

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Second Legislature

OF THE

STATE OF MAINE

1945

DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

HOUSE

Tuesday, February 6, 1945.

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.

Papers from the Senate

Bill "An Act relating to Prevention of Bang's Disease by the Department of Agriculture" (S. P. 125) (L. D. 330)

Came from the Senate referred to the Committee on Agriculture.

In the House, referred to the Committee on Agriculture in concurrence.

Resolve to provide Funds for Eradication of Bang's Disease, Tuberculosis, and other Infectious and Contagious Diseases of Livestock (S. P. 126) (L. D. 331)

Came from the Senate referred to the Committee on Appropriations and Financial Affairs.

In the House, referred to the Committee on Appropriations and Financial Affairs in concurrence.

Resolve in favor of Donald H. Tate, of Ellsworth Falls (S. P. 108) (L. D. 234)

Resolve in favor of Fay F. Mat-tatal, of Ellsworth (S. P. 109) (L. D. 233)

Resolve in favor of George Currier, of Norway (S. P. 110) (L. D. 232)

Resolve in favor of Hospice Marcotte, of Lewiston (S. P. 127) (L. D. 332)

Resolve in favor of William Bolduc, of Lewiston (S. P. 128) (L. D. 333)

Resolve in favor of James R. Hale of Castine (S. P. 129) (L. D. 334)

Resolve relating to Reimbursement to James Y. Kinmond of Westbrook (S. P. 130) (L. D. 335)

Resolve in favor of Melbourne Wilson, of Guilford (S. P. 131) (L. D. 336)

Resolve in favor of J. R. Collins, South Portland, Maine (S. P. 132) (L. D. 337)

Resolve to Reimburse the town of Eastbrook for Suppression of a Forest Fire (S. P. 133) (L. D. 338)

Came from the Senate referred to the Committee on Claims.

In the House, referred to the Committee on Claims in concurrence.

Bill "An Act Providing Authority to the Board of Trustees of the Maine Maritime Academy to Confer the Degree of Bachelor of Science" (S. P. 134) (L. D. 339)

Resolve in favor of Noncontributory Pension Status of Anna F. Crowley, of Biddeford (S. P. 111) (L. D. 231)

Came from the Senate referred to the Committee on Education.

In the House, referred to the Committee on Education in concurrence.

Resolve Creating an Interim Committee to Study the Tribal Rights and Needs of the Indians (S. P. 135) (L. D. 340)

Came from the Senate referred to the Committee on Indian Affairs.

In the House, referred to the Committee on Indian Affairs in concurrence.

Bill "An Act relative to Game Preserve" (S. P. 112) (L. D. 229)

Bill "An Act relative to Open Season on Woodcock" (S. P. 136) (L. D. 341)

Resolve Opening Penneesseewassee Lake to Smelt Fishing (S. P. 113) (L. D. 230)

Came from the Senate referred to the Committee on Inland Fisheries and Game.

In the House, referred to the Committee on Inland Fisheries and Game in concurrence.

Bill "An Act relating to the Houlton Municipal Court" (S. P. 114) (L. D. 228)

Bill "An Act relating to Rights of Payees and Beneficiaries of United States Defense Savings Bonds" (S. P. 115) (L. D. 227)

Bill "An Act to Promote Proper Recording and Education concerning Vital Statistics" (S. P. 117) (L. D. 226)

Bill "An Act relating to Recording of Certificates of Incorporation" (S. P. 138) (L. D. 343)

Bill "An Act relating to Transfer of Inmates from the Reformatory for Men to the State Prison and the State School for Boys" (S. P. 139) (L. D. 344)

Bill "An Act to Incorporate the 'General Mortgage Company'" (S. P. 140) (L. D. 345)

Bill "An Act relating to Appointment of Police Commission for city of Lewiston" (S. P. 141) (L. D. 346)

Resolve Permitting Examination of William J. Brasier, of Portland, by State Board of Examiners of Funeral Directors and Embalmers (S. P. 118) (L. D. 225)

Resolve Proposing an Amendment to the Constitution to Provide for Lowering the Voting Age (S. P. 137) (L. D. 342)

Resolve Proposing an Amendment to the Constitution Providing for Permanent Sites and Locations of Public Wharves and Port Facilities (S. P. 168) (L. D. 347)

Came from the Senate referred to the Committee on Judiciary.

