

# 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 21, 1941.

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

Prayer by Rev. Mr. Cunningham of Augusta.

Journal of the previous session read and approved.

From the Senate: The following Communication: (S. P. 462)

**MAINE DEVELOPMENT COMMISSION**

February 19, 1941.

To the Honorable Members of the 90th Legislature:

I have a communication dated February 14th from the Senate with the House concurring, directing me to furnish the Legislature a statement of all receipts and all disbursements of the Maine Development Commission for the fiscal year ending June 30, 1940.

I am delivering with this communication the statement as requested.

Very truly yours,

(Signed) EVERETT P. GREATON,  
Executive Secretary.

Came from the Senate, ordered placed on file.

In the House, read, and with accompanying papers, ordered placed on file in concurrence.

Bills from the Senate requiring reference disposed of in concurrence.

From the Senate: The following Order:

ORDERED, the House concurring, that the Clerk of the House prepare each week for the use of the Legislature a cumulative index of all bills and resolves introduced during the session showing precisely the important steps in the consideration of each and its final disposition or present status, and that 500 copies thereof be printed, and one copy thereof be laid upon the desk of each member of the Legislature (S. P. 465)

Came from the Senate, read and passed.

In the House:

Mr. Pratt of Turner, offered House Amendment "A" and moved its adoption.

House Amendment "A" to Joint Order relative to Cumulative Index. (S. P. 465)

Amend said Order by striking out the following words after the word "concurring" in the first line thereof: "that the Clerk of the House prepare" and inserting in place thereof the following words: "that there be prepared under the direction of the Clerk of the House"

And further amend said Order by adding at the end thereof the following sentence:

"The Clerk of the House is hereby authorized, with the approval of the Committee on Appropriations and Financial Affairs, to employ all the necessary clerical assistance to prepare such weekly cumulative index."

Thereupon, House Amendment "A" was adopted.

Mr. PAYSON of Portland: Mr. Speaker, I move the indefinite postponement of the order as amended. In support of my motion I wish to make this explanation to the House:

We have gone through this formality of amending the order so that it may be in proper form if you decide that you want this index. It is not for me to determine whether you want it or not, and this amendment was necessary if you do want it.

This index would cost the State about six thousand dollars to prepare and present to you for the remainder of the session. The information that is contained in that index you can find by going into the office of the Clerk at any time, and unless you are carrying a load of innumerable bills, that is not too much to ask to save six thousand dollars, in my opinion.

A simpler index, not cumulative, but gotten up just once, can be provided for about six or seven hundred dollars. The index that I now speak of, perhaps if it were gotten out sometime next week, would show you every bill introduced, its docket number, the name of the sponsor and committee to which it was referred and what had happened to the bill up to the time the index was gotten out. After that you would have to keep track of the bill yourself. It is my opinion that six thousand dollars is too much to pay for this cumulative index which is asked for here where the information is so easily available in the office of the Clerk at any time.

The **SPEAKER**: The gentleman from Portland, Mr. Payson, moves that the order as amended be indefinitely postponed. Is the House ready for the question? As many as are in favor of the indefinite postponement of the order as amended will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed and the order as amended was indefinitely postponed in non-concurrence and sent up for concurrence.

The **SPEAKER**: The Clerk has in his possession an additional paper from the Senate, which does not appear upon 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 25, 1941, at eleven o'clock in the forenoon (S. P. 468)

Came from the Senate, read and passed.

In the House, read and passed in concurrence.

#### **Senate Report Ought Not to Pass**

Report of the Committee on Maine Publicity reporting "Ought not to pass" on Resolve relative to Employment of Public Relations Director (S. P. 253) (L. D. 406)

Came from the Senate read and accepted.

In the House, read and accepted in concurrence.

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

#### **Ways and Bridges**

Petition of R. L. Grindell and 27 others from Frankfort in favor of H. P. 204 a Winterport Road Resolve (H. P. 1611) (Presented by Mr. Worth of Stockton Springs)

Sent up for concurrence.

#### **Labor**

Bill "An Act relating to Weekly Payment of Wages" (H. P. 1615) (Presented by Mr. Lane of Lincoln)

(750 copies ordered printed)

Sent up for concurrence.

#### **Sea and Shore Fisheries**

Bill "An Act relating to Lobster Fishing Licenses" (H. P. 1616) (Presented by Mr. McIntire of Phippsburg)

(750 copies ordered printed)

Sent up for concurrence.

