

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 14, 1941.

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

Prayer by the Rev. Mr. Mesler of Wayne.

Journal of the previous session read and approved.

Petition from the Senate requiring reference disposed of in concurrence.

Senate Reports
Leave to Withdraw

Report of the Committee on Sea and Shore Fisheries on Bill "An Act relating to Clams" (S. P. 415) (L. D. 646) reporting leave to withdraw.

Came from the Senate, read and accepted.

In the House, read and accepted in concurrence.

Ought Not to Pass

Report of the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act relating to Town Appropriations for Advertising" (S. P. 334) (L. D. 879)

Came from the Senate read and accepted.

In the House, read and accepted in concurrence.

Senate Bill in First Reading

Bill "An Act relating to Evasion of Fares over Toll Bridges" (S. P. 335) (L. D. 624)

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

Non-concurrent Matters

From the Senate:

Report of the Committee on Claims reporting "Ought not to pass" on Resolve in favor of Watts Detective Agency, Inc. (H. P. 229) (L. D. 75) which was accepted in the House on February 26th.

Came from the Senate recommit- ted to the Committee on Claims in non-concurrence.

In the House, on motion by Mr. Payson of Portland, tabled pending further consideration.

From the Senate:

An Act relating to Vacating At- tachments (S. P. 311) (L. D. 518) which was passed to be enacted in the House on March 5th and passed to be engrossed on February 27th.

Came from the Senate, passed to be engrossed as amended by Senate Amendment "A" in non-concur- rence.

In the House:

Senate Amendment "A" read by the Clerk.

Thereupon, the House voted to re- cede from its former action whereby it passed this bill to be enacted and further voted to recede from its former action whereby it passed this bill to be engrossed.

The House then voted to concur with the action of the Senate in the adoption of Senate Amendment "A", and the bill was passed to be engrossed as amended in concurrence.

The SPEAKER: The Clerk has in his possession an additional pa- per from the Senate which does not appear on the Advance Printed Calendar.

From the Senate: The following Order:

ORDERED, the House concur- ring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, March 18, 1941, at eleven o'clock in the forenoon (S. P. 494)

Comes from the Senate, read and passed.

In the House, read and passed in concurrence.

The following petitions were re- ceived, and upon recommendation of the Committee on Reference of Bills, were referred to the following Committee:

Petition of P. F. Ellis and 15 oth- ers of Castle Hill Grange, No. 260 in favor of H. P. 1391, L. D. 769, proposed Constitutional Amend- ment limiting real estate taxes (H. P. 1667) (Presented by Mr. Ander- son of Oxbow Pl.)

Petition of Grace G. Whitten, Sec. and 9 others of Washburn Grange No. 384 in favor of same (H. P. 1668) (Presented by Mr. Bragdon of Perham)

Petition of Leon P. Safford and 15 others of Leeds Grange No. 99 in favor of same (H. P. 1660) (Pre- sented by Mr. Buckley of Leeds)

Petition of Charles Farrington and 32 others of Somerset Grange No. 18 in favor of same (H. P. 1661) (Presented by Mr. Fenlason of Anson).

Petition of Ella S. Cunningham and 14 others of Whitefield Grange No. 101 in favor of same (H. P. 1662) (Presented by Mrs. Grady of Whitefield)

Petition of B. A. Boothby and 26 others of Granite City Grange No. 548 in favor of same (H. P. 1663) (Presented by Mr. Keller of Hallowell)

Petition of Alice Ramsdell and 20 others of E. Hebron Grange No. 300 in favor of same (H. P. 1664) (Presented by Mr. Pratt of Turner)

Petition of Albert F. Jordan and 21 others of Cobbossee Contee Grange No. 100 in favor of same (H. P. 1665) (Presented by Mr. Slosberg of Gardiner)

Petition of Orrin F. Wallace and 19 others of Sanford in favor of same (H. P. 1666) (Presented by Mr. Wallace of Sanford)
Sent up for Concurrence.

Orders

On motion by Mr. McGlauffin of Portland, it was

ORDERED, that the following members be excused from attendance today because of business:

Messrs. McLellan of Trescott
Southard of Augusta
Flagg of Portland

also that Mr. Rankin of Bridgton be excused today in order that he may go to Bangor to get his car which was stolen several days ago.

House Reports of Committees Divided Report

Majority Report of the Committee on Legal Affairs on Bill "An Act to Regulate the Practice of Architecture and to Create a Board to Provide for the Examination and Registration of Architects" (H. P. 647) (L. D. 283) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith

Report was signed by the following members:

Messrs. SANBORN of Cumberland
MORSE of Waldo

—of the Senate.

