

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

Saturday, April 30, 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.

**Order
(Out of Order)**

On motion by Mr. Haskell of Penobscot, it was

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Monday, May 2, 1949, at 9 A. M. Eastern Standard Time.

House Committee Reports

The Committee on Public Utilities on Bill "An Act Relating to the Bangor Water District," (H. P. 1989) (L. D. 1371) reported the same in a new draft (H. P. 2048) (L. D. 1474) under a new title, Bill "An Act to Create the Bangor Water District," and that it ought to pass.

Comes from the House, report accepted, and the bill in new draft and under new title passed to be engrossed as amended by House Amendment "A".

In the Senate, the report was read and accepted in concurrence and the bill read once; House Amendment A was read and adopted in concurrence, and the bill as so amended was tomorrow assigned for second reading.

House Report from the Committee on Pensions reported that the same have been included in a Consolidated Resolve (S. P. 683).

Which report was read and accepted, in concurrence.

The Committee on Legal Affairs on Bill "An Act to Incorporate the City of Brunswick," (H. P. 1982) (L. D. 1366) reported that the same ought not to pass.

Comes from the House, the bill substituted for the report and passed to be engrossed.

In the Senate:

Mr. BATCHELDER: Mr. Presi-

dent, this bill being more or less controversial, I move that it be tabled at this time.

The motion prevailed and the bill was laid upon the table pending consideration of the report.

The Committee on Taxation on Bill "An Act Relating to Taxation of Boats," (H. P. 1743) (L. D. 1096) reported that the same ought not to pass.

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

In the Senate, on motion by Mr. Haskell of Penobscot, recommitted to the Committee on Taxation in concurrence.

Bill "An Act Relating to Installations in Public Highways." (H. P. 2052) (L. D. 1478)

(In Senate, on April 27th passed to be engrossed as amended by Senate Amendment "A".)

Comes from the House, passed to be engrossed as amended by Senate Amendment "A" as amended by House Amendment "A" thereto, in non-concurrence.

In the Senate, on motion by Mr. Haskell of Penobscot, and the Senate voted to reconsider its former action whereby the bill was passed to be engrossed, and to further reconsider its action whereby Senate Amendment A was adopted; House Amendment A to Senate Amendment A was read and adopted in concurrence, Senate Amendment A as amended by House Amendment A was read and adopted in concurrence; and the bill as so amended was passed to be engrossed in concurrence.

The Committee on Legal Affairs on Bill "An Act Relating to Itinerant Vendors," (H. P. 1652) (L. D. 960) reported that the same ought not to pass.

Comes from the House, the bill substituted for the report, and passed to be engrossed as amended by House Amendment "A".

In the Senate:

Mr. COLLINS of Aroostook: Mr.

President, I move that the Senate substitute the bill for the report in concurrence with the action of the House. This bill is one which relates to itinerant photographers and it requires a license for those photographers who do not have a place of business within the state. It would seem to me that in view of the things that have been going on in that particular line, that this particular bill should be very good legislation. I feel that it would benefit the people who are legitimately concerned in the photographic business of the state.

This bill has the endorsement of the Chambers of Commerce, and has the endorsement, I think, of not only the State Chamber of Commerce, but of the Chambers of Commerce throughout the state and it does not carry a penalty for the selling of goods by agents, it has nothing to do with commercial travelers, and I believe it is entirely fitting that it should be passed. I might recite an instance taken from a letter that the Portland Better Business Bureau wrote concerning a certain individual who solicited in Boothbay last summer. He sold coupons for pictures for a dollar. Someone was supposed to go down and take the pictures and no one went down to do that at all.

There have been several other complaints about this same man and in most cases the pictures were not even delivered and nothing was done about it. I realize that there are not too many Senators here today, and it may be better in the interests of the Senate that we do not act on my motion this morning, if there is to be any controversy about it. If the Senators think that a more representative group should decide this matter, I am perfectly willing that it be tabled, but at the same time if you do not feel that it should be tabled, I am willing to have the vote on it at this time.

Mr. BATCHELDER of York: Mr. President, I think this matter is more or less a controversial issue and I think it should be taken up when more of the Senators are pres-

ent. I therefore move that it be tabled at this time.

The motion prevailed, and the bill and accompanying papers laid upon the table pending motion by the Senator from Aroostook, Senator Collins that the bill be substituted for the ought not to pass report of the committee.