#### **Agriculture**

Bill "An Act Requiring the Licensing of Creamery Companies" (H. P. 1617) (Presented by Mr. Holman of Dixfield)

(1500 copies ordered printed)

Sent up for concurrence.

#### **Orders**

Mr. Murchie of Calais, presented the following Order and moved its passage:

**ORDERED**, the Senate concurring, that the Committee on Appropriations and Financial Affairs be authorized and empowered to originate and report Bills and Resolves which, in the judgment of that committee, may be necessary to provide appropriations authorized by existing statutes (H. P. 1618)

The Order received passage and was sent up for concurrence.

On motion by Mr. McGlaflin of Portland, it was

**ORDERED**, that the following members be excused from attendance today on account of business:

Messrs. Dwinal of Camden

Bolduc of Biddeford

Babin of Frenchville

Gowell of South Portland

also that Mr. Hall of Wilton, be excused from attendance because of illness.

On motion by Mr. Crockett of North Haven, it was

**ORDERED**, that there be printed 500 additional copies of H. P. 1536, L. D. 875, An Act relating to State Publicity.

Mr. Williams of Bethel, presented the following Order and moved its passage:

**ORDERED**, that Mr. Smith of Bangor, be excused from further attendance at this session of the Legislature in order to take up his duties as Major, Headquarters, 1st Battalion, 152nd Field Artillery, on active duty.

Mr. WILLIAMS of Bethel: Mr.

Speaker, it is with a mingled feeling of regret and gratification that I speak in regard to this order this morning. We all of us regret, I am sure, that a member whom we have become very fond of and have come to know as an able and honest legislator must leave us, and yet I know that we are all gratified and proud of the fact that there is in this legislative body a member who is able to make the self-sacrifice which is entailed in severing business relationships, in severing relationship with his friends and his family. I move the passage of this order.

The SPEAKER: All those in favor of the passage of this order will rise and stand in their places until counted.

The order received passage by a unanimous rising vote.

### House Reports

#### Ought to Pass in New Draft

Mr. Fenlason from the Committee on Inland Fisheries and Game on Resolve Regulating Fishing on Echo Lake (H. P. 624) (L. D. 260) reported same in a new draft (H. P. 1612) under same title and that it "Ought to pass."

Mr. Hanold from same Committee on Resolve Regulating Fishing in certain Piscataquis County Waters (H. P. 806) (L. D. 319) reported same in a new draft (H. P. 1613) under same title and that it "Ought to pass"

Mr. Briggs from the Committee on Judiciary on Bill "An Act relating to Mutilation or Concealment of Dead Bodies" (H. P. 1155) (L. D. 454) reported same in a new draft (H. P. 1614) under same title and that it "Ought to pass"

Reports were read and accepted and the new drafts 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 relative to Game Preserve in York County (H. P. 468) (L. D. 204)

Same gentleman from same Committee reported same on Resolve Regulating Fishing in Lake Emden (H. P. 1139) (L. D. 388)

Mr. Winter from same Committee reported same on Resolve Regulating Ice Fishing on Great Lake in Belgrade (H. P. 636) (L. D. 272)

Same gentleman from same Com-

mittee reported same on Resolve Regulating Fishing in Belgrade Chain of Lakes (H. P. 635) (L. D. 271)

Reports were read and accepted.

#### First Reading of Printed Bills

Bill "An Act relating to Kennebec County Law Library" (H. P. 239) (L. D. 78)

Bill "An Act relative to the Use of the Word 'Savings' by Loan and Building Associations" (H. P. 456) (L. D. 198)

Bill "An Act relating to the Practice of Dentistry" (H. P. 676) (L. D. 228)

Bill "An Act to Repeal the Incorporation of the Phillips Village Corporation" (H. P. 1159) (L. D. 362)

Bill "An Act relative to Charter of the Fort Kent Telephone Company" (H. P. 1201) (L. D. 419)

Bill "An Act relative to Guaranty Fund of Loan and Building Associations" (H. P. 1228) (L. D. 491)

Bill "An Act relative to Rate of Interest to be Charged by Loan and Building Associations" (H. P. 1229) (L. D. 492)

Bill "An Act relative to Annual Examination of Affairs of Loan and Building Associations" (H. P. 1230) (L. D. 493)

Bill "An Act relative to Rate of Interest to be Charged by Loan and Building Associations" (H. P. 1231) (L. D. 494)

Bill "An Act Amending the Unfair Sales Act" (H. P. 1234) (L. D. 496)

Bill "An Act relating to Corporations" (H. P. 1267) (L. D. 539)

Bill "An Act relating to Foreign Corporations" (H. P. 1268) (L. D. 540)

