

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

# Ninetieth Legislature

OF THE

STATE OF MAINE



1941

KENNEBEC JOURNAL COMPANY

AUGUSTA, MAINE

**HOUSE**

Monday, March 24, 1941.

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

Prayer by the Rev. Mr. Rice of Hallowell.

Journal of the previous session read and approved.

The **SPEAKER**: The Chair understands that this gavel has been used by the gentleman from Bingham, Mr. Dutton, to preside over the last twenty-five town meetings in the Town of Bingham. At this time the Chair returns the gavel to the gentleman from Bingham, Mr. Dutton, with the wish and hope that he may use it in presiding over the next twenty-five annual town meetings in that town (Applause)

From the Senate: The following Order:

**ORDERED**, the House concurring, that the communications and accompanying petitions in relation to legislation regarding Bill "An Act to Provide a Police Commission for the City of Biddeford" (I. B. 1) be referred to the Committee on Judiciary for investigation and report as to the sufficiency of the petitions with power to summon witnesses (S. P. 507)

Came from the Senate read and passed.

In the House, read and passed in concurrence.

From the Senate: The following Order:

**ORDERED**, the House concurring, that the communications and accompanying petitions in relation to legislation regarding Bill "An Act relating to Elections in the City of Biddeford," (I. B. 2) be referred to the Committee on Judiciary for investigation and report as to the sufficiency of the petitions with power to summons witnesses (S. P. 508)

Came from the Senate read and passed.

In the House, read and passed in concurrence.

**Senate Reports****Ought Not to Pass**

Report of the Committee on Claims reporting "Ought not to pass" on Resolve in favor of Clyde H. Smith (S. P. 39)

Report of same Committee reporting same on Resolve in favor of Charles Murray of Bangor (S. P. 230)

Report of the Committee on Interior Waters reporting same on Bill "An Act relating to Water Level of Lake Torsey" (S. P. 449) (L. D. 887)

Report of the Committee on Labor reporting same on Bill "An Act Limiting Hours of Labor to Forty-eight in any Week" (S. P. 42) (L. D. 20)

Report of same Committee reporting same on Bill "An Act relating to Minimum Fair Wages for Women and Minors" (S. P. 41) (L. D. 37)

Report of same Committee reporting same on Bill "An Act relating to Standards of Employment" (S. P. 40) (L. D. 36)

Report of the Committee on Legal Affairs reporting same on Bill "An Act relating to Injurious Substances not to be Placed on Any Way or Bridge" (S. P. 439) (L. D. 893)

Report of same Committee reporting same on Bill "An Act relating to the Registration and Regulation of Watchmakers" (S. P. 43) (L. D. 38)

Came from the Senate read and accepted.

In the House, were read and accepted in concurrence.

**Ought to Pass**

Report of the Committee on Counties reporting "Ought to pass" on Bill "An Act relating to the Collection of County Taxes on Unincorporated Lands" (S. P. 303) (L. D. 510)

**Senate Bill in First Reading**

Bill "An Act relating to the Collection of County Taxes on Unincorporated Lands" (S. P. 303) (L. D. 510)

Bill had its two several readings and tomorrow assigned.

### Ought to Pass in New Draft

From the Senate:

Report of the Committee on Claims on Resolve in favor of the Heirs of Charles H. Scott (S. P. 220) reporting same in a new draft (S. P. 496) (L. D. 1023) under same title and that it "Ought to pass"

Report of same Committee on Resolve in favor of Miss Leila C. Gaines of Saco (S. P. 224) reporting same in a new draft (S. P. 495) (L. D. 1022) under same title and that it "Ought to pass"

Report of the Committee on Public Utilities on Bill "An Act providing for the Regulation of the Use of the Highways by Motor Vehicles Transporting Property for Hire" (S. P. 407) (L. D. 642) reporting same in a new draft (S. P. 502) (L. D. 1025) under same title and that it "Ought to pass."

Came from the Senate, Reports read and accepted and the Bill and Resolves passed to be engrossed.

In the House, Reports were read and accepted in concurrence, the Bill had its two several readings, the Resolves had their first reading, and tomorrow assigned.

### Ought to Pass With Committee Amendments

From the Senate:

Report of the Committee on Judiciary on Bill "An Act relative to Stations for Weighing Trucks" (S. P. 317) (L. D. 880) reporting "Ought to pass" as amended by Committee Amendment "A".

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

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

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

From the Senate:

Report of the Committee on Appropriations and Financial Affairs reporting "Ought to pass" as amended by Committee Amendment "A" on Resolve in favor of the Propagation of Lobsters (S. P. 190) (L. D. 290)

Came from the Senate, Report

read and accepted and the Resolve passed to be engrossed as amended.

