

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

Wednesday, February 21, 1945.

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

Prayer by the Rev. Dr. Wood of Augusta.

Journal of the previous session read and approved.

Papers from the Senate

Resolve relating to Ice Fishing in Kezar Lake (S. P. 312) (L. D. 389)

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.

Senate Reports of Committees Ought Not to Pass

Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act relating to Laws Passed by the Ninety-second Legislature" (S. P. 48) (L. D. 12)

Came from the Senate read and accepted.

In the House, read and accepted in concurrence.

Ought to Pass

Report of the Committee on Inland Fisheries and Game reporting "Ought to pass" on Bill "An Act relating to Sale by Commissioner of Inland Fisheries and Game of Arms and Ammunition" (S. P. 100) (L. D. 181)

Report of the Committee on Public Health reporting same on Bill "An Act relating to the Use of the Prefix 'Dr.' by Chiropractors" (S. P. 66) (L. D. 45)

Report of same Committee reporting same on Bill "An Act relating to the Examination of Applicants for the Practice of Chiropractic" (S. P. 67) (L. D. 46)

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.

Ought to Pass with Committee Amendment

Report of the Committee on Judiciary on Bill "An Act to Dissolve

the Portland and Ogdensburg Railway" (S. P. 40) (L. D. 4) 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 read and accepted in concurrence, and the Bill was read twice.

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

Committee Amendment "A" to S. P. 40, L. D. 4, Bill "An Act to Dissolve the Portland and Ogdensburg Railway"

Amend said bill by striking out at the end thereof the " " and adding thereto the following: ', and all existing claims, rights, demands and choses in action of The Portland and Ogdensburg Railway may be presented and enforced by, and for the benefit of, the Maine Central Railroad Company in the same manner and with like effect as the same might otherwise be prosecuted and enforced by The Portland and Ogdensburg Railway.'

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

Tabled

Report of the Committee on Military Affairs on Bill "An Act relating to Local Rehabilitation of Veterans" (S. P. 147) (L. D. 353) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

(On motion by Mr. Poulin of Rumford, tabled pending acceptance of Committee Report in concurrence)

Report of the Committee on Public Health on Bill "An Act relating to the Definition of Chiropractic Service" (S. P. 65) (L. D. 44) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate and 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 read twice.

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

Committee Amendment "A" to S. P. 65, L. D. 44, Bill "An Act Relating to the Definition of Chiropractic Service".

Amend said Bill by striking out in the 9th line thereof after the underlined word "hydrotherapy" the word "or" and substituting in place thereof the underlined word "and".

Committee Amendment "A" was adopted in concurrence, and tomorrow assigned for third reading of the bill.

Non-Concurrent Matter

Bill "An Act relating to Teachers' Pensions" (H. P. 1192) (L. D. 751) which was referred to the Committee on Judiciary in the House on February 13th.

Came from the Senate referred to the Committee on Education in non-concurrence.

In the House, on motion by Mr. Ward of Millinocket, the House voted to recede and concur with the Senate in the reference of the bill to the Committee on Education.

The following three Bills, transmitted by the Revisor of Statutes pursuant to Joint Order S. P. 124, were received, and upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

Federal Relations

Bill "An Act Amending the Unemployment Compensation Law as to Collection of Contributions" (H. P. 1306) (Presented by Mr. Poulin of Rumford)

(Ordered printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act to Amend the Charter of the Brunswick Village Corporation" (H. P. 1304) (Presented by Mr. Brown of Brunswick)

(Ordered printed)

Sent up for concurrence.

Salaries and Fees

Bill "An Act relating to the Salaries of the Unemployment Compensation Commission" (H. P. 1305) (Presented by Mr. Peirce of Augusta)

(Ordered printed)

Sent up for concurrence.

Orders

On motion by Mr. Lacharite of Brunswick, it was

ORDERED, that Mr. Coombs of Belfast, be excused from attendance for the remainder of this week because of business; and that Mr. Springer of Danforth, be excused for the remainder of this week because of illness.

House Reports of Committees

Ought Not to Pass

Tabled

Mr. Bowker from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Resolve providing for the Abatement of Certain Interest Owed by the town of Linneus (H. P. 410) (L. D. 164)

Report was read and accepted.

On motion by Mr. Corson of Hodgdon, the House voted to reconsider its action just taken whereby the "Ought not to pass" report of the Committee was accepted; and on further motion by the same gentleman, the Resolve was tabled pending acceptance of the Committee Report.

Tabled

Mr. Bowker from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Resolve Appropriating Money for Control of the Fruit or Blueberry Fly in Maine (H. P. 621) (L. D. 284) as it is covered by existing legislation.

(On motion by Mr. Lackee of Addison, tabled pending acceptance of Committee Report)

Mr. Smith from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Resolve Regulating Fishing in Sabbathday Lake (H. P. 514) (L. D. 250)

Report was read and accepted and sent up for concurrence.

Tabled

Mr. Connellan from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act Providing for Combining the Office of Clerk of the Law Court and Reporter of Decisions" (H. P. 16) (L. D. 5)

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

Mr. **PAYSON**: Mr. Speaker, I hate to do this, but I move that the report and bill lie on the table.

The **SPEAKER**: The gentleman from Portland, Mr. Payson, moves that the report, together with the bill, lie on the table pending acceptance of the committee report. Is this the pleasure of the House?

The motion prevailed, and the report and bill were so tabled.

Mr. Perkins from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to Rental of State-Owned Property" (H. P. 516) (L. D. 251)

Mr. Williams from same Committee reported same on Bill "An Act relative to Competitive Bids and Bonds for Building Contracts" (H. P. 518) (L. D. 253)

Reports were read and accepted and sent up for concurrence.

Tabled

Mr. Haskell from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to the Poll-tax" (H. P. 524) (L. D. 255)

(On motion by Mrs. Roberts of Westbrook, tabled pending acceptance of Committee Report)

Leave to Withdraw

Mr. Peirce from the Committee on Judiciary on Bill "An Act relating to the Procurement of Medical Services, Physicians and Surgeons for Injured Employees under the Workmen's Compensation Act" (H. P. 646) (L. D. 297) reported leave to withdraw.

Mr. Connellan from same Committee reported same on Bill "An Act relating to Teachers' Pensions" (H. P. 639) (L. D. 293)

Reports were read and accepted and sent up for concurrence.

Ought to Pass

Printed Bills

Mr. Downs from the Committee on Salaries and Fees reported "Ought to Pass" on Bill "An Act relating to the Salary for Clerk Hire in the Office of Register of Deeds in Washington County" (H. P. 352) (L. D. 101)

Same gentleman from same Committee reported same on Bill "An

Act relating to the Salary for Clerks in the Office of Clerk of Courts in Washington County" (H. P. 354) (L. D. 103)

Mr. Sanborn from same Committee reported same on Bill "An Act relating to the Salary of the County Treasurer of Washington County" (H. P. 215) (L. D. 79)

Same gentleman from same Committee reported same on Bill "An Act Increasing the Salary of the County Attorney of Piscataquis County" (H. P. 440) (L. D. 194)

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 relating to Intoxication" (S. P. 101) (L. D. 180)

Bill "An Act relating to the Assessment and Collection of the Potato Tax" (H. P. 447) (L. D. 197)

Bill "An Act relating to Adoption of Persons Twenty-one Years of Age or Over" (H. P. 1283) (L. D. 910)

Bill "An Act to Amend the Charter of the Kennebec Water District" (H. P. 1284) (L. D. 911)

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

Amended Bill

Bill "An Act relating to the Assessment and Collection of the Gasoline Tax and the Use Fuel Tax" (H. P. 448) (L. D. 172)

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 Authorizing the Withholding of the Federal Income Tax (S. P. 31) (L. D. 329)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 136 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Provide for the Surrender by the town of Orneville of its Organization (H. P. 45) (L. D. 37)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 136 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Provide for the Surrender by Medford Plantation of its Organization (H. P. 46) (L. D. 38)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 137 voted in favor of the same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Provide for the Surrender by Kingman Plantation of its Organization (H. P. 47) (L. D. 39)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 136 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Provide for the Surrender by the town of Salem of its Organization (H. P. 158) (L. D. 55)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 138 voted in favor of same and none against, and accordingly the Bill was passed

to be enacted, signed by the Speaker and sent to the Senate.

Passed to Be Enacted**Tabled**

An Act relating to the State Historian, State History and Public Records (S. P. 55) (L. D. 26)

(On motion by Mr. Jacobs of Auburn, tabled pending passage to be enacted)

An Act relating to the Annual Report of the State Auditor (S. P. 63) (L. D. 43)

An Act to Change the Name of the Yearly Meeting of Friends for New England (S. P. 77) (L. D. 78)

An Act Providing for the Printing and Distribution of Laws (H. P. 17) (L. D. 7)

An Act relating to Clerical Assistance for Justices of the Supreme Judicial Court (H. P. 95) (L. D. 30)

An Act relating to the Bonds of the Clerks of the Judicial Courts (H. P. 98) (L. D. 29)

An Act Transferring the Rights, Duties and Obligations of the Livermore Falls Sewer District to the Inhabitants of Livermore Falls and Abolishing the Livermore Falls Sewer District as a Separate Municipal Corporation (H. P. 209) (L. D. 95)

An Act to Ratify and Make Valid the Incorporation of the Harry G. Decker Post No. 51, The American Legion (H. P. 210) (L. D. 91)

An Act relating to the Capitol Island Village Corporation (H. P. 212) (L. D. 83)

An Act relating to the Port of Calais Authority (H. P. 333) (L. D. 147)

An Act to Amend "An Act to Incorporate Madison Village Corporation" (H. P. 337) (L. D. 150)

An Act to Consolidate Penobscot Lodge No. 7, I. O. O. F. and Oriental Lodge No. 60, I. O. O. F. as a New Corporate Entity Under the Name Penobscot-Oriental Lodge No. 7, I. O. O. F. (H. P. 338) (L. D. 151)

An Act relating to Assessment of Taxes in Plantations (H. P. 340) (L. D. 118)

An Act relating to Accounting Systems in Towns (H. P. 745) (L. D. 386)

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

**Finally Passed
Tabled**

Resolve, Providing for the Restoration of State Trust Funds (H. P. 18) (L. D. 8)

(On motion by Mr. Jacobs of Auburn, tabled pending final passage.)

Orders of the Day

On motion by Mr. Allen, of Portland, the House voted to take from the table the fifth tabled and unassigned matter, Bill "An Act relating to Auctioneers" (S. P. 322) (L. D. 829), tabled on February 20th by that gentleman, pending reference in concurrence; and on further motion by the same gentleman, the bill was referred to the Committee on Legal Affairs in concurrence.

On motion by Mr. Downs, of Rome, the House voted to take from the table the eleventh tabled and unassigned matter, Bill "An Act to Require the Enrichment of Flour and Bread to Meet Certain Standards of Vitamin and Mineral Content" (S. P. 354) (L. D. 909), which in the Senate on February 16th was referred to the Committee on Agriculture; in the House reference to the Committee on Agriculture in concurrence reconsidered, and tabled on February 20th by Mr. Downs pending reference in concurrence; and on further motion by the same gentleman, the bill was referred to the Committee on Public Health in non-concurrence and sent up for concurrence.

On motion by Mr. Williams of Clifton, the House voted to take from the table the eighth tabled and unassigned matter, House Re-

port "Ought to Pass" of the Committee on Taxation on Bill "An Act Relating to Assessment and Collection of State Taxes on Certain Corporations" (H. P. 445) (L. D. 171), tabled by that gentleman on February 20th, pending acceptance of report.

Mr. WILLIAMS: Mr. Speaker, this bill was tabled by me yesterday for the purpose of adding an amendment. After further study of the bill, it does not appear that amendment is necessary, and I now move the acceptance of the committee report.

Thereupon the "Ought to pass" report of the committee was accepted. This being a printed bill, the rules were suspended and the bill was given its two several readings and assigned for third reading tomorrow morning.

On motion by Mr. Payson, of Portland, the House voted to take from the table the seventh tabled and unassigned matter, Bill "An Act Creating a Board of Examiners for Electricians" (H. P. 1303) (L. D. 948) tabled on February 20th by that gentleman pending reference.

Mr. PAYSON: Mr. Speaker, I now move that this bill be referred to the Committee on Judiciary, as that Committee has another bill covering similar subject-matter.

Thereupon the bill was referred to the Committee on Judiciary and sent up for concurrence.

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

On motion by Mr. Knight of Jay, Adjourned until ten o'clock tomorrow morning.