Bill "An Act relating to Sale of Soft Drinks and Ice Cream by Certain Vendors" (H. P. 1280) (L. D. 546)

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

#### Passed to be Engrossed

Bill "An Act Enlarging the Powers and Duties of the State Auditor" (S. P. 431) (L. D. 823)

Bill "An Act Increasing the Farm Bureau Budget" (H. P. 296) (L. D. 106)

Bill "An Act relating to Ministerial and School Funds" (H. P. 414) (L. D. 163)

Bill "An Act relating to Payment of Secondary School Tuition" (H. P. 789) (L. D. 339)

Bill "An Act to Amend the Charter of the South Portland Sewerage District in relation to the Issue of Notes and Bonds" (H. P. 829) (L. D. 343)

Bill "An Act Authorizing Lincoln County Commissioners to Acquire Land for County Purposes" (H. P. 1602) (L. D. 908)

Bill "An Act relating to the Slash Law" (H. P. 1603) (L. D. 909)

Resolve Granting Authority to the Forestry Department to Convey certain Land to Zealie A. Smith of Springfield (H. P. 354) (L. D. 141)

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

#### Resolve Tabled

Resolve Regulating Dipping of Smelts from the Tributaries of Crotched Pond (H. P. 623) (L. D. 259)

(Was reported by the Committee on Bills in the Third Reading, and on motion by Mr. Downs of Rome, tabled pending second reading)

#### Orders of the Day

Mr. SMITH of Bangor: Mr. Speaker, out of order and under suspension of the rules, I request the privilege of addressing the House.

The SPEAKER: The gentleman from Bangor, Mr. Smith, asks unanimous consent to address the House. Is there objection? The gentleman may proceed.

Mr. SMITH: Mr. Speaker and Members of the House: I am very sorry that my maiden effort here will also be my swan song.

I wish to thank Mr. Williams for his very kind remarks and the House for the action taken this morning in giving me leave of absence.

I do not know how many of you legislators had the experience I had during my campaign for this seat. The remarks made about the Legislature in general—I am not speaking of my constituents in Bangor and the eastern part of the State—were not always too complimentary to the Legislature. I got some ideas that I have been obliged to change. In fact, I didn't have those ideas, but some people have those ideas. I have found this Legislature, in my experience, is a pretty good cross-section of the State of Maine and a

pretty good argument for democracy.

It has been my privilege here to renew some old friendships and make some new ones. I have enjoyed serving here very much. I leave here with a very deep appreciation of the problems before this Legislature and also appreciation of the time and thought and hard work which the members of this Legislature are putting in, and I am very sorry I cannot be here to finish the term. (Applause)

On motion by Mrs. Grady of Whitefield, the House voted to take from the table the fourth tabled and unassigned matter, Bill "An Act Relating to Nursery Stock" (H. P. 1568) (L. D. 923), tabled by that member on February 19th, pending reference.

Mrs. GRADY: Mr. Speaker, I now ask leave to withdraw this bill because the provisions of this bill are taken care of in another bill.

The SPEAKER: The gentleman from Whitefield, Mrs. Grady, asks leave to withdraw this bill. Is it the pleasure of the House that leave to withdraw be granted?

The motion prevailed, and the bill was withdrawn, and sent up for concurrence.

On motion by Mr. Dutton of Bingham, the House voted to take from the table the third tabled and unassigned matter, Bill "An Act Relating to Sunday Moving Pictures," (H. P. 5) (L. D. 4) tabled by that gentleman on February 18th, pending assignment for third reading.

Thereupon the bill was assigned for third reading on the next legislative day.

On motion by Mr. Payson of Portland, the House voted to take from the table the seventh tabled and unassigned matter, Joint Order Relative to Controller furnishing List of Salary adjustments for October, November and first half of December, 1940, (H. P. 1605) tabled by that gentleman on Feb. 19th, pending passage.

Mr. PAYSON: Mr. Speaker, I tabled this matter because I thought that possibly the information required in it was contained in the report of the Investigating Committee. I find that the sponsor of the order desires more detailed in-

formation, so I take it from the table so that it may be passed.

The SPEAKER: Is it the pleasure of the House that the order receive passage?

The motion prevailed and the order received passage and was sent up for concurrence.

The SPEAKER: If there are no

further matters to come before the House under Orders of the Day, the Clerk will read the notices.

On motion by Mr. Estabrook of Stacyville Plantation,

Adjourned until Tuesday, February 25th, at 11.00 o'clock in the forenoon.