

# 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**

Friday, February 14, 1941.

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

Prayer by the Rev. Mr. Akeley of Gardiner.

Journal of the previous session read and approved.

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

**Senate Bills in First Reading**

Bill "An Act amending the Law relating to Purchases by the State Highway Commission and Limiting the Powers of the Council with relation to Highway Administration" (S. P. 82) (L. D. 71)

Bill "An Act relating to Absentee Ballots" (S. P. 118) (L. D. 153)

Bill "An Act to Authorize the Charging Off of Uncollectible Accounts" (S. P. 153) (L. D. 222)

Bill "An Act relating to the Recording and Copying of Public Documents" (S. P. 152) (L. D. 221)

**Senate Report Tabled**

From the Senate:

Report of the Committee on Salaries and Fees reporting "Ought to pass" on Bill "An Act relating to Automobile Travel by State Inspectors of Seed Potatoes" (S. P. 55) (L. D. 10)

Came from the Senate, Report read and accepted and the Bill passed to be engrossed.

In the House, on motion by Mr. Crockett of North Haven, tabled pending acceptance of Committee Report.

The SPEAKER: The Clerk has in his possession two additional papers from the Senate which do not appear on the printed calendar.

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, February 18, 1941, at 10.30 o'clock in the forenoon. (S. P. 432)

Came from the Senate, read and passed.

In the House, read and passed in concurrence.

From the Senate: The following Order:

ORDERED, the House concurring, that the Executive Secretary of the Maine Development Commission be directed to furnish to the Legislature a statement of all receipts and all disbursements of the Maine Development Commission for the fiscal year ending June 30, 1940. (S. P. 454)

Came from the Senate, read and passed.

In the House, read and passed in concurrence.

The following Bills and Resolves, which were transmitted by the Revisor of Statutes pursuant to Joint Order, were received, and upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

**Agriculture**

Bill "An Act relating to Pasteurized Milk" (H. P. 1509) (Presented by Mr. Denny of Damariscotta) (750 copies ordered printed) Sent up for concurrence.

**Appropriations and Financial Affairs**

Resolve to Dredge Austin Stream in the county of Somerset (H. P. 1510) (Presented by Mr. Dutton of Bingham)

Sent up for concurrence.

**Banks and Banking**

Bill "An Act relating to Investments of Savings Banks" (H. P. 1511) (Presented by Mr. Bowers of Sherman)

(600 copies ordered printed)

Bill "An Act relating to Cash Reserves of Banks" (H. P. 1512) (Presented by same gentleman)

(600 copies ordered printed)

Sent up for concurrence.

**Claims**

Resolve in favor of the town of Hiram (H. P. 1513) (Presented by Mr. Rankin of Denmark)

Sent up for concurrence.

**Inland Fisheries and Game**

Bill "An Act Domesticating Rabbits" (H. P. 1514) (Presented by Mr. Keller of Hallowell by request)

(600 copies ordered printed)

Bill "An Act relating to Training of Hunting Dogs" (H. P. 1515) (Presented by Mr. Rodrigue of Waterville)

(600 copies ordered printed)

Sent up for concurrence.

### Judiciary

(Bill Tabled)

Bill "An Act to provide for the Issue of State of Maine Agricultural Bonds for the Eradication of Bangs Disease and other Contagious Diseases" (H. P. 1516) (Presented by Mr. Denny of Damariscotta)

(On motion by Mr. Denny, tabled pending reference and 1000 copies ordered printed)

Bill "An Act to provide for the Speedy and Inexpensive Adjudication of Small Claims" (H. P. 1517) (Presented by Mr. Sleeper of Rockland.)

(750 copies ordered printed)

Sent up for concurrence.

Bill "An Act relating to Hit-and-Run Driving" (H. P. 1518) (Presented by Miss Bangs of Brunswick by request)

(600 copies ordered printed)

Bill "An Act relating to Stolen Goods" (H. P. 1519) (Presented by Mr. Brown of Bangor)

(600 copies ordered printed)

Bill "An Act relating to the Adoption of Children" (H. P. 1520) (Presented by Miss Clough of Bangor)

(600 copies ordered printed)

Bill "An Act relating to the Foreclosure of Real Estate Mortgages" (H. P. 1521) (Presented by Mr. Goldsmith of Orono)

(600 copies ordered printed)

Bill "An Act relating to Hearings before Masters in Chancery" (H. P. 1522) (Presented by Mr. Grua of Livermore Falls)

(600 copies ordered printed)

Bill "An Act relating to the Primary Election Law" (H. P. 1523) (Presented by Mr. Leveque of Lewiston)

(600 copies ordered printed)

Bill "An Act relating to Attorney's Fees in Notes" (H. P. 1524) (Presented by Mr. Shesong of Portland)

(600 copies ordered printed)

Bill "An Act Creating a Fuel Administration Board" (H. P. 1525) (Presented by Mr. Sylvia of Danforth by request)

(600 copies ordered printed)

Sent up for concurrence.