SYLVIA of Danforth
SHESONG of Portland
LAFLEUR of Portland
DWINAL of Camden

—of the House.

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

Report was signed by the following members:

Messrs. DOW of Oxford

—of the Senate.

SLOSBERG of Gardiner

DONAHUE of Biddeford

SOUTHARD of Augusta

—of the House.

(On motion by Mr. Slosberg of Gardiner, tabled pending acceptance of either report)

Ought to Pass in New Draft

Mr. Weston from the Committee on Motor Vehicles on Bill "An Act relating to Duplicate Licenses to Operate Motor Vehicles" (H. P. 1543) (L. D. 835) reported same in a new draft (H. P. 1669) under same title and that it "Ought to pass"

Mr. LaFleur from the Committee on Public Utilities on Bill "An Act Creating the Newport Water District" (H. P. 861) (L. D. 353) reported same in a new draft (H. P. 1670) 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. Grua from the Committee on Federal Relations reported "Ought to pass" on Bill "An Act amending the Law relating to Unemployment Compensation with Respect to Grants from the Social Security Board" (H. P. 1257) (L. D. 556)

Mr. Mercier from same Committee reported same on Bill "An Act amending the Law relating to Unemployment Compensation to Reduce Benefits when Claimed Fraudulently" (H. P. 1259) (L. D. 558)

Mr. Willey from same Committee reported same on Bill "An Act amending the Law relating to Unemployment Compensation by Repealing a Part of Section 5" (H. P. 1258) (L. D. 557)

Mr. Starrett from the Committee on Inland Fisheries and Game reported same on Bill "An Act relative to Transportation of Fish, Game and Fur-bearing Animals by Aeroplane" (H. P. 1377) (L. D. 723)

Mr. Dwinal from the Committee on Legal Affairs reported same on Bill "An Act relative to Enforcing the Collection of Real Estate Taxes by the Alternative Method" (H. P. 1269) (L. D. 567)

Miss Bangs from the Committee on Motor Vehicles reported same on Bill "An Act relating to Surrender of Registration plates of Motor Vehicles" (H. P. 1545) (L. D. 837)

Mr. MacLeod from same Committee reported same on Bill "An Act relating to Suspension of Motor Vehicle Licenses" (H. P. 1540) (L. D. 832)

Reports were read and accepted.

First Reading of Printed Bills and Resolve

Bill "An Act relating to Public Exhibitions" (H. P. 1272) (L. D. 542)

Bill "An Act relating to Absentee Ballots" (H. P. 1401) (L. D. 779)

Bill "An Act relating to Warrants Posted in Wards in Cities and in Towns" (H. P. 1403) (L. D. 781)

Bill "An Act relating to Municipal Ordinances" (H. P. 1440) (L. D. 577)

Bill "An Act relating to Town Reports" (H. P. 1443) (L. D. 757)

Bill "An Act permitting the Digging of Clams in the York River for Bait only" (H. P. 1467) (L. D. 743)

Bill "An Act relating to the Primary Election Law" (H. P. 1523) (L. D. 863)

Resolve relating to Catching Lobsters Near Monhegan (H. P. 1593) (L. D. 945)

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

First Reading of Printed Bills With Committee Amendments

Bill Tabled

Bill "An Act relating to the Town Manager Form of Government for the town of Houlton" (H. P. 646) (L. D. 282)

Bill was given its first reading, and on motion by Mr. McGillicuddy of Houlton, tabled pending second reading.

Bill "An Act relating to Referendum Ballots" (H. P. 1407) (L. D. 785)

Bill was given its two several readings.

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

Committee Amendment "A" to H. P. 1407; L. D. 785, Bill "An Act Relating to Referendum Ballots."

Amend said Bill by striking out in the 32nd line thereof the words "in the same ballot box."

Thereupon, Committee Amendment "A" was adopted, and the

next legislative day was assigned for third reading of the bill.

Bill "An Act relating to Names on Ballots" (H. P. 1409) (L. D. 787)

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

Committee Amendment "A" to H. P. 1409, L. D. 787, Bill "An Act Relating to Names on Ballots."

Amend said bill by striking out the second paragraph of said bill and inserting in place thereof the following:

"The list of candidates upon each ballot shall be arranged in one column, except that when more than one column is necessary, an equal number of names, as near as may be, shall appear in each column."