In the House, the Report was read and accepted in concurrence, and the Resolve was read once.

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

### Ought to Pass in New Draft—Amended Tabled

From the Senate:

Report of the Committee on Judiciary on Bill "An Act to Incorporate the Reef Point Gardens Corporation" (S. P. 187) (L. D. 220) reporting same in a new draft (S. P. 481) (L. D. 998) under same title and that it "Ought to pass."

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

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

Senate Amendment "A" was then read and adopted in concurrence.

Thereupon, on motion by Mr. Hinkley of South Portland, the bill and amendment were tabled pending assignment for third reading.

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

#### Taxation

Remonstrance of John A. Olander of New Sweden and 98 others against Tax on Soft Drinks (H. P. 1792) (Presented by Mr. Bragdon of Perham)

Remonstrance of Albert Gagnon and 306 others of Sanford against same (H. P. 1793) (Presented by Mr. Pelletier of Sanford)

Sent up for concurrence.

#### Orders

On motion by Mr. McGlaflin of Portland, it was

ORDERED, that the following members be excused from attendance today because of Town Meetings: Messrs. Rollins of Greenville, Harvey of Sangerville, McKusick of Parkman; also that Mr. Dorsey of Fort Fairfield be excused from attendance today and tomorrow be-

cause of death in the family; and that Mr. Dean of South Portland, and Mr. Shesong of Portland, be excused from attendance because of business.

#### Orders Tabled

Mr. Gowell of South Portland, presented the following Order and moved its passage:

**ORDERED**, the Senate concurring, that a Committee of this Legislature, consisting of five members on the part of the House to be appointed by the Speaker, and two members on the part of the Senate to be appointed by the President, to make a study of the various departments of State to determine as to whether or not the expense of State Government can be reduced to the extent that Old Age Assistance will be made possible for all eligible applicants, thereby eliminating the so-called necessity for the imposition of any new taxes or any increase in any present tax or taxes.

**BE IT FURTHER ORDERED**, That said Committee be and hereby is authorized to summons the heads of any and all departments of State before it for interrogation, and may cause to be brought before it for its perusal all records, accounts and data containing information on the State financial status that said Committee may deem meet and proper.

**AND BE IT FURTHER ORDERED**, That said Committee report its findings, suggestions and recommendations to this Legislature not later than April 8, 1941 (H. P. 1799)

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

Mr. **PAYSON**: Mr. Speaker, I move that the order lie on the table.

Mr. **GOWELL**: Mr. Speaker—

The **SPEAKER**: The motion to table is not debatable.

Mr. **GOWELL**: Mr. Speaker, I ask for a division of the House.

The **SPEAKER**: The gentleman from South Portland, Mr. Gowell, asks for a division of the House. All those in favor of the motion of the gentleman from Portland, Mr. Payson, that this order lie on the table will rise and stand in their places until counted and the monitors have made and returned the count.

A division of the House was had. Sixty-three having voted in the

affirmative and ten in the negative, the motion prevailed and the order was tabled pending passage.

Mr. Gould from Gorham, presented the following Order and moved its passage:

Whereas, the war in Europe has reached such stupendous proportions that there is grave concern that it may come to our shores; and

Whereas, the State of Maine is so placed geographically that it is likely to be in the path of the agencies of destruction now in use in said war; and

Whereas, should the Federal government be called upon to defend our state, its land forces would be seriously impeded by virtue of the weakened condition of the bridges on the Kennebec, Penobscot and Aroostook rivers, as well as by smaller bridges in various parts of the state; and

Whereas, this legislature is convinced that the condition of such bridges should be speedily corrected; now, therefore, be it

**ORDERED**, the Senate concurring, that His Excellency the Governor be called upon to forthwith furnish to this legislature all information available relating to said conditions, including lists and locations of bridges which are inadequate for military purposes together with information, advice and recommendations concerning the making of funds available for their reconstruction (H. P. 1800)

On motion by Mr. LaFleur of Portland, the Order was tabled pending passage.

