

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, March 7, 1941.

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

Prayer by the Rev. Mr. Booker of Bradford.

Journal of the previous session read and approved.

**Senate Reports
Divided Report
Tabled**

Report A of the Committee on Legal Affairs reporting "Ought to pass" on Bill "An Act relating to the Conservation of Soil and Soil Resources and the Prevention and the Control of Soil Erosion" (S. P. 68) (L. D. 51)

Report was signed by the following members:

Messrs. SOUTHARD of Augusta
LaFLEUR of Portland
SLOSBERG of Gardiner
DWINAL of Camden
DONAHUE of Biddeford
—of the House.

Report B of same Committee reporting "Ought not to pass" on same Bill.

Report was signed by the following members:

Messrs. DOW of Oxford
MORSE of Waldo
SANBORN of Cumberland
—of the Senate.
SYLVIA of Danforth
SHESONG of Portland
—of the House.

Came from the Senate with Report A accepted and the Bill passed to be engrossed as amended by Senate Amendment "A".

In the House:

Mr. BREWER of Presque Isle; Mr. Speaker, since I understand that at the present time there are some individuals who are not present today who would like to be here for discussion on this bill, I move that the bill be tabled.

The SPEAKER: The gentleman from Presque Isle, Mr. Brewer, moves that Reports A and B lie on the table pending acceptance of either report. Is this the pleasure of the House?

The motion prevailed, and the two reports, together with the bill, were so tabled.

Ought Not to Pass

Report of the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act relating to Beauty Culture" (S. P. 443) (L. D. 885)

Report of same Committee reporting same on Bill "An Act relating to Qualifications of Instructors in Hairdressing" S. P. 347) (L. D. 630) Came from the Senate read and accepted.

In the House, were read and accepted in concurrence.

Senate Bill in First Reading

Bill "An Act relating to the Appointment of Health Officers" (S. P. 466) (L. D. 963)

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

Ought to Pass with Committee Amendment

From the Senate:

Report of the Committee on Mercantile Affairs and Insurance on Bill "An Act relating to Licenses of Insurance Companies" (S. P. 383) (L. D. 621) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate, the Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A".

In the House, Report read and accepted in concurrence and the Bill had its two several readings.

Committee Amendment "A" read by the Clerk as follows:

Committee Amendment "A" to S. P. 383, L. D. 621, Bill, "An Act Relating to Licenses of Insurance Companies."

Amend said Bill by striking out the word "shall" in the 6th line thereof, and restoring in place thereof the word "may."

Further amend said Bill by striking out the word "May" in the 11th line thereof, and inserting in place thereof the word "June", and by striking out the figure "10" in the 2nd line of the 2nd paragraph thereof and inserting in place thereof the figure "5".

Thereupon Committee Amendment "A" was adopted in concurrence, and the bill was assigned for third reading the next legislative day.

The **SPEAKER**: The Clerk has in his possession an additional paper from the Senate which does 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, March 11th, 1941, at eleven o'clock in the forenoon (S. P. 483)

Came from the Senate, in that body read and passed.

In the House, read and passed in concurrence.

Credentials of George Soctomah, Representative of the Passamaquoddy Tribe of Indians:

"STATE OF MAINE

Pleasant Point, Perry
and Princeton, Maine

WASHINGTON, SS. To Whom It May Concern:

This is to certify that at the General Election of the Passamaquoddy Tribe of Indians, held in accordance with Section 282, Chapter 1, of the Laws of Maine, 1933, on the first Tuesday of October, 1940, George Soctomah was duly elected Representative to the Maine Legislature for the term of two years, beginning with the first Wednesday of January, 1941, and ending with the first Tuesday of October, 1941.

(Signed) **FLAGG CUMMINGS**,
Indian Agent."

The Credentials were read and ordered placed on file.

The **SPEAKER**: The Chair is informed that George Soctomah, Representative of the Passamaquoddy Tribe of Indians, is present in the hall of the House this morning, and, in accordance with the long-established custom, invites him to occupy Seat No. 151 while on his visit here to this House.

The Chair instructs the Sergeant-at-Arms to conduct him to Seat No. 151.

Thereupon, the Sergeant-at-Arms conducted the Indian Representative to that seat, amid the applause of the House.

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

Legal Affairs

Petition of W. H. Barker of Farmington and 120 others in favor of Bill Legalizing Beano as a Means of Raising Funds by Churches, Charitable and Patriotic Organizations, but Illegal when Engaged in for the Purpose of Private Gain (H. P. 1648) Presented by Mr. Mills of Farmington)

Sent up for concurrence.

