

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, March 11, 1941.

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

Prayer by the Rev. Mr. Heikes of Albion.

Journal of the previous session read and approved.

**Senate Reports
Ought Not to Pass**

Report of the Committee on State Lands and Forest Preservation reporting "Ought not to pass" on Resolve Granting Authority to the Forestry Department to Convey Certain Land. (S. P. 274)

Report of the Committee on Taxation reporting same on Bill "An Act relating to Taxation of Boats" (S. P. 389) (L. D. 645)

Report of same Committee reporting same on Bill "An Act relating to the Taxation of Stock" (S. P. 393) (L. D. 654)

Report of same Committee reporting same on Bill "An Act relating to Exemptions of Household Furniture" (S. P. 392) (L. D. 652)

Report of same Committee reporting same on Bill "An Act relating to Assessors in Taking Inventory" (S. P. 394) (L. D. 655)

Came from the Senate, read and accepted.

In the House, read and accepted in concurrence.

Leave to Withdraw

Report of the Committee on Taxation on Bill "An Act Exempting Realty of 'Shakers' from Taxation" (S. P. 387) (L. D. 649) reporting leave to withdraw.

Came from the Senate read and accepted.

In the House read and accepted in concurrence.

The SPEAKER: The Chair notes the presence in the hall of the House of the Potato Boy of Maine in person, and asks the Sergeant at Arms to conduct him to a seat to the Speaker's left for the remainder of the session.

Thereupon the Potato Boy of Maine was conducted to the Speaker's rostrum by the Sergeant at Arms amid the applause of the House.

The SPEAKER: The Chair recog-

nizes the gentleman from Presque Isle, Mr. Brewer.

Mr. Brewer was granted unanimous consent to address the House.

Mr. BREWER: Mr. Speaker, this morning on the desk of every member of the House and Senate is placed a ten-pound bag of Aroostook County Potatoes. These potatoes were donated by the Aroostook Potato Growers and Shippers. They were put up by G. S. Solomon of Fort Fairfield, and delivered to us here by Allie Cole of Cole's Express.

Regardless of our problems in Aroostook County, and regardless of the merits and demerits of our branding law, I would like to call your attention to the fact that we still have some good potatoes in Aroostook County. I think you. (Applause)

Senate Reports (Continued)

Ought to Pass in New Draft

Report of the Committee on Public Utilities on Bill "An Act to Enable the Plantation of Magalloway to Produce and Distribute Electricity Within its Territorial Limits" (S. P. 271) (L. D. 564) reporting same in a new draft (S. P. 478) (L. D. 989) under title of "An Act to Enable the Plantation of Magalloway to Acquire the Capital Stock of Company Producing and Distributing Electricity within its Territorial Limits" and that it 'Ought to pass'

Report of same Committee on Bill "An Act to Enable the Town of Upton to Produce and Distribute Electricity Within its Territorial Limits" (S. P. 272) (L. D. 565) reporting same in a new draft (S. P. 477) (L. D. 990) under title of "An Act to Enable the Town of Upton to Acquire the Capital Stock of Company Producing and Distributing Electricity within its Territorial Limits" and that it "Ought to pass"

Report of same Committee on Bill "An Act to Enable the Plantation of Lincoln to Produce and Distribute Electricity Within its Territorial Limits" (S. P. 273) (L. D. 566) reporting same in new draft (S. P. 479) (L. D. 991) under title of "An Act to Enable the Plantation of Lincoln to Acquire the Capital Stock of Company Producing and Distributing Electricity within its Territorial Limits" and that it "Ought to pass"

Came from the Senate, the Re-

ports read and accepted and the Bills passed to be engrossed.

In the House, Reports were read and accepted in concurrence, and the Bills had their two several readings and tomorrow assigned.

Senate Bill in First Reading

Bill "An Act relating to Technical Errors in Pleading and Procedure Before the Law Court" (S. P. 363) (L. D. 676)

Bill had its two several readings and tomorrow assigned.

Senate Report Ought to Pass with Committee Amendment

From the Senate:

Report of the Committee on Salaries and Fees on Bill "An Act relating to the Office of the Register of Probate of Lincoln County" (S. P. 325) (L. D. 826) 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.

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. 325, L. D. 826, Bill "An Act Relating to the Office of the Register of Probate of Lincoln County.

Amend said Bill by Striking out in the last line thereof the underlined words "Five Hundred Dollars" and Substituting therefor the following "\$250;"

The SPEAKER: The Chair recognizes the gentleman from Boothbay, Mr. Race.

On motion by Mr. Race, a viva voce vote being taken, Committee Amendment "A" was indefinitely postponed in non-concurrence, and the bill was assigned for third reading tomorrow morning.

