

# 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**

Monday, March 28, 1949.

The Senate was called to order by the President.

Prayer by the Reverend Victor M. Regan of Augusta.

Journal of Friday, March 25, 1949 read and approved.

**From the House**

Bill "An Act Relating to Motor Vehicle Registration Number Plates." (H. P. 364) (L. D. 127)

(In the Senate on March 24th indefinitely postponed in non-concurrence.)

Comes from the House, that body having insisted on its former action whereby the bill was passed to be engrossed, and now asks for a Committee of Conference.

On motion by Mr. Allen of Cumberland the Senate voted to join with the House in a Committee of Conference.

Subsequently the President appointed as members of such committee on the part of the Senate, Senators Williams of Penobscot, Noyes of Hancock, and McKusick of Piscataquis.

The Committee on Legal Affairs on Bill "An Act to Incorporate the Town of Searsport School District," (H. P. 1171) (L. D. 627) reported that the same ought to pass as amended by Committee Amendment "A".

Comes from the House, report accepted and bill read twice, subsequently recommitted to the Committee on Legal Affairs.

In the Senate, on motion by Mr. Batchelder of York the bill was recommitted to the Committee on Legal Affairs in concurrence.

"Resolve, for the Laying of the County Taxes for the Years Nineteen Hundred Forty-nine and Nineteen Hundred Fifty." (H. P. 2007) (L. D. 1389)

Reported by the Committee on County Estimates, and comes from the House, passed to be engrossed as amended by House Amendment "A".

In the Senate, the Resolve was given its first reading, House Amendment "A" was read and adopted in concurrence and the Resolve as so amended was tomorrow assigned for second reading.

**House Committee Reports**

The Committee on Judiciary on Bill "An Act Limiting the Filing of Proof of Financial Responsibility," (H. P. 578) (L. D. 176) reported that the same ought not to pass.

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

On motion by Mr. Ward of Penobscot the bill was recommitted to the Committee on Judiciary in concurrence.

The Committee on Judiciary on Bill "An Act Relating to the Establishment of a Civil Defense Agency and Other Organizations," (H. P. 1301) (L. D. 656) reported the same in a new draft (H. P. 2013) (L. D. 1398) under a new title, Bill "An Act Relating to the Establishment of a Civil Defense Agency and a Public Safety Council," and that the new draft be printed and recommitted for further consideration.

Which report was read and accepted in concurrence, and the bill in new draft recommitted to the Committee on Judiciary in concurrence.

The Committee on Welfare on Bill "An Act Relating to Requisites for Old Age Assistance," (H. P. 1552) (L. D. 870) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Aid to the Blind," (H. P. 1550) (L. D. 868) reported that the same ought to pass.

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

The Committee on Judiciary on Bill "An Act Relating to Procedure on Damages Caused by Location of Highways," (H. P. 1872) (L. D. 1212) reported the same in a new draft (H. P. 2012) (L. D. 1395) un-

der same title and that it ought to pass.

The Committee on Motor Vehicles on Bill "An Act Relating to Traffic Control Signals," (H. P. 1408) (L. D. 767) reported the same in a new draft (H. P. 2011) (L. D. 1394) under the same title and that it ought to pass.

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

The Committee on Motor Vehicles on Bill "An Act Relating to Inspection of Motor Vehicles," (H. P. 1516) (L. D. 889) reported that the same ought to pass as amended by Committee Amendment "A" submitted herewith.

The Committee on Salaries and Fees on Bill "An Act Relating to the Salary of the Register of Probate of York County," (H. P. 1531) (L. D. 862) reported that the same ought to pass as amended by Committee Amendment "A" enclosed herewith.

The same Committee on Bill "An Act Relating to the Houlton Municipal Court," (H. P. 1533) (L. D. 864) reported that the same ought to pass as amended by Committee Amendment "A" enclosed herewith.

The same Committee on Bill "An Act Relating to the Salary of the Recorder of the Waterville Municipal Court," (H. P. 1663) (L. D. 971) reported that the same ought to pass as amended by Committee Amendment "A" enclosed herewith.

