

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 18, 1941.

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

Prayer by the Rev. Mr. Hughes of Augusta.

Journal of the previous session read and approved.

Petition from the Senate requiring reference disposed of in concurrence.

Senate Reports Ought Not to Pass

Report of the Committee on Motor Vehicles reporting "Ought not to pass" on Bill "An Act relating to Weights of Motor Vehicles" (S. P. 258) (L. D. 411)

Report of same Committee reporting same on Bill "An Act to Change the Method of Issuing Licences to Operate Motor Vehicles and to Apportion the Annual Expiration Thereof (S. P. 86) (L. D. 69)

Report of same Committee reporting same on Bill "An Act relating to Every Motor Vehicle to Display Lights, Fuses, Flares, (Pot Torches) and Flags (S. P. 254) (L. D. 407)

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 Voting Booths" (S. P. 369) (L. D. 683)

Bill was read twice and tomorrow assigned.

Ought to Pass as Amended by Committee Amendment "A"

From the Senate:

Report of the Committee on Judiciary on Bill "An Act Providing for the Disposition of Property where there is No Sufficient Evidence that Persons Died otherwise than Simultaneously" (S. P. 366) (L. D. 680) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

In the House, Report was read and accepted in concurrence and

the Bill read twice. Committee Amendment "A" was then read by the Clerk and adopted in concurrence, and tomorrow assigned for third reading of the Bill.

Amended—Non-Concurrent Matters

From the Senate:

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)

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

In the House, Senate Amendment "A" read by the Clerk as follows:

Senate Amendment "A" to H. P. 687, L. D. 242, entitled: Resolve Authorizing the Forest Commissioner to Convey Certain Land to Arthur Hobbs, Clyde Hobbs, and Elsie Sealey of Stratton.

Amend said resolve by striking out in the 3rd line thereof, after the word "Sealey" the following: "c/o Arthur Hobbs," and inserting in place thereof the word 'of'.

Thereupon, the House voted to recede from its former action where-by it passed this resolve to be engrossed on March 12th. The House then concurred with the action of the Senate in the adoption of Senate Amendment "A", and the resolve was then passed to be engrossed as amended in concurrence.

From the Senate:

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) which was passed to be engrossed in the House on March 12th.

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

In the House, Senate Amendment "A" was read by the Clerk, as follows:

Senate Amendment "A" to H. P. 1210, L. D. 428, entitled: Resolve Authorizing the Forest Commissioner to Convey Certain Land to Mrs. Grace E. Kelley c/o Ballard F. Keith, of Bangor.

Amend said resolve by striking out in the title thereof, after the word "Kelley" the following, "c/o Ballard F. Keith,".

Further amend said resolve by striking out in the 2nd and 3rd

lines thereof, after the word "Kelley" the following, "c/o Ballard F. Keith."

Thereupon, the House voted to recede from its former action whereby it passed this Resolve to be engrossed on March 12th.

Mr. Briggs of Hampden, then offered House Amendment "A" to Senate Amendment "A" and moved its adoption.

House Amendment "A" to Senate Amendment "A" to H. P. 1210, L. D. 428, entitled: Resolve Authorizing the Forest Commissioner to Convey Certain Land to Mrs. Grace E. Kelley c/o Ballard F. Keith, of Bangor.

Amend said amendment by inserting in the 3rd and 6th lines thereof after the word "Keith" the words 'of Bangor.'

The House thereupon voted to adopt House Amendment "A" to Senate Amendment "A"; and further voted to adopt Senate Amendment "A" as amended, and the Resolve was passed to be engrossed as amended in non-concurrence and sent up for concurrence.

The following petitions and remonstrances were received, and upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

Judiciary

Petition of C. W. Small and 19 other members of Starling Grange, No. 156 in favor of H. P. 1391, L. D. 769, proposed Constitutional Amendment limiting real estate taxes (H. P. 1674) (Presented by Mr. Downs of Rome)

Petition of Clarence H. Robinson and 20 others of Rockemeka Grange, No. 109 in favor of same (H. P. 1675) (Presented by Mr. Forhan of Canton)

Petition of Walter I. Hughes and 20 others of Bingham Grange, No. 237 in favor of same (H. P. 1676) (Presented by Mr. Dutton of Bingham)

Petition of Benjamin F. Cleaves and 22 others of Easton Grange, No. 159 in favor of same (H. P. 1677) (Presented by Mr. Welch of Chapman)

Petition of T. S. Robinson and 21 others of Golden Sheaf Grange, No. 234 in favor of same (H. P.

1678) (Presented by Mr. Bowers of Sherman Mills)

Petition of Whitney Wallace and 19 others of Island Falls in favor of same (H. P. 1679) (Presented by same gentleman)

Sent up for concurrence.

Sea and Shore Fisheries

Remonstrance of Amos F. Webster of South Orland and 201 others against the passage of H. P. 1468, L. D. 744, Bill "An Act relative to Taking of Salmon in Penobscot River" (H. P. 1681) (Presented by Mr. Pierce of Bucksport)

Remonstrance of Roy A. Meade of Verona and 190 others against same (H. P. 1682) (Presented by same gentleman)

Sent up for concurrence.

The following petition was received, and on motion by the gentleman from Camden, Mr. Dwinall, was referred to the following Committee:

Legal Affairs

Petition of Rev. William J. Kelly of Wilton, and 78 others in favor of H. P. 1442, L. D. 756, 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. 1680) (Presented by Mr. Hall of Wilton)

Sent up for concurrence.

Orders

Mr. BROWN of Bangor: Mr. Speaker, I present an Order and move its passage.

The SPEAKER: The Chair will have to rule that Memorials are not in order for presentation at this time. The House is proceeding under Orders. The Chair will state that under the rules, it should be deposited in the box in front of the Clerk's desk and come in in the regular order.