In the House, referred to the Committee on Judiciary in concurrence.

Bill "An Act relating to the Police Commission for the city of Lewiston" (S. P. 142) (L. D. 348)

Bill "An Act to Amend the Charter of Lincoln Academy" (S. P. 143) (L. D. 349)

Bill "An Act relating to Repeal of Ordinances in city of Lewiston" (S. P. 144) (L. D. 350)

Bill "An Act relating to Licenses for Lodging Houses in city of Lewiston" (S. P. 145) (L. D. 351)

Bill "An Act Amending 'Act to Create the Port of Portland Authority' and to Change the Name to Maine Port Authority" (S. P. 146) (L. D. 352)

Came from the Senate referred to the Committee on Legal Affairs.

In the House, referred to the Committee on Legal Affairs in concurrence.

Bill "An Act relating to Local Rehabilitation of Veterans" (S. P. 147) (L. D. 353)

Came from the Senate referred to the Committee on Military Affairs.

In the House, referred to the Committee on Military Affairs in concurrence.

Resolve Providing for an Increase in State Pension for Donald Wilson of Bath (S. P. 119) (L. D. 224)

Resolve Granting a State Pension to Frederick C. Chandler, of Bath (S. P. 120) (L. D. 223)

Resolve Granting a State Pension to Maud Lowell Tuffs, of Lewiston (S. P. 148) (L. D. 354)

Resolve Granting a State Pension to Dana E. Smith, of Guilford (S. P. 149) (L. D. 355)

Resolve Providing for an Increase in State Pension for Everett Pelkey, of Mapleton (S. P. 150) (L. D. 356)

Resolve Providing for an Increase in State Pension for Mildred Kennedy, of Easton (S. P. 151) (L. D. 357)

Resolve in favor of Albert Leslie Shorey, of Surry (S. P. 152) (L. D. 358)

Came from the Senate referred to the Committee on Pensions.

In the House, referred to the Committee on Pensions in concurrence.

Bill "An Act relating to Licensing Hospitals and Related Institutions in the State of Maine" (S. P. 121) (L. D. 220)

Came from the Senate referred to the Committee on Public Health.

In the House, referred to the Committee on Public Health in concurrence.

Bill "An Act relating to Salaries of Court Stenographers" (S. P. 105) (L. D. 177)

Bill "An Act to Increase the Salary of the Register of Probate in Penobscot County" (S. P. 122) (L. D. 221)

Bill "An Act relating to the Salary of the Judge of the Kennebunk Municipal Court" (S. P. 123) (L. D. 222)

Bill "An Act relating to the Salary of the Recorder of the Municipal Court of the city of Biddeford" (S. P. 155) (L. D. 359)

Bill "An Act relating to the Salary of the County Attorney of Knox County" (S. P. 156) (L. D. 360)

Bill "An Act relating to the Salary of the Recorder of the Ellsworth Municipal Court" (S. P. 157) (L. D. 361)

Bill "An Act relating to the Salaries of Clerks in the Office of Register of Deeds, Register of Probate and Clerk of Courts in Piscataquis County" (S. P. 158) (L. D. 362)

Bill "An Act Clarifying the Law relating to Official Fees of Registers of Probate" (S. P. 160) (L. D. 363)

Bill "An Act relating to Expense Accounts of Deputy Fire Wardens and Reports of Chief Fire Wardens" (S. P. 161) (L. D. 364)

Bill "An Act relating to the Salary of the Clerk of Courts of Hancock County" (S. P. 162) (L. D. 365)

Bill "An Act relating to the Salary of the Judge of the Lewiston Municipal Court" (S. P. 163) (L. D. 366)

Bill "An Act relating to the Salary of the Governor" (S. P. 164) (L. D. 367)

Bill "An Act relating to the Salary of the Register of Probate of Piscataquis County" (S. P. 165) (L. D. 368)

Bill "An Act relating to the Salary of the Recorder of the Piscataquis Municipal Court" (S. P. 166) (L. D. 369)

Bill "An Act Increasing the Salary of the Judge of the Rockland Municipal Court" (S. P. 167) (L. D. 370)

Came from the Senate referred to the Committee on Salaries and Fees.