### Legal Affairs

Bill "An Act relating to Correction of Vital Records" (H. P. 1526) (Presented by Mr. Shesong of Portland)

(750 copies ordered printed)

Bill "An Act relating to Birth Records of Children Proposed for

Adoption" (H. P. 1527) (Presented by same gentleman)

(750 copies ordered printed)

Bill "An Act relating to Registration of Vital Statistics" (H. P. 1528) (Presented by same gentleman)

(750 copies ordered printed)

Sent up for concurrence.

Bill "An Act relating to Acceptance of Zoning Laws" (H. P. 1529) (Presented by Mr. Bangs of Brunswick)

(600 copies ordered printed)

Bill "An Act relating to Roller Skating on the Lord's Day" (H. P. 1530) (Presented by Mr. Brown of Corinna by request)

(600 copies ordered printed)

Bill "An Act relating to Barbering" (H. P. 1531) (Presented by Mr. Denny of Damariscotta by request)

(600 copies ordered printed)

Bill "An Act relating to Sunday Hunting in Unorganized Territory" (H. P. 1532) (Presented by Mr. Keller of Hallowell)

(600 copies ordered printed)

Bill "An Act establishing a Board of Well Diggers" (H. P. 1533) (Presented by Mr. Pierce of Bucksport)

(600 copies ordered printed)

Bill "An Act relating to Licensing of Dogs" (H. P. 1534) (Presented by Mr. Pratt of Turner)

(600 copies ordered printed)

Bill "An Act relating to Bicycles" (H. P. 1535) (Presented by Mr. Rankin of Denmark by request)

(600 copies ordered printed)

Sent up for concurrence.

### Maine Publicity

Bill "An Act relating to State Publicity" (H. P. 1536) (Presented by Mr. Crockett of North Haven)

(1000 copies ordered printed)

Sent up for concurrence.

### Mines and Mining

Bill "An Act relative to Mines and Minerals" (H. P. 1537) (Presented by Mr. McIntire of Phippsburg)

(600 copies ordered printed)

Sent up for concurrence.

### Motor Vehicles

Bill "An Act relating to the Law of the Road" (H. P. 1538) (Presented by Miss Bangs of Brunswick by request)

(600 copies ordered printed)

Bill "An Act to Encourage Safety on School Buses" (H. P. 1539) (Presented by same member by request)

(600 copies ordered printed)

Bill "An Act relating to Suspension of Motor Vehicle Licenses" (H. P. 1540) (Presented by Mr. Conant of Auburn by request)  
(600 copies ordered printed)

Bill "An Act relating to No Parking upon Paved or Improved Portion of Ways; Exceptions" (H. P. 1541) (Presented by same gentleman by request)  
(600 copies ordered printed)

Bill "An Act relating to Inspection of Motor Vehicles" (H. P. 1542) (Presented by same gentleman by request)  
(600 copies ordered printed)

Bill "An Act relating to Duplicate Licenses to Operate Motor Vehicles" (H. P. 1543) (Presented by Mr. Eddy of Bangor by request)  
(600 copies ordered printed)

Bill "An Act relating to Applications to Operate Motor Vehicles" (H. P. 1544) (Presented by same gentleman by request)  
(600 copies ordered printed)

Bill "An Act relating to Surrender of Registration Plates of Motor Vehicles" (H. P. 1545) (Presented by same gentleman by request)  
(600 copies ordered printed)

Bill "An Act relating to the Safety of Highways" (H. P. 1546) (Presented by Mr. MacLeod of Bar Harbor by request)  
(600 copies ordered printed)

Bill "An Act Prohibiting the Registration of Trucks for Carrying Passengers" (H. P. 1547) (Presented by same gentleman by request)  
(600 copies ordered printed)

Bill "An Act relating to Automobiles Stopping Upon Signal of Officer" (H. P. 1548) (Presented by Mr. Race of Boothbay by request)  
(600 copies ordered printed)

Bill "An Act relating to Registration of Motor Vehicles and Trailers" (H. P. 1549) (Presented by same gentleman)  
(600 copies ordered printed)

Bill "An Act to Improve Safety on the Highway" (H. P. 1550) (Presented by Mr. Rankin of Denmark by request)  
(600 copies ordered printed)

Bill "An Act relating to the Safety of Highways" (H. P. 1551) (Presented by Mr. Weston of Farmingdale by request)  
(600 copies ordered printed)

Bill "An Act relating to Speed Regulations" (H. P. 1552) (Presented by same gentleman by request)  
(600 copies ordered printed)  
Sent up for concurrence.

