

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

Thursday, March 27, 1941.

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

Prayer by the Rev. Mr. Staples of Gardiner.

Journal of the previous session read and approved.

Senate Bill Requiring Reference

From the Senate:

Bill "An Act to Incorporate the Carmel School District" (S. P. 515) Came from the Senate, received by unanimous consent and referred to the Committee on Legal Affairs.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Carmel, Mr. Newcomb.

Mr. NEWCOMB: Mr. Speaker, I ask unanimous consent to address the House.

The SPEAKER: The gentleman from Carmel, Mr. Newcomb, asks unanimous consent to address the House. Is there objection? The Chair hears no objection and the gentleman may proceed.

Mr. NEWCOMB: Mr. Speaker and Members of the House: I think you all had a copy of this paper on your desk yesterday morning. This bill provides for the incorporation of a school district in the town of Carmel.

Now, the Carmel High School building was condemned as unfit for use, after it was too late to introduce a bill in this House.

We have around sixty-five pupils there, and next Fall we will have eighty-five, and they will have no place to go to school, unless we provide a new building, which the town has voted to do.

Now, to make a long story short, we have got to comply with the rules and regulations of the State of Maine, which call for a bond issue of around \$20,000. The Town of Carmel is in debt, \$22,000, for tax deeds and liens, and therefore they have borrowed to the limit.

If we cannot get this District incorporated, so that we can get bonds to build a new school house, I do not know where the children will go. It will cost an enormous amount of money to send them to school in some other place.

Now, these children are just good, common school children, boys and girls, and they have no place to go.

They are simply asking for their rights to have a high school to go to.

Therefore, I am asking the Speaker and Members of this House to give their unanimous consent that this act may pass.

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

Mr. MCGLAUFLIN: Mr. Speaker, I take—

The SPEAKER: For what purpose does the gentleman rise? The Chair must rule that the question of unanimous consent is not debatable.

Mr. MCGLAUFLIN: I merely want to call your attention, Mr. Speaker, to the fact that I do not think—

The SPEAKER: Does the gentleman from Portland ask the unanimous consent to address the House?

Mr. MCGLAUFLIN: I do, Mr. Speaker.

The SPEAKER: The gentleman from Portland (Mr. McGlauffin) asks unanimous consent to address the House. Is there objection? The Chair hears no objection and the gentleman may proceed.

Mr. MCGLAUFLIN: Mr. Speaker, some of us in this part of the room could not hear very clearly the gentleman from Carmel, Mr. Newcomb, who just spoke.

I therefore want to say a few words so that you can hear that there is an emergency in Carmel.

Mr. Newcomb has asked unanimous consent to let this bill come in, to clear this emergency.

Now, I have found that the members of this House are in favor of fair play and I do not think that anyone will purposely and intentionally try to block necessary legislation, even when it comes in late.

I am, therefore, saying that I hope this House—every last one of you—will give consent to let this measure come in as requested by Mr. Newcomb.

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

Mr. PAYSON: Mr. Speaker, may I ask unanimous consent to address the House?

The SPEAKER: The gentleman from Portland, Mr. Payson, asks unanimous consent to address the House. Is there objection? The Chair hears no objection and the gentleman may proceed.

Mr. PAYSON: Mr. Speaker and Members of the House: I suspect

that in my effort to expedite the work of this Legislature, and particularly in shutting out bills by unanimous consent, that sometimes I have taken some of you people out of an embarrassing position, when you were being urged to try to put in something that you did not care very much for yourself.

Probably sometimes I have made you think that I was an old grouch and worse than a school teacher with a headache. In fact sometimes I have been almost discouraged and felt like giving up trying.

I remember, down in South Hope, one day when Hattie was awfully sick. She was so sick that she was in bed. Frank went in and sat down beside her. She said: "I feel awfully, Frank. I can't breathe." He said, "There, there, Hattie, don't try." (Laughter)

We have been keeping bills out of this House by unanimous consent.

In this case, however, the situation arises—through no fault of the people in Carmel or their Representative. The school house was not condemned until after the closing time for bills in this Legislature. The situation is really very serious there. About sixty-five or seventy children will not have any school to go to next Fall unless we admit this District bill.

It does not ask money from the State of Maine but simply sets up a vehicle whereby they may build their own school house.

For my part, I wish to waive the procedure I have been insisting on, and I hope the bill will be received by unanimous consent.

The SPEAKER: The Chair recognizes the gentleman from Monticello, Mr. Good.

Mr. GOOD: Mr. Speaker, I ask unanimous consent to address the House.

The SPEAKER: The gentleman from Monticello, Mr. Good, asks unanimous consent to address the House. Is there objection? The Chair hears no objection and the gentleman may proceed.

Mr. GOOD: Mr. Speaker, I know how the gentleman probably feels. I remember when I was trying to introduce a bill for a school district.

You members who were here in the 89th Legislature, remember that in one of the Special Sessions I introduced a bill to incorporate a

school district in Bridgewater. Bridgewater had been unfortunate and lost its school building, and had turned its children all out of doors.

Not giving it the careful consideration that I suppose I should have, and not going into the details, one of my personal friends objected. But after it was explained very thoroughly to that House, the Special Session granted me the privilege of introducing that bill, in order that Bridgewater might incorporate as a school district.

Here is what it did for Bridgewater, by that Special Session granting me permission to introduce that bill, so that they could incorporate as a school district.

They started to build themselves a school building, as soon as they were incorporated and could raise the money. I got a letter the other day saying that the school building was all built, and that they were dedicating the school building on the 17th day of March. They wanted me to be present, if I possibly could.