In the House, referred to the Committee on Salaries and Fees in concurrence.

Bill "An Act relating to Cigarette Tax Licenses" (S. P. 153) (L. D. 371)

Came from the Senate referred to the Committee on Taxation.

In the House, referred to the Committee on Taxation in concurrence.

Bill "An Act to Provide for the Surrender by town of Trescott of its Organization" (S. P. 154) (L. D. 372)

Came from the Senate referred to the Committee on Towns.

In the House, referred to the Committee on Towns in concurrence.

Resolve in favor of the town of Parkman (S. P. 169) (L. D. 373)

Resolve to Aid in Construction of a Bridge in Township 31, MD, Washington County (S. P. 170) (L. D. 374)

Resolve in favor of the town of Wellington (S. P. 171) (L. D. 375)

Resolve in favor of the town of Abbott (S. P. 172) (L. D. 376)

Resolve in favor of the town of Warren (S. P. 173) (L. D. 377)

Came from the Senate referred to the Committee on Ways and Bridges.

In the House, referred to the Committee on Ways and Bridges in concurrence.

Non-Concurrent Matter

Resolve in favor of the University of Maine (H. P. 409) (L. D. 183) which was referred to the Committee on Appropriations and Financial Affairs and University of Maine, jointly, in the House on Jan. 30th.

Came from the Senate referred to the Committee on Appropriations and Financial Affairs in non-concurrence.

In the House, on motion by Mr. Collins of Caribou, the House voted to recede from its former action whereby it referred this Resolve to the Committee on Appropriations and Financial Affairs and University of Maine jointly, and concurred with the Senate in the reference of the Resolve to the Committee on Appropriations and Financial Affairs.

Bills and Resolves Requiring Reference

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

Appropriations and Financial Affairs*

Bill "An Act relating to State Normal Schools Reserve Accounts" (H. P. 717) (Presented by Mr. Russell of Gorham)

(Ordered printed)

Resolve Appropriating Money for Forest Insect Detection Service (H. P. 718) (Presented by Mr. Haskell of Bangor)

(Ordered printed)

Sent up for concurrence.

Banks and Banking Tabled

Bill "An Act to Authorize Outside Audit of State Books" (H. P. 719) (Presented by Mr. Haskell of Bangor)

(On motion by Mr. Downs of Rome, tabled pending reference and ordered printed)

Claims

Resolve providing for the Payment of Damage Caused by Deer to Automobile of Nelson A. Goodwin (H. P. 720) (Presented by Mr. Carpenter of Augusta)

Resolve in favor of Milford Marks of Orland (H. P. 721) (Presented by Mr. Sargent of Bucksport)

Resolve in favor of Harry W. Dorr, of Brewer (H. P. 722) (Presented by Mr. Thompson of Brewer) Sent up for concurrence.

Resolve in favor of the city of Bath for Loss of Taxes (H. P. 746) (Presented by Mr. Legard of Bath) (Ordered printed)

Resolve in favor of William A. Johnson of Orrington (H. P. 723)

(Presented by Mr. Williams of Clifton)

(Ordered printed)

Sent up for concurrence.

Education

Bill "An Act relating to Reimbursement to Towns for Tuition" (H. P. 724) (Presented by Mr. Hamilton of Hartland)

(Ordered printed)

Resolve in relation to Teacher-Pension Status of Carrie M. Wight of Bethel, Maine (H. P. 725) (Presented by Mr. Boyker of Bethel)

(Ordered printed)

Sent up for concurrence.

Resolve in favor of Greeley Institute (H. P. 726) (Presented by Mr. Sweetser of Cumberland)

Sent up for concurrence.

