

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, April 1, 1941.

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

Prayer by the Rev. Mr. Richmond of Bucksport.

Journal of the previous session read and approved.

The **SPEAKER**: The Chair recognizes the gentleman from Strong, Mr. Richardson.

Mr. **RICHARDSON**: Mr. Speaker, I move that the rules be suspended in order that the House may take up out of order the first Emergency Enactor.

The **SPEAKER**: The gentleman from Strong, Mr. Richardson, moves that the rules be suspended and that the House take up out of order the first Emergency Enactor on today's calendar. Is this the pleasure of the House.

The motion prevailed.

**Passed to be Enacted
Emergency Measure**

An Act relating to School Tax in Unorganized Territory (S. P. 391) (L. D. 651)

The **SPEAKER**: This bill, having had its three several readings in the House and having been passed to be engrossed, having had its two several readings in the Senate 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 this bill 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 twenty-eight having voted in the affirmative and none in the negative, 128 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.

**Senate Reports
Divided Reports**

From the Senate:

Report A of the Committee on Inland Fisheries and Game on Bill 'An Act relative to Standish Game Preserve' (S. P. 241) (L. D. 393) reporting same in a new draft A (S. P. 518) (L. D. 1067) under same title and that it "Ought to pass"

Report was signed by the following members:

Messrs. **ELLIOT** of Knox
BRIDGES of Washington
—of the Senate.

WINTER of Kingfield
FENLASON of Anson
STARRETT of Warren
—of the House.

Report B of same Committee on same Bill reporting same in a new draft B (S. P. 519) under same title and that it "Ought to pass"

Report was signed by the following members:

Messrs. **BOOTHBY** of York
—of the Senate.

HANOLD of Standish
DAVIS of Buxton
BROWN of Corinna
WELCH of Chapman
—of the House.

Came from the Senate with Report A accepted and the New Draft A passed to be engrossed.

In the House:

The **SPEAKER**: The Chair recognizes the gentleman from Standish, Mr. Hanold.

Mr. **HANOLD**: Mr. Speaker and Members of the House: Needless to say I am very happy that the hour has arrived when I hope that final disposition can be made of this Standish Game Preserve bill.

I think it is due to you who are not so familiar with the problem as I, that I make a brief explanation of the situation as it now exists in the town of Standish.

I think I am very familiar with it. If not, I should be, from what I have heard during the past two or three months.

The Standish Game Preserve was established in 1929, and consists of approximately 8,000 acres, wholly within the town of Standish.

During the past two or three years, they have been killing approximately 300 deer during the month of November, and 100 deer the first day of the season, approximately. The

situation now has reached a point where the farmers and orchardists are under serious handicaps. In fact, it has reached such proportions that twenty-five or thirty of the farmers whose farms are in the preserve are wondering whether or not they can even eke out a living, by having a small garden.

I will say that the majority of the farmers have cooperated with the Fish and Game Department in using the well-known methods to keep deer out of garden spots but without much success.

Now, the sportsmen and conservationists also have an interest in this problem. As stated by Commissioner Stobie, this game preserve is undoubtedly the best preserve in the State of Maine and perhaps in this country. The farmers know it is the best feeding ground, and I admit that the sportsmen should be considered.

As you know, we have had two hearings on this bill, the first hearing being well attended by the farmers and orchardists, and the second hearing was attended both by farmers, orchardists and sportsmen.

From that hearing held on March 19th, a committee, consisting of three farmers, three sportsmen, the Commissioner of Agriculture, and the Commissioner of Inland Fisheries and Game, met after our Executive Session, and tried to evolve some kind of a program which would be satisfactory to all concerned. Their program, very briefly, is this:

With your permission, I will read the report of that committee which was handed to us after their adjournment.

Special committee proposed abolition of present preserve contingent on establishment of a new sanctuary of approximately the same size north of the railroad track which now serves as the southern boundary of the preserve. Other boundaries of new refuge to be left to discretion of the Fish and Game legislative committee.

Following the recommendation of that special committee, Report B covers that recommendation, which would move the Standish Game Preserve north of its present location. Those of you who are familiar with that territory, know that area north of the railroad tracks, across to East Baldwin, back to Steep Falls, thence back to the railroad tracks, which is an area of

approximately 7500 acres, in which there are only two or three farms. Those farmers farm on a very small scale.