Orders

On motion by Mr. McGlauffin of Portland, it was

ORDERED, that Mr. Gould of Milo, be excused from attendance today because of death in the family; also that Mr. Bolduc of Biddeford, be excused from attendance today because of business; and that Mr. Preble of Millinocket, be excused because of illness.

On motion by Mr. Pratt of Turner, it was

ORDERED, that there be printed 500 additional copies of H. P. 1233, L. D. 495, An Act Prohibiting the Use of High-powered Rifles for Hunting Other than Deer and Bear.

**House Reports of Committees
Ought to Pass in New Draft**

Mr. Dwinall from the Committee on Legal Affairs on Bill "An Act relating to Employment and Salary of Deputy Clerk of Lewiston" (H. P. 1173) (L. D. 472) reported same in a new draft (H. P. 1649) under same title and that it "Ought to pass"

Mr. Farwell from the Committee on Ways and Bridges on Bill "An Act relating to the Carlton Bridge" (H. P. 1636) (L. D. 982) which was recommitted, reported a Resolve under title of "Resolve Freeing the Carlton Bridge of Tolls" (H. P. 1650) 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. Robinson from the Committee on Banks and Banking reported "Ought to pass" on Bill "An Act Authorizing Bank Officers to Execute Certain Instruments" (H. P. 1121) (L. D. 372)

Mr. Fenlason from the Committee on Inland Fisheries and Game reported same on Resolve Opening East Grand Lake in Weston to Ice Fishing (H. P. 622) (L. D. 258)

Mr. Welch from same Committee reported same on Resolve Regulating Fishing in Clayton and Fish Lakes of the Fish River Chain of Lakes (H. P. 803) (L. D. 316)

Same gentleman from same Committee reported same on Resolve Regulating Fishing in Squa Pan Lake (H. P. 1137) (L. D. 386)

Mr. Southard from the Committee on Legal Affairs reported same on Bill "An Act to amend the Charter of the City of Presque Isle" (H. P. 1166) (L. D. 462)

Mr. Davis from the Committee on State Lands and Forest Preservation reported same on Resolve Authorizing the Forest Commissioner to Convey Certain Land to Mrs. Grace Kelly, c/o Ballard F. Keith of Bangor (H. P. 1210) (L. D. 428)

Mr. Doughty from same Committee reported same on Resolve Authorizing the Forest Commissioner to Convey Certain Land to Arthur Hobbs, Clyde Hobbs, and Elsie Sealy of Stratton (H. P. 687) (L. D. 242)

Mr. Megill from same Committee reported same on Resolve Authorizing the Forest Commissioner to Convey Certain Land to Agnes Plourd of Frenchville (H. P. 477) (L. D. 211)

Mr. Williams from same Committee reported same on Resolve Authorizing the Forest Commissioner to Convey Certain Land to Mrs. Myrtle Madden Hutchinson of Old Town (H. P. 685) (L. D. 240)

Mr. Worth from the Committee on Taxation reported same on Bill "An Act relating to the Inheritance Tax Law" (H. P. 1285) (L. D. 551)

Reports were read and accepted.

Ought to Pass with Committee Amendment

Mr. Bowers from the Committee on Banks and Banking on Bill "An Act relating to Cash Reserves of Banks" (H. P. 1512) (L. D. 855) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Mr. Hanold from the Committee on Inland Fisheries and Game reported same on Resolve relating to Fishing in Bear, Wayne and Upper Range Ponds (H. P. 631) (L. D. 267)

Same gentleman from same Committee reported same on Resolve Regulating Ice Fishing in Tacoma Chain of Lakes (H. P. 1145) (L. D. 445)

Mr. Rollins from the Committee on State Lands and Forest Preservation reported same on Resolve

Authorizing the Forest Commissioner to Convey Certain Interest of the State in Land to Clara Calder Johnston of Rockwood (H. P. 686) (L. D. 241)

Mr. Slosberg from the Committee on Temperance reported same on Bill "An Act regarding Notices on Applications for Malt Liquor Licenses" (H. P. 1214) (L. D. 432)

Reports were read and accepted.