The Committee on Appropriations and Financial Affairs on "Resolve in Favor of Monmouth Academy," (H. P. 1678) (L. D. 1016) reported that the same ought not to pass.

Which report was read and accepted in concurrence.

The Committee on Appropriations and Financial Affairs on "Resolve Providing for Construction of Dormitory for Female Patients at Augusta State Hospital," (H. P. 631) (L. D. 1444) reported that the same ought to pass.

The Committee on Interior Waters on "Resolve Appropriating Money to Set Buoys in Inland Waters," (H. P. 1779) (L. D. 1118) reported that the same ought to pass.

The same Committee on "Resolve Regulating Fishing in Webb Lake, in the County of Franklin," (H. P. 917) (L. D. 369) reported that the same ought to pass.

The Committee on Taxation on Bill "An Act Relating to Taxation of Goats," (H. P. 945) (L. D. 386) reported that the same ought to pass.

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

The Committee on Interior Waters on Bill "An Act Relating to the Pollution of Streams by Dumping Rubbish," (H. P. 1151) (L. D. 551) reported the same in a new draft (H. P. 2100) (L. D. 1586) 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 Ways and Bridges on Bill "An Act to Authorize the Construction of a Bridge Across the Androscoggin River," (H. P. 1672) (L. D. 979) reported the same in a new draft (H. P. 2098) (L. D. 1584) under a new title, "Resolve, Authorizing State Highway Commission to Study Desirability of a Bridge Across the Androscoggin River," and that it ought to pass.

Which report was read and accepted in concurrence, the bill in new draft and under new title was read once and tomorrow assigned for second reading.

The same Committee on Bill "An Act Relating to Method of Issuance of State Highway and Bridge Bonds." (H. P. 1976) (L. D. 1357) reported that the same ought to pass as amended by Committee Amendment "A" attached herein.

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

The Committee on Aeronautics on Bill "An Act Relating to Aviation," (H. P. 1862) (L. D. 1259) reported the same in a new draft (H. P. 2096) (L. D. 1581) under the same title, and that it ought to pass.

Which report was read and accepted in concurrence, and the bill in new draft read once and tomorrow assigned for second reading.

"Resolve to Reimburse the Town of Whiting for Transportation of State Children." (H. P. 2104)

Which was received by unanimous consent under suspension of the rules, and referred to the Committee on Claims in concurrence.

Bill "An Act to Provide for a Self-Imposed Tax on Sardines for an

Industry Development Fund." (H. P. 2105)

Mr. HASKELL of Penobscot: Mr. President, having previously risen to oppose the introduction of a tax bill at a late date in the session, I rise now to support this one and give you this simple explanation. There are some 25 canners who like the bill and three who do not like it, although they have agreed that they would like to come up next Monday at one o'clock and state their views to us. The Committee on Taxation is willing to hear them and I promise the Senate that the report will be on the House calendar Tuesday morning. I do hope you will permit them to do that.

The PRESIDENT: Is there objection to the reception of this bill? The Chair hears none and the bill is received.

Thereupon, on motion by Mr. Haskell of Penobscot, the bill was referred to the Committee on Taxation in concurrence.

First Reading of a Printed Bill

"Resolve in Favor of a Bridge Across the St. John River in Allagash Plantation." (S. P. 685) (L. D. 1588)

Which was read once, and tomorrow assigned for second reading.

Senate Committee Reports

Mr. Denny from the Committee on Agriculture on bill "An Act Relating to Cattle Tested for Bang's Disease," (S. P. 335) (L. D. 566) reported that the same ought to pass as amended by Committee Amendment A submitted herewith.

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

The Secretary read Committee Amendment A:

"Committee Amendment A to L. D. 566. Amend said bill by inserting after the word 'agent' and before the period in the 3rd line from the end thereof, the following underlined words 'except vaccinated animals under 36 months of age.'"

Which amendment was adopted and the bill as so amended was tomorrow assigned for second reading.

The Majority of the Committee on Legal Affairs on "Resolve Authorizing the Board of Commissioners of Pharmacy to Issue Certificate of Registration to Edward Laurence of Rockland," (S. P. 485) (L. D. 949) reported that the same ought not to pass.