On motion by Mr. Good of Monticello, it was

ORDERED, that Representative Emmett W. Rankin of Bridgton, be invited to act as Chaplain of the House on next Tuesday, March 25th.

House Reports of Committees Ought to Pass in New Draft

Mr. Eddy from the Committee on Claims on Resolve in favor of A. R. Thompson (H. P. 911) reported same in a new draft (H. P. 1671) under same title and that it "Ought to pass"

Mr. Fuller from same Committee on Resolve in favor of Vernon A. Soule (H. P. 228) (L. D. 74) reported same in a new draft (H. P. 1672) under same title and that it "Ought to pass"

Same gentleman from same Committee on Resolve in favor of Zina N. Witham (H. P. 227) (L. D. 73) reported same in a new draft (H. P. 1673) 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. Donahue from the Committee on Legal Affairs reported "Ought to pass" on Bill "An Act relating to Overseers of the Poor" (H. P. 1449) (L. D. 761)

Same gentleman from same Committee reported same on Bill "An Act relating to Expense of Pauper Support" (H. P. 1441) (L. D. 755)

Mr. Williams from the Committee on State Lands and Forest Preservation reported same on Resolve Authorizing the Forest Commissioner to Convey Certain land in Perkins Plantation (H. P. 1211) (L. D. 429)

Reports were read and accepted.

First Reading of Printed Bills

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)

Bill "An Act Amending the Law relating to Unemployment Compensation by Repealing a Part of Section 5" (H. P. 1258) (L. D. 557)

Bill "An Act Amending the Law relating to Unemployment Compensation to Reduce Benefits when Claimed Fraudulently" (H. P. 1259) (L. D. 558)

Bill "An Act relative to Enforcing the Collection of Real Estate Taxes by the Alternative Method" (H. P. 1269) (L. D. 567)

Bill "An Act relative to Transportation of Fish, Game and Fur-bearing

Animals by Aeroplane" (H. P. 1377) (L. D. 723)

Bill "An Act relating to Suspension of Motor Vehicle Licenses" (H. P. 1540) (L. D. 832)

Bill "An Act relating to Surrender of Registration Plates of Motor Vehicles" (H. P. 1545) (L. D. 837)

Bill "An Act relating to Duplicate Licenses to Operate Motor Vehicles" (H. P. 1669) (L. D. 1017)

Bill "An Act Creating the Newport Water District" (H. P. 1670) (L. D. 1018)

Bills were read twice and tomorrow assigned.

Passed to be Engrossed

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

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 Tabled

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

(Was reported by the Committee on Bills in the Third reading, and on motion by Mr. Sayward of Kennebunk, tabled pending third reading)

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)

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

Amended Bills

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

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

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 of Mr. Payson of Portland, the House voted to take from the table the eighth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Claims on Resolve in Favor of Watts Detective Agency, Inc. (H. P. 229) (L. D. 75), which report was accepted in the House on February 26th and in the Senate was recommitted to the Committee on Claims in non-concurrence, tabled by that gentleman on March 14th, pending further consideration.

The SPEAKER: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker and Members of the House: I understand that the Claims Committee has no objection to having this matter recommitted, and I would move that we recede from our former action whereby the House accepted the committee report "Ought not to pass" and concur with the Senate in recommitting this matter to the Committee on Claims.

The SPEAKER: The gentleman from Perham, Mr. Bragdon, moves, under suspension of the rules, that the House recede from its action whereby it accepted the "Ought not to pass" report of the committee and concur with the Senate in the recommitment of this report and bill to the Committee on Claims. Is this the pleasure of the House?

The motion prevailed, and the bill and report were recommitted to the Committee on Claims in concurrence.

On motion by Mr. Grua of Livermore Falls, the House voted to take from the table the fifth tabled and unassigned matter, Bill "An Act Amending the Law relating to Unemployment Compensation with respect to Keeping Separate Accounts" (H. P. 1256) (L. D. 555) tabled by that gentleman on March 13th, pending passage to be enacted.

On motion by the gentleman from Calais, Mr. Murchie, the House voted to suspend the rules, to permit that gentleman to move to reconsider the passage of this bill to be engrossed; and on further motion by the same gentleman the House voted to reconsider its action whereby this bill was passed to be engrossed on March 6th.

Mr. Murchie thereupon presented House Amendment "A" and moved its adoption.

House Amendment "A" to H. P. 1256, L. D. 555, Bill "An Act Amending the Law relating to Unemployment Compensation with respect to Keeping Separate Accounts."

Amend said bill by drawing a line through the figures "\$25,000" in the 14th line thereof, and inserting after said figures the following: "not more than \$20,000"

House Amendment "A" was then adopted and the bill was passed to be engrossed as amended in non-concurrence and sent up for concurrence.

On motion by Mr. LaFleur of Portland, the House voted to take from the table the twelfth tabled and unassigned matter, Committee Amendment "A" to H. P. 1484, L. D. 613, Bill "An Act to Exempt Soldiers and Sailors from Poll Taxes" tabled by that gentleman on March 14th, pending adoption.

On further motion by the same gentleman, Committee Amendment "A" was indefinitely postponed.

The same gentleman thereupon offered House Amendment "A" and moved its adoption.

House 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, § 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 persons, for each municipal year in which a poll tax is assessed during which the person liable for such poll is for a period of 6 months a member of the armed forces of the United States of America."

The bill and amendment were thereupon tabled to permit reproduction of House Amendment "A" under the Joint Rules.

The SPEAKER: If there are no further matters to come before the House under Orders of the Day, the Assistant Clerk will read the notices.

On motion by Mr. Worth of Stockton Springs, Adjourned until ten o'clock tomorrow morning.