

# 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, March 30, 1949

The Senate was called to order by the President.

Prayer by the Reverend Wallace H. Harris of Lewiston.

Journal of yesterday read and approved.

### Order (Out of Order)

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

**ORDERED**, that Elsie Burgess of Edward Little High School, Auburn, and Marjorie LeClair of Lewiston High School, Lewiston, are hereby appointed Honorary Pages pro tem of the Senate during today's session.

Thereupon, the Sergeant at Arms and the Assistant Sergeant at Arms escorted Miss Elsie Burgess of Auburn and Miss Marjorie LeClair of Lewiston to their positions as Honorary Pages of the Senate.

The **PRESIDENT**: The Chair notes at this time in the Senate balcony the presence of the senior class of Brooks High School and on behalf of the Senate, the Chair makes this group welcome here today.

Mr. Turgeon of Androscoggin was granted unanimous consent to address the Senate.

Mr. **TURGEON** of Androscoggin: Mr. President and members of the Senate, this being Androscoggin Day, it is only proper to outline a brief history of our county.

Ninety-five years ago, my county—Androscoggin—was incorporated. In fact, it was on March 18th—95 years, almost to the very day. At that time, Androscoggin County stood at the threshold of a tremendous industrial era, for the shoe plants and textile mills we know today were beginning to take shape along our waterways.

Ninety-five years later, Androscoggin County can now boast of two cities, Lewiston and Auburn, and the towns of Durham, Greene,

Leeds, Lisbon, Livermore, Livermore Falls, Mechanic Falls, Minot, Poland, Turner, Wales and Webster.

In our 459 square miles of Maineland are produced each year hundreds of millions of yards of cotton, rayon and woolen cloth; millions of pairs of shoes, and additional millions of pounds of paper. Beyond these outstanding products of our county, we turn out a large variety of lesser-known, but equally important commodities. Wooden products, brass and iron castings, paint products, liquids . . . some of the clearest water on the face of the earth, household goods such as brooms, beds and rugs . . . furs, incense and chemicals.

Yes, the list is almost endless, for Androscoggin County is the industrial heart of Maine. And so, it's with a great deal of pleasure that we invite you to join us today in our second annual . . . and bigger and better than ever, . . . Androscoggin County Day.

The **PRESIDENT**: I am sure it is very fitting that the Senator has brought to our attention the very many great things that Androscoggin produces, among which, it produces outstanding statesmen. It is with a great deal of pleasure that the Chair invites the Senator from Androscoggin, Senator Boutin to preside over the Senate during Androscoggin Day.

Thereupon, Mr. Boutin of Androscoggin was escorted to the rostrum, the President retiring.

### From the House

"Resolve for Preliminary Investigation of Quoddy Project." (H. P. 1764) (L. D. 1129)

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

"Resolve in Favor of Alfred M. Joyce of Brooklin." (H. P. 2022)

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

### House Committee Reports

The Committee on Judiciary on Bill "An Act Relating to Housing

and Re-development," (H. P. 575) (L. D. 173) reported the same in a new draft, (H. P. 2020) (L. D. 1406) under a new title, Bill "An Act to Authorize the Creation of Public Bodies to be Known as Housing Authorities," 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 Inland Fisheries and Game on "Resolve Closing McIntire Brook in the Town of York to Trout Fishing," (H. P. 1145) (L. D. 547) reported that leave be granted to withdraw.

The same Committee on "Resolve Regulating Fishing in Wilson Stream in the County of Piscataquis," (H. P. 1139) (L. D. 546) reported that leave be granted to withdraw.

The same Committee on "Resolve Closing Junkins Brook in the Town of York to Trout Fishing," (H. P. 1146) (L. D. 548) reported that leave be granted to withdraw.

The same Committee on Bill "An Act Relative to Open Season on Beaver," (H. P. 1287) (L. D. 654) reported that leave be granted to withdraw.