Now, they feel very grateful to the 89th Legislature for what they did. They helped them to go ahead. The children are getting along fine. They are more than pleased.

I hope there will not be any objection to this bill.

The SPEAKER: Under the Joint Rules this bill requires for its reception the unanimous consent of all the members present in this House. Failing unanimous consent under the Rules, the bill would be automatically referred to the next Legislature. Is there objection to the reception of this bill? The Chair hears no objection and the bill is received. Is it now the pleasure of the House that this bill be referred to the Committee on Legal Affairs in concurrence?

Thereupon, the bill was referred to the Committee on Legal Affairs in concurrence.

Senate Reports Ought Not to Pass

Report of the Committee on Agriculture reporting "Ought not to pass" on Bill "An Act Repealing the Potato Tax Law" (S. P. 63) (L. D. 47)

Report of the Committee on Public Health reporting same on Bill "An Act relating to the Manufac-

ture of Bedding" (S. P. 259) (L. D. 410)

Came from the Senate read and accepted.

In the House, were read and accepted in concurrence.

Ought to Pass in New Draft

Report of the Committee on Legal Affairs on Bill "An Act relating to Preservation of the Records of the Department of Health and Welfare" (S. P. 336) (L. D. 625) reporting same in a new draft (S. P. 509) (L. D. 1034) under same title and that it "Ought to pass"

Report of the Committee on Public Utilities on Bill "An Act relating to the Business of Letting or Leasing for Hire of Motor Vehicles to be Used by any other Person, Firm or Corporation" (S. P. 324) (L. D. 526) reported same in a new draft (S. P. 511) (L. D. 1035) under same title and that it "Ought to pass"

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

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

Senate Resolver in First Reading

Resolve in favor of Certain Agricultural Societies (S. P. 183) (L. D. 1039)

Resolve Granting a Pension to Eva Mae McShea (S. P. 122) (L. D. 1038)

Resolves had their first reading and tomorrow assigned.

Ought to Pass—Amended Report Tabled

From the Senate:

Report of the Committee on Public Utilities reporting "Ought to pass" on Bill "An Act relating to Inductive Interference" (S. P. 406) (L. D. 640)

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, on motion by Mr. Mills of Farmington, the Report, with accompanying papers, tabled pending acceptance of Committee Report in concurrence.

Ought to Pass with Committee Amendment

From the Senate:

Report of the Committee on Salaries and Fees on Bill "An Act relating to Mileage of State Em-

ployees" (S. P. 107) (L. D. 149) reporting same in a new draft (S. P. 512) (L. D. 1036) 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 read and accepted in concurrence, and the Bill had its two several readings.

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

Non-Concurrent Matter

From the Senate:

Report of the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act relating to Signs on Pumps Dispensing Internal Combustion Fuels" (H. P. 1165) (L. D. 461) which Report and Bill were recommitted to the Committee on Legal Affairs in the House on March 21st.

Came from the Senate, with the Report accepted in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Waterville, Mr. Rodrigue.

Mr. RODRIGUE: Mr. Speaker, I move that the House insist and ask for a Committee of Conference.

The SPEAKER: The gentleman from Waterville, Mr. Rodrigue, moves that the House insist and ask for a Committee of Conference. Is this the pleasure of the House.

The motion prevailed, and the Chair appointed as members the Committee of Conference on the part of the House the following members: The gentleman from Waterville, Mr. Rodrigue, the gentleman from East Machias, Mr. Small, and the gentleman from Calais, Mr. Murchie.

Non-Current Matter

From the Senate:

Bill "An Act to Exempt Soldiers and Sailors from Poll Taxes" (H. P. 1484) (L. D. 613) which was passed to be engrossed in the House on March 20th as amended by House Amendment "A".

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

In the House, Senate Amendment "A" read by the Clerk.

Thereupon, the House voted to recede from its action whereby it passed this Bill to be engrossed and concurred with the Senate in the adoption of Senate Amendment "A", and the Bill, as amended by House Amendment "A" and by Senate Amendment "A" was passed to be engrossed in concurrence.

The **SPEAKER**: At this time the Chair invites the gentleman from Strong, Mr. Richardson, to come to the Chair and appoints him as Speaker pro tem of the House.

The Sergeant at Arms then conducted the gentleman from Strong, Mr. Richardson, to the Speaker's desk, amid the applause of the House.

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 D. S. Thayer and 27 other members of Comet Grange No. 70 in favor of H. P. 1391, L. D. 769, proposed Constitutional Amendment Limiting Real Estate Taxes (H. P. 1823) (Presented by Mr. Farwell of Unity).

Petition of Walter L. Johnson and 26 other members of York Grange No. 340 in favor of same (H. P. 1824) (Presented by Mr. Pearson of Kennebunkport).

Petition of Wm. J. Higgins and 19 others of Eureka Grange No. 113 in favor of same (H. P. 1825) (Presented by Mr. Welch of Chapman)
Sent up for concurrence.