Inland Fisheries and Game

Bill "An Act relating to the Wells and Kennebunk Game Preserve" (H. P. 727) (Presented by Mr. Adams of Kennebunkport by request)

(Ordered printed)

Bill "An Act relating to the Advisory Council to the Department of Inland Fisheries and Game" (H. P. 728) (Presented by Mr. Anderson of Oxbow Pl.)

(Ordered printed)

Bill "An Act relating to Hunting in Merrymeeting Bay" (H. P. 729) (Presented by Mr. Brown of Brunswick)

(Ordered printed)

Sent up for concurrence.

Judiciary

Bill "An Act relating to Decrees for Alimony" (H. P. 747) (Presented by Mr. Perkins of Boothbay Harbor)

(Ordered printed)

Sent up for concurrence.

Labor

Bill "An Act relating to Employment of Minors in Bowling Alleys" (H. P. 730) (Presented by Miss Deering of Bath)

(Ordered printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act Amending the Charter of the city of Portland" (H. P. 731) (Presented by Mr. Bowker of Portland)

(Ordered printed)

Bill "An Act to Amend the Charter of the town of Fort Fair-

field" (H. P. 732) (Presented by Mr. Dorsey of Fort Fairfield)

(Ordered printed)

Bill "An Act Amending the Charter of the city of Biddeford" (H. P. 733) (Presented by Mr. Russell of Gorham)

(Ordered printed)

Sent up for concurrence.

Public Health

Bill "An Act relating to the Practice of Dentistry" (H. P. 734) (Presented by Mr. Springer of Danforth)

(Ordered printed)

Sent up for concurrence.

Salaries and Fees

Bill "An Act relating to the Salary of Various Officers of Waldo County" (H. P. 735) (Presented by Mr. Coombs of Belfast)

(Ordered printed)

Bill "An Act relating to Salary of the Judge and the Recorder of the Waldo County Municipal Court" (H. P. 736) (Presented by same gentleman)

(Ordered printed)

Bill "An Act relating to Automobile Travel by State Employees" (H. P. 737) (Presented by Mr. Morneault of Fort Kent)

(Ordered printed)

Bill "An Act relating to the Salary of the Sheriff of Piscataquis County" (H. P. 738) (Presented by Mr. Rollins of Greenville)

(Ordered printed)

Bill "An Act to Increase Salaries of Judge and Recorder of the Millinocket Municipal Court" (H. P. 739) (Presented by Mr. Ward of Millinocket)

(Ordered printed)

Bill "An Act relating to Clerk Hire in Probation Office in Androscoggin County" (H. P. 740) (Presented by Mr. Williams of Auburn)

(Ordered printed)

Sent up for concurrence.

Sea and Shore Fisheries

Bill "An Act relating to the Packing of Sardines" (H. P. 748) (Presented by Mr. Prout of Lubec)

(Ordered printed)

Sent up for concurrence.

State Lands and Forest Preservation

Resolve to Authorize Forest Commissioner to Convey Certain Land to Francis Boynton of East Milli-

nocket (H. P. 741) (Presented by Mr. Boulrier of Stacyville)

(Ordered printed)

Resolve Authorizing the Forest Commissioner to Convey Certain Interest of the State in Lands in Oxford County to Harland E. Kimball, of West Bethel (H. P. 742) (Presented by Mr. Boyker of Bethel)

(Ordered printed)

Resolve Authorizing the Forest Commissioner to Convey Certain Land in Aroostook County to Thomas Guerette of Guerette (H. P. 743) (Presented by Mr. Rollins of Greenville)

(Ordered printed)

Resolve Authorizing the Forest Commissioner to Convey Certain Land in Washington County to George Wingate, of Hallowell (H. P. 744) (Presented by same gentleman)

(Ordered printed)

Sent up for concurrence.