I believe that by the adoption of this Report B that we could really get somewhere on this proposition.

I can tell you now that whatever is done, at this Standish Game Preserve, that when you open your newspapers next November, you are going to see that a terrible slaughter has taken place. That to me is inevitable. I do not see how it can be otherwise, when you can kill 300 deer a season for three or four years in succession.

I have been on that preserve and surrounding territory the past few weeks, and I can say in my humble opinion there are probably as many deer there as there were last fall. Where do they come from? They come into that preserve naturally and instinctively, to get the protection which is offered. We still maintain that they should have some haven of refuge when the gunning season opens and you have from 1,000 to 1500 guns in the town of Standish the first day of the hunting season.

I think by following this recommendation we can set up a new preserve and still suit the farmer and suit the sportsman.

I hope you will support me in my motion to accept Committee Report B.

The SPEAKER: The question before the House is on the motion of the gentleman from Standish, Mr. Hanold, that the House accept Report B. "Ought to pass in new draft."

All those in favor of the motion of the gentleman from Standish, Mr. Hanold, that the House accept Report B. "Ought to pass in new draft" will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed and Report B, "Ought to pass in new draft" was accepted, and the new draft was tabled for printing.

Divided Reports Tabled and Specially Assigned

From the Senate:

Majority Report of the Committee on Judiciary reporting "Ought to pass" on Bill "An Act relating

to Arrests in Criminal Cases" (S. P. 365) (L. D. 678)

Report was signed by the following members:

Miss LAUGHLIN of Cumberland

Messrs. FARRIS of Kennebec

HARVEY of York

—of the Senate.

McGLAUFN of Portland

HINCKLEY of So. Portland

PAYSON of Portland

MILLS of Farmington

BRIGGS of Hampden

GRUA of Livermore Falls

—of the House.

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

Report was signed by the following member:

Mr. WILLIAMS of Bethel

—of the House.

Came from the Senate with the Majority Report accepted and the Bill passed to be engrossed.

In the House, on motion by Mr. Williams of Bethel, the two Reports, with accompanying papers, were tabled pending acceptance of either Report and specially assigned for next Tuesday morning, April 8th.

Ought Not to Pass

Report of the Committee on Judiciary, reporting "Ought not to pass" on Bill "An Act relating to the Workmen's Compensation Act" (S. P. 358) (L. D. 672)

Report of same Committee reporting same on Bill "An Act to Make Compulsory the Workmen's Compensation Act" (S. P. 373) (L. D. 618)

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 Agriculture on Bill "An Act Regulating the Expenditure of the Potato Tax" (S. P. 189) (L. D. 285) reporting same in a new draft (S. P. 514) (L. D. 1060) under same title and that it "Ought to pass"

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act providing for a Discount from the Established Retail Sale Price upon Sales of Liquor by the State Liquor Commission to persons Licensed to Sell Liquor to be Consumed on the Premises (S. P.

298) (L. D. 508) reporting same in a new draft (S. P. 517) (L. D. 1066) under title of "An Act providing for the Sale of Liquor at Wholesale Prices by the State Liquor Commission to Persons Licensed to Sell Liquor to be Consumed on the Premises" and that it "Ought to pass"

Report of the Committee on Inland Fisheries and Game on Bill "An Act relative to Crop and Orchard Damage by Deer" (S. P. 377) (L. D. 696) reporting same in a new draft (S. P. 516) (L. D. 1069) under same title and that it "Ought to pass"

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

In the House, Reports were read and accepted in concurrence, and the Bills read twice and tomorrow assigned.

Senate Bills in First Reading

Bill "An Act relating to the Personnel Law" (S. P. 74) (L. D. 50)

Bill "An Act relating to Examination of Motor Vehicles by Inspectors and Police Officers" (S. P. 448) (L. D. 902)

Bill "An Act relating to Pre-marital Medical Examination" (S. P. 412) (L. D. 637)

First Reading of Senate Bills With Committee Amendments

From the Senate:

Report of the Committee on Legal Affairs on Bill "An Act relating to Notices of Caucuses" (S. P. 442) (L. D. 884) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

In the House, 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.

Report of the Committee on Salaries and Fees on Bill "An Act relating to Clerk Hire in the Office of Register of Deeds" (S. P. 400) (L. D. 641) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate, the Report

read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A".

In the House, 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.