Taxation

Remonstrance of George W. Davis and 2016 others of Portland and vicinity against Passage of Tax on Soft Drinks (H. P. 1822) (Presented by Mr. LaFleur of Portland)

Remonstrance of D. F. Stephenson and 173 others of Belfast and vicinity against same (H. P. 1826) (Presented by Mr. Bradford of Belfast)

Remonstrance of Myrtle T. Hardy of Freedom and 132 others against same (H. P. 1827) (Presented by Mr. Davis of Montville)

Remonstrance of L. A. Ryall and 58 others of Casco and Naples against same (H. P. 1828) (Presented by Mr. Fickett of Naples)

Remonstrance of Albert Lamoreaux of Cherryfield and 38 others

against same (H. P. 1829) (Presented by Mr. Lackee of Addison)

Remonstrance of Everett L. Baker and 134 others of Albion and vicinity against same (H. P. 1830) (Presented by Mr. Littlefield of Albion)

Remonstrance of Lawrence L. Brown of Pembroke and 144 others against same (H. P. 1831) (Presented by Mr. McFadden of Pembroke)

Remonstrance of Floyd Larrabee of Lubec and 212 others against same (H. P. 1832) (Presented by Mr. McLellan of Trescott)

Remonstrance of Marcel St. Pierre of Van Buren and 276 others against same (H. P. 1833) (Presented by Mr. Michaud of Van Buren)

Remonstrance of Ernest W. Jacobs and 350 others of Calais against same (H. P. 1834) (Presented by Mr. Murchie of Calais)

Remonstrance of John W. Harvey of Bucksport and 369 others against same (H. P. 1835) (Presented by Mr. Pierce of Bucksport)

Remonstrance of Willet R. Munson of East Machias and 50 others against same (H. P. 1836) (Presented by Mr. Small of E. Machias)

Remonstrance of William S. Burton of Woodland and 100 others against same (H. P. 1837) (Presented by Mr. Sylvia of Danforth)

Remonstrance of Kenneth Grant of Mt. Desert and 18 other citizens against same (H. P. 1838) (Presented by Mr. Teel of Long Island Pt.)

Remonstrance of R. C. Marshall of Northeast Harbor and 184 others against same (H. P. 1839) (Presented by same gentleman)

Remonstrance of Stanley Moore of Easton and 116 others against same (H. P. 1840) (Presented by Mr. Welch of Chapman)

Remonstrance of F. L. Whitcomb of Searsport and 280 others against same (H. P. 1841) (Presented by Mr. Worth of Stockton Springs)

Remonstrance of Monica Dionne of Van Buren and 144 others against all Tax Measures now under consideration by the Legislature (H. P. 1842) (Presented by Mr. Michaud of Van Buren)
Sent up for concurrence.

Orders

On motion by Mr. McGlauffin of Portland, it was

ORDERED, that Mr. Fenlason of Anson, be excused from attendance during the remainder of the week because of illness; that Mr. Downs of Rome, be excused for the remain-

der of the week because of illness; and that Mr. Walker of Littleton, be excused from attendance Monday because of Town Meeting.

On motion by Mr. Pierce of Bucksport, it was

ORDERED, that Rev. Charles Richmond of Bucksport, be invited to officiate as Chaplain of the House on Tuesday, April 1st.

On motion by Mr. Gould of Gorham, it was

ORDERED, that Mr. Good of Monticello, act as Chaplain of the House on Wednesday, April 2nd.

On motion by Mrs. Grady of Whitefield, the House voted to suspend Rule 25 for the remainder of today's session, in order to permit smoking.

House Reports of Committees Divided Reports Tabled

Majority Report of the Committee on Judiciary reporting "Ought not to pass" on Resolve proposing an Amendment to the Constitution to Provide for an Adjustment of Real Estate Taxation (H. P. 1391) (L. D. 769)

Report was signed by the following members:

Miss LAUGHLIN of Cumberland
Messrs. FARRIS of Kennebec
HARVEY of York

—of the Senate.

WILLIAMS of Bethel
HINCKLEY of So. Portland
PAYSON of Portland
BRIGGS of Hampden
McGLAUFLIN of Portland

—of the House.

Minority Report of same Committee reporting "Ought to pass" on same Resolve.

Report was signed by the following members:

Messrs. MILLS of Farmington
GRUA of Livermore Falls

—of the House.

(On motion by Mr. Grua of Livermore Falls, the two Reports, and accompanying Bill, were tabled pending acceptance of either Report)

Divided Reports Tabled

Majority Report of the Committee on Judiciary on Bill "An Act relating to Licenses and Permits for Outdoor Advertising" (H. P. 1153) (L. D. 357) reporting "Ought not to

pass" as legislation is inexpedient at this time.

Report was signed by the following members:

Miss LAUGHLIN of Cumberland
Messrs. FARRIS of Kennebec
HARVEY of York

—of the Senate.

WILLIAMS of Bethel
PAYSON of Portland
BRIGGS of Hampden
HINCKLEY of So. Portland
McGLAUFLIN of Portland

—of the House.

Minority Report of same Committee reporting "Ought to pass" on same bill.

Report was signed by the following members:

Messrs. MILLS of Farmington
GRUA of Livermore Falls

—of the House.

(On motion by Mr. Megill of Belgrade, the two Reports, and accompanying Bill, were tabled pending acceptance of either Report)

Leave to Withdraw

Mr. Williams from the Committee on Judiciary on Bill "An Act for the Establishment of Highway Protective Areas" (H. P. 1385) (L. D. 813) reported leave to withdraw.

