Portland." (H. P. 1645) (L. D. 997)

Bill "An Act Relating to the Department of Electrical Appliances of the City of Portland." (H. P. 1699) (L. D. 1022)

Bill "An Act Relating to Amending Complaints and Indictments in Matters of Substance." (H. P. 1965) (L. D. 1339)

Bill "An Act Relating to Retirement of Justices of the Superior and Supreme Judicial Courts." (H. P. 1967) (L. D. 1341)

Bill "An Act Amending the Limestone School District." (H. P. 1978)

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

"Resolve, to Provide for a Fish Screen at Hot Brook Lake, in the County of Aroostook." (H. P. 1486) (L. D. 843)

"Resolve, in Favor of the Town of Trenton." (H. P. 1610) (L. D. 1343)

"Resolve in Favor of the City of Calais." (H. P. 1708) (L. D. 1344)

"Resolve Authorizing the State Tax Assessor to Convey by Sale Certain Interest of the State in Lands in the Unorganized Territory." (H. P. 1959) (L. D. 1333)

Bill "An Act Relating to Paroled and Discharged Prisoners from State Prison." (S. P. 429) (L. D. 783)

Bill "An Act Providing That the State of Maine May Become a Party to the Northeastern Interstate Forest Fire Compact." (S. P. 469) (L. D. 921)

Bill "An Act for State Forest Fire Prevention and Control in Or-

ganized Towns." (S. P. 528) (L. D. 1058)

(On motion by Mr. Williams of Penobscot, tabled pending passage to be engrossed.)

Bill "An Act Relating to the Penobscot Log Driging Company." (S. P. 596) (L. D. 1267)

Bill "An Act Relating to Liens on Logs, Lumber or Pulpwood for Advances of Money or Merchandise." (S. P. 599) (L. D. 1291)

"Resolve, Relating to Impounded Bank Accounts of Certain Trust Funds." (S. P. 111) (L. D. 136)

**From the House
(Out of Order)**

Additional House Paper, out of order and under suspension of the rules:

"Resolve Providing for a Fish Screen at Outlet of No Name Pond in the City of Lewiston, in the County of Androscoggin." (H. P. 2016)

Mr. ELA of Somerset: Mr. President, in explanation of this bill received by unanimous consent in the House, we had a bill before our committee yesterday and it was discussed and there were such errors, both in the title and in the material of the bill, that we did not feel it proper for us to get behind the bill and we suggested to the sponsor that he attempt to introduce by unanimous consent a bill which would be that which he desired done. He has done so and this is the document before us. It will in no way disturb the functioning of the Fish and Game Committee and I would hope that there would be no objection to its introduction.

Thereupon, the bill was received by unanimous consent and referred to the Committee on Inland Fisheries and Game.

(Ordered printed.)

Orders of The Day

On motion by Mr. Noyes of Hancock the Senate voted to take from the table bill, An Act to establish and define the Civil Liability of Radio Broadcasters Relative to Libel (S. P. 559) (L. D. 1183) tabled by that Senator on March 24th pend-

ing passage to be enacted; and on further motion by the same Senator the bill was passed to be enacted.

On motion by Mr. Williams of Penobscot the Senate voted to take from the table bill, An Act to Provide Forest Fire Prevention and Control in Unorganized Areas Not in the Maine Forestry District (H. P. 1887) (L. D. 1205) tabled by that Senator on March 24th pending consideration.

The PRESIDENT: The Secretary will read the previous action of the House and Senate.

The SECRETARY: "In the Senate on March 16th the bill was passed to be engrossed as amended by House Amendment A. In the House on March 24th the bill was

passed to be engrossed as amended by House Amendment A and by House Amendment B in non-concurrence."

Thereupon, on motion by Mr. Williams of Penobscot, the Senate voted to reconsider its action of March 16th whereby the bill was passed to be engrossed as amended by House Amendment A; House Amendment B was read and adopted in concurrence and the bill as amended by House Amendment A and by House Amendment B was passed to be engrossed in concurrence.

On motion by Mr. Haskell of Penobscot

Adjourned until Monday afternoon, March 28th, at Four-thirty o'clock.