Orders

On motion by Mr. McGlauflin of Portland, it was

ORDERED, that Mr. Boutin of Lewiston, be excused from attendance for the remainder of the week because of pressing business.

On motion by Mr. McGlauflin of Portland, it was

ORDERED, that Mr. Smith of Thomaston, be excused from attendance today because of illness; also that Mr. Stevens of Jonesport, be excused for the remainder of the week because of illness.

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

ORDERED, the Senate concurring, that the accompanying circular, relating to state appropriations, by the gentleman from Gorham, Mr. Gould, and distributed yesterday, be printed in the record.

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

Mr. PAYSON: Mr. Speaker, to still live up to my reputation, I will say that the information which is contained in the document which was discussed by the gentleman from Gorham, Mr. Gould, yesterday, is all contained in the report of the Appropriations Committee which has been printed in pamphlet form and distributed. It shows the increases in comparative form right straight through. The only purpose that would be served by printing this document would be to increase the expense which I think it is intended to curtail. I move that the order be indefinitely postponed.

The SPEAKER: The gentleman from Portland, Mr. Payson, moves that the order be indefinitely postponed. The question before the

House is on the motion of the gentleman from Portland, Mr. Payson, that the order be indefinitely postponed. All those in favor of the indefinite postponement of the order will say aye; those opposed no.

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

The SPEAKER: The Chair recognizes the gentlewoman from Bangor, Miss Clough.

Miss CLOUGH: Mr. Speaker, in recognition of the splendid significance of this day, and although I am neither opposed to it nor supporting it, because I feel it is an entering wedge, I now move to suspend Rule 25 for the remainder of today's session. (Laughter and applause)

The SPEAKER: The gentlewoman from Bangor, Miss Clough, moves that House Rule 25 be suspended for the remainder of today's session. Is this the pleasure of the House.

The motion prevailed.

House Reports of Committees Leave to Withdraw

Mr. Briggs from the Committee on Judiciary on Bill "An Act Authorizing the Creation of Housing Authorities in the Several Cities and Towns" (H. P. 1386) (L. D. 814) reported leave to withdraw.

Same gentleman from same Committee reported same on Bill "An Act relating to Remedying and Elimination of Dwellings Unfit for Human Habitation" (H. P. 1387) (L. D. 768)

Mr. Dwinall from the Committee on Legal Affairs reported same on Bill "An Act relating to the Charter of the City of Rockland" (H. P. 1176) (L. D. 475)

Mr. Shesong from same Committee reported same on Bill "An Act to Tax Coin Vending Machines and to Make Legal the Leasing, Possession and Operation of the Same" (H. P. 1437) (L. D. 576)

Mr. Slosberg from same Committee reported same on Bill "An Act Defining, Regulating and Taxing Games of Skill" (H. P. 1436) (L. D. 575)

Mr. LaFleur from same Committee reported same on Bill "An Act relating to Time of Holding Municipal Elections" (H. P. 1484) (L. D. 940)

Mr. Slosberg from same Committee reported same on Bill "An Act amending the Charter of the city of Auburn" (H. P. 1171) (L. D. 470)

Miss Bangs from the Committee on Motor Vehicles reported same on Bill "An Act relating to Automobiles Stopping upon Signal of Officer" (H. P. 1548) (L. D. 829)

Mr. Otto from the Committee on Public Utilities reported same on Bill "An Act relating to Common Carriers" (H. P. 1462) (L. D. 738) as it is covered by other legislation.

Reports were read and accepted and sent up for concurrence.

Refer to 91st Legislature

Mr. Dean from the Committee on Ways and Bridges on Bill "An Act to provide for the Reconstruction or Enlargement of the International Bridge at Calais, in the county of Washington, known as the Ferry Point Bridge" (H. P. 97) (L. D. 53) reported that same be referred to the 91st Legislature.

Mr. Cross from same Committee reported same on Resolve in favor of a Bridge across the Allagash River (H. P. 325) (L. D. 124)

Reports were read and accepted and sent up for concurrence.

Ought not to Pass

Mr. Grua from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to Petitions for Review" (H. P. 1161) (L. D. 458)

Mr. Hinckley from same Committee reported same on Bill "An Act Creating a Rule of Evidence in Certain Criminal Prosecutions under the Motor Vehicle Law" (H. P. 1406) (L. D. 784)

Mr. McGlaulin from same Committee reported same on Bill "An Act relating to Absentee Ballots in Towns Using the Australian Ballot" (H. P. 1419) (L. D. 728)

Reports read and accepted and sent up for concurrence.

