

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

Ninetieth Legislature

OF THE

STATE OF MAINE



1941

KENNEBEC JOURNAL COMPANY

AUGUSTA, MAINE

HOUSE

Thursday, February 13, 1941.

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

Prayer by the Rev. Mr. Bubar of Vassalboro.

Journal of the previous session read and approved.

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

**Senate Reports
Ought not to Pass**

Report of the Committee on Taxation reporting "Ought not to pass" on Bill "An Act relating to Taxes on Cottages and Camps" (S. P. 60) (L. D. 19)

Report of the Committee on Temperance reporting same on Bill "An Act relating to the Consumption of Intoxicating Liquor upon the Premises" (S. P. 99) (L. D. 100)

Came from the Senate, read and accepted.

In the House, read and accepted in concurrence.

The following Petition was received, and upon recommendation of the Committee on Reference of Bills, was referred to the following Committee:

Ways and Bridges

Petition of Albert D. Colson and 62 others of Winterport, in favor of H. P. 204, Winterport Road Resolve (H. P. 1506) (Presented by Mr. Worth of Stockton Springs)

Orders

Mr. Leveque of Lewiston presented the following order and moved its passage:

ORDERED, the Senate concurring, that Dr. Tyson furnish forthwith to the 90th Legislature a statement of the number of patients that can be safely and properly cared for by the present accommodations at the Augusta State Hospital and the number of patients that are now cared for therein, and his recommendations to care for the situation. (H. P. 1507.)

The order received passage and was sent up for concurrence.

On motion by Mr. Grua of Livermore Falls, it was

ORDERED, that there be printed 500 additional copies of H. P. 1345, L. D. 604, An Act Amending the Unemployment Law in Connection with Experience Rating.

On motion by Mr. Hall of Wilton, it was

ORDERED, that there be printed 500 additional copies of H. P. 1196, L. D. 490, An Act to Incorporate the Wilton Water District.

On motion by Mr. McGlaflin of Portland, it was

ORDERED, that Mr. Lambert of Lewiston, be excused from attendance the remainder of the week on account of his political campaign.

On motion by Mr. Shesong of Portland, it was

ORDERED, that there be printed 500 additional copies of H. P. 647, L. D. 283, An Act to Regulate the Practice of Architecture and to Create a Board to Provide for the Examination and Registration of Architects.

**Reports of Committees
Ought not to Pass**

Mr. MacLeod from the Committee on Motor Vehicles reported "Ought not to pass" on Bill "An Act Forbidding Parking Motor Vehicles Near Hydrants" (H. P. 249) (L. D. 88)

Report was read and accepted and sent up for concurrence.

Ought to Pass in New Draft

Mr. Morrison from the Committee on Public Utilities on Bill "An Act to Amend the Charter of the Hallowell Water District" (H. P. 351) (L. D. 138) reported same in a new draft (H. P. 1505) under same title and that it "Ought to pass."

Report was read and accepted and the new draft ordered printed under the Joint Rules.

Ought to Pass

Mr. Slosberg from the Committee on Legal Affairs reported "Ought to pass" on Bill "An Act to Amend the Charter of the city of Auburn" (H. P. 644) (L. D. 280)

Mr. Conant from the Committee on Motor Vehicles reported same on Bill "An Act relating to Registration Fees for Certain Motor Trucks" (H. P. 312) (L. D. 121)

Mr. Brown from the Committee on Public Utilities reported same on Bill "An Act Authorizing the Northern Water Company to Increase its Capital Stock" (H. P. 683) (L. D. 238)

Mr. Cousins from same Committee reported same on Bill "An Act to Extend the Charter of the Paten Water and Power Company" (H. P. 1198) (L. D. 418)

Mr. LaFleur from same Committee reported same on Bill "An Act relating to the Construction of Branch Tracks by Railroad Corporations" (H. P. 680) (L. D. 235)

Mr. Libby from same Committee reported same on Bill "An Act to Define the Manner of Election of Directors of Houlton Water Company" (H. P. 681) (L. D. 236)

Reports were read and accepted.

First Reading of Printed Bills

Bill "An Act relating to Absent Voting" (H. P. 338) (L. D. 134)

Bill "An Act to Ratify and Make Valid the Incorporation of Riverside Lodge No. 12, Knights of Pythias" (H. P. 642) (L. D. 278)

Bill "An Act relating to Deputy Clerk of Courts in Penobscot County" (H. P. 684) (L. D. 239)

Bills were read twice and tomorrow assigned.

The SPEAKER: The Chair is informed that Items four and five on the printed calendar have not as yet been returned from the printer and are not in possession of the House.

Passed to Be Engrossed

Bill "An Act Exempting Certain Musical Instruments from Attachment" (S. P. 95) (L. D. 97)

Bill "An Act to provide for the Surrender by town of Brookton of its Organization" (S. P. 126) (L. D. 151)

Bill "An Act relating to Katahdin Wild Life Sanctuary, formerly called Katahdin Game Preserve, and Enlarging same" (H. P. 245) (L. D. 84)

Bill "An Act to Extend the Charter of the Central Aroostook Railway Company" (H. P. 352) (L. D. 139)

Bill "An Act authorizing Penobscot County Water Company to Ob-

tain and Maintain a Supply of Water for its Corporate Purposes" (H. P. 1332) (L. D. 596)

Resolve Regulating Fishing in Swan Pond (H. P. 300) (L. D. 110)

Resolve Regulating Fishing in Barkers Pond (H. P. 301) (L. D. 111)

Resolve Regulating Fishing in Hargraves Mill Pond, Dog or Mud Pond and Round Pond (H. P. 305) (L. D. 115)

Resolve Opening Lower Chain Lake in Washington County to Fishing for Pickerel (H. P. 331) (L. D. 127)

Resolve Opening Adams Pond to Fishing (H. P. 335) (L. D. 131)

Resolve Regulating Fishing in Sand Pond (H. P. 422) (L. D. 171)

Resolve Regulating Fishing in Moose Pond (H. P. 423) (L. D. 172)

Resolve Regulating Fishing in Moose Pond (H. P. 424) (L. D. 173)

Resolve Regulating Fishing in Moose Pond, Little (H. P. 425) (L. D. 174)

Resolve Regulating Fishing in Manns Mill Pond, Little Poverty Pond and Shy Beaver Pond (H. P. 426) (L. D. 175)

Were reported by the Committee on Bills in the Third Reading, Bills read the third time, Resolves read the second time, all passed to be engrossed and sent to the Senate.