Report was read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. McNamara from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Resolve in favor of Pownal State School (H. P. 1113)

Mr. Conant from the Committee on Federal Relations reported same on Bill "An Act providing for Disqualification for Benefits under the Unemployment Compensation Law" (H. P. 1348) (L. D. 801)

Mr. Willey from same Committee reported same on Bill "An Act relating to Old Age Assistance" (H. P. 1574) (L. D. 925)

Mr. Hanold from the Committee on Inland Fisheries and Game reported same on Bill "An Act relative to Non-resident Fishing License Fees" (H. P. 1360) (L. D. 706)

Mr. Mills from the Committee on Judiciary reported same on Bill "An Act Permitting Signboards under Certain Conditions" (H. P. 1154) (L. D. 453)

Mr. Pierce from the Committee on Labor reported same on Bill "An

Act relating to Employment of Minors and Females" (H. P. 1435) (L. D. 752)

Same gentleman from same Committee reported same on Bill "An Act Regulating Hours of Labor" (H. P. 1433) (L. D. 750)

Same gentleman from same Committee reported same on Bill "An Act relating to Employment of Females" (H. P. 1434) (L. D. 751)

Reports were read and accepted and sent up for concurrence.

Report Tabled

Mr. Arzonico from the Committee on Labor reported "Ought not to pass" on Bill "An Act relating to Weekly Payment of Wages" (H. P. 1615) (L. D. 959) as it is covered by other legislation.

(On motion by Miss Clough of Bangor, tabled pending acceptance of Committee Report)

Ought to Pass in New Draft

Mr. Walker from the Committee on Counties on Bill "An Act Requiring Sheriffs to Locate Hunters and Fishermen who are Lost" (H. P. 1339) (L. D. 796) reported same in a new draft (H. P. 1843) under title of "An Act Requiring Sheriffs to Search for Lost Persons" and that it "Ought to pass"

Report was read and accepted and the new draft ordered printed under the Joint Rules.

Report Tabled

Mr. Hanold from the Committee on Inland Fisheries and Game on Bill "An Act relative to Trapping Deer on Mt. Desert Island" (H. P. 1364) (L. D. 710) reported same in a new draft (H. P. 1844) under title of "An Act relative to Open Season on Deer on Mt. Desert Island" and that it "Ought to pass"

(On motion by Mr. MacLeod of Bar Harbor, tabled pending acceptance of Committee Report)

Mr. Hanold from the Committee on Inland Fisheries and Game on Bill "An Act relative to Trapping Muskrats" (H. P. 1367) (L. D. 713) reported same in a new draft (H. P. 1845) under same title and that it "Ought to pass"

Mr. Starrett from same Committee on Resolve Regulating Fishing in Square Lake Chain of Lakes (H. P. 807) (L. D. 307) reported same in a new draft (H. P. 1846) under title of "Resolve Regulating Fishing in Fish River Chain of Lakes" and that it "Ought to pass"

Mr. Welch from same Committee

on Bill "An Act relative to Open Season on Beaver" (H. P. 1375) (L. D. 721) reported same in a new draft (H. P. 1847) under same title and that it "Ought to pass"

Mr. Williams from the Committee on State Lands and Forest Preservation on Resolve Authorizing the Forest Commissioner to Convey Certain Lands to Union Trust Company of Ellsworth (H. P. 1594) (L. D. 946) reported same in a new draft (H. P. 1848) under title of "Resolve Authorizing the Forest Commissioner to Convey Certain Lands to the Estate of Isaac Bragg," 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 Bill "An Act to Provide for the Issue of State of Maine Agricultural Bonds for the Eradication of Bang's Disease and Other Contagious Diseases" (H. P. 1516) (L. D. 842)

Mr. Belanger from the Committee on Federal Relations reported same on Bill "An Act to Amend the Unemployment Compensation Law with Respect to Advisory Councils" (H. P. 1846) (L. D. 605)

Mr. Fuller from same Committee reported same on Bill "An Act Amending the Unemployment Compensation Law relating to Employment" (H. P. 1575) (L. D. 926)

Mr. Grua from same Committee reported same on Bill "An Act Amending the Unemployment Compensation Law so as to Permit Corrections of Benefit Claims" (H. P. 1344) (L. D. 603)

Mr. Hinckley from the Committee on Judiciary reported same on Bill "An Act relating to Medical Examiners and their Duties" (H. P. 1421) (L. D. 586)

Mr. Payson from same Committee reported same on Bill "An Act Exempting Municipal Airports from Taxation" (H. P. 1578) (L. D. 929)

Mr. Megill from the Committee on State Lands and Forest Preservation reported same on Resolve Granting Authority to the Forestry Department to Convey Certain Land to Stanley Hinch of Danforth (H. P. 448) (L. D. 187)

Mr. Starrett from the Committee on Inland Fisheries and Game reported same on Resolve Regulating Deer Hunting on Swans Island in

the County of Hancock (H. P. 472) (L. D. 208)

Mr. Welch from the same Committee reported same on Bill "An Act relating to Trapping in the town of Scarborough" (H. P. 617) (L. D. 253)

Reports were read and accepted.

Ought to Pass With Committee Amendment

Mr. Hanold from the Committee on Inland Fisheries and Game on Bill "An Act relative to Non-resident Hunting Licenses" (H. P. 1358) (L. D. 704) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Mr. Starrett from same Committee reported same on Bill "An Act relative to Transportation of Deer within State" (H. P. 1376) (L. D. 722)

Mr. Welch from same Committee reported same on Resolve for Screening Sennebec Pond at Union (H. P. 1148) (L. D. 448)

Mr. Southard from the Committee on Legal Affairs reported same on Bill "An Act relating to Elected Officials of the State in Military Service" (H. P. 1705) (L. D. 1028)

Reports were read and accepted.

At this point the gentleman from Strong, Mr. Richardson, was conducted by the Sergeant at Arms to his seat on the floor of the House, amid the applause of the members.

Speaker Varney was then conducted by the Sergeant at Arms to the Chair, amid the applause of the House, the members rising.

