

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

# Ninetieth Legislature

OF THE

STATE OF MAINE



1941

KENNEBEC JOURNAL COMPANY

AUGUSTA, MAINE

### HOUSE

Tuesday, January 14, 1941.

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Hughes of Augusta.

Journal of the previous session read and approved.

Bills and Resolves from the Senate requiring reference disposed of in concurrence.

From the Senate:

Bill "An Act Enlarging the Powers and Duties of the State Auditor" (S. P. 38).

Came from the Senate, referred to the Committee on Judiciary.

In the House, on motion by Mr. Pratt of Turner, referred to the Committee on Judiciary in concurrence, and 500 copies ordered printed.

From the Senate:

Bill "An Act relating to Standards of Employment" (S. P. 40)

Bill "An Act relating to Minimum Fair Wages for Women and Minors" (S. P. 41)

Bill "An Act Limiting Hours of Labor to Forty-eight in any Week" (S. P. 42)

Came from the Senate, referred to the Committee on Labor.

In the House, on motion by Mr. Race of Boothbay, referred to the Committee on Labor in concurrence, and 1000 copies of each ordered printed.

From the Senate:

Bill "An Act relating to the Registration and Regulation of Watchmakers" (S. P. 43)

Came from the Senate, referred to the Committee on Legal Affairs.

In the House, on motion by Mr. Pratt of Turner, referred to the Committee on Legal Affairs in concurrence, and 500 copies ordered printed.

From the Senate:

Bill "An Act to Incorporate the Oak Grove School" (S. P. 45).

Came from the Senate, referred to the Committee on Legal Affairs.

In the House:

Mr. PAYSON of Portland: Mr. Speaker, I move the indefinite postponement of this Bill. In explanation I may say that during the Special Session it was attempted to introduce this Bill by unanimous consent. The unanimous consent was not granted and the Bill was automatically referred to this Legislature. At a later time in the Special Session, another Bill for exactly the same purpose was attempted to be introduced by unanimous consent and received that consent, and was passed to be enacted, so that the legislation attempted in this Bill has been covered by previous act of this Legislature.

The SPEAKER: The gentleman from Portland, Mr. Payson, moves that this Bill be indefinitely postponed in non-concurrence. Is this the pleasure of the House?

The motion prevailed, and the Bill was indefinitely postponed in non-concurrence and sent up for concurrence.

From the Senate:

Bill "An Act relating to Payment of Accounts to the State" (S. P. 46)

Came from the Senate, referred to the Committee on Legal Affairs.

In the House, on motion by Mr. Pratt of Turner, referred to the Committee on Legal Affairs in concurrence, and 500 copies ordered printed.

From the Senate:

Resolve providing for a Recess Committee to Study Certain Industrial Accounting with Respect to Unemployment Compensation, Social Security and Income Tax Laws (S. P. 44)

Came from the Senate, referred to the Committee on Legal Affairs.

In the House, on motion by Mr. Pratt of Turner, referred to the Committee on Legal Affairs in concurrence, and 500 copies ordered printed.

From the Senate:

Bill "An Act to Permit Development of Mines in Maine" (S. P. 47)

Came from the Senate, referred to the Committee on Mines and Mining.

In the House:

Mr. PAYSON of Portland: Mr. Speaker, I move the indefinite postponement of this Bill, and exactly the same explanation applies as in the case of the Oak Grove Bill. The

legislation which is here sought has already been enacted in Special Session of the Legislature and is therefore unnecessary.

The SPEAKER: The gentleman from Portland, Mr. Payson, moves that this Bill be indefinitely postponed in non-concurrence. Is this the pleasure of the House?

Thereupon, the motion prevailed, and the Bill was indefinitely postponed in non-concurrence and sent up for concurrence.

From the Senate:

Bill "An Act providing for Pensions for Certain County Officers and Employees" (S. P. 48)

Came from the Senate, referred to the Committee on Pensions.

In the House, on motion by Mrs. Grady of Whitefield, referred to the Committee on Pensions in concurrence, and 500 copies ordered printed.

From the Senate:

Final Report of the Joint Special Legislative Investigating Committee of the 89th Legislature (S. P. 58)

Came from the Senate, read and accepted.

In the House, the Final Report was accepted in concurrence and ordered placed on file.

The following Bills and Resolves were received, and upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

#### Claims

Resolve in favor of the Eastern Maine General Hospital of Bangor (H. P. 36) (Presented by Miss Clough of Bangor)

(500 copies ordered printed)

Resolve in favor of town of Willard Luce and Family (H. P. 37) (Presented by Mr. Dutton of Bingham)

(500 copies ordered printed)

Sent up for concurrence.