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

Mr. Murchie from the Committee on Appropriations and Financial Affairs, acting under authority of joint order H. P. 1618, reported a Resolve under title of "Resolve in favor of George Soctomah, Representative of the Passamaquoddy Tribe of Indians" (H. P. 1794) and that it "Ought to pass"

Mr. Hanold from the Committee on Inland Fisheries and Game on Bill "An Act relating to Bounty on Bears" (H. P. 1362) (L. D. 708) reported same in a new draft (H. P. 1795) under same title and that it "Ought to pass"

Same gentleman from same Committee on Bill "An Act relative to

Field Trials and Training Bird Dogs" (H. P. 1370) (L. D. 716) reported same in a new draft (H. P. 1796) under same title and that it "Ought to pass"

Mr. Starrett from same Committee on Bill "An Act relative to Training of Fox Hounds" (H. P. 1263) (L. D. 535) reported same in a new draft (H. P. 1797) under title of "An Act relative to Training of Fox, Coon or Rabbit Hounds" and that it "Ought to pass"

Mr. Welch from same Committee on Bill "An Act relative to Trapping of Bob-cats in Aroostook County" (H. P. 797) (L. D. 310) reported same in a new draft (H. P. 1798) 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. Hamilton from the Committee on Education reported "Ought to pass" on resolve in favor of Ella M. Jude of Ellsworth (H. P. 672)

Same gentleman from same Committee reported same on Resolve in favor of Blanche G. Cobb of Lisbon (H. P. 257)

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

Mr. Jacobs from the Committee on Appropriations and Financial Affairs reported "Ought to pass" on Bill "An Act relating to State Aid for Academies" (H. P. 792) (L. D. 307)

Mr. Fenlason from the Committee on Inland Fisheries and Game reported same on Bill "An Act relative to Hunting Raccoons" (H. P. 801) (L. D. 314)

Mr. Hanold from same Committee reported same on Bill "An Act relative to Revocation of Hunting and Fishing Licenses" (H. P. 1363) (L. D. 709)

Mr. Morrison from the Committee on Public Utilities reported same on Bill "An Act amending the Charter of the Kittery Electric Light Company" (H. P. 1658) (L. D. 1013)

Reports were read and accepted.

#### Ought to Pass With Committee Amendment

Mr. Hanold from the Committee on Inland Fisheries and Game on Resolve relative to Open Season on Pheasants (H. P. 811) (L. D. 324) reported "Ought to pass" as amend-

ed by Committee Amendment "A" submitted therewith.

Mr. Starrett from same Committee reported same on Resolve Regulating Hunting and Trapping of Muskrats (H. P. 244) (L. D. 83)

Mr. Welch from same Committee reported same on Bill "An Act relative to Daily Limit on Pickerel" (H. P. 1356) (L. D. 702)

Same gentleman from same Committee reported same on Resolve permitting the Building of a Fish Pond in Madison (H. P. 1379) (L. D. 808)

Reports were read and accepted.

#### First Reading of Printed Bills and Resolves

Bill "An Act relating to Apportionment of School Funds" (H. P. 463) (L. D. 201)

Bill "An Act to Assist Rural Sanitation Activities" (H. P. 330) (L. D. 344)

Bill "An Act relating to State School for Girls" (H. P. 1249) (L. D. 532)

Bill "An Act relating to Payment of the Special Tax for Investigation of Fires by the Insurance Commissioner" (H. P. 1273) (L. D. 543)

Bill "An Act relating to the Perambulation of Town Lines" (H. P. 1494) (L. D. 732)

Bill "An Act relating to Records of Deorganized Municipalities" (H. P. 1495) (L. D. 733)

Bill "An Act to Establish a Sanitary Water Board and to Control, Prevent and Abate Pollution of Certain Waters in the State" (H. P. 1785) (L. D. 1040)

Bill "An Act Making Unlawful the Deposit of Certain Materials in or on the Banks of the St. John and Fish Rivers" (H. P. 1786) (L. D. 1041)

Bills were read twice and tomorrow assigned.

#### Bills Tabled

Bill "An Act Creating the Waldoboro Water District" (H. P. 1787) (L. D. 1042)

(Bill had its two several readings, and on motion by Mr. Payson of Portland, tabled pending assignment for third reading)

Bill "An Act Creating the Limestone Water and Sewer District" (H. P. 1788) (L. D. 1049)

(Bill had its two several readings, and on motion by Mr. Payson of Portland, tabled pending assignment for third reading)

Bill "An Act to Incorporate the Norway Water District" (H. P. 1789) (L. D. 1050)

(Bill had its two several readings, and on motion by Mr. Farwell of Unity, tabled pending assignment for third reading)

#### First Reading of Printed Bills and Resolves (continued)

Bill "An Act relating to the School or Reserved Lands of the State" (H. P. 1790) (L. D. 1043)

Resolve in favor of a Pension for Lena Butler Richards (H. P. 660) (L. D. 1044)

Bill was read twice, Resolve read once and tomorrow assigned.

