

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, March 20, 1945.

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

Prayer by the Rev. Frank E. Ratzell of Dover-Foxcroft.

Journal of the previous session read and approved.

Order

(Out of Order)

Mr. Downs of Rome, out of order and under suspension of the rules, presented the following Order and moved its passage:

ORDERED, the Senate concurring, that the Committee on Salaries and Fees be authorized to confer with the personnel board forthwith on the question of adjusting scale of compensation of the classified employees of the State in order to determine the advisability or necessity for enacting legislation designed to give the personnel board authority to make proper wage adjustments for classified personnel.

BE IT FURTHER ORDERED, that the personnel board is hereby directed to appear before the Committee on Salaries and Fees at such time as that committee may desire. (H. P. 1345)

The Order received passage, and on motion by Mr. Downs, it was ordered sent forthwith to the Senate.

**Papers from the Senate
Senate Reports of Committees
Divided Report**

Majority Report of the Committee on Legal Affairs on Bill "An Act to Provide for the Election of a Superintending School Committee for the town of Caribou" (S. P. 254) (L. D. 630) reporting same in a new draft (S. P. 382) (L. D. 982) under same title and that it "Ought to pass"

Report was signed by the following members:

Messrs. BATCHELDER of York
LEAVITT of Cumberland
GOULD of Androscoggin
—of the Senate.

RANKIN of Bridgton
RAYSON of Portland
WEEKS of Waterville
WARREN of Westbrook
SNOW of Auburn
WELCH of Mars Hill
—of the House.

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

Report was signed by the following member:

Mr. DONAHUE of Biddeford
—of the House.

Came from the Senate the Majority Report read and adopted and the new draft passed to be engrossed.

In the House, the Majority Report read and accepted in concurrence, the new draft was read twice and tomorrow assigned.

Divided Report

Majority Report of the Committee on Military Affairs reporting "Ought not to pass" on Bill "An Act to Aid Returning Veterans" (S. P. 39)

Report was signed by the following members:

Messrs. BATCHELDER of York
SAVAGE of Somerset
—of the Senate.

MORNEAULT of Fort Kent
DOW of Eliot
SOUTHARD of Bangor
JORDAN of So. Portland
WALSH of Lebanon
JENNINGS of Strong
POULIN of Rumford
—of the House.

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

Report was signed by the following member:

Mr. CURRIER of Androscoggin
—of the Senate.

Came from the Senate the Majority Report read and adopted.

In the House, the Majority Report "Ought not to pass" was read and accepted in concurrence.

Ought to Pass

Report of the Committee on Agriculture reporting "Ought to pass" on Bill "An Act relating to Soil Conservation" (S. P. 187) (L. D. 494)

Report of same Committee reporting same on Bill "An Act Regulating the Labelling of Fresh Eggs for Sale" (S. P. 188) (L. D. 492)

Report of same Committee reporting same on Bill "An Act Governing the Handling of Pasteurized Milk" (S. P. 186) (L. D. 493)

Report of the Committee on Library reporting same on Resolve relating to Printed Vital Records (S. P. 255) (L. D. 629)

Report of same Committee reporting same on Resolve relating to Old Printed Laws (S. P. 256) (L. D. 628)

Report of the Committee on Sea and Shore Fisheries reporting same on Bill "An Act relating to Fish Weirs" (S. P. 342) (L. D. 927)

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

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

From the Senate: The following Order:

ORDERED, the House concurring, that S. P. 190, L. D. 491, Bill An Act Relating to Reenactment of Law Dealing with Unexpended Appropriations, be recalled to the Senate from the Governor (S. P. 391)

Came from the Senate read and passed.

In the House, was received out of order and under suspension of the rules, read and passed in concurrence, and on motion by Mr. Ward of Millinocket, the Order was returned to the Senate Office forthwith.

House Reports of Committees

Ought To Pass In New Draft

Mr. Ward from the Committee on Judiciary on Bill "An Act relating to Filling Congressional Vacancies" (H. P. 958) (L. D. 579) reported same in a new draft (H. P. 1343) under same title and that it "Ought to pass."

Mr. Weeks from the Committee on Legal Affairs on Bill "An Act to Create an Airport Commission for the town of Sanford" (H. P. 656) (L. D. 318) reported same in a new draft (H. P. 1344) under same title and that it "Ought to pass."

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

Ought To Pass Printed Bills

Mr. Bowker from the Committee on Appropriations and Financial Affairs reported "Ought to pass" on Bill "An Act relating to State Normal Schools Reserve Accounts" (H. P. 717) (L. D. 394)

Same gentleman from same Committee reported same on Resolve in favor of the University of Maine (H. P. 409) (L. D. 183)

Mr. Williams from same Committee reported same on Resolve Appropriating Money for Forest Insect Detection Service (H. P. 718) (L. D. 388)

Mr. Haskell from the Committee on Judiciary reported same on Bill "An Act relating to Trustee Process" (H. P. 1186) (L. D. 747)

Mr. Perkins from same Committee reported same on Bill "An Act relating to Hearings in Vacation" (H. P. 645) (L. D. 296)

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

Ought to Pass With Committee Amendment

Mr. Bowker from the Committee on Appropriations and Financial Affairs on Bill "An Act to Eliminate the 1937 Deficiency Account" (H. P. 406) (L. D. 182) 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" read by the Clerk as follows:

Committee Amendment "A" to H. P. 406, L. D. 182, Bill "An Act to Eliminate the 1937 Deficiency Account."