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

Bills Tabled

Bill "An Act relating to Election Returns" (H. P. 1423) (L. D. 583)

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

Bill "An Act to Exempt Soldiers and Sailors from Poll Taxes" (H. P. 1484) (L. D. 613)

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

Committee Amendment "A" to H. P. 1484, L. D. 613, Bill, "An Act to Exempt Soldiers and Sailors from Poll Taxes."

Amend said Bill by striking out all of said Bill after the enacting clause, and inserting in place thereof the following:

"R. S., c. 13, sec. 6, IX-A, additional. Section 6 of chapter 13 of the revised statutes is hereby amended by adding thereto a new paragraph to be numbered IX-A, and to read as follows:

'IX-A. The polls of citizens who have been inducted into the service of the United States as soldiers, sailors, or marines during each municipal year in which a poll tax is assessed, in which they serve in such service.'"

On motion by Mr. LaFleur of Portland, the bill, together with the amendment, was tabled pending adoption of Committee Amendment "A".

Passed to Be Engrossed

Bill "An Act Establishing the Willow Water Game Preserve in the town of Perry" (S. P. 375) (L. D. 695)

Resolve Regulating Fishing in Round Pond (S. P. 484) (L. D. 1001)

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

Amended Bills

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)

Bill "An Act relating to Local Option Provisions" (S. P. 417) (L. D. 656)

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

Orders of the Day

On motion by the gentleman from Strong, Mr. Richardson, the House voted to take from the table the fourth tabled and unassigned matter, An Act to Repeal the Incorporation of the Phillips Village Corporation, (H. P. 1159) (L. D. 362), tabled by that gentleman on March 12th, pending passage to be enacted; and on further motion by the same gentleman the bill was passed to be enacted, signed by the Speaker and sent to the Senate.

On motion by the gentleman from Portland, Mr. Payson, the House voted to take from the table the tenth tabled and unassigned matter, 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), tabled by that gentleman on March 12th, pending assignment for third reading.

The SPEAKER: The Chair recognizes the gentleman from Hampden, Mr. Briggs.

Mr. BRIGGS: Mr. Speaker, I move that this bill be recommitted to the Committee on Public Health.

The SPEAKER: The gentleman from Hampden, Mr. Briggs, moves that the bill be recommitted to the Committee on Public Health. The

Chair recognizes the gentleman from Portland, Mr. Payson.

Mr. PAYSON: Mr. Speaker, I wish to go along with the motion of the gentleman from Hampden (Mr. Briggs) to recommit this bill. There are certain errors that have crept into the handling of the matter which can better be disposed of in the Committee than they can in the House. I have spoken to the gentleman from Rome, Mr. Downs, House Chairman of that committee, and he agrees that the bill should be recommitted to the Committee on Public Health.

In this connection, may I call to your attention the large number of bills that were recommitted to committees in yesterday's session, and may I also call to your attention how this may in time slow up the work of the House. May I suggest to the members of the House that a useful rule might be that no bill will be recommitted to a committee unless the committee agrees to that action. I further suggest that the House Chairman of the committee hold himself responsible to enforce that suggestion, if the House deems it proper.

I now join in the motion of the gentleman from Hampden, Mr. Briggs, that this bill be recommitted to the Committee on Public Health.

The SPEAKER: Is it the pleasure of the House that this bill be recommitted to the Committee on Public Health?

The motion prevailed and the bill was recommitted to the Committee on Public Health and sent up for concurrence.

The SPEAKER: The Chair recognizes the gentleman from Rockland, Mr. Sleeper.

Mr. SLEEPER: Mr. Speaker, I move to take from the table the third tabled and unassigned matter, resolve Freeing the Carlton Bridge of Tolls. (H. P. 1650) (L. D. 999).

The SPEAKER: The gentleman from Rockland, Mr. Sleeper, moves that the House take from the table the third tabled and unassigned matter, Resolve Freeing the Carlton Bridge of Tolls (H. P. 1650) (L. D. 999) tabled by that gentleman on March 12th pending second reading.

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

Mr. LaFLEUR: Mr. Speaker, may I make a parliamentary inquiry?

The SPEAKER: The gentleman may inquire.

Mr. LaFLEUR: Mr. Speaker, the gentleman from Portland, Mr. Shesong, tabled this particular bill. Has the gentleman from Rockland (Mr. Sleeper) any right to take it off the table without the consent of the gentleman from Portland, Mr. Shesong?

The SPEAKER: The Chair will reply by saying that the House has control of whether or not they wish to remove this matter from the table.