First Reading of Printed Bills and Resolves

Bill "An Act relating to Fees of Constables Enforcing the Dog License Law" (H. P. 1236) (L. D. 498)

Bill "An Act Conferring Jurisdiction of the Public Utilities Commission over Vessels or Boats Propelled by Other Motive Power than Steam" (H. P. 1283) (L. D. 549)

Bill "An Act relating to Legal Documents" (H. P. 1405) (L. D. 783)

Bill "An Act relating to Action of Breach of Promise to Marry and Amending the Law relating to Action by Married Women for Alienation of Affections of Husband" (H. P. 1645) (L. D. 994)

Bill "An Act to Amend and Extend the Charter of the Bangor Gas Light Company" (H. P. 1646) (L. D. 995)

Resolve in favor of Howard Douglass of Upton (H. P. 931) (L. D. 996)

Resolve Regulating Fishing in Damariscotta Lake (H. P. 1644) (L. D. 997)

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

First Reading of Printed Bills with Committee Amendments

Bill "An Act Creating the Maine Nautical School" (H. P. 433) (L. D. 181)

Bill had its two several readings. Committee Amendment "A" read by Clerk as follows:

Committee Amendment "A" to H. P. 433, L. D. 181, Bill "An Act Creating the Maine Nautical School."

Amend said Bill by changing the amount "50,000" in the third line of section 4 of said Bill to "30,000" and by changing the amount "25,000" in the fifth and seventh lines of section 4 to "15,000".

Committee Amendment "A" was then adopted and the bill was assigned for third reading the next legislative day.

Bill Tabled

Bill "An Act to Authorize the City of Bangor to Remove the Remains in a Burying Ground in Hampden" (H. P. 1190) (L. D. 485)

Bill had its first reading, and on motion by Mr. Mills of Farmington, tabled pending second reading.

Bill "An Act to Exempt from Taxation the Property of the Society for the Preservation of New England Antiquities" (H. P. 1160) (L. D. 457)

The bill was given its two several readings.

Committee Amendment "A" read by the Clerk as follows:

Committee Amendment "A" to H. P. 1160, L. D. 457, Bill "An Act to Exempt from Taxation the Property of the Society for the Preservation of New England Antiquities."

Amend said Bill by striking out beginning in the 3rd line of Section 1 the words "for the purposes for which it was incorporated by the Commonwealth of Massachusetts to a valuation such as now or hereafter may be authorized by said Commonwealth of Massachusetts" and substituting in place thereof the words "to the amount of \$250,000".

Committee Amendment "A" was then adopted, and the bill was assigned for third reading the next legislative day.

Passed to Be Engrossed

Bill "An Act relating to Taxation of Insurance Companies" (S. P. 382) (L. D. 620)

Bill "An Act relating to Probation Officers" (H. P. 1205) (L. D. 423)

Bill "An Act to Determine Quality of Farm Products" (H. P. 1251) (L. D. 534)

Bill "An Act relating to the Salary of the Indian Representative" (H. P. 1553) (L. D. 844)

Bill "An Act Changing the Name of Bangor Gas Light Company to Bangor Gas Company" (H. P. 1643) (L. D. 993)

Resolve in favor of George W. Pettingill of Livermore Falls (H. P. 1642) (L. D. 992)

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.

Amended Bills

Bill "An Act relating to Probation Officers for Cumberland County" (S. P. 192) (L. D. 289)

Bill "An Act relating to Foreign Insurance Companies" (S. P. 384) (L. D. 622)

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

Orders of the Day

Mr. Farwell of Unity, was granted unanimous consent to address the House.

Mr. FARWELL: Mr. Speaker and Members of the Ninetieth Legislature: I have been requested by certain individuals to present a bill to this House and I am asking unanimous consent of the House in order that I may place it before the proper committee. It is not a duty which I have looked forward to with any great amount of pleasure. I do feel that we are justified at this time in asking to introduce this bill by unanimous consent.

It has to do with charters of water companies, water districts and other quasi-municipal corporations, of which this Legislature must have before it this year some fifteen or twenty. It has to do with a uniform charter for those corporations, which would simplify our work to a great extent. We could, by this bill, make each and every district which is formed in this State conform to certain regulations and stipulate in these charters certain uniform regulations which would, as I have said before, make our work a great deal easier.

I ask unanimous consent to introduce this bill.

The SPEAKER: The gentleman from Unity, Mr. Farwell, asks unanimous consent to introduce a bill. Is there objection?

The Chair hears objection and unanimous consent is refused.

On motion by Mr. Southard of Augusta the House voted to take from the table the twelfth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Motor Vehicles on Bill "An Act Exempting from the Payment of Excise Taxes Residents

of States which grant Reciprocal Privileges to Residents of this State" (H. P. 1185) (L. D. 480) tabled by that gentleman on March 5th, pending acceptance.

On motion by Mr. Weston of Farmingdale, the report, together with the bill, were recommitted to the Committee on Motor Vehicles and 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. Milliken of Madison,

Adjourned until Tuesday, March 11, 1941, at eleven o'clock in the forenoon.