#### Resolve Tabled

Resolve Granting Bonus to Harold E. Seavey, of Phippsburg (H. P. 1086) (L. D. 1045)

(Resolve had its first reading, and on motion by Mr. LaFleur of Portland, tabled pending assignment for second reading)

Resolve in favor of Wilfred Duquette of Brunswick (H. P. 1106) (L. D. 1046)

Resolve Authorizing the Forest Commissioner to Convey Certain Land to Fred McGeorge of East Machias (H. P. 1621) (L. D. 966)

Resolve in favor of Olaf Nylander (H. P. 1784) (L. D. 1047)

Resolve in favor of the town of Charleston (H. P. 1791) (L. D. 1048)

Resolves were read once, and tomorrow assigned.

#### First Reading of Printed Bills with Committee Amendments

Bill "An Act relating to Physical Education" (H. P. 1248) (L. D. 531)

Bill was given its two several readings.

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

Committee Amendment "A" to H. P. 1248, L. D. 531, Bill "An Act Relating to Physical Education."

Amend said bill by drawing a line through the figures \$1,600 in the 12th line thereof and inserting in place thereof the underlined figures \$1,200.

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

Bill "An Act providing for Financing of Mutual Insurance Companies" (H. P. 1451) (L. D. 763)

Bill was given its two several readings.

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

Committee Amendment "A" to House Paper 1451, L. D. 763, Bill "An Act Providing for Financing of Mutual Insurance Companies."

Amend said bill by adding at the end thereof the following: "No such contract or agreement shall be valid unless first approved by the Insurance Commissioner in writing as not unfair, misleading or contrary to any law of this State."

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

#### Passed to Be Engrossed Bills Tabled

Bill "An Act relating to the State Reformatory for Men" (S. P. 428) (L. D. 648)

(Was reported by the Committee on Bills in the Third Reading, read the third time, and on motion by Miss Clough of Bangor, tabled pending passage to be engrossed.)

Bill "An Act relative to the Employment of Females in Executive, Administrative, Professional or Supervisory Capacities and as Personal Office Assistants" (H. P. 1235) (L. D. 497)

(Was reported by the Committee on Bills in the Third Reading, read the third time, and on motion by Miss Clough of Bangor, tabled pending passage to be engrossed.)

#### Passed to Be Engrossed (Continued)

Bill "An Act relating to Appointments of Health Officers" (H. P. 1448) (L. D. 760)

Bill "An Act providing for Collection of Taxes in Case of the Death of the Collector of Taxes" (H. P. 1607) (L. D. 949)

Bill "An Act Regulating Airport Zoning" (H. P. 1745) (L. D. 1029)

Bill "An Act relating to Town Meetings of Sanford" (H. P. 1746) (L. D. 1030)

Bill "An Act relating to the Termination of Organization of Towns or Plantations" (H. P. 1747) (L. D. 1031)

Resolve Appropriating Money to Repair Fish Way at Arrostook Falls (H. P. 416) (L. D. 165)

Were reported by the Committee on Bills in the Third Reading, Bills read the third time, Resolve read

the second time, all except tabled matters passed to be engrossed and sent to the Senate.

### Amended Bills Bill Tabled

Bill "An Act relating to the Investment of Municipal Trust Funds" (S. P. 490) (L. D. 1015)

(Was reported by the Committee on Bills in the Third Reading, read the third time, and on motion by Mr. Donahue of Biddeford, tabled pending passage to be engrossed.)

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

Bill "An Act relative to Hunting of Game Birds" (H. P. 1357) (L. D. 703)

Bill "An Act Authorizing Cities and Towns to Appropriate Money and Acquire Lands for use as Public Parking Places" (H. P. 1390) (L. D. 571)

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

Bill "An Act relating to Election Returns" (H. P. 1423) (L. D. 588)

Was reported by the Committee on Bills in the Third Reading and read the third time.

Mr. Williams of Bethel, thereupon offered House Amendment "A" and moved its adoption.

House Amendment "A" to H. P. 1423, L. D. 588, Bill "An Act Relating to Election Returns."

Amend said Bill by striking out in the sixth and seventh lines thereof the words "15th day of October" and inserting in place thereof the following words "first day of December as to presidential elections and by the 15th day of October as to all other elections."

And further amend said bill by striking out in the 49th line thereof the words "state auditor".

House Amendment "A" was then adopted, and the bill as amended by Committee Amendment "A" and by House Amendment "A" was passed to be engrossed and sent up for concurrence.

### Passed to be Engrossed (Continued)

Resolve Appropriating Money for Control of the Fruit or Blueberry Fly in Maine (H. P. 1118) (L. D. 370)

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

### Orders of the Day

The SPEAKER: If there is no business 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.