Report Tabled

Mr. Williams from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to the Time of Opening and Closing of Polls" (H. P. 1152) (L. D. 452)

(On motion by Mr. Jones of Rockland, tabled pending acceptance of Committee Report)

Mr. Williams from the Committee

on Judiciary reported "Ought not to pass" on Bill "An Act Permitting Towns to Use Absentee Ballots" (H. P. 247) (L. D. 86)

Report was read and accepted and sent up for concurrence.

Report Tabled and Specially Assigned

Mr. Pierce from the Committee on Labor reported "Ought not to pass" on Bill "An Act relating to the Safety of Workers in Building Construction" (H. P. 1431) (L. D. 748) as legislation is inexpedient.

(On motion by Mr. Pierce of Bucksport, tabled pending acceptance of Committee Report and specially assigned for next Tuesday, April 8th)

Mr. Donahue from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act relating to the Division of Emergency Aid" (H. P. 1586) (L. D. 941)

Mr. Dwinall from same Committee reported same on Bill "An Act relating to Pauper Settlements" (H. P. 1266) (L. D. 538)

Same gentleman from same Committee reported same on Bill "An Act to amend the Charter of the Ogunquit Village Corporation" (H. P. 1182) (L. D. 360)

Mr. Shesong from same Committee reported same on Bill "An Act to Regulate the Sale of Fireworks in the State of Maine" (H. P. 51) (L. D. 35)

Mr. Weston from the Committee on Motor Vehicles reported same on Bill "An Act relating to the Law of the Road" (H. P. 1538) (L. D. 878)

Same gentleman from same Committee reported same on Bill "An Act relating to Traffic Safety" (H. P. 1429) (L. D. 731)

Reports were read and accepted and sent up for concurrence.

Report Tabled and Specially Assigned

Mr. Weston from the Committee on Motor Vehicles reported "Ought not to pass" on Bill "An Act relating to Short Period Registration of Trucks" (H. P. 1591) (L. D. 944)

(On motion by Mr. McKusick of Parkman, tabled pending acceptance of Committee Report and specially assigned for next Tuesday, April 8th)

Mr. Cousins from the Committee on Salaries and Fees reported "Ought not to pass" on Bill "An Act relating to the Salary of Registrar of Probate of Kennebec County" (H. P. 1466) (L. D. 742)

Report was read and accepted and sent up for concurrence.

Report Tabled

Mr. Cousins from the Committee on Salaries and Fees reported "Ought not to pass" on Bill "An Act relating to the Salary of the Attorney-General" (H. P. 1464) (L. D. 740)

(On motion by Mr. Shesong of Portland, pending acceptance of Committee Report)

Mr. Dorsey from the Committee on Taxation reported "Ought not to pass" on Bill "An Act Levying a Tax on Soft Drinks" (H. P. 323) (L. D. 125)

Same gentleman from same Committee reported same on Bill "An Act relating to Pari-Mutuels" (H. P. 1213) (L. D. 431)

Mr. Jordan from same Committee reported same on Bill "An Act relating to Taxing Entertainment Halls, requiring Paid Admissions" (H. P. 1598) (L. D. 948)

Same gentleman from same Committee reported same on Bill "An Act relative to Exemption of Public Municipal Corporations from Taxation" (H. P. 1597) (L. D. 947)

Reports were read and accepted and sent up for concurrence.

Report Tabled and Specially Assigned

Mr. Worth from the Committee on Taxation reported "Ought not to pass" on Bill "An Act Exempting the Real Property of Persons over Sixty-five Years of Age from Taxation" (H. P. 1596) (L. D. 915)

(On motion by Mr. Sichel of Lisbon, tabled pending acceptance of Committee Report and specially assigned for next Tuesday, April 8th)

Mr. Davis from the Committee on Temperance reported "Ought not to pass" on Bill "An Act relating to the Fees for Licenses for Hotels, Restaurants and Clubs which are Licensed to Sell Malt Liquors to be Consumed on the Premises as well as Vinous and Spirituous Liquors to be Consumed on the Premises" (H. P. 1491) (L. D. 725)

Mr. Mills from same Committee reported same on Bill "An Act relating to Licenses to Sell Malt Liquors" (H. P. 1485) (L. D. 734)