Ways and Bridges

Resolve in favor of the town of Lyman (H. P. 698) (Presented by Mr. Byron of Hollis)

Resolve in favor of the town of Dayton (H. P. 699) (Presented by same gentleman)

Resolve in favor of the town of Hollis (H. P. 700) (Presented by same gentleman)

Resolve in favor of the town of Buxton (H. P. 701) (Presented by same gentleman)

Resolve in favor of East Moxie Township (H. P. 702) (Presented by Mr. Dutton of Bingham)

Resolve in favor of the town of Bingham (H. P. 703) (Presented by same gentleman)

Resolve in favor of the town of Bingham (H. P. 704) (Presented by same gentleman)

Resolve in favor of the town of Bingham (H. P. 705) (Presented by same gentleman)

Resolve in favor of the Moose River Plantation (H. P. 706) (Presented by same gentleman)

Resolve in favor of Jerusalem Township (H. P. 707) (Presented by same gentleman)

Resolve in favor of the town of Bingham (H. P. 708) (Presented by same gentleman)

Resolve in favor of Deorganized Township of Concord (H. P. 709) (Presented by same gentleman)

Resolve in favor of the town of Waldoboro (H. P. 710) (Presented

by Mr. Gross of Jefferson by request)

Resolve in favor of the town of Deer Isle (H. P. 711) (Presented by Mr. Heansler of Deer Isle)

Resolve in favor of the town of Westbrook (H. P. 712) (Presented by Mrs. Roberts of Westbrook)

Resolve in favor of the town of Mount Desert (H. P. 713) (Presented by Mr. Savage of Mt. Desert)

Resolve in favor of the town of Talmadge (H. P. 714) (Presented by Mr. Springer of Danforth)

Resolve in favor of the town of Waite (H. P. 715) (Presented by same gentleman)

Resolve in favor of the town of Codyville (H. P. 716) (Presented by same gentleman)

Sent up for concurrence.

Orders

Mr. Downs of Rome, presented the following Order and moved its passage:

ORDERED, that the State Controller be requested to furnish to the Committee on Salaries and Fees lists of State Employees, including heads of departments, and salary of each;

AND BE IT FURTHER ORDERED, that the State Controller file such a list in the Office of the Clerk of the House for the information of the members of the Legislature, and also file such a list in the State Library.

The SPEAKER: Is it the pleasure of the House that the order receive passage?

The Chair recognizes the gentleman from Mapleton, Mr. Webber:

Mr. WEBBER: Mr. Speaker, I wish to say a few words which are not in accord with the purpose of the order presented by my good friend, the gentleman from Rome, Mr. Downs. It seems to me that this is going to take the place of the order which we already have on the House Calendar. The purpose of the order is to prevent the dissemination of information regarding State employees.

Now I have heard a great deal of interest expressed in a list which is customarily sent out from the office of the State Controller, and the number printed, I think, has been too few. I was talking with a gentleman in the body in which this other order originated, and he expressed the opinion that the number should be increased.

I think the original order should receive passage.

The SPEAKER: The question before the House is whether or not the order shall receive passage? Is it the pleasure of the House that this order receive a passage?

The motion prevailed.

On motion by Mr. Lacharite, of Brunswick, it was

ORDERED, that Mr. Edwards of Oxford, be excused from attendance this week because of sickness.

House Reports of Committees Ought Not to Pass

Mr. House from the Committee on Towns reported "Ought not to pass" on Bill "An Act to Provide for the Surrender by Reed Plantation of its Organization" (H. P. 157) (L. D. 54)

Report was read and accepted and sent up for concurrence.

Ought to Pass in New Draft

Mr. Edwards from the Committee on Towns on Bill "An Act relating to Accounting Systems in Towns" (H. P. 106) (L. D. 27) reported same in a new draft (H. P. 745) under same title and that it "Ought to pass"

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

Ought to Pass

Mr. Jacobs from the Committee on Appropriations and Financial Affairs reported "Ought to pass" on Bill "An Act relating to Clerical Assistance for Justices of the Supreme Judicial Court" (H. P. 95) (L. D. 30)

Mr. Pierce from the Committee on Judiciary reported same on Bill "An Act providing for the Printing and Distribution of Laws" (H. P. 17) (L. D. 7)

Mr. Perkins from same Committee reported same on Resolve providing for the Restoration of State Trust Funds (H. P. 18) (L. D. 8)

Mr. Williams from same Committee reported same on Bill "An Act relating to the Bonds of the Clerks of the Judicial Courts" (H. P. 98) (L. D. 29)

Reports were read and accepted, and the Bills and Resolve having already been printed, the Bills were read twice and the Resolve read once under suspension of the rules and tomorrow assigned.