### Salaries and Fees

Bill "An Act relating to the Salary of the Indian Representative" (H. P. 1553) (Presented by Mr. Bubar of Weston)  
(600 copies ordered printed)

Bill "An Act relating to Clerk Hire in the Office of Register of Deeds in York County" (H. P. 1565) (Presented by Mr. Sayward of Kennebunk)  
(600 copies ordered printed)

Sent up for concurrence.

### Sea and Shore Fisheries

Bill "An Act relating to the Measurement of Lobsters" (H. P. 1554) (Presented by Mr McIntire of Phippsburg)  
(1000 copies ordered printed)

Sent up for concurrence.

Bill "An Act relating to Lobster Truckmen's Licenses" (H. P. 1555) (Presented by Mr. Race of Boothbay)  
(750 copies ordered printed)

Bill "An Act relating to Transportation of Lobsters" (H. P. 1556) (Presented by same gentleman)  
(750 copies ordered printed)

Sent up for concurrence.

Bill "An Act relating to Gathering Kelp" (H. P. 1557) (Presented by Mr. Smith of Thomaston)  
(600 copies ordered printed)  
Sent up for concurrence.

### Taxation

Bill "An Act Exempting Homesteads from Taxation" (H. P. 1553) (Presented by Mr. Eddy of Bangor)  
(1000 copies ordered printed)

Bill "An Act Imposing a Consumer's Tax" (H. P. 1559) (Presented by Mr. Goldsmith of Orono)  
(1000 copies ordered printed)  
Sent up for concurrence.

### Temperance

Bill "An Act relating to the Manufacture and Sale of Cider" (H. P. 1560) (Presented by Mr. McKeen of Paris by request)  
(750 copies ordered printed)

Sent up for concurrence.

Resolve relating to Men Enlisting in the Federal Service (H. P. 1561) (Presented by Mr. LaFleur of Portland)  
(600 copies ordered printed)

Sent up for concurrence.

### Ways and Bridges

Bill "An Act relating to the Construction and Maintenance of Bridges on State and State Aid Highways" (H. P. 1562) (Presented by Mr. Payson of Portland by request)

(750 copies ordered printed)

Sent up for concurrence.

Resolve in favor of the town of Solon (H. P. 1563) (Presented by Mr. Milliken of Madison)

Resolve in favor of the town of Solon (H. P. 1564) (Presented by same gentleman)

Sent up for concurrence.

### Orders

On motion by Mr. Gowell of South Portland, it was

ORDERED, that there be printed 1000 additional copies of S. P. 314, L. D. 522, An Act to Promote the General Welfare of the People of the State by Providing for the Elimination of Wage and Hour Standards Detrimental to the Health and Welfare of Workers.

On motion by Mr. McGlauffin of Portland, it was

ORDERED, that Mr. Fenlason of Anson, be excused from attendance on account of sickness, and that Mr. Rankin of Denmark, be excused because of important business; also that Mr. Hanold of Standish, be excused from attendance today because of official business;

AND BE IT FURTHER ORDERED, that Mr. Anderson of Ox-bow Pl., and Mr. Brown of Eagle Lake, be excused from attendance as they have been obliged to leave on a business trip towards the North Pole.

Mrs. Grady of Whitefield, was granted unanimous consent to address the House.

Mrs. GRADY: Mr. Speaker, in view of the fact that our calendar is rather long, and also in view of the fact that Rule 25 has been suspended only once during the session so far, perhaps it would be in order for the lady members to bestow upon the gentlemen members some little token in the spirit of St. Valentine's Day. I therefore move that Rule 25 be suspended to permit smoking for the remainder of this morning's session. (Applause)

The SPEAKER: The member

from Whitefield, Mrs. Grady, moves that Rule 25 of the House Rules be suspended for the remainder of this morning's session. All those in favor of the motion will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed.

### Reports of Committees

#### Leave to Withdraw

Mr. Brown from the Committee on Inland Fisheries and Game on Resolve Regulating Fishing in Tributaries of Lake Webb (H. P. 1146) (L. D. 446) reported leave to withdraw.

Report was read and accepted and sent up for concurrence.