Resolve in favor of Gwendolyn MacPherson of Bangor (H. P. 38) (Presented by Miss Clough of Bangor)

Resolve in favor of Marjorie Barry of Bangor (H. P. 39) (Presented by same member)

Resolve in favor of Harold P. Wing of Bingham (H. P. 40) (Presented by Mr. Dutton of Bingham)

Resolve in favor of Mrs. James

M. Cahill Sr. of Concord (H. P. 41) (Presented by same gentleman)

Resolve to reimburse the town of Washington for Support of Certain State Paupers (H. P. 42) (Presented by Mr. Starrett of Warren)

Sent up for concurrence.

#### Inland Fisheries and Game

Resolve Regulating Fishing in Pierce Pond in Somerset County (H. P. 43) (Presented by Mr. Dutton of Bingham)

(500 copies ordered printed)

Resolve Regulating Fishing in Grass Pond in the county of Somerset (H. P. 44) (Presented by same gentleman)

(500 copies ordered printed)

Resolve Regulating Fishing in Kilgore Pond in Bowtown and Pierce Pond Townships (H. P. 45) (Presented by same gentleman)

(500 copies ordered printed)

Resolve Regulating Fishing in Knight's Pond (H. P. 46) (Presented by same gentleman.)

(500 copies ordered printed)

Resolve for Screening Knight's Pond in Somerset County (H. P. 47) (Presented by same gentleman)

(500 copies ordered printed)

Resolve Regulating Fishing in Alford's Lake and Lermond's Pond (H. P. 48) (Presented by Mr. Starrett of Warren)

(500 copies ordered printed)

Sent up for concurrence.

#### Judiciary

Bill "An Act relating to Costs in Contested Cases" (H. P. 49) (Presented by Mr. McGlauffin of Portland)

(500 copies ordered printed)

Sent up for concurrence.

#### Legal Affairs

An Act Defining the Word "Homes" relative to Exemption from Taxation" (H. P. 50) (Presented by Mr. McGlauffin of Portland)

(500 copies ordered printed)

Sent up for concurrence.

Bill "An Act to Regulate the Sale of Fireworks in the State of Maine" (H. P. 51) (Presented by Mr. McGlauffin of Portland)

(750 copies ordered printed)

Sent up for concurrence.

#### Pensions

Resolve providing for a State Pension for Lena May Hall of Canton (H. P. 52) (Presented by Mr. Forhan of Canton)

Resolve providing for a State

Pension for Ethel Merry of Waldoboro (H. P. 53) (Presented by Mrs. Grady of Whitefield)

Sent up for concurrence.

#### Taxation

##### Bill Tabled

Bill "An Act Levying Certain Luxury Taxes" (H. P. 54) (Presented by Mr. Farwell of Unity)

(On motion of Mr. Farwell of Unity, tabled pending reference and 1500 copies ordered printed)

##### Ways and Bridges

Resolve in favor of the town of St. Agatha (H. P. 55) (Presented by Mr. Babin of Frenchville)

Resolve in favor of the town of Haynesville (H. P. 56) (Presented by Mr. Bubar of Weston)

Resolve in favor of the town of Freedom (H. P. 57) (Presented by Mr. Davis of Montville)

Resolve in favor of the town of Northport (H. P. 58) (Presented by same gentleman)

Resolve in favor of the town of Morrill (H. P. 59) (Presented by same gentleman)

Resolve in favor of the town of Montville (H. P. 60) (Presented by same gentleman)

Resolve in favor of the town of Belmont (H. P. 61) (Presented by same gentleman)

Resolve in favor of the town of Liberty (H. P. 62) (Presented by same gentleman)

Resolve in favor of the town of Lincolnville (H. P. 63) (Presented by same gentleman)

Resolve in favor of the town of Searsmont (H. P. 64) (Presented by same gentleman)

Resolve in favor of the town of Knox (H. P. 65) (Presented by same gentleman)

Resolve in favor of the town of Palermo (H. P. 66) (Presented by same gentleman)

Resolve in favor of the town of Northport (H. P. 67) (Presented by same gentleman)

Resolve in favor of the town of New Portland (H. P. 68) (Presented by Mr. Dutton of Bingham)

Resolve in favor of the town of Brooks (H. P. 69) (Presented by Mr. Farwell of Unity)

Resolve in favor of the town of Burnham (H. P. 70) (Presented by same gentleman)