Mr. Cross from the Committee on Ways and Bridges reported same on Resolve relating to Maintenance of that Part of Route 11 located with-

in the town of Lincoln (H. P. 452) (L. D. 190)

Mr. Hall from same Committee reported same on Resolve relating to Maintenance of the White Schoolhouse Road, so-called (H. P. 453) (L. D. 191)

Mr. Lackee from same Committee reported same on Resolve relating to Benton Bridge (H. P. 161) (L. D. 93)

Mr. Bragdon from the Committee on Claims reported same on Resolve reimbursing the town of Sherman for Certain Pauper Expenses (H. P. 409)

Mr. Fuller from same Committee reported same on Resolve in favor of the town of New Portland for Support of Willard Luce and family (H. P. 37)

Reports were read and accepted and sent up for concurrence.

Reports Tabled

Mr. Patterson from the Committee on Claims reported "Ought not to pass" on Resolve to reimburse the town of Washington for Support of Certain State Paupers (H. P. 42)

(On motion by Mr. Starrett of Warren, tabled pending acceptance of Committee Report)

Mr. Welch from the Committee on Claims reported "Ought not to pass" on Resolve in Favor of L. U. Klein of Eagle Lake (H. P. 14)

(On motion by Mr. Brown of Eagle Lake, tabled pending acceptance of Committee Report)

Ought to Pass in New Draft

Mr. Cousins from the Committee on Public Utilities on Bill "An Act to Incorporate the Milo Water & Sewer District" (H. P. 679) (L. D. 247) reported same in a new draft (H. P. 1864) under title of "An Act to Incorporate the Milo Water District" and that it "Ought to pass"

Mr. Brown from same Committee on Bill "An Act to Incorporate the Presque Isle Water District" (H. P. 860) (L. D. 352) reported same in a new draft (H. P. 1865) under same title and that it "Ought to pass"

Mr. Morrison from same Committee on Bill "An Act Extending the Exemptions from the Common Carrier Law" (H. P. 116) (L. D. 63) reported same in a new draft (H. P. 1866) under title of "An Act relating to Common Carriers" and that it "Ought to pass"

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

**First Reading of Printed Bills
Bill Tabled**

Bill "An Act relating to Speed Regulations" (H. P. 1552) (L. D. 843)

(Bill had its first reading, and on motion by Mr. Bragdon of Perham, tabled pending second reading.)

Bill "An Act relating to the Counting of Ballots" (H. P. 1861) (L. D. 1076)

Bill "An Act Creating the Temple Water Company" (H. P. 1862) (L. D. 1077)

Bill "An Act relating to Inspection of Motor Vehicles" (H. P. 1863) (L. D. 1078)

Bills were read twice and tomorrow assigned.

**First Reading of Printed Bills With
Committee Amendments**

Bill "An Act in Regard to New Trials on the Ground of Newly Discovered Evidence" (H. P. 827) (L. D. 341)

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

Committee Amendment "A" to H. P. 827, L. D. 341, Bill, "An Act in Regard to New Trials on the Ground of Newly Discovered Evidence."

Amend Section 24-A by striking out in the 3rd and 4th lines thereof the words "or for any other cause, except a motion to set aside a verdict as against law or the evidence,"; and

Further amend said section by striking out in the 5th line the words "at any time"; and

Further amend said section by adding after the word "shown" in the 8th line thereof the words "and must be filed within 2 years from the date of said judgment."

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

Bill "An Act to Authorize the Incorporation of Credit Unions" (H. P. 1415) (L. D. 595)

Bill was given its two several readings.

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

Committee Amendment "A" to H. P. 1415, L. D. 595, Bill, "An Act to Authorize the Incorporation of Credit Unions."

Amend Section 3 of said Bill by striking out in the 14th line thereof the figures "\$1,000" and substituting in place thereof the figures '\$100'.

Amend Section 4 of said Bill by striking out in the 6th line thereof the words "in the manner of a credit union or" and substituting in place thereof the word "and"; and

Further amend said Section 4 by striking out in the 9th line thereof "\$1,000" and substituting in place thereof the figures '\$100'.

Amend Section 15 of the Bill by striking out in the 15th line thereof the word "directors" and substituting in place thereof the words 'credit union'; and

Further amend said Section by striking out in the 19th line thereof the figures "17" and substituting in place thereof the figures '19'; and

Further amend said Section 15 by striking out all of the last paragraph thereof.