The Committee on Judiciary on Bill "An Act Amending the Charter of the City of South Portland in Regard to Number of Names on Referendum Petitions," (H. P. 1635) (L. D. 938) reported that leave be granted to withdraw.

The Committee on Appropriations and Financial Affairs on "Resolve, Providing for a Vocational-Technical Institute in Aroostook County," (H. P. 1961) (L. D. 1346) reported that the same ought not to pass.

The same Committee on Bill "An Act Relating to the Publishing of State Notices," (H. P. 1714) (L. D. 1071) reported that the same ought not to pass.

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

The Committee on Education on Bill "An Act Relating to Superintending School Committees," (H. P. 1716) (L. D. 1073) reported that the same ought not to pass.

The Committee on Federal Relations on Bill "An Act Amending the Unemployment Compensation Law as to Disqualification for Benefits," (H. P. 1390) (L. D. 723) reported that the same ought not to pass.

(On motion by Mr. Cobb of Oxford, tabled pending acceptance of the report.)

The Committee on Inland Fisheries and Game on "Resolve Opening Scraggly Lake, T. 7. R. 8, W. E. L. S., Penobscot County, to Ice Fishing," (H. P. 49) reported that the same ought not to pass.

The same Committee on Bill "An Act Relative to Hunting of Deer on Mount Desert Island," (H. P. 1474) (L. D. 838) reported that the same ought not to pass.

The same Committee on "Resolve Regulating Fishing in Moosehead Lake in the County of Piscataquis," (H. P. 1343) (L. D. 695) reported that the same ought not to pass.

The Committee on Judiciary on Bill "An Act Relating to Unsatisfied Judgments Resulting from Motor Vehicle Accidents," (H. P. 1577) (L. D. 900) reported that the same ought not to pass.

The same Committee on "Resolve, Proposing an Amendment to the Constitution Relating to Education," (H. P. 1697) (L. D. 1020) reported that the same ought not to pass as it is covered by other legislation.

(On motion by Mr. Cobb of Oxford, tabled pending acceptance of the report.)

The Committee on Legal Affairs on Bill "An Act to Create the Town of Cumberland, Chebeague Island School District," (H. P. 1837) (L. D. 1163) reported that the same ought not to pass.

The same Committee on Bill "An Act to Establish an Airport Commission for the City of Waterville," (H. P. 1641) (L. D. 994) reported that the same ought not to pass.

The Committee on Welfare on Bill "An Act Repealing the Requi-

site for Citizenship for Old Age Assistance," (H. P. 1553) (L. D. 871) reported that the same ought not to pass.

Which reports were severally read and accepted in concurrence.

The Committee on Federal Relations on Bill "An Act to Effect a Change in the Experience Rating Record Provisions of the Unemployment Compensation Law," (H. P. 1626) (L. D. 937) reported that the same ought to pass.

The Committee on Inland Fisheries and Game on "Resolve Opening Deer Pond, in the Town of Hollis, York County, to Fishing," (H. P. 1826) (L. D. 1152) reported that the same ought to pass.

The same Committee on "Resolve Opening Leighton Brook, Hancock County, to All Fishing," (H. P. 1487) (L. D. 844) reported that the same ought to pass.

The same Committee on "Resolve Regulating Fishing in Moosehead Lake in the County of Piscataquis," (H. P. 1480) (L. D. 880) reported that the same ought to pass.

The same Committee on "Resolve Opening Upper and Lower Macwahoc Lakes, Aroostook County, to Ice Fishing," (H. P. 1392) (L. D. 725) reported that the same ought to pass.

The same Committee on "Resolve, Regulating Fishing in Porter Lake," (H. P. 747) (L. D. 289) reported that the same ought to pass.

The same Committee on "Resolve Regulating Fishing in Whetstone Pond, in the County of Piscataquis," (H. P. 465) (L. D. 1402) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Closed Season on Deer in Town of Islesboro," (H. P. 1471) (L. D. 834) reported that the same ought to pass.

The Committee on Public Health on Bill "An Act Relating to Public Health Nursing Service," (H. P. 853) (L. D. 323) reported that the same ought to pass.