Tabled

Mr. Williams from the Committee on Judiciary reported "Ought to pass" on Bill "An Act relating to Treatment by Chiropractors of Employees Under the Workmen's Compensation Act" (H. P. 147) (L. D. 49)

(On motion by Mr. Haskell of Portland, tabled pending acceptance of report)

Mr. Benn from the Committee on Towns reported "Ought to pass" on Bill "An Act to Provide for the Surrender by the town of Orneville of its Organization" (H. P. 45) (L. D. 37)

Mr. Gillies from same Committee reported same on Bill "An Act to Provide for the Surrender by Medford Plantation of its Organization" (H. P. 46) (L. D. 38)

Mr. McFee from same Committee reported same on Bill "An Act to Provide for the Surrender by Kingman Plantation of its Organization" (H. P. 47) (L. D. 39)

Mr. Pratt from same Committee reported same on Bill "An Act to Provide for the Surrender by the town of Salem of its Organization" (H. P. 158) (L. D. 55)

Reports were read and accepted, and the Bills having already been printed, were read twice under suspension of the rules and tomorrow assigned.

Passed to be Engrossed

Bill "An Act to Change the Purposes of the Bingham Associates Fund" (H. P. 4) (L. D. 1)

Bill "An Act relating to Bonds of Private Detectives" (H. P. 97) (L. D. 31)

Bill "An Act relating to Claims and Actions Against Executors and Administrators" (H. P. 187) (L. D. 60)

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

The SPEAKER: At this time the Chair will state that Item 4, on the printed calendar appears there by error.

Amended Bill

Bill "An Act to Provide for Financing the Change in the Fiscal Year of the city of Auburn" (H. P. 99) (L. D. 28)

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

Orders of the Day

On motion by Mr. Haskell of Bangor, the House voted to take from the table the first tabled and unassigned matter on the calendar, Joint Order relative to State Controller submitting list of State Employees and their Salaries (S. P. 84) tabled by that gentleman on January 25th pending passage in concurrence.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Haskell.

Mr. HASKELL: Mr. Speaker, in view of the fact that it seems reasonable that all essential purposes for which Senate Paper 84 was presented are accomplished in the order presented by the gentleman from Rome, Mr. Downs, this morning, I move that Senate Paper 84 be indefinitely postponed.

The SPEAKER: The gentleman from Bangor, Mr. Haskell, moves that Senate Paper 84 be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed, and Joint Order relative to State Controller submitting list of State Employees and their Salaries (S. P. 84) was indefinitely postponed in non-concurrence and sent up for concurrence.

On motion by Mr. Peirce of Augusta, the House voted to take from the table the second tabled and unassigned matter, Resolve in Favor of a Special Recess Committee to Study the School Pension and Retirement Laws of the State and Report to the Next Regular Session, (H. P. 649) (L. D. 263) tabled by that gentleman on February 1st pending reference.

Mr. PEIRCE: Mr. Speaker, I move that this Resolve be referred to the Committee on Judiciary and sent up for concurrence.

The SPEAKER: The gentleman from Augusta, Mr. Peirce, moves that this Resolve be referred to the Committee on Judiciary and sent up for concurrence. Is this the pleasure of the House?

The Chair recognizes the gentleman from Millinocket, Mr. Ward.

On motion by Mr. Ward, the Resolve was tabled pending motion by Mr. Peirce that the resolve be referred to the Committee on Judiciary.

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

On motion by Mr. Dorsey of Fort Fairfield,

Adjourned until ten o'clock tomorrow morning.