The same Committee on Bill "An Act Relating to the Salary of the Sheriff of Lincoln County," (H. P. 1196) (L. D. 590) reported that the same ought to pass as amended by Committee Amendment "A" enclosed herewith.

The same Committee on Bill "An Act Relating to Salary of Register of Probate in Kennebec County," (H. P. 1075) (L. D. 481) reported that the same ought to pass as amended by Committee Amendment "A" enclosed herewith.

The same Committee on Bill "An Act Relating to Clerk Hire in Office of Clerk of Courts in Kennebec County," (H. P. 313) (L. D. 93) reported that the same ought to pass as amended by Committee Amendment "A" enclosed herewith.

Which reports were severally read and accepted in concurrence, and the bills read once; Committee Amendments "A" were severally read and adopted in concurrence, and the bills as so amended were tomorrow assigned for second reading.

### Order

On motion by Mr. Larrabee of Sagadahoc, it was

ORDERED, that the Reverend William T. Bennett of Richmond, Maine, be invited to officiate as Chaplain of the Senate on the morning of March 31, 1949.

### Senate Committee Reports

Mr. Slocum from the Committee on Federal Relations on Bill "An Act Repealing the Experience Rating in the Unemployment Compensation Law," (S. P. 572) (L. D. 1235) reported that the same ought not to pass.

(On motion by Mr. Turgeon of Androscoggin, tabled pending acceptance of the report.)

Mr. Batchelder from the same Committee on Bill "An Act Amending the Unemployment Compensation Law as to Benefits," (S. P. 574) (L. D. 1237) reported that same ought not to pass as it is covered by other legislation.

(On motion by Mr. Turgeon of Androscoggin, tabled pending acceptance of the report.)

Mr. Ela from the Committee on Inland Fisheries and Game on "Resolve Providing for a Fish Screen at Outlet of Cathance Stream and Bradley Pond," (S. P. 225) (L. D. 354) reported that the same ought not to pass.

Mr. Ela from the Committee on Public Health on Bill "An Act Relating to the Manufacture and Sale of Bedding and Upholstered Furniture," (S. P. 550) (L. D. 1170) re-

ported that the same ought not to pass.

Which reports were severally read and accepted.

Sent down for concurrence.

Mr. Bowker from the Committee on Appropriations and Financial Affairs on "Resolve Providing for a Special Commission on Youth Problems," (S. P. 561) (L. D. 1226) reported the same in a new draft (S. P. 637) under a new title, "Resolve that the Legislative Research Committee Make a Special Study of Youth Problems," and that it ought to pass.

Mr. Williams from the same Committee on Bill "An Act to Construct a Bridge Between Milford and Indian Island," (S. P. 127) (L. D. 191) reported the same in a new draft (S. P. 638) under a new title, Bill "An Act to Construct a Bridge Between Old Town and Indian Island," and that it ought to pass.

Which reports were severally read and accepted and the bill and resolve in new draft laid upon the table for printing under the joint rules.

Mr. Slocum from the Committee on Federal Relations on Bill "An Act Concerning Harbor or River Improvements and Protection of Property against Floods or Erosion," (S. P. 131) (L. D. 193) reported that the same ought to pass.

Mr. Ela from the Committee on Inland Fisheries and Game on "Resolve Regulating Fishing in Snake and Carpenter Ponds in the County of Piscataquis," (S. P. 295) (L. D. 489) reported that the same ought to pass.

Mr. Bowker from the same Committee on Bill "An Act Relating to Hunting Raccoons," (S. P. 402) (L. D. 740) reported that the same ought to pass.

The same Senator from the same Committee on "Resolve Authorizing the Sale of Feeding Station Property in the County of Aroostook," (S. P. 270) (L. D. 443) reported that the same ought to pass.

The same Senator from the same Committee on "Resolve Regulating

Fishing in Donnell's Pond in the County of Hancock," (S. P. 298) (L. D. 492) reported that the same ought to pass.

The same Senator from the same Committee on "Resolve Regulating Fishing in Pleasant and Mud Lakes in the County of Penobscot," (S. P. 347) (L. D. 573) reported that the same ought to pass.

Mr. Leavitt from the Committee on Public Health on Bill "An Act Relating to Tuberculosis Control," (S. P. 313) (L. D. 506) reported that the same ought to pass.