First Reading of Printed Bills

Bill "An Act relating to the Boundaries of the town of Morrill" (H. P. 1219) (L. D. 436)

Bill had its two several readings. Mr. Davis of Montville, offered House Amendment "A" and moved its adoption.

House Amendment "A" to H. P. 1219, L. D. 436, Bill, "An Act Relating to the Boundaries of the Town of Morrill."

Amend said Bill by striking out all after the headnote thereof and inserting in place thereof the following:

"The following described territory is hereby declared to be, and shall be hereafter a part of the town of Morrill: beginning at the point where the northeasterly boundary of the town of Montville meets the southeasterly boundary of the town of Montville; thence continuing in

a southeasterly direction along the continuation of the northeasterly boundary of said Montville to the point where said line extended meets the northerly boundary of the town of Morrill; thence in a westerly direction along the northerly boundary of the town of Morrill to the point where said northerly boundary of Morrill meets the southeasterly boundary of the town of Montville; thence in a northeasterly direction along the southeasterly boundary of the town of Montville along the continuation of the line of the boundary to the point of beginning, being 140 acres more or less, now known as "The Gore".

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

Bill "An Act relating to State Aid for Maintaining Industrial Arts and Home Economics in Towns or Academies" (H. P. 1820) (L. D. 1058)

Bill "An Act relating to Taking of Land for Municipal Airports" (H. P. 1821) (L. D. 1059)

Bills were read twice and tomorrow assigned.

First Reading of Printed Bills With Committee Amendment

Bill "An Act relating to the Town of Mount Desert" (H. P. 1217) (L. D. 434)

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

Committee Amendment "A" to H. P. 1217, L. D. 434, Bill "An Act Relating to the Town of Mount Desert."

Amend said Bill by striking out in the 9th line of section 3 thereof the figures "1941" and inserting in place thereof the figures '1942'.

Further amend said Bill by striking out all of section 4 thereof.

Further amend said Bill by changing the numbering of section 5 thereof to read, 'Sec. 4.'

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

Bill "An Act relating to School Tax in Unorganized Territory" (H. P. 1341) (L. D. 569)

Bill was given its two several readings.

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

Committee Amendment "A" to H. P. 1341, L. D. 569, Bill "An Act Relating to School Tax in Unorganized Territory."

Amend said bill by adding at the end thereof the following, "Provided however that this section shall apply only to such unorganized units in Aroostook County as were formerly towns or plantations."

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

Passed to Be Engrossed

Bill "An Act relative to Rabbits in Waldo County" (S. P. 240) (L. D. 395)

Bills Tabled

Bill "An Act relative to the Regulation of the Use of the Highways by Motor Vehicles Transporting Property and for the Supervision and Control of such Motor Vehicles" (S. P. 297) (L. D. 507)

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

Bill "An Act providing for the Regulation of the Use of the Highways Transporting Property for Hire" (S. P. 501) (L. D. 1032)

Was reported by the Committee on Bills in the Third Reading.

Mr. LaFLEUR of Portland: Mr. Speaker, insofar as Item 3 is concerned, certain errors resulted in the redrafting, and I ask that it be laid on the table so that I can correct those errors.

Thereupon, the motion prevailed, and the Bill was tabled pending third reading.

Passed to Be Engrossed (Continued)

Bill "An Act to Amend the Milk Control Law" (H. P. 1246) (L. D. 530)

Bill "An Act relating to the Sale of Nursery Stock" (H. P. 1334) (L. D. 792)

Bill "An Act relating to Pasteurized Milk" (H. P. 1509) (L. D. 853)

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

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 "An Act to Assure Proper Branding of Potatoes" (H. P. 1250) (L. D. 533)

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

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

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.

Passed to Be Enacted Emergency Measure

An Act relative to Increase of the State Debt Limit (H. P. 1706) (L. D. 1026)

The SPEAKER: This bill, having had its two several readings in the Senate and having been passed to be engrossed, having had its three several readings in the House and having been passed to be engrossed, and having been reported by the Committee on Engrossed Bills as truly and strictly engrossed, is it now the pleasure of the House that it now pass to be enacted?

This being an emergency measure, it requires for its passage the affirmative vote of two-thirds of the entire elected membership of this House. All those in favor of the passage of this bill to be enacted 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. One hundred and eighteen having voted in the affirmative and none in the negative, 118 being more than two-thirds of the entire elected membership of the House, the bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

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

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

An Act providing for the Regulation of the Use of the Highways by Motor Vehicles Transporting Property for Hire (S. P. 502) (L. D. 1025)

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

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

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

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

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

Finally Passed

Resolve in favor of the Propagation of Lobsters (S. P. 190) (L. D. 290)

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

Resolve in favor of Miss Leila C. Gaines of Saco (S. P. 495) (L. D. 1022)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, Bills passed to be enacted, Resolves finally passed, all signed by the Speaker and sent to the Senate.

Resolve on Its Final Passage Amended

Resolve in favor of the Heirs of Charles H. Scott (S. P. 496) (L. D. 1023)

On motion by Mr. Pierce of Bucksport, 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 the same gentleman, the House voted to reconsider its action where-by this resolve was passed to be engrossed on March 26th.

Mr. Pierce then offered House Amendment "A" and moved its adoption.

House Amendment "A" to S. P. 496, L. D. 1023, Resolve in favor of the Heirs of Charles H. Scott.

Amend the title of said resolve to read as follows:

"Resolve in favor of the Estate of Charles H. Scott."

Amend said resolve by striking out therefrom the words "heirs of Charles H. Scott," and insert in place thereof the words "Estate of Charles H. Scott, Bessie Scott Torrey, Administratrix."