Resolve in favor of the town of Swanville (H. P. 71) (Presented by same gentleman)

Resolve in favor of the town of

Unity (H. P. 72) (Presented by same gentleman)

Resolve in favor of the town of Unity (H. P. 73) (Presented by same gentleman)

Resolve in favor of the town of Unity (H. P. 74) (Presented by same gentleman)

Resolve in favor of the town of Waldo (H. P. 75) (Presented by same gentleman)

Resolve in favor of the town of Bar Harbor (H. P. 76) (Presented by Mr. McLeod of Bar Harbor)

Resolve in favor of the town of Hancock (H. P. 77) (Presented by same gentleman)

Resolve in favor of the town of Dennysville (H. P. 78) (Presented by Mr. McFadden of Pembroke)

Resolve in favor of the town of Pembroke (H. P. 79) (Presented by same gentleman)

Resolve in favor of the town of Robbinston (H. P. 80) (Presented by same gentleman)

Resolve in favor of the town of Robbinston (H. P. 81) (Presented by same gentleman)

Resolve in favor of the town of Grand Isle (H. P. 82) (Presented by Mr. Michaud of Van Buren)

Resolve in favor of the town of Van Buren (H. P. 83) (Presented by same gentleman)

Resolve in favor of the town of Greene (H. P. 84) (Presented by Mr. Sanderson of Greene)

Resolve in favor of the town of Poland (H. P. 85) (Presented by same gentleman)

Resolve in favor of the town of Wales (H. P. 86) (Presented by same gentleman)

Resolve in favor of the town of Rockport (H. P. 87) (Presented by Mr. Starrett of Warren)

Resolve in favor of the town of Union (H. P. 88) (Presented by same gentleman)

Resolve in favor of the town of Washington (H. P. 89) (Presented by same gentleman)

Resolve in favor of the town of Skowhegan (H. P. 90) (Presented by Mr. Savage of Skowhegan)

Sent up for concurrence.

#### Orders

On motion by Mr. McGlauffin of Portland, it was

**ORDERED**, that Mr. Fickett of Naples, be excused from attendance because of illness; also that the following members be excused from attendance the present week:

Mr. Donahue of Biddeford, because of urgent business,

Mr. Arzonico of Yarmouth, because of illness,

Mr. Robie of Auburn, because of illness,

Mr. Buker of Bath, because of his illness in the hospital,

Mr. Murchie of Calais, because of an important engagement; and that Mr. McKeen of Paris, be excused from attendance because of death in the family .

Mr. PAYSON of Portland: Mr. Speaker, I present an Order and ask that it be read at this time, and I give notice that I shall ask for its passage tomorrow under Rule 59, which says: "No rule or order of the House shall be altered or appealed, nor shall any new standing rule or order be adopted, unless one day's previous notice thereof shall be given in each case; and such notice shall be entered on the journal."

The SPEAKER: The gentleman from Portland, Mr. Payson, presents an Order and gives notice that he will ask for its passage tomorrow. The Order involves a change in the House Rules. The Clerk will read the Order.

The Order was then read by the Clerk as follows:

ORDERED, that the Rules of the House be amended by adding to Rule 36 thereof the following:

"No amendment to a bill or resolve shall be acted upon by the House until the same has been printed or reproduced and distributed to the members under the direction of the Clerk of the House, unless the same shall bear the recommendation of the Committee on Rules and Business of the House that such printing or reproduction be dispensed with; and any amendment not so printed or reproduced

or bearing such recommendation shall lie on the table until printed or reproduced or until said Committee has recommended that such printing or reproduction be dispensed with."

The SPEAKER: The gentleman from Portland, Mr. Payson, now moves that the Order lie on the table and be specially assigned for tomorrow morning. Is this the pleasure of the House?

The motion prevailed, and the Order was so tabled and assigned.

#### Passed to be Enacted

An Act Accepting from Percival Proctor Baxter the Conveyance and Deed of Gift of twelve thousand (12,000) acres of land in Piscataquis County (S. P. 34)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

#### Orders of The Day

The SPEAKER: Under Orders of the Day the Chair has been informed and is satisfied that the gentleman from Van Buren, Mr. Michaud, was present and took the oath of office at the time of the organization of the House. If there is no objection, the Clerk will note that fact in the Journal. The Chair hears no objection.

The SPEAKER: Are there any further matters to come before the House under Orders of the Day? If not, the Clerk will read the notices.

On motion by Mr. Weston of Farmingdale,

Adjourned until tomorrow morning at ten o'clock.