

# 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 27, 1945.

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

Prayer by the Rev. L. L. Dunn of Belgrade.

Journal of the previous session read and approved.

**Papers from the Senate  
Senate Reports of Committees  
Ought Not to Pass**

Report of the Committee on State Lands and Forest Preservation reporting "Ought not to pass" on Resolve Authorizing the Forest Commissioner to Convey Certain Interest of the State in Lands in Penobscot County to Mrs. Elizabeth Hatch, of Old Town (S. P. 107) (L. D. 175)

Report of same Committee reporting same on Resolve Authorizing the Forest Commissioner to Convey Certain Land in Aroostook County to Maxime Albert, of Sinclair (S. P. 106) (L. D. 176)

Came from the Senate read and accepted.

In the House, read and accepted in concurrence.

**Non-Concurrent Matter  
Tabled**

Bill "An Act Creating a Board of Examiners for Electricians" (H. P. 1303) (L. D. 943) which was referred to the Committee on Judiciary in the House on February 21st.

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

(In the House, on motion by Mr. Ward of Millinocket, tabled pending further consideration)

The following Bill and Resolve 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:

**Judiciary**

Bill "An Act to Amend the Employees' Contributory Retirement System" (H. P. 1311) (Presented by Mr. Payson of Portland)

(1000 copies ordered printed)

Sent up for concurrence.

**Ways and Bridges**

Resolve in favor of town of Greenville to Correct Height of Overpass of the Canadian Pacific Railroad at Greenville Junction (H. P. 1312) (Presented by Mr. Rollins of Greenville).

(Ordered printed)

Sent up for concurrence.

**Order**

On motion by Mr. McFee of Richmond, it was

ORDERED, that Mr. Daigle of Madawaska, be excused from attendance this week because of illness; and that Mr. Springer of Danforth, be excused for this week because of illness.

**House Reports of Committees  
Refer to Federal Relations  
Committee**

Mr. Connellan from the Committee on Judiciary on Bill "An Act Amending the Unemployment Compensation Law as to Filing Pay Roll Reports and Penalty" reported that same be referred to the Committee on Federal Relations (H. P. 949) (L. D. 605)

Mr. Haskell from same Committee on Bill "An Act Amending the Unemployment Compensation Law as to Charges Against Employers' Experience Rating Records" (H. P. 948) (L. D. 604) reported that same be referred to Committee on Federal Relations.

Mr. Williams from same Committee on Bill "An Act Amending the Unemployment Compensation Act as to Employer's Experience Rating Classifications" (H. P. 950) (L. D. 606) reported that same be referred to Committee on Federal Relations.

Reports were read and accepted and the Bills were referred to the Committee on Federal Relations and sent up for concurrence.

**Ought to Pass  
Printed Bills**

Mr. Bird from the Committee on Agriculture reported "Ought to pass" on Bill "An Act relating to the Bee Industry" (H. P. 306) (L. D. 113)

Mr. Haskell from the Committee on Judiciary reported same on Bill "An Act relating to State Bureau of Identification" (H. P. 946) (L. D. 526)

Mr. Ward from same Committee reported same on Bill "An Act

relating to Jurisdiction of Violations of the Inland Fisheries and Game Laws" (H. P. 823) (L. D. 427)

Same gentleman from same Committee reported same on Bill "An Act relating to Assignment of Counsel by the Superior Court" (H. P. 824) (L. D. 428).

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

**Ought to Pass With Committee Amendment**

Mr. Pascucci from the Committee on Judiciary on Bill "An Act relating to Absent Voting" (H. P. 953) (L. D. 577) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill, having already been printed, was read twice under suspension of the rules.

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

Committee Amendment "A" to H. P. 953, L. D. 577, Bill "An Act Relating to Absent Voting."

Amend said bill by striking out in Sec. 1, in the 13th line thereof, the underlined words "or caucus".

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

**Passed to be Engrossed**

Bill "An Act relating to the Salary of the Judge of Probate in Washington County" (S. P. 81) (L. D. 75)

Bill "An Act relating to the Salary for Clerks in the Office of Register of Probate in Washington County" (S. P. 82) (L. D. 76)

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

Bill "An Act relating to the Salary of the Register of Probate in 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)

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

the third time, passed to be engrossed and sent to the Senate.

**Tabled**

Bill "An Act relating to the Hunting and Trapping of Foxes" (S. P. 362) (L. D. 902)

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

Bill "An Act to Provide for the Surrender by Moro Plantation of its Organization" (H. P. 356) (L. D. 104)

Bill "An Act relating to Towns Placed under Supervision of Agents of the Commissioner of Education" (H. P. 416) (L. D. 186)

Bill "An Act to Create a Division of Special Education for Physically Handicapped Children" (H. P. 417) (L. D. 187)

Bill "An Act Enabling Board of Managers of the Jefferson Cary Hospital Fund to Accept Gifts or Legacies" (H. P. 521) (L. D. 206)

Bill "An Act relating to Notice of Election of Town Treasurer" (H. P. 551) (L. D. 262)

Bill "An Act to Permit Direct Payments of State School Funds and Dog License Fees" (H. P. 552) (L. D. 219)

Bill "An Act relating to Teacher Assistance in Rural Areas" (H. P. 631) (L. D. 304)

Bill "An Act relating to Licenses for Portable Sawmills" (H. P. 682) (L. D. 275)

Bill "An Act Amending the Charter of the Brunswick and Topsham Water District" (H. P. 846) (L. D. 447)

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

**Tabled**

Bill "An Act Permitting the Department of Education to Cooperate in Establishing University Extension and Correspondence Courses" (H. P. 940) (L. D. 570)

(Was reported by the Committee on Bills in the Third Reading, and on motion by Miss Deering of Bath, tabled pending third reading)

Bill "An Act relating to Town By-Laws and Ordinances for Trailer Camps" (H. P. 1081) (L. D. 774)

Resolve Authorizing the Forest Commissioner to Convey Certain Interest of the State in Lands in Aroostook County to Albert Ouellette, of Sinclair (H. P. 349) (L. D. 156)

Resolve Authorizing the Forest Commissioner to Convey Certain Interest of the State in Lands in Penobscot County to John Sharpe, of Argyle (H. P. 443) (L. D. 195)

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

#### Amended Bill

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

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

#### Orders of the Day

Mr. Forhan of Canton, was granted unanimous consent to address the House.

Mr. FORHAN: Mr. Speaker and Members of the House: I have a resolve in regard to a pension for a Mrs. Edith Cole, of West Paris. I received a letter from Mrs. Cole last week, February 19th, which was the first time I had anything to do with this pension. She claimed at that time that she had written previously to have a resolve introduced in regular form. I went to the Department of Health and Welfare and learned there that Mrs. Cole was granted a pension of \$12 a month six years ago.

This woman is bed-ridden and has been for twenty-nine years; her husband is able to work only part of the time. She now asks for an increase, and I have had a resolve drafted, and, by unanimous consent, I would like permission to introduce it at this time.

The SPEAKER: The gentleman from Canton, Mr. Forhan, asks unanimous consent to introduce a resolve. Is there objection? The Chair hears no objection, and the resolve is received. The Clerk will read the title.

"Resolve Providing for a State Pension for Edith M. Cole, of West Paris." (H. P. 1313)

On motion by Mr. Forhan, the

resolve was referred to the Committee on Pensions and sent up for concurrence.

Mr. Rollins of Greenville, was granted unanimous consent to address the House.

Mr. ROLLINS: Mr. Speaker and Members of the House: Through a misunderstanding on somebody's part between myself and the Revisor of Statutes, in printing the bills to be received, I had three bills introduced covering the same subject: The item introduced this morning, "Resolve in favor of town of Greenville to Correct Height of Overpass of the Canadian Pacific Railroad at Greenville Junction," and the eighteenth unassigned matter which was tabled by me on the last legislative day, Resolve permitting Fox & Ginn, Inc., to Sue the State of Maine, and also there was supposed to be a bill for a claim which Fox & Ginn has paid in connection with passing around this overpass in the performance of their business, because the overpass is too low.

I tabled this bill the last legislative day, pending reference, because I would have liked to have seen the bill go to the Committee on Claims. If the bill is paid and the Committee on Claims allows the just bill, then I would ask leave to withdraw the resolve permitting the right to sue.

Therefore, at this time, in order to correct this error and to perform justice, I would ask unanimous consent to introduce a resolve.

The SPEAKER: The gentleman from Greenville, Mr. Rollins, asks unanimous consent to introduce a resolve. Is there objection? The Chair hears none and the resolve is received. The Clerk will read the title.

Resolve in Favor of Fox & Ginn. (H. P. 1314)

On motion by Mr. Rollins, the resolve was referred to the Committee on Claims and sent up for concurrence.

On motion by Mr. Carpenter of Augusta, the House voted to take from the table the seventeenth tabled and unassigned matter, Bill "An Act Relating to Sellers and Weighers of Coal and Coke" (H. P. 829) (L. D. 434) tabled on February 23rd by that gentleman, pending third reading; and on further mo-

tion by the same gentleman, the bill was given its third reading, passed to be engrossed and sent up for concurrence.

On motion by Mr. Rollins of Greenville, the House voted to take from the table the fifth tabled and unassigned matter, House Report "Ought to pass" with Committee Amendment "A" of the Committee on Taxation on Bill "An Act Relating to the Assessment and Collection of State, County and Forestry District Taxes in Unorganized Territory" (H. P. 446) (L. D. 173) tabled on February 20th by that gentleman pending acceptance of report; and on further motion by the same gentleman, the report of the committee was accepted. This being a printed bill, under suspension of the rules the bill was read twice.

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

Committee Amendment "A" to H. P. 446, L. D. 173, Bill, "An Act Relating to the Assessment and Collection of State, County and Forestry District Taxes in the Unorganized Territory."

Amend said Bill by adding thereto a new section to be numbered "Sec. 3-A." and to read as follows:

"Sec. 3-A. R. S., c. 14, § 73-A, additional. Chapter 14 of the revised statutes is hereby amended by adding thereto a new section to be numbered 73-A to read as follows:

**'Sec. 73-A. Certification to treasurer of state and state controller. Before commencing to collect the taxes which the state tax assessor is authorized by law to collect, he shall certify to the treasurer of state and the state controller the total amount of each type of tax. Copies of all supplemental assessments and abatements of taxes shall also be sent to the treasurer of state.'**

Further amend said Bill by deleting in Section 9 thereof the underlined words "through the provisions of section 79" in the 9th

line of the bill (8th and 9th lines of the bill as printed).

Further amend Section 9 thereof by deleting the underlined word "He" in the 23rd line (21st line of the bill as printed) and substituting in place thereof the underlined words "The state tax assessor."

Further amend said bill by deleting in Section 10 thereof the word "and" after the word "collection" in the 5th line thereof and substituting in place thereof a comma (4th line of bill as printed).

Further amend Section 10 by inserting the words 'and disposition of the proceeds of such tax sales' after the words "tax sales" in the 5th line of the bill (4th line of bill as printed).

Committee Amendment "A" was adopted.

Mr. Rollins thereupon offered House Amendment "A" and moved its adoption.

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

House Amendment "A" to H. P. 446, L. D. 173, Bill "An Act Relating to the Assessment and Collection of State, County and Forestry District Taxes in the Unorganized Territory".

Amend said Bill in the 29th and 30th lines of section 9 of said bill (lines 28 and 29 of section 9 of the bill as printed) by deleting the underlined words "unless otherwise directed by the legislature" and substituting in place thereof the underlined words 'of sales, except sales to the former owners of the lands'.

House Amendment "A" was adopted, and the bill was assigned for third reading tomorrow morning.

The SPEAKER: The House is proceeding under Orders of the Day.

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

On motion by Mr. Benn of Smyrna,

Adjourned until ten o'clock tomorrow morning.