#### Ought Not To Pass

Mr. Starrett from same Committee reported "Ought not to pass" on Resolve Regulating Fishing in Chain of Ponds (H. P. 814) (L. D. 327)

Same gentleman from same Committee reported same on Resolve Opening South Bog Stream to Fly Fishing (H. P. 825) (L. D. 297)

Reports were read and accepted and sent up for concurrence.

#### Report Tabled

Mr. Sylvia from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act to Amend the Charter of the city of Presque Isle" (H. P. 430) (L. D. 179)

(On motion by Mr. Good of Monticello, tabled pending acceptance of Committee Report)

#### Ought To Pass in New Draft

Mr. Hanold from the Committee on Inland Fisheries and Game on Resolve Regulating Fishing in Alford's Lake and Lermond's Pond (H. P. 48) (L. D. 31) reported same in a new draft (H. P. 1508) 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. Fenlason from the Committee on Inland Fisheries and Game reported "Ought to pass" on Resolve Regulating Fishing in Watchic Pond (H. P. 812) (L. D. 325)

Same gentleman from same Com-

mittee reported same on Resolve Regulating Fishing in Dead River in Orland (H. P. 815) (L. D. 328)

Reports were read and accepted.

#### Report Tabled

Mr. Fenlason from the Committee on Inland Fisheries and Game reported "Ought to pass" on Resolve Regulating Fishing in Damariscotta Lake (H. P. 240) (L. D. 79)

(On motion by Mr. Denny of Damariscotta, tabled pending acceptance of Committee Report)

Mr. Fenlason from the Committee on Inland Fisheries and Game reported "Ought to pass" on Resolve Regulating Fishing in East and West Richardson Ponds in Oxford County (H. P. 823) (L. D. 295)

Same gentleman from same Committee reported same on Resolve Regulating Fishing in Rattlesnake Pond (H. P. 816) (L. D. 329)

Same gentleman from same Committee reported same on Resolve Regulating Fishing in Barker Pond (H. P. 818) (L. D. 331)

Same gentleman from same Committee reported same on Resolve Regulating Fishing in Roaring Brook Pond (H. P. 805) (L. D. 318)

Same gentleman from same Committee reported same on Bill "An Act relating to the Taking of Eels" (H. P. 621) (L. D. 257)

Same gentleman from same Committee reported same on Resolve Regulating Fishing in certain Lincoln County Waters (H. P. 628) (L. D. 264)

Same gentleman from same Committee reported same on Resolve Regulating Fishing in Chase's Mill Stream (H. P. 471) (L. D. 207)

Same gentleman from same Committee reported same on Resolve Regulating Fishing in Granger Pond (H. P. 817) (L. D. 330)

Mr. Winter from same Committee reported same on Resolve Regulating Fishing in Certain Waters (H. P. 824) (L. D. 296)

Same gentleman from same Committee reported same on Resolve Regulating Fishing in Hasting Pond (H. P. 629) (L. D. 265)

Same gentleman from same Committee reported same on Resolve Regulating Fishing in Ross Pond (H. P. 627) (L. D. 263)

Mr. Hinckley from the Committee on Judiciary reported same on Bill "An Act to Amend the Charter of Higgins Classical Institute" (H. P. 1197) (L. D. 417)

Mr. Megill from the Committee on State Lands and Forest Preservation reported same on Resolve Granting Authority to the Forestry Department to Convey Certain Land to Stanley Hinch of Danforth (H. P. 447) (L. D. 186)

Mr. Preble from same Committee reported same on Resolve Granting Authority to the Forestry Department to Convey Land to J. C. Briggs of Caribou (H. P. 322) (L. D. 122)

Mr. Rollins from same Committee reported same on Bill "An Act Providing for the Administration and Control of Baxter State Park" (H. P. 262) (L. D. 91)

Mr. Williams from same Committee reported same on Resolve Authorizing the Forest Commissioner to Convey Certain Land to Maxime Albert of Sinclair (H. P. 261) (L. D. 90)

Reports were read and accepted.

#### Ought to Pass With Committee Amendment

Mr. Shesong from the Committee on Legal Affairs on Bill "An Act relating to Sunday Moving Pictures" (H. P. 5) (L. D. 4) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted.

#### First Reading of Printed Bills

Bill "An Act relating to Registration Fees for Certain Motor Trucks" (H. P. 312) (L. D. 121)

Bill was read twice and assigned for third reading the next legislative day.

#### Bill Tabled

Bill "An Act to Amend the Charter of the city of Auburn" (H. P. 644) (L. D. 280)

Bill was given its first reading.