Amend Section 24 of said Bill by striking out in the 14th line thereof the words "at his election" and substituting in place thereof the words 'at the discretion of the board of directors'.

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

Passed to Be Engrossed

Bill "An Act relating to Time of Filing by an Employment Unit under the Unemployment Compensation Act" (S. P. 456) (L. D. 938)

Bill "An Act to Provide Better Government for the town of Bar Harbor" (H. P. 645) (L. D. 281)

Bill "An Act to amend the Charter of the Ogunquit Village Corporation" (H. P. 1180) (L. D. 478)

Bill "An Act relating to Medical Examiners and their Duties" (H. P. 1421) (L. D. 586)

Bill "An Act relating to Gambling" (H. P. 1857) (L. D. 1070)

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

Bill Tabled and Specially Assigned

Bill "An Act relating to the Pre-emptive Right of Stockholders" (H. P. 1858) (L. D. 1071)

(Was reported by the Committee on Bills in the Third Reading, and on motion by Mr. Farwell of Unity, tabled pending third reading and specially assigned for tomorrow morning)

Bill Tabled

Bill "An Act relating to Annual Audits in Cities, Towns, Plantations and Village Corporations" (H. P. 1859) (L. D. 1072)

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

Amended Bill

Bill "An Act relating to Town Clerks" (H. P. 1463) (L. D. 739)

Was 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 to Exempt Soldiers and Sailors from Poll Taxes (H. P. 1484) (L. D. 613)

The SPEAKER: This bill, having had its three several readings in the House and having been passed to be engrossed, having had its two several readings in the Senate 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 this bill 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 twenty-eight having voted in the affirmative and none in the negative, 128 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 Apportionment of School Funds (S. P. 143) (L. D. 195)

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

An Act relative to Stations for Weighing Trucks (S. P. 317) (L. D. 880)

An Act relating to Commitment of Persons of Unsound Mind to the State Hospitals for Observation (S. P. 346) (L. D. 663)

An Act relating to Aid to Needy Children (S. P. 367) (L. D. 681)

An Act relating to Preservation of the Records of the Department of Health and Welfare (S. P. 509) (L. D. 1034)

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. 511) (L. D. 1035)

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

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

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

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

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

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

An Act relative to Daily Limit on Pickerel (H. P. 1356) (L. D. 702)

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

An Act relative to Revocation of Hunting and Fishing Licenses (H. P. 1363) (L. D. 709)

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

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

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

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

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

An Act relating to Records of De-

organized Municipalities (H. P. 1495) (L. D. 733)

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

An Act amending the Charter of the Kittery Electric Light Company (H. P. 1658) (L. D. 1013)

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)

An Act relative to Field Trials and Training Bird or Coon Dogs (H. P. 1796) (L. D. 1053)

An Act relative to Training of Fox, Coon or Rabbit Hounds (H. P. 1797) (L. D. 1054)

An Act relative to Trapping of Bobcats in Aroostook County (H. P. 1798) (L. D. 1055)

Finally Passed

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

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

Resolve in favor of Blanche G. Cobb of Lisbon (H. P. 257) (L. D. 1056)

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

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

Resolve in favor of Ella M. Jude of Ellsworth (H. P. 672) (L. D. 1057)

Resolve relative to Open Season on Pheasants (H. P. 811) (L. D. 324)

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

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

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

Resolve permitting the Building of a Fish Pond in Madison (H. P. 1379) (L. D. 808)

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 A. R. Thompson (H. P. 1671) (L. D. 1021)

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

Resolve in favor of George Sotomah, Representative of the Passamaquoddy Tribe of Indians (H. P. 1794) (L. D. 1051)

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.

Orders of the Day

The SPEAKER: Under Orders of the Day the Chair lays before the House the first tabled and today assigned matter, being House Amendment "A" to Bill "An Act to Assist Rural Sanitation Activities" (H. P. 830) (L. D. 344) tabled by the gentleman from Portland, Mr. Payson, on March 31st pending adoption.

The Chair recognizes the gentleman from Farmington, Mr. Mills.

Mr. MILLS: Mr. Speaker, after the session yesterday, several of us went over the objections which were raised by the able Floor Leader. A new amendment was drawn, which, I understood at that time, took care of the objections which he had. I am not just sure now, because I have just looked at him, and I do not know whether he is playing an April Fool joke on me or not, but I just saw him shaking his head.