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

Mr. Bowker from the Committee on Appropriations and Financial Affairs on "Resolve Providing for Certain Construction at the Northern Maine Sanatorium," (S. P. 285) (L. D. 486) reported that the same ought to pass as amended by Committee Amendment "A"

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

The Secretary read Committee Amendment A: "Amend said resolve by striking out in the first line the figures \$40,000 and inserting in place thereof the figures \$20,000."

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

Mr. Haskell from the Committee on Salaries and Fees on Bill "An Act Relating to the Caribou Municipal Court," (S. P. 464) (L. D. 919) reported that the same ought to pass as amended by Committee Amendment "A"

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

The Secretary read Committee Amendment A: "Amend said bill by inserting after the enacting clause thereof and before the head-note the following: 'section one.'

"Further amend said bill by striking out in the sixth line thereof

the underlined figures \$1,500 and inserting in place thereof the underlined figures \$1,250.

"Further amend said bill by adding at the end thereof a new section as follows: 'Section 2. Private and Special Laws of 1905, Chapter 352, amended. The fourth sentence of the third paragraph of that part designated Section 1 of Chapter 57 of the Private and Special Laws of 1945 which amended Chapter 352 of the Private and Special Laws of 1905 is hereby amended to read as follows: 'His duties shall include such duties as are performed by clerks of the Superior Court so far as applicable and he shall draft all criminal warrants.'"

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

#### Passed to be Engrossed

"Resolve Proposing an Amendment to the Constitution to Change the Date of Filing Initiated Legislation." (H. P. 1568) (L. D. 874)

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)

Bill "An Act Relating to Consent to Adoption of Children." (H. P. 2008) (L. D. 1390)

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

"Resolve in Favor of Bangor Anti-Tuberculosis Association." (S. P. 492) (L. D. 952)

Bill "An Act Relating to Power of Certain Corporations to Hold Property." (S. P. 503) (L. D. 1004)

Bill "An Act Relating to Sale of Malt Liquor by Trade Name." (S. P. 512) (L. D. 1011)

Bill "An Act Relating to Interference with Certain Officers." (S. P. 521) (L. D. 1053)

Bill "An Act Relating to Wholesale Sale of Spirituous and Vinous Liquor." (S. P. 541) (L. D. 1103)

Bill "An Act Appropriating Moneys for Anticipated Overdrafts

in the State Treasury Due to Insufficient Appropriations." (S. P. 606) (L. D. 1297)

Bill "An Act Appropriating Moneys for Anticipated Overdrafts in the Racing Commission Due to Insufficient Appropriations." (S. P. 607) (L. D. 1298)

Bill "An Act Relating to Conveyance or Board of Children." (S. P. 608) (L. D. 1299)

Bill "An Act Relating to State Assistance for Supervision." (S. P. 609) (L. D. 1300)

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

Sent down for concurrence.

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)

Which was read a second time and passed to be engrossed as amended.

Sent down for concurrence.

#### Passed to be Enacted

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

#### Orders of The Day

On motion by Mr. Slocum of Cumberland the Senate voted to take from the table, "Resolve in Favor of State Military Defense Commission" (H. P. 812) (L. D. 309) tabled by that Senator on March 25th pending passage to be engrossed; and on further motion by the same Senator, the resolve was passed to be engrossed in concurrence.

Mr. HASKELL of Penobscot: Mr. President, I would inquire whether House Paper 454, Legislative Document 1349 is in the possession of the Senate?

The PRESIDENT: The Chair will state that Resolve in Favor of Frank D. Miller of Orland (L. D. 1349) is in the possession of the Senate, having been held at Senator Haskell's request.

Mr. HASKELL: Mr. President, I move that we reconsider our action

whereby we passed the bill to be enacted and in explanation I will state that if the motion prevails I will offer a motion to table it and have it especially assigned for next Wednesday.

Thereupon, on motion by Mr. Haskell of Penobscot, the Senate voted to reconsider its action whereby the resolve was passed to be enacted; and on further motion by the same Senator, the resolve was laid upon the table pending passage to be enacted, and especially assigned for Wednesday, March 30th.