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

Orders of the Day

The SPEAKER: Under Orders of the Day, the Chair lays before the House the first tabled and unassigned matter, Resolve in Favor of A. R. Thompson (H. P. 1671) (L. D. 1021) tabled by the gentleman from Lincoln, Mr. Lane, on March 20th, pending second reading, and the Chair recognizes that gentleman.

On motion by Mr. Lane, the Resolve was given its second reading, passed to be engrossed and sent up for concurrence.

The Chair lays before the House the second tabled and unassigned matter, Senate Report "Ought to pass" of the Committee on Counties on Bill "An Act to Authorize Adequate Court Facilities in Oxford County" (S. P. 231) (L. D. 391) which came from the Senate the Report accepted and the Bill passed to be engrossed, and in the House was tabled by the gentleman from Denmark, Mr. Rankin, on March 21st, pending acceptance in concurrence; and the Chair recognizes that gentleman.

Mr. RANKIN: Mr. Speaker and Members of the House: My reason for tabling this bill was that twenty-five years ago in Oxford County the only means of getting to the county seat in Paris was around through Mechanic Falls by rail or cross-country, a distance of thirty-three miles over poor roads, and now, with good roads leading from Paris to Rumford, I see no reason why they need these additional facilities. The financial standing of the county is good, but no one knows what Oxford County or any other county in the State of Maine may be called upon for in the next two years. I move the indefinite postponement of this bill.

The SPEAKER: The gentleman from Denmark, Mr. Rankin, moves the indefinite postponement of the "Ought to pass" report of the Committee on Counties. Is the House ready for the question? The question before the House is on the motion of the gentleman from Denmark, Mr. Rankin, that the "Ought to pass" report together with the bill, be indefinitely postponed. All those in favor of the indefinite postponement of this report and bill will say aye—The Chair recognizes the gentleman from Dixfield, Mr. Holman.

Mr. HOLMAN: Mr. Speaker, I will withdraw my remarks.

The SPEAKER: All those opposed to the indefinite postponement of the bill will say no.

A viva voce vote being taken, the motion prevailed and the bill and report were indefinitely postponed in non-concurrence and sent up for concurrence.

On motion by Mr. Dutton of Bingham, the House voted to take from the table the eighteenth tabled and unassigned matter, Bill "An Act Relating to Bounty on Bears" (H. P. 1795) (L. D. 1052) tabled by that gentleman on March 26th, pending third reading.

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

House Amendment "A" to H. P. 1795, L. D. 1052 Bill, "An Act Relating to Bounty on Bears."

Amend said bill by striking from the 14th and 15th lines of Sec. 3 the words "and that a bounty has been declared on bears killed in that place"

Further amend said bill by striking out in Sec. 3 from the Claimant's Certificate, the words "and that a bounty has been declared on bear killed in that place".

House Amendment "A" was then adopted, and the bill had its third reading and was passed to be engrossed as amended and sent up for concurrence.

On motion by Mr. Farwell of Unity, the House voted to take from the table the sixth tabled and unassigned matter, Bill "An Act to Incorporate the Norway Water District" (H. P. 1789) (L. D. 1050) tabled by that gentleman on March 24th, pending assignment for third reading.

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

House Amendment "A" to H. P. 1789, L. D. 1050, Bill "An Act to Incorporate the Norway Water District."

Amend said bill by striking out in the 3rd line of the first paragraph of Section 3 thereof the word "therein" and inserting in place thereof the words 'in the town of Norway'.

Further amend said bill by striking out in the 2nd line of the 2nd paragraph of Section 3 thereof the

words "district named in section 1" and inserting in place thereof the words 'town of Norway'.

Further amend said bill by inserting in the 5th line of Section 7 thereof, after the word "chosen," the words 'by said municipal officers'.

Further amend said bill by striking out in the 8th line of Section 12 thereof the word "May" and inserting in place thereof the word 'July'.

Further amend said bill by striking out in the 13th and 12th lines from the end of Section 12 thereof the words "Norway Water District, in respect of the territory comprising said district belonging to this period" and inserting in place thereof the words 'Norway Water Company'.

Further amend said bill by striking out in the 2nd and 3rd lines of Section 19 thereof the words "acquire before July 1, 1943 by purchase or by the exercise of the right of eminent domain" and inserting in place thereof the words 'purchase or file its petition to take by eminent domain, before July 1, 1942'.

Further amend said bill by changing the figures "5655 to '62' wherever they appear in Section 21 thereof.

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

On motion by Mr. Hinckley of South Portland, the House voted to take from the table the seventeenth tabled and unassigned matter, House Amendment "A" to H. P. 792, L. D. 307, Bill "An Act Relating to State Aid for Academies," tabled by that gentleman on March 26th, pending adoption.

On motion by Mr. Pratt of Turner, House Amendment "A" was adopted, and the bill was given its third reading and passed to be engrossed as amended and sent up for concurrence.

On motion by Mr. Starrett of Warren, the House voted to take from the table the eleventh tabled and unassigned matter, House Report "Ought to pass as amended by Committee Amendment 'A'" of the Committee on Agriculture on Bill "An Act Relating to Sellers of Milk and Cream" (H. P. 1336) (L. D. 572) tabled by that gentleman on March 25th, pending acceptance.

Mr. STARRETT: Mr. Speaker and Members of the House: The

original bill before this committee I have no objection to, but the Committee Amendment, I cannot see any useful purpose that it will perform. I move the indefinite postponement of Committee Amendment "A".