At any rate, the way it stood, yesterday afternoon, I was to attempt to withdraw this amendment that is pending, and offer this amendment here, which is labeled Amendment "B", which would take care of those objections.

Now, on the parliamentary procedure, I am not just certain, but if I can move, Mr. Speaker, to withdraw House Amendment "A", I would like to do so.

The SPEAKER: The gentleman from Farmington, Mr. Mills, moves that he be permitted to withdraw House Amendment "A".

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

Mr. PAYSON: Mr. Speaker, I have read House Amendment "B" which the gentleman from Farmington (Mr. Mills) proposes to introduce, and while he has attempted to meet my objections, he has not done so accurately.

In order that the gentleman and I might sit down together, to see if we can work out something so that we will not take up all the time of the House, I suggest that the bill lie on the table and be especially assigned for tomorrow morning.

The SPEAKER: The gentleman from Portland, Mr. Payson, moves that this amendment and accompanying bill lie on the table and be

specially assigned for tomorrow morning. Is this the pleasure of the House?

The motion prevailed and the bill and amendment were so tabled.

On motion by Mr. Roberts of Waterboro, the House voted to take from the table the eighteenth tabled and unassigned matter, Majority Report "Ought to pass" and Minority Report "Ought not to pass" of the Committee on Legal Affairs on Bill "An Act Relating to Androscooggin Lake Dam." (H. P. 612) (L. D. 250), both reports tabled by that gentleman on March 28th pending acceptance of either report; and on further motion by the same gentleman, the Majority Report, "Ought to pass" was accepted.

On motion by Mr. Hanold of Standish, the House voted to take from the table the seventh tabled and unassigned matter, Resolve Regulating Hunting and Trapping of Muskrats. (H. P. 244) (L. D. 83) tabled by that gentleman on March 26th pending passage to be engrossed.

The SPEAKER: The Chair recognizes the gentleman from Bucksport, Mr. Pierce.

Mr. PIERCE: Mr. Speaker, inasmuch as the intended provisions of this resolve are covered by other legislation, I move that this resolve be indefinitely postponed.

The SPEAKER: The gentleman from Bucksport, Mr. Pierce, moves the indefinite postponement of this resolve. Is this the pleasure of the House?

The motion prevailed and the resolve was indefinitely postponed and sent up for concurrence.

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, I had not intended to speak this morning—that is, not all the time—but I seem to be doing that very thing.

I was requested recently to pre-

sent to this House, for its consideration, by unanimous consent, a certain bill. I am carrying out that request at this time. I ask no favor of consideration for myself in the matter whatsoever.

I simply ask you to use your judgment as to whether or not you wish to admit anything at this time in the session.

This is a bill to incorporate a vocational school in this State.

It arises because of the national defense emergency, where trained and skilled workers are rapidly being taken into industry, and there is a lack.

There will probably be some sort of a vocational training program—Federal or State.

I would like to quote to you from a letter from one of our United States Senators, directed to me, in which he says:

"It is my hope and expectation based on many conferences here that a permanent program may be evolved, looking beyond this crisis, that will provide for the coordination of Federal, State and private agencies in the training of our youth, and particularly in the vocational field."

And another paragraph—

"Whether the solution will lie along this line or through purely State or Federal action is not yet clear but it has been impressed upon me very forcibly this past month that it would be very prudent for the State of Maine to have available a properly chartered Institution to be ready in certain contingencies to meet a very obvious need."

This bill, which I shall offer, proposes to incorporate a vocational school here in the State of Maine, so that, if Federal funds become available, then we will have the vehicle necessary to take advantage of the Federal funds.

I now offer this bill and ask unanimous consent for its introduction.

The SPEAKER: The gentleman from Portland, Mr. Payson, offers a bill and requests unanimous consent for its introduction. Is there objection? The Chair hears no objection and the Clerk will read the title.

"An Act Incorporating the Maine Vocational School."

The SPEAKER: The Chair will inquire if the gentleman desires to pre-

have the bill referred to a committee?

Mr. PAYSON: Mr. Speaker, I suggest that it be referred to the Committee on Legal Affairs.

The SPEAKER: The gentleman from Portland, Mr. Payson, moves that this bill be referred to the Committee on Legal Affairs, that 750 copies be printed and the bill sent up for concurrence. Is this the pleasure of the House?