Which reports were severally read and accepted in concurrence, the bills and resolves read twice, and

tomorrow assigned for second reading.

The Committee on Inland Fisheries and Game on Bill "An Act Relative to Open Season on Beaver," (H. P. 1478) (L. D. 837) reported the same in a new draft, (H. P. 2018) (L. D. 1403) 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.

The Committee on Inland Fisheries and Game on "Resolve Closing the Tributaries to Great Moose Pond to Fishing," (H. P. 1483) (L. D. 840) reported that the same ought to pass as amended by Committee Amendment "A."

Which report was read and accepted in concurrence, and the resolve read once; Committee Amendment "A" was read and adopted in concurrence, and the resolve as amended was tomorrow assigned for second reading.

At this point, President Burton M. Cross resumed the chair, Mr. Boutin of Androscoggin retiring amid the applause of the Senate.

#### First Reading of Printed Bills

Bill "An Act to Construct a Bridge between Old Town and Indian Island." (S. P. 638) (L. D. 1409)

"Resolve That the Legislative Research Committee Make a Special Study of Youth Problems." (S. P. 637) (L. D. 1408)

Which bill and resolve were read once and tomorrow assigned for second reading.

#### Senate Committee Reports

Mr. Cobb from the Committee on State Lands and Forest Preservation on "Resolve Authorizing the State Tax Assessor to Convey Certain Land to Eunice Winslow of Rockland," (S. P. 622) (L. D. 1338) reported that the same ought not to pass.

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

The same Senator from the same Committee on "Resolve Authorizing the State Tax Assessor to Convey Certain Land in Washington County to A. G. Durgin, of Forest City," (S. P. 411) (L. D. 748) reported that the same ought not to pass.

On motion by Mr. Varney of Washington, tabled pending acceptance of the report.

Mr. Cobb from the Committee on State Lands and Forest Preservation on Bill "An Act Relating to Katahdin Wild Life Sanctuary," (S. P. 621) (L. D. 1337) reported that the same ought to pass.

On motion by Mr. Barnes of Aroostook, tabled pending acceptance of the report.

#### Passed to be Engrossed

Bill "An Act Relating to the Salaries of the Judge of Probate and the Register of Probate in Piscataquis County." (H. P. 943) (L. D. 384)

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

Bill "An Act Relating to the Salary of the County Treasurer of Hancock County." (H. P. 1530) (L. D. 861)

Bill "An Act Relating to the Bangor Theological Seminary." (H. P. 1637) (L. D. 990)

Bill "An Act Relating to Applications for Liquor Licenses." (H. P. 1744) (L. D. 1036)

Bill "An Act Relating to the Publication of Notice of Application for Liquor Licenses." (H. P. 1747) (L. D. 1039)

Bill "An Act Relating to the Revocation of Liquor Licenses." (H. P. 1750) (L. D. 1042)

Bill "An Act Authorizing Cities and Towns to Appropriate Money for Volunteer Fire Departments." (H. P. 1842) (L. D. 1201)

Bill "An Act Relating to Teaching of Importance of Voting in Public

Schools." (H. P. 1870) (L. D. 1210)

"Resolve to Create an Educational Surplus Property Pool." (H. P. 1953) (L. D. 1326)

Bill "An Act Relative to Careless Shooting of Human Being." (H. P. 2014) (L. D. 1396)

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

Bill "An Act to Increase the Salary of the County Treasurer of Penobscot County." (H. P. 310) (L. D. 90)

Bill "An Act Relating to Salary of Clerk of Courts in Kennebec County." (H. P. 314) (L. D. 94)

Bill "An Act Relating to Salaries and Clerk Hire for Certain Public Offices in Piscataquis County." (H. P. 497) (L. D. 166)

Bill "An Act Relating to Salaries of Judge and Recorder of the Town of Lincoln Municipal Court." (H. P. 498) (L. D. 167)

Bill "An Act Relating to Old Age Assistance." (H. P. 865) (L. D. 332)