On motion by Mr. Slocum of Cumberland, the Senate voted to take from the table Bill, An Act Relating to Explanation of Constitutional Amendments (H. P. 1968) (L. D. 1342) tabled by that Senator on March 17th pending assignment for second reading; and on further motion by the same Senator, under suspension of the rules, the bill was given its second reading.

Mr. Slocum presented Senate Amendment "A" and moved its adoption:

"Senate Amendment 'A' to Bill, An Act Relating to Explanation of Constitutional Amendments (H. P. 1968) (L. D. 1342) Amend said bill by striking out the title and adding in place thereof the following: 'An Act Relating to Explanation of Constitutional Amendments and State-wide Referendum'. Further amend said bill in the fourth line in that part designated Section 18-A thereof by inserting after the underlined word 'resolve' the underlined words 'or state-wide referendum'. Further amend said bill in the sixth line of that part designated Section 18-A thereof by striking out the underlined word 'approximately' and inserting in place thereof the underlined words 'not more than 45 days nor less than'. Further amend said bill in the last line of that part designated as Section 18-A thereof by striking out the underlined word 'approximately' and inserting in place thereof the underlined words 'not more than ten or less than'."

Mr. SLOCUM: Mr. President, in explanation of this amendment, I have taken the matter up with the sponsor, Senator Haskell, and members of the Judiciary Committee who heard the bill and with Mr. Williams who reported the bill. This will make it possible, and in fact it will instruct the attorney general, to publish not more than 45 nor less than 30 days, and again not more than ten or less than seven days, a statement of the fact of any referendum by constitutional amendment or otherwise. The sponsors of the bill feel that this will make it possible for the citizens of the State to know what is coming before them in a referendum. It also makes it a specific number of days in which this statement will be published rather than the present wording of "approximately". It has the okay of the gentleman that reported the bill from the Committee in the House and the members of the committee, themselves.

Thereupon, Senate Amendment "A" was adopted, and the bill as so amended was passed to be engrossed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Larrabee of Sagadahoc, the Senate voted to take from the table 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) tabled by that Senator on March 17th pending assignment for second reading; and on further motion by the same Senator, under suspension of the rules, the bill was given its second reading and passed to be engrossed in concurrence.

Mr. Haskell of Penobscot was granted unanimous consent to address the Senate.

Mr. HASKELL: Mr. President and members of the Senate, for the second time I must ask unanimous consent to introduce a bill. All of you, I assume, read in the newspapers of Monday and Tuesday of last week that the Govern-

nors' Conference, New England Governors, agreed to submit to their respective legislatures a proposal to establish a New England Development Authority and ask their respective legislatures whether or not they wanted to support such a development authority. Our Governor indicated his willingness to ask this legislature their opinion on the matter, and I therefore ask unanimous consent to introduce a bill relating to the New England Development Authority.

There being no objection bill "An Act Relating to the New England Development Authority" was received, and on further motion by Mr. Haskell of Penobscot, the bill was referred to the Committee on Appropriations and Financial Affairs, and ordered printed.

Sent down for concurrence.

**Passed to be Enacted**

(Out of Order)

**Emergency**

Bill "An Act Relating to the Ashland Water and Sewer District." (H. P. 755) (L. D. 292)

Which bill being an emergency measure and having received the affirmative vote of 24 members of the Senate, and none opposed, was passed to be enacted.

**Emergency**

Bill "An Act to Appropriate Moneys for the Expenditures of the State Government for the Fiscal Year Ending June 30, 1949." (H. P. 1110) (L. D. 536)

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

**Emergency**

Bill "An Act Relating to Consignment of Fish, Lobsters and Shellfish." (S. P. 194) (L. D. 247)

Which bill being an emergency measure and having received the affirmative vote of 23 members of the Senate, and none opposed, was passed to be enacted.

**Finally Passed**

**Emergency**

"Resolve Providing for Completion of Medical and Surgical Building at the Augusta State Hospital." (S. P. 157) (L. D. 225)

On motion by Mr. Bowker of Cumberland the resolve was laid upon the table pending final passage.

On motion by Mr. McKusick of Piscataquis

Adjourned until tomorrow morning at 10 o'clock.