(signed)

Senators:

EDWARDS of Oxford
BATCHELDER of York

Representatives:

ATHERTON of Bangor
MARBLE of Dixfield
HAYES of Dover-Foxcroft
PAINE of Portland
MARTIN of Augusta
CHAPMAN of Portland
CAMPBELL of Augusta

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

(signed)

Senator:

BAKER of Kennebec

On motion by Mr. Batchelder of York, the resolve and accompanying papers were laid upon the table pending consideration of the reports.

Passed to be Engrossed

"Resolve in Favor of Beatrice Noonan, of Boston, Massachusetts." (H. P. 128) (L. D. 1578)

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

Bill "An Act Creating the Town of Wiscasset School District." (H. P. 1056) (L. D. 531)

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

Bill "An Act to Authorize the Construction of a Wharf in Maranacook Lake a Winthrop." (H. P. 1629) (L. D. 982)

Bill "An Act to Incorporate the North Kennebunkport School District." (H. P. 1838) (L. D. 1162)

Bill "An Act to Incorporate the Town of Sebago School District." (H. P. 1946) (L. D. 1318)

Bill "An Act Relating to Hairdressers and Beauty Culture." (H. P. 1954) (L. D. 1327)

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

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

Bill "An Act Relating to Compensation for Members of the Boxing Commission." (H. P. 756) (L. D. 293)

Which was read a second time and passed to be engrossed as amended, in non-concurrence.

Sent down for concurrence.

Bill "An Act Relating to Interstate Shipment of Shellfish." (S. P. 510) (L. D. 1008)

Bill "An Act Providing for the Construction, Maintenance and Improvement of Controlled Access Highways." (S. P. 684) (L. D. 1583)

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

Sent down for concurrence.

Orders of the Day

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table Bill, An Act to Amend the Charter of the City of Auburn to Provide for Two Councilmen at Large (H. P. 1999) (L. D. 1382) tabled by that Senator on April 27 pending passage to be enacted.

Mr. BOUCHER of Androscoggin: Mr. President, I move that the bill be enacted.

Mr. HASKELL of Penobscot: Mr. President, I move that the bill be laid upon the table.

Thereupon, the bill was laid upon the table pending motion by the Senator from Androscoggin, Senator Boucher, that the bill be enacted.

On motion by Mr. McKusick of Piscataquis, the Senate voted to take from the table Bill, An Act Relating to Salaries of State De-

partment Heads Set by Statute (S. P. 665) (L. D. 1496) tabled by that Senator on April 18 pending assignment for second reading.

Thereupon, on motion by the same Senator, the rules were suspended, the bill was given its second reading and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Denny of Lincoln, the Senate voted to take from the table House Report "Ought Not to Pass" from the Committee on Legal Affairs on bill, An Act to Incorporate the Southport Cemetery District (H. P. 2085) (L. D. 1554) tabled by that Senator on April 29 pending consideration of the report; and on further motion by the same Senator, the ought not to pass report was accepted in concurrence.

On motion by Mr. Boutin of Androscoggin, the Senate voted to take from the table bill, An Act Relating to the Salary of the Judge of the Lewiston Municipal Court (S. P. 466) (L. D. 917) tabled by that Senator on April 27 pending passage to be enacted; and on further motion by the same Senator, the rules were suspended and the Senate voted to reconsider its former action whereby the bill was passed to be engrossed.

On further motion by the same Senator, Committee Amendment A was indefinitely postponed and that Senator presented Senate Amendment A and moved its adoption.

"Senate Amendment A to L. D. 917. Amend said bill by striking out the underlined figures '\$2800' in the 11th line thereof and inserting in place thereof the underlined figures '\$2700'."

Which amendment was adopted, and the bill as so amended was passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Boutin of Androscoggin, the Senate voted to take from the table bill, An Act Relating to the Salary of the Clerk and Clerk Hire of the Lewiston Municipal Court (S. P. 467) (L. D. 916) tabled by that Senator on April 27 pending passage to be enacted; and on further motion by the same Senator, the rules were suspended and the Senate voted to reconsider its former action whereby the bill was passed to be engrossed and that Senator presented Senate Amendment A and moved its adoption:

"Senate Amendment A to L. D. 916. Amend said bill by striking out the underlined figures '\$2400' in the 5th line thereof and inserting in place thereof the underlined figures '\$2300'."

Which amendment was adopted and the bill as so amended was passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Haskell of Penobscot,

Adjourned until Monday, May 2, 1949 at nine o'clock in the forenoon, Eastern Standard Time.