Bill "An Act Relating to Salary of Register of Deeds and Clerks in the Office of Register of Deeds, Northern Registry, Aroostook County." (H. P. 942) (L. D. 383)

Bill "An Act to Establish the Brewer Municipal Court." (H. P. 1636) (L. D. 989)

Bill "An Act Relating to Annuities for Dependents of Members of Police and Fire Departments of the City of Portland." (H. P. 1698) (L. D. 1021)

Bill "An Act Regulating Sale of Malt and Malt Syrup." (H. P. 1749) (L. D. 1041)

Bill "An Act Appropriating Moneys for Anticipated Overdrafts in the State Park Commission Due to Insufficient Appropriations." (H. P. 1931) (L. D. 1307)

Bill "An Act Relating to Street Openings by Public Utility Corporations." (H. P. 1977) (L. D. 1393)

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

Bill "An Act Relating to Employees of Counties, Cities and

Towns Entitled to Membership in State Employees' Retirement System." (S. P. 636) (L. D. 1399)

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

Sent down for concurrence.

#### Enactors

Bill "An Act Relating to Pedestrians on Ways." (H. P. 705) (L. D. 251)

Bill "An Act Relating to Stop Signs at Multi-entrance Intersections." (H. P. 1406) (L. D. 765)

Bill "An Act Relating to Parking in Dangerous Places." (H. P. 1407) (L. D. 766)

Bill "An Act Relating to Stop Intersections." (H. P. 1409) (L. D. 768)

Bill "An Act Relating to Lights on Motor Vehicles." (H. P. 1514) (L. D. 856)

Bill "An Act to Protect the Blind and Incapacitated Pedestrians on Public Streets and Highways." (H. P. 1728) (L. D. 1083)

Bill "An Act Concerning the Improvement, Protection of Preservation of Shade, Forest or Ornamental Trees." (H. P. 1740) (L. D. 1094)

Bill "An Act Relating to Extinguishing Forest Fires by Backfiring." (H. P. 1916) (L. D. 1278)

Bill "An Act to Clarify the State Library Law." (S. P. 171) (L. D. 230)

Bill "An Act Relating to Taxation of Musical Instruments." (S. P. 254) (L. D. 353)

(On motion by Mr. Barnes of Aroostook, tabled pending passage to be enacted.)

Bill "An Act Relating to Lamoine Naval Coaling Station." (S. P. 499) (L. D. 1000)

(On motion by Mr. Bowker of Cumberland, tabled pending passage to be enacted.)

Bill "An Act Relating to Shelters or Tents on Maine Forestry Department Public Camp Sites and Luncheon Grounds." (S. P. 526) (L. D. 1060)

Bill "An Act Relating to Mill Privileges, Dam Sites and Flowage Rights." (S. P. 527) (L. D. 1059)

Bill "An Act Creating a Merit Award Board to Encourage and Reward Efficiency and Economy in State Government." (S. P. 537) (L. D. 1069)

(On motion by Mr. Bowker of Cumberland, tabled pending passage to be enacted.)

"Resolve, Appropriating Money to Improve the Approach to the Fish Way at Aroostook Falls." (S. P. 348) (L. D. 574)

"Resolve, Regulating Fishing in Hayden Lake, in the County of Somerset." (S. P. 376) (L. D. 642)

"Resolve, Reimbursing Certain Towns for Losses Incurred During Forest Fires of 1947." (S. P. 569) (L. D. 1234)

(On motion by Mr. Savage of Somerset, tabled pending passage to be enacted.)

Which bills were severally passed to be enacted, and resolves finally passed.

#### Emergency Measure

Bill "An Act Appropriating Monies for Anticipated Overdrafts in the Department of Forestry Due to Insufficient Appropriations." (H. P. 1904) (L. D. 1269)

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.

#### Orders of the Day

The President laid before the Senate, Resolve in Favor of Frank D. Miller, of Orland (H. P. 454) (L. D. 1349) tabled by Mr. Haskell of Penobscot on March 28th pending final passage, and today assigned.