The SPEAKER: The Chair will have to rule that a motion to indefinitely postpone the Committee Amendment is out of order at this time, the report of the committee not yet having been accepted.

Mr. STARRETT: Mr. Speaker, may I inquire if the motion would be in order after acceptance of the committee report?

The SPEAKER: The gentleman is correct. The motion can be made if the House accepts the "Ought to pass" report.

On further motion by Mr. Starrett, the House voted to accept the "Ought to pass" report of the committee.

Committee Amendment "A" was read by the Clerk.

Committee Amendment "A" to H. P. 1336, L. D. 572, Bill "An Act Relating to Sellers of Milk and Cream."

Amend said Bill by adding at the end thereof the following: **'Milk received for sale by a dealer as the consignee or agent of a producer shall be deemed to have been sold to and purchased by such dealer within the meaning of this chapter.'**

Mr. STARRETT: Mr. Speaker and Members of the House: I feel that the Committee Amendment is unnecessary and will not serve any useful purpose. I move the indefinite postponement of Committee Amendment "A".

The SPEAKER: The gentleman from Warren, Mr. Starrett, moves the indefinite postponement of Committee Amendment "A".

The Chair recognizes the gentleman from Damariscotta, Mr. Denny.

Mr. DENNY: Mr. Speaker, speaking for the committee, I will say that the gentleman from Warren, Mr. Starrett, is correct. It was a mistake that the amendment was sent through. The committee feels that it is an unnecessary amendment.

The SPEAKER: The question before the House is on the motion of the gentleman from Warren, Mr. Starrett, that Committee Amendment "A" be indefinitely postponed. All those in favor of the indefinite postponement of Committee Amend-

ment "A" will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed and Committee Amendment "A" was indefinitely postponed.

On motion by Mr. Mills of Farmington, the House voted to take from the table the twenty-first tabled and unassigned matter, Bill "An Act Relating to Town Reports" (H. P. 1443) (L. D. 757) tabled by that gentleman on March 26th, pending motion of Mr. Briggs of Hampden, that House Amendment "A" be adopted, which motion took precedence over motion subsequently made by Mr. Dutton of Bingham, to indefinitely postpone the bill.

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

Mr. BRIGGS: Mr. Speaker and Members of the House: This bill, when it was introduced, had two purposes. The first was to eliminate the mimeographing of the town reports, because it was felt that mimeographing was not a sufficiently permanent record.

The second purpose was to make uniform the size of all our town reports, the main purpose of that being to facilitate the filing in the library downstairs.

The reports of all towns are collected in the library, and when a sufficient number of any particular town has been gathered, they are bound.

Where they are coming in, in all different sizes, it makes it very difficult to bind them. It also makes it more expensive to bind them. Then the space available oftentimes is not large enough for the reports after they are bound.

There is objection, I think, — and valid objection, to cutting out mimeographing. Certain towns possibly cannot afford to have their town reports printed. The purpose of the amendment was to take care of that objection.

I believe the amendment will permit the towns to mimeograph their reports. However, the bill will still provide that the town reports must be printed on paper of sufficient substance to make a permanent record, and it will provide for a uniform size. That is the entire purpose of the bill.

The SPEAKER: The question before the House is on the motion of

the gentleman from Hampden, Mr. Briggs, that House Amendment "A" be adopted. Is the House ready for the question? All those in favor of the adoption of House Amendment "A" will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed and House Amendment "A" was adopted.

The SPEAKER: The question now before the House is on the motion of the gentleman from Bingham, Mr. Dutton, that this bill be indefinitely postponed.

The Chair recognizes the gentleman from Bingham, Mr. Dutton.

Mr. DUTTON: Mr. Speaker, I feel that this is a measure more in the interests of the Printers of the State of Maine, than it is of the State Library.

We provide a State Library and Librarian and helpers. It is their job to file whatever papers and documents may be presented to them for that purpose, regardless of size.

My home town issues a town report, which corresponds in size to the provisions of this bill. If, on the following year, we wished to print a town report of a different size, I believe it should be well within the province of the town to decide what size it wished to print, what kind of ink it wished to print it with, and what kind of paper it wished to print it upon.

I believe that we are turning over to the State Departments altogether too many of the rights and privileges which belong wholly to the towns themselves.

I hope that this measure will be indefinitely postponed.

The SPEAKER: The Chair recognizes the gentleman from Camden, Mr. Dwinal.

Mr. DWINAL: Mr. Speaker, this bill was heard before the Legal Affairs Committee.

While it is not of any particular importance, I will outline just briefly the arguments of the proponents of this measure.

They said that some of the town reports that were issued were very sizeable reports, and that there was not space enough for all of them in the State Library, when they were bound. Some of them are so long (measuring approximately a yard); then, of course, there is the ordinary standard size. We were told that it increased the expense to the State in great measure by having the

out-sizes bound. It is cheaper to bind the standard size of report.

So far as the weight of paper goes, and the kind of ink, we never thought of any specifications regarding the ink, if a standard ink were used. You can have it mimeographed or you can have it printed. In fact, as far as the bill goes, the report could come in hand-written, if you wanted it that way. I cannot see that it makes any increased expense to any town. It simply makes uniform the size of the paper. Other than that, I think the bill is of no importance.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Roy.

Mr. ROY: Mr. Speaker, as a printer, I can say that a uniform size of book will be much cheaper than having all sizes, and far better to file away. I looked over the file of town reports, and it is very hard to find what you want, because there are all sizes, in different boxes; where otherwise, if they were uniform, they could all be filed together.