Amended Resolves

Resolves Tabled

Resolve Regulating Fishing in Cumberland and York Counties (H. P. 299) (L. D. 109)

(On motion by Mr. Hanold of Standish, tabled pending second reading)

Resolve Regulating Fishing in Cumberland and York Counties (H. P. 303) (L. D. 113)

(On motion by Mr. Hanold of Standish, tabled pending second reading)

Passed to Be Engrossed (Continued)

Resolve in favor of Horace Polchies, Representative of the Penobscot Tribe of Indians (H. P. 869) (L. D. 302)

Was reported by the Committee on Bills in the Third Reading, read the second time, passed to be engrossed as amended and sent to the Senate.

**Passed to Be Enacted
Emergency Measure**

An Act to Incorporate the town of Oakfield School District (H. P. 870) (L. D. 303)

The SPEAKER: This bill, having had its two several readings in the Senate and having been passed to be engrossed, having had its three several readings in the House and having been passed to be engrossed, and having been reported by the Committee on Engrossed Bills as truly and strictly engrossed, is it now the pleasure of the House that it now be passed to be enacted?

This being an emergency measure, it requires for its passage the affirmative vote of two-thirds of the entire elected membership of the House. All those in favor of the passage of this bill to be enacted will rise and stand in their places until counted and the monitors have made and returned the count.

A division of the House was had.

One hundred and twenty-one having voted in the affirmative and none in the negative, 121 being more than two-thirds of the entire elected membership of the House, the bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Provide for the Surrender by Topsfield Plantation of its Organization (S. P. 127) (L. D. 152)

The SPEAKER: This bill, having had its two several readings in the Senate and having been passed to be engrossed, having had its three several readings in the House and having been passed to be engrossed, and having been reported by the Committee on Engrossed Bills as truly and strictly engrossed, is it now the pleasure of the House that it now be passed to be enacted?

This being an emergency measure, it requires for its passage the affirmative vote of two-thirds of the entire elected membership of the House.

Mr. McGLAUFLIN of Portland: Mr. Speaker, I rise to a point of order.

The SPEAKER: The gentleman from Portland, Mr. McGlauflin, rises to a point of order. The gentleman may state his point.

Mr. McGLAUFLIN: Mr. Speaker, I observe that in the last vote the

members took their seats before the report was made. They should stand until that report comes in.

The SPEAKER: The Chair will rule that while the gentleman is correct in his statement, there is no point of order raised at the present time.

All those in favor of the passage of this bill to be enacted will rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

One hundred and twenty-three having voted in the affirmative and none in the negative, 123 being more than two-thirds of the entire elected membership of the House, the bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to provide for the Surrender by town of Baring of its Organization (S. P. 84) (L. D. 68)

The SPEAKER: This bill, having had its two several readings in the Senate and having been passed to be engrossed, having had its three several readings in the House and having been passed to be engrossed, and having been reported by the Committee on Engrossed Bills as truly and strictly engrossed, is it now the pleasure of the House that it now be passed to be enacted?

This being an emergency measure, it requires for its passage the affirmative vote of two-thirds of the entire elected membership of this House. All those in favor of the passage of this bill to be enacted will rise and stand in their places until counted and the monitors have made and returned the count.

A division of the House was had.

One hundred and twenty-three having voted in the affirmative and none in the negative, 123 being more than two-thirds of the entire elected membership of the House, the bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act relating to Costs in Contested Cases (H. P. 49) (L. D. 33)

An Act providing for Orders for the Protection of the Rights of the Parties, While Appeal is Pending from Equity Decrees (H. P. 248) (L. D. 87)

Finally Passed

Resolve Regulating Fishing in Tributaries to Garland Pond (S. P. 64) (L. D. 72)

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

Orders of the Day

On motion by Mr. Shesong of Portland, the House voted to take formation as to the cost of print-unassigned matter, "Joint Order requesting the Commissioner of Health and Welfare to furnish Old Age Assistance Lists (H. P. 1504) tabled on February 12th by that gentleman pending passage.

Mr. SHESONG: Mr. Speaker, that order was tabled yesterday in order that we might procure information as to the cost of printing. We find that one thousand copies can be printed for \$335. There seems to be a demand on the part of the members of this House to have this information, therefore I move that the order have a passage.

The SPEAKER: The question before the House is on the passage of the order. Is it the pleasure of the House that the order receive passage?

The order received passage, and was sent up for concurrence.

On motion by Mr. Payson of Portland, the House voted to take from the table the first tabled unassigned matter, Bill "An Act Concerning the Teachers' Retirement System" (H. P. 1247) (L. D. 529), tabled on February 6th by that gentleman, pending motion of Mrs. Grady of Whitefield, that the bill be referred to the Committee on Pensions.

The SPEAKER: Is it now the pleasure of the House that this bill be referred to the Committee on Pensions?

Thereupon, the bill was referred to the Committee on Pensions and was sent up for concurrence.

On motion by Mr. Robinson of Brewer,

Adjourned until tomorrow morning at ten o'clock.