On motion by Mr. Haskell of Penobscot, the Senate voted to reconsider its action whereby the resolve was passed to be engrossed.

Mr. HASKELL: Mr. President, I now move we recommit the resolve to the Committee on Claims. In support of that motion I will assure the Senate it is a request from the Chairman of the Committee on Claims that the resolve be recommitment to his committee.

Thereupon, the resolve was re-committed to the Committee on Claims.

Sent down for concurrence.

On motion by Mr. Bowker of Cumberland, the Senate voted to take from the table Senate Report "Ought Not to Pass" from the Committee on Appropriations and Financial Affairs on Resolve Appropriating Moneys for Promotion of Highway Safety (S. P. 604) (L. D. 1295) tabled by that Senator on March 25th pending consideration of the report.

Mr. ALLEN of Cumberland: Mr. President and members of the Senate, this bill was heard before the Committee on Appropriations and Financial Affairs. It called for \$25,000, 90% of which would come from the General Highway fund and 10% from the General fund. The Appropriations Committee questioned me three times down there as to why the bill was before them in view of the fact that 90% was coming from the highway fund, which is under the jurisdiction of the Ways and Bridges committee. Therefore, rather than debate the bill at this time, and in view of the feeling of the Committee on Appropriations and Financial Affairs. I think this matter should be referred to the Committee on Ways and Bridges, and I so move.

The motion prevailed and the resolve was referred to the Committee on Ways and Bridges.

Sent down for concurrence.

Mr. Leavitt of Cumberland was granted unanimous consent to address the Senate.

Mr. LEAVITT: Mr. President and members of the Senate, I have been asked by the county commissioners of Cumberland County to present a bill at this time to the legislature to enable them to procure the authority to borrow \$150,000 to repair two bridges in Cumberland County. I have talked with the committee to which this would be referred, the Committee on Legal Affairs, and it will not delay the legislature. It will do something which is very

necessary in Portland harbor and I feel it is very important that it come into this legislature. I ask unanimous consent to present this bill.

Unanimous consent was granted for the introduction of Bill, An Act to Authorize the County Commissioners of Cumberland County to Issue Bonds for Bridge Repairs.

On further motion by Mr. Leavitt, the bill was referred to the Committee on Legal Affairs, and ordered printed.

Sent down for concurrence.

The PRESIDENT: The Senate is proceeding under Orders of the Day. Is there further business to come before the Senate?

Mr. BARNES of Aroostook: Mr. President, there is an item on the House calendar under enactors, relative to authority to various counties to assess taxes for the present year and I have understood that as soon as it is reached in the House it will come over to the Senate and I think it is important that it be acted upon because if it is delayed beyond tomorrow there will have to be an amendment added to permit assessment of taxes during the month of April. I therefore move that we recess for a short length of time.

The motion to recess prevailed.

#### After Recess

The Senate was called to order by the President.

#### Emergency Measures

(Out of order and under suspension of the rules)

"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)

Which resolve being an emergency measure and having received the affirmative vote of 24 members of the Senate and none opposed, was finally passed.

Bill "An Act to Permit the Town of Kennebunkport to Take Advan-



tage of a Proposed Government Project." (H. P. 1782) (L. D. 1121)

Which bill being an emergency measure and having received the affirmative vote of 25 members of the Senate and none opposed, was passed to be enacted.

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)

Which bill being an emergency measure and having received the affirmative vote of 25 members of the Senate and none opposed, was passed to be enacted.

Bill "An Act Enlarging the Powers of the West Paris Village Corporation." (H. P. 1951) (L. D. 1332)

Which bill being an emergency measure and having received the affirmative vote of 25 members of the Senate and none opposed, was passed to be enacted.

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

Which bill being an emergency measure and having received the affirmative vote of 25 members of the Senate and none opposed, was passed to be enacted.

On motion by Mr. Barnes of Aroostook

Adjourned until tomorrow morning at ten o'clock.