The following Bill, which was transmitted from the Revisor of Statutes, was received, and upon recommendation of the Committee on Reference of Bills, was referred to the following Committee:

Taxation

Bill "An Act relating to Taxation of Certain Motor Vehicles for Transporting Passengers for Hire"

(H. P. 1651) (Presented by Mr. Payson of Portland)
(750 copies ordered printed)
Sent up for concurrence.

Orders

On motion by Mr. McGlauffin of Portland, it was

ORDERED, that Mr. Hall of Wilton, be excused from attendance Tuesday and Wednesday because of illness; also that Mr. Hamilton of Hartland, be excused because of illness; that Mr. Robie of Auburn, be excused from attendance during the present week because of illness; and that Mr. Conant of Auburn, be excused after today for the remainder of this week because of business.

On motion by Mr. Roberts of Waterboro, it was

ORDERED, that Rev. Warren Mesler of Wayne, be invited to officiate as Chaplain of the House on Friday, March 14th.

House Reports of Committees Refer to Appropriations and Financial Affairs

Mr. Patterson from the Committee on Claims on Resolve in favor of the town of Greenville (H. P. 1088) reported that same be referred to the Committee on Appropriations and Financial Affairs.

Mr. Dorrance from the Committee on Temperance on Bill "An Act providing for a Discount from the Established Retail Sale Price upon Sales of Liquor by the State Liquor Commission to Persons Licensed to Sell Liquor to be Consumed on the Premises" (S. P. 298) (L. D. 508) reported that the same be referred to the Committee on Appropriations and Financial Affairs.

Reports were read and accepted and the Bill and Resolve referred to the Committee on Appropriations and Financial Affairs and sent up for concurrence.

Ought to Pass in New Draft

Mr. Sleeper from the Committee on Appropriations and Financial Affairs, acting under authority of Joint Order, H. P. 1618, reported a Bill under title of "An Act relating to State Aid for Libraries" (H. P. 1652) and that it "Ought to pass"

Mr. Bragdon from the Committee on Claims on Resolve in favor of Mrs. Albertha Williams of Bath (H.

P. 410) reported same in a new draft (H. P. 1653) under the same title and that it "Ought to pass"

Mr. Eddy from same Committee on Resolve in favor of Mrs. Estella M. Littlefield of Hampden (H. P. 912) reported same in a new draft (H. P. 1654) under same title and that it "Ought to pass"

Mr. Patterson from same Committee on Resolve in favor of Inez T. Fogg of Readfield (H. P. 1124) (L. D. 375) reported same in a new draft (H. P. 1655) under same title and that it "Ought to pass"

Mr. Welch from same Committee on Resolve in favor of Florence Dennison of Whiting (H. P. 577) (L. D. 249) reported same in a new draft (H. P. 1656) under same title and that it "Ought to pass"

Mr. Fenlason from the Committee on Inland Fisheries and Game on Resolve in favor of a Fish Screen in Cathance Lake (H. P. 333) (L. D. 129) reported same in a new draft (H. P. 1657) 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. Arzonico from the Committee on Appropriations and Financial Affairs reported "Ought to pass" on Resolve in favor of Procuring Testimonials for the Purpose of Marking the Unmarked Graves of Soldiers of the Revolutionary War (H. P. 1115)

Mr. Jacobs from same Committee reported same on Resolve in favor of Fort McClary (H. P. 1116)

Mr. Poulin from same Committee reported same on Resolve relating to the Maine Commission on Interstate Cooperation (H. P. 1114)

Reports were read and accepted and the Resolves ordered printed under the Joint Rules.

Mr. Fenlason from the Committee on Inland Fisheries and Game reported "Ought to pass" on Bill "An Act relative to Game Preserve in Caswell Plantation" (H. P. 1381) (L. D. 810)

Same gentleman from same Committee reported same on Bill "An Act relative to Guides Licenses" (H. P. 1359) (L. D. 705)

Reports were read and accepted.

First Reading of Printed Bills and Resolves

Bill "An Act Authorizing Bank Officers to Execute Certain Instruments" (H. P. 1121) (L. D. 372)

Bill "An Act relating to the Inheritance Tax Law" (H. P. 1285) (L. D. 551)

Bill "An Act relating to Employment and Salary of Deputy Clerk of Lewiston" (H. P. 1649) (L. D. 1000)

Bill "An Act to Amend the Charter of the City of Presque Isle" (H. P. 1166) (L. D. 462)

Resolve Authorizing the Forest Commissioner to Convey Certain Land to Agnes Lapointe Plourde of Frenchville (H. P. 477) (L. D. 211)

Resolve Opening East Grand Lake in Weston to Ice Fishing (H. P. 622) (L. D. 258)

Resolve Authorizing the Forest Commissioner to Convey Certain Land to Mrs. Myrtle Madden Hutchinson of Old Town (H. P. 685) (L. D. 240)

Resolve Authorizing the Forest Commissioner to Convey Certain Land to Arthur Hobbs, Clyde Hobbs, and Elsie Sealey of Stratton (H. P. 687) (L. D. 242)

Resolve Authorizing the Forest Commissioner to Convey Certain Land to Mrs. Grace E. Kelley c/o Ballard F. Keith of Bangor (H. P. 1210) (L. D. 428)

Resolve Freeing the Carlton Bridge of Tolls (H. P. 1650) (L. D. 999)

Resolve Regulating Fishing in Clayton and Fish Lakes of the Fish River Chain of Lakes (H. P. 803) (L. D. 316)

Resolve Regulating Fishing in Squa Pan Lake (H. P. 1137) (L. D. 386)

Bills were read twice, Resolves read once, and tomorrow assigned.

First Reading of Bills and Resolves with Committee Amendments

Bill "An Act relating to Cash Reserves of Banks" (H. P. 1512) (L. D. 855)

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

Committee Amendment "A" to H. P. 1512, L. D. 855, Bill, "An Act Relating to Cash Reserves of Banks."

Amend said Bill by striking out the semi-colon at the end of the 12th line and by striking out the

words "and 1/3 of said 15% may consist of the bonds of the United States or of the state of Maine" in the 13th and 14th lines thereof, so that said words shall be as follows: ', and 1/3 of said 15% may consist of the bonds of the United States or of the state of Maine'.

Committee Amendment "A" was then adopted and tomorrow was assigned for third reading of the bill.

Bill "An Act Regarding Notices on Applications for Malt Liquor Licenses" (H. P. 1214) (L. D. 432)

Bill was given its two several readings.

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

Committee Amendment "A" to H. P. 1214, L. D. 432, Bill "An Act Regarding Notices on Applications for Malt Liquor Licenses."

Amend said Bill by deleting in the seventh and eighth lines thereof the underlined word "incorporated" and inserting thereof the underlined word "unincorporated."

Thereupon, Committee Amendment "A" was adopted, and tomorrow was assigned for third reading of the bill.

Resolve relating to Fishing in Bear, Wayne and Upper Range Ponds (H. P. 631) (L. D. 267)

Resolve had its first reading.

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

Committee Amendment "A" to H. P. 631, L. D. 267, Resolve Relating to Fishing in Bear, Wayne and Upper Range Ponds.

Amend said Resolve by Striking out the Date (April 10th) in the last line thereof and substituting therefor the date (April 15th).

Committee Amendment "A" was then adopted and the resolve was assigned for second reading tomorrow morning.

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)

Resolve was given its first reading.

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

Committee Amendment "A" to H. P. 686, L. D. 241, entitled: "Resolve Authorizing the Forest Commission-

er to Convey Certain Interest of the State in Land to Clara Calder Johnston of Rockwood."

Amend said resolve by adding at the end thereof the following: "The deed shall be withheld by the forest commissioner until the full amount of taxes in arrears is in the hands of the state tax assessor."

Committee Amendment "A" was then adopted and the resolve was assigned for second reading tomorrow morning.

Resolve Regulating Ice Fishing in Tacoma Chain of Lakes (H. P. 1145) (L. D. 445)

Resolve had its first reading.

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

Committee Amendment "A" to H. P. 1145, L. D. 445, Resolve Regulating Ice Fishing in Tacoma Chain of Lakes.

Amend said Resolve by Striking out the comma and all words and figures after the word (March) in the the fourth line thereof.

Thereupon, Committee Amendment "A" was adopted, and the resolve was assigned for second reading tomorrow morning.

Pass to be Engrossed

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

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)

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 Bills

Bill "An Act relating to Licenses of Insurance Companies" (S. P. 383) (L. D. 621)

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

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)

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

On motion by Mr. Farwell of Unity, the House voted to take from the table the eighth tabled and unassigned matter, House Report "Ought to pass" of the Committee on Mercantile Affairs and Insurance on Bill "An Act Relative to Payment of the Special Tax for Investigation of Fires by the Insurance Commissioner" (H. P. 1273) (L. D. 543) tabled by that gentle-

man on February 28th, pending acceptance.

On motion by Mr. Pierce of Bucksport, the report and accompanying papers were recommitted to the Committee on Mercantile Affairs and Insurance, and sent up for concurrence.

On motion by Mr. Payson of Portland, the House voted to take from the table the second tabled and unassigned matter, House Report "Ought to pass" of the Committee on Public Utilities on Bill "An Act Relative to Taxation of Street Railroad Corporations," (H. P. 1238) (L. D. 499) tabled by that gentleman on February 20th, pending acceptance; and on further motion by the same gentleman, the "Ought to pass" report of the Committee was accepted.

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. Teel of Long Island Plantation,

Adjourned until ten o'clock tomorrow morning.