(On motion by Mr. Shesong of Portland, that gentleman stating that a technical error had been discovered in the printed copy, the bill was tabled pending second reading.)

Bill "An Act relating to the Construction of Branch Tracks by Railroad Corporations" (H. P. 680) (L. D. 235)

Bill "An Act to Define the Manner of Election of Directors of Houlton Water Company" (H. P. 681) (L. D. 236)

Bill "An Act Authorizing the Northern Water Company to Increase its Capital Stock" (H. P. 683) (L. D. 238)

Bill "An Act to Extend the Charter

of the Patten Water and Power Company" (H. P. 1198) (L. D. 418)

Bills were read twice and assigned for third reading the next legislative day.

The SPEAKER: The Chair is informed that Item 7 on the printed calendar, Bill "An Act Establishing the Maine State Guard" (H. P. 1501) (L. D. 816) is not in the possession of the House, not having been returned from the printer.

Mr. LaFLEUR of Portland: Mr. Speaker, may I make an inquiry from the Chair?

The SPEAKER: The gentleman may make a parliamentary inquiry.

Mr. LaFLEUR: Mr. Speaker, is there any method by which this piece of legislation may be expedited?

The SPEAKER: The Chair will rule that that is not a parliamentary inquiry.

Mr. LaFLEUR: Mr. Speaker, may I make an inquiry for information, then?

The SPEAKER: The gentleman may inquire.

Mr. LaFLEUR: Mr. Speaker, I presume the answer to what I am trying to arrive at is that I want to expedite this piece of legislation somehow.

If the House will be gracious enough to excuse me for next Wednesday, Thursday and Friday. I will be in Caribou on official business of the State. I would like to expedite this matter, if possible, in order that the House may enact this emergency legislation by Wednesday morning. In view of the fact that our National Guard is leaving the State service a week from Monday, it is a very important piece of legislation.

The SPEAKER: The Chair can only inform the gentleman that the House cannot act upon papers that are not before the House.

Mr. LaFLEUR: Mr. Speaker, I submit to the ruling of the Chair.

The SPEAKER: The Chair is also informed that Item 8 which appears on the printed calendar, Bill "An Act to provide for the Surrender by Silver Ridge Plantation of its Organization" (H. P. 1502) (L. D. 817) is not in the possession of the House, not having been returned from the printer.

### First Reading of Printed Bills (Continued)

Bill "An Act to Amend the Charter of the Hallowell Water District" (H. P. 1505) (L. D. 765)

Bill was read twice and assigned for third reading the next legislative day.

### Passed to Be Engrossed

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)

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

### Orders of The Day

On motion by Mr. Shesong of Portland, the House voted to reconsider its action taken earlier in today's session whereby Bill "An Act relating to the Salary of the Indian Representatives" (H. P. 1553) was referred to the Committee on Salaries and Fees and sent up for concurrence; and on further motion by the same gentleman, the bill was tabled pending reference.

The SPEAKER: Are there any further matters to come before the House under Orders of the Day?

The Chair recognizes the gentleman from Portland, Mr. LaFleur.

Mr. LaFLEUR: Mr. Speaker, if I am proceeding wrongly, I hope the Chair will correct me. I would like to have the House recess for ten or fifteen minutes so that I can check up on the present status of this National Guard bill. I think it is sufficiently important to get this matter at least assigned for third reading next Tuesday morning, if that is possible. I will check up forthwith to see where that bill is.

The SPEAKER: Does the gentleman wish to move that the House recess for ten minutes?

Mr. LaFLEUR: I so move you, Mr. Speaker.

The SPEAKER: The gentleman from Portland, Mr. LaFleur, moves that the House recess for ten min-



utes. Is this the pleasure of the House?

A viva voce vote being taken, the motion prevailed and the House so recessed.

#### After Recess

The SPEAKER: Is it the pleasure of the House to take up out of order and under suspension of the Rules first reading of Bill "An Act Establishing the Maine State Guard" (H. P. 1501) (L. D. 816)?

Thereupon, the bill was given its two several readings, and on motion by the gentleman from Farmington, Mr. Mills, the bill had its third reading, under suspension of the rules and was passed to be engrossed and sent up for concurrence.

On motion by Mr. Shesong of Portland, the House voted to take from the table Bill "An Act relating to the Salary of the Indian Representatives" (H. P. 1553) tabled by that gentleman earlier in today's session pending reference; and on further motion by the same gentleman, the bill was referred to the Committee on Salaries and Fees and sent up for concurrence.

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On motion by Mr. Lane of Lincoln,

The House adjourned until 10:30 o'clock in the forenoon, Tuesday, February 18th, 1941.