Then when they are of uniform size, they are cheaper to bind and cheaper to print, generally. I have seen thousands and thousands of them, of different kinds and different sizes. I say now that we would be far better off if they were all in a uniform size.

As far as the paper is concerned, it is next to newsprint. Newsprint is about the cheapest you can buy. It is somewhat like wrapping paper. But as far as the cost of paper goes, it would not make any difference at all.

The SPEAKER: The Chair recognizes the gentleman from Bethel, Mr. Williams.

Mr. WILLIAMS: Mr. Speaker, I would like to ask a question of the gentleman from Lewiston, Mr. Roy, through the Chair.

The SPEAKER: The gentleman from Bethel, Mr. Williams, desires to ask a question of the gentleman from Lewiston, Mr. Roy, through the Chair. The gentleman may ask his question, and the gentleman from Lewiston may reply through the Chair, if he sees fit.

Mr. WILLIAMS: Mr. Speaker, I would like to ask this question. Is it practical to mimeograph on fifty pound paper?

Mr. ROY: That is a question there might be some doubt about.

If you understand what is meant by sixty pound paper, forty pound, and so on. That is uniform in size, standard paper, for printing books—sheets 25 by 38. That means that 500 sheets would be forty pounds, forty-five pounds, fifty, fifty-five,—whatever the weight. You can make paper stronger of 40 pounds than you can the other.

It is the quality of the paper that counts; not the weight. You can make cheap paper sometimes thick; and you can take some of that thin paper, and you can hardly tear it, it is so strong, and that costs more than sixty pound paper that can be ripped right off. So obviously the weight makes no difference in the quality.

So far as quality is concerned, I do not think it is necessary to have a uniform quality, because town reports do not necessarily have to be on a high quality of paper.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mr. Brown.

Mr. BROWN: Mr. Speaker and Members of the House: If you could have attended the hearing on this bill, and could have seen the mess that Miss Stuart brought in there, as an exhibit, showing the different sizes of town reports, you would not hesitate, with the amendment, to approve this bill. Some of the reports were practically two feet square; others were on small pieces of paper, hand written and stuck in an envelope.

I think you would not hesitate one minute, knowing the situation, to put this bill through. It certainly is a nuisance to try to file anything like that in the records. She is very anxious to make a good report so you can all see it.

I feel that you should pass this bill as amended by Mr. Briggs, without any hesitation whatever.

The SPEAKER: The question before the House is on the motion of the gentleman from Bingham, Mr. Dutton, that this bill be indefinitely postponed. All those in favor of the indefinite postponement of this bill will say aye; those opposed no.

A viva voce vote being doubted.

A division of the House was had.

Twenty-one having voted in the affirmative and 69 in the negative, the motion to indefinitely postpone did not prevail.

Thereupon, the bill was given its third reading, passed to be engrossed and sent up for concurrence.

On motion by the gentleman from Hampden, Mr. Briggs, the House voted to take from the table the fourteenth tabled and unassigned matter, Bill "An Act Relating to the School or Reserved Lands of the State" (H. P. 1790) (L. D. 1043) tabled by that gentleman on March 25th, pending passage to be engrossed.

Mr. Preble of Millinocket offered House Amendment "A" and moved its adoption.

House Amendment "A" to H. P. 1469, L. D. 745, Bill "An Act Relating to the School or Reserved Lands of the State."

Amend said bill by striking out therefrom all of sections 2 and 3 of the bill.

House Amendment "A" was adopted, and, on motion by the gentleman from Greenville, Mr. Rollins, the bill was tabled pending passage to be engrossed.

On motion by Mr. LaFleur, of Portland, the House voted to take from the table the fifth tabled and unassigned matter, Joint Order Relative to Governor furnishing Information re Bridges Inadequate for Military Use. (H. P. 1800), tabled by that gentleman on March 24th, pending passage.

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

Mr. LaFLEUR: Mr. Speaker, may I say in connection with this Joint Order that the purpose of placing this matter upon the table—by we who are interested in the military matters of the State,—was not in order to withhold information from this body.

The purpose of placing it upon the table was so that we could present to you an intelligent explanation of the progress which we are making in the military defense of the State.

In connection therewith, if the House will agree with me on the indefinite postponement of this order, the Governor has authorized me to suggest to this House that if the House is willing, he will come in with a special message,—either in person or in writing. He will discuss with you frankly and courageously the military defense of this State. He will discuss with you the money which we appropriated some six or seven months ago—the two million dollar bond issue, and he will indicate to you how that money

was spent—for the armories of the State and upon the airports of the State. He will also indicate to you the plans in so far as your highways are concerned, and he will discuss the adequacy of your military bridges.

I feel that, with that message before you, you will have a definite understanding of how your State is proceeding in these military matters. He has assured me, further, that he will go thoroughly into detail, so that you can appreciate the problems which confront your State.

With that explanation, and upon my assurance and his assurance that he will come before these two bodies, either in person or by a message, and with the consent of the sponsor, I believe, of the order, who now understands the situation, I now move you, Mr. Speaker, that this order be indefinitely postponed.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. LaFleur, that this order be indefinitely postponed. All those in favor of the indefinite postponement of

this order will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed, and the order was indefinitely postponed.

On motion by Mr. Slosberg of Gardiner, the House voted to take from the table the nineteenth tabled and unassigned matter, Bill "An Act to Amend the Charter of the City of Gardiner" (H. P. 833) (L. D. 347) tabled by that gentleman on March 26th, pending third reading; and on further motion by the same gentleman, the bill was given its third reading and was passed to be engrossed 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. Pelletier of Sanford,

Adjourned until ten o'clock tomorrow morning.