The motion prevailed.

On motion by Mr. Welch of Chapman, the House voted to take from the table the sixteenth tabled and unassigned matter, Bill "An Act to Provide Assistance to the Civil Population of England" (H. P. 637) (L. D. 273) on which the House accepted the Majority Report of the Committee on Judiciary reporting "Ought not to pass" on February 20th, and in the Senate the Minority Report of the Committee reporting "Ought to pass" was accepted in non-concurrence and the bill passed to be engrossed. In the House, tabled on March 28th by Mr. Welch pending further consideration.

On motion by Mr. Hinckley of South Portland, the House voted to insist and ask for a Committee of Conference.

The SPEAKER: The Chair will name the members of the committee at a later date.

On motion by Mr. Slosberg of Gardiner, the House voted to take from the table the twenty-second tabled and unassigned matter, Bill "An Act Relating to Burial Grounds for Soldiers" (S. P. 458) (L. D. 934) tabled by that gentleman on March 28th pending assignment for third reading; and on further motion by the same gentleman, the bill was assigned for its third reading tomorrow morning.

On motion by Mr. Davis of Montville, the House voted to take from the table the fifth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Interior Waters on Resolve Relating to the Building of a Dam at Quanabacook Lake (H. P. 1577) (L. D. 928) tabled by that gentleman on March 25th pending acceptance.

The SPEAKER: The Chair rec-

ognizes the gentleman from Montville, Mr. Davis.

Mr. DAVIS: Mr. Speaker, the committee reported "Ought not to pass" on this resolve. I hold nothing against the members of this committee and I probably should have reported the same under like circumstances, as the bill carried little more than its title; but, with a little further explanation of the amendment which I shall offer, I think the doubts and fears of the committee are all dispelled.

Now this legislation constitutes a real advertisement for this beauty spot in Maine, Lake Quantabacook, the Indian name, of which we are proud. It is along the line of the good work being done by the Maine Publicity Bureau and the Maine Development Commission, and I have the hearty endorsement of the Utilities Commission and of Mr. Stobie of the Inland Fisheries and Game Department. As to the legality of this measure, I have the one hundred per cent endorsement of Senator Sanborn, for whose integrity and ability we have great respect, and Senator Morse, from Waldo County, is in favor of this bill one hundred per cent. In fact, no one that I have talked with who understands this proposition is against it.

This little piece of legislation will render a great service to the people of Searsmont; it will enhance the scenic beauty of this wonderful lake; it will immeasurably increase the pleasure of the campers and the general welfare of the people in this vicinity. Not because this is April 1st, do I, on behalf of the people of Searsmont, extend a cordial invitation to each one of you to come down there and enjoy its scenic beauty, its fishing and boating. Mr. Speaker, I now move that the House substitute this resolve for the report of the committee, "Ought not to pass."

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

Mr. LAMBERT: Mr. Speaker and Members of the House: When this resolve was heard by your committee, there seemed to be only one objection by the committee. That was the legal end of this legislation.

The committee felt that it was an unusual request. We were not sure at the time whether it was legal for

our committee to authorize the building of such a dam.

Since then, as the gentleman from Montville (Mr. Davis) has expressed to you, some legal authorities have been questioned concerning the legality of this resolve. We have found that this resolve would be perfectly all right if it were passed.

I feel, as one member of that Committee, that I am willing to go along and let this resolve pass.

As was brought out before the Legal Affairs Committee, it establishes a dam to keep the water level at that point to a certain height, so that it improves fishing and also covers much of the mud flats. Therefore, it improves the looks of the surroundings and would be very valuable to summer tourists.

I therefore hope that the motion of the gentleman from Montville (Mr. Davis) prevails.

The SPEAKER: The question before the House is on the motion of the gentleman from Montville, Mr. Davis, that the resolve be substi-

tuted for the "Ought not to pass" report of the committee. Is the House ready for the question?

All those in favor of the motion of the gentleman from Montville, Mr. Davis, that the resolve be substituted for the "Ought not to pass" report of the committee will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed and the resolve was substituted for the "Ought not to pass" report of the committee.

The SPEAKER: The House is proceeding under Orders of the Day. If there is no further business to come before the House under Orders of the Day, the Clerk will read the notices.

On motion by Mr. Littlefield of Albion,

Adjourned until ten o'clock tomorrow morning.