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

Mr. PAYSON: Mr. Speaker, may I inquire whether the gentleman from Portland, Mr. Shesong, is in the House and in his seat today?

Mr. LaFLEUR: Mr. Speaker, may I answer that inquiry? The gentleman is in Portland this morning.

Mr. SLEEPER: Mr. Speaker, may I answer that question? That is the reason I wished to take it from the table, because it is an urgent matter.

The SPEAKER: The question before the House is: Will the House remove from the table the third tabled and unassigned matter? All those in favor of the House removing from the table the third tabled and unassigned matter will say aye; those opposed no.

A viva voce vote being taken, the motion of the gentleman from Rockland, Mr. Sleeper, to take the resolve from the table did not prevail.

On motion by the gentleman from Scarborough, Mr. Baker, the House voted to take from the table the fifth tabled and unassigned matter, Resolve Relating to the Taking and Sale of Clams in the Town of Scarborough (H. P. 1630) (L. D. 977), tabled by that gentleman on March 12th, pending final passage.

On further motion by the gentleman from Scarborough, Mr. Baker, the House voted to suspend the rules to permit that gentleman to move to reconsider the passage of this resolve to be engrossed; and on further motion by that gentleman the House voted to reconsider its action whereby on March 4th it passed this resolve to be engrossed.

On further motion by the same gentleman, the resolve was recom-

mitted to the Committee on Sea and Shore Fisheries in non-concurrence and sent up for concurrence.

On motion by the gentleman from Scarborough, Mr. Baker, the House voted to take from the table the sixth tabled and unassigned matter, Resolve Relating to the Taking and Sale of Clams in the Town of Kennebunk (H. P. 1631) (L. D. 978), tabled by that gentleman on March 12th, pending final passage.

On further motion by the gentleman from Scarborough, Mr. Baker, the House voted to suspend the rules to permit that gentleman to move to reconsider the passage of this resolve to be engrossed; and on further motion by that gentleman, the House voted to reconsider its action whereby on March 4th it passed this resolve to be engrossed.

On further motion by the same gentleman, the resolve was recommitted to the Committee on Sea and Shore Fisheries, in non-concurrence and sent up for concurrence.

On motion by the gentleman from Scarborough, Mr. Baker, the House voted to take from the table the seventh tabled and unassigned matter, Resolve Relating to the Digging of Clams in the Town of Woolwich (H. P. 1632) (L. D. 979), tabled by that gentleman on March 12th, pending final passage.

On further motion by the gentleman from Scarborough, Mr. Baker, the House voted to suspend the rules to permit that gentleman to move to reconsider the passage of this resolve to be engrossed, and on further motion by that gentleman the House voted to reconsider its action whereby on March 4th it passed this resolve to be engrossed.

On further motion by the same gentleman, the resolve was recommitted to the Committee on Sea and Shore Fisheries in non-concurrence and sent up for concurrence.

On motion by the gentleman from Scarborough, Mr. Baker, the House voted to take from the table the eighth tabled and unassigned matter, Resolve Relating to the Taking and Sale of Clams in the Town of Cape Elizabeth (H. P. 1633) (L. D. 980), tabled by that gentleman on March 12th, pending final passage.

On further motion by the gentleman from Scarborough, Mr. Baker, the House voted to suspend the rules

to permit that gentleman to move to reconsider the passage of this resolve to be engrossed; and on further motion by that gentleman, the House voted to reconsider its action whereby on March 4th it passed this resolve to be engrossed.

On further motion by the same gentleman, the resolve was recommended to the Committee on Sea and Shore Fisheries in non-concurrence and sent up for concurrence.

On motion by the gentleman from Kennebunk, Mr. Sayward, the House voted to take from the table the ninth tabled and unassigned matter, Resolve Relating to the Taking and Sale of Clams in the Town of Kennebunk (H. P. 1634) (L. D. 981), tabled by that gentleman on March 12th, pending final passage.

On further motion by the gentleman from Kennebunk, Mr. Sayward,

the House voted to suspend the rules to permit that gentleman to move to reconsider the passage of this resolve to be engrossed; and on further motion by that gentleman the House voted to reconsider its action, whereby on March 4th it passed this resolve to be engrossed.

On further motion by the same gentleman, the resolve was recommended to the Committee on Sea and Shore Fisheries in non-concurrence 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. Baker of Scarborough,

Adjourned, until Tuesday, March 18th, 1941, at eleven o'clock in the forenoon.