Amend said Bill by adding at the end thereof the following:

'Of this amount \$100,000 annually shall be considered to apply against the deficiency incurred in 1937, but no separate account need be maintained on the books of the state controller. The balance of the "1937 deficiency account" as of June 30, 1945 shall be closed to unappropriated surplus.'

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

Mr. Brewer from the Committee on Appropriations and Financial Affairs on Resolve Authorizing Commissioner of Agriculture to Employ Poultry Expert (H. P. 1047) (L. D. 655) reported "Ought to pass" as

amended by Committee Amendment "A" submitted therewith.

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

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

Committee Amendment "A" to H. P. 1047, L. D. 655, Resolve Authorizing Commissioner of Agriculture to Employ Poultry Expert.

Amend said Resolve by inserting after the figures "\$5,000" in the 2nd line thereof the following: 'for the fiscal year ending June 30, 1946 and \$5,000 for the fiscal year ending June 30, 1947'.

Committee Amendment "A" was adopted, the tomorrow assigned for second reading of the Resolve.

Mr. Peirce from the Committee on Judiciary on Bill "An Act relating to Financial Responsibility Following Accident" (H. P. 1070) (L. D. 689) 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" read by the Clerk as follows:

Committee Amendment "A" to H. P. 1070, L. D. 689, Bill "An Act Relating to Financial Responsibility Following Accident."

Amend said bill by striking out in the 7th line thereof, the figure "10", and inserting in place thereof the figure "30".

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

Mr. Bowker from the Committee on Mercantile Affairs and Insurance on Bill "An Act relating to the Standard Non-Forfeiture Law and the Standard Valuation Law" (H. P. 972) (L. D. 609) 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" read by the Clerk as follows:

Committee Amendment "A" to H. P. 972, L. D. 609, Bill "An Act Relating to the Standard Non-For-

feiture Law and the Standard Valuation Law."

Amend said Bill by striking out the 4th, 5th and 6th lines of section 2 of said bill and inserting in place thereof the following:

"The Provisions of sections 116 to 121, inclusive, shall be effective from January 1, 1946, and shall be known as the "Standard Non-Forfeiture Law." **Any company may file'**

Further amend said Bill by striking out in the headnote of that part of section 6 of said bill designated as "Sec. 127" the underlined words 'effective date':

Further amend said Bill by striking out the last paragraph of said bill and inserting in place thereof the following:

"The provisions of sections 122 to 127, inclusive, shall be effective from January 1, 1946, and shall be known as the "Standard Valuation Law".'

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

On motion by Mrs. Ellingwood of Rockland, House Rule 25 was suspended for the remainder of today's session, in order to permit smoking. (Applause)

**First Reading of Printed Bills
Recommended**

Bill "An Act to Provide a Tonnage Tax on Commercial Fertilizer" (H. P. 1338) (L. D. 989)

Bill was read twice, and on motion by Mr. Brewer of Presque Isle, was recommended to the Committee on Agriculture and sent up for concurrence.

Bill "An Act Amending the Unemployment Compensation Law as to Employer Coverage" (H. P. 1339) (L. D. 990)

Bill "An Act relating to Aides-de-Camp" (H. P. 1340) (L. D. 991)

Bill "An Act to Incorporate the Patten Water District" (H. P. 1341) (L. D. 992)

Bill "An Act relating to Bounty on Porcupines" (H. P. 1342) (L. D. 993)

Bills were read twice and tomorrow assigned.

Passed to Be Engrossed

Bill "An Act relating to Registration or Renewal of Registration of Dealers in Securities" (S. P. 302) (L. D. 847)

Bill "An Act relating to the State School for Girls" (S. P. 337) (L. D. 814)

Bill "An Act to Incorporate the Clinton Water District" (H. P. 671) (L. D. 321)

Bill "An Act relating to Returns by Highway Commission to Municipal Officers" (H. P. 864) (L. D. 517)

Bill "An Act relating to Assessments in Deorganized Towns in re Highways" (H. P. 865) (L. D. 518)

Bill "An Act Permitting Assessment of Taxes in Towns for Highway Purposes" (H. P. 866) (L. D. 519)

Bill "An Act Providing for Installation of Certain Culverts on Highways" (H. P. 868) (L. D. 511)

Bill "An Act relating to Roads in Indian Township" (H. P. 869) (L. D. 520)

Bill "An Act relating to Using Bond Issue Funds to Match Federal Funds for Highway and Bridge Projects" (H. P. 870) (L. D. 512)

Bill "An Act Permitting the Highway Commission to Provide for Proper Traffic Control Signals, etc." (H. P. 872) (L. D. 514)

Bill "An Act relating to the Prevention of Forest Fires" (H. P. 1006) (L. D. 552)

Bill "An Act to Extend the Charter of the Patten Water and Power Company" (H. P. 1217) (L. D. 767)

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

Resolve Providing for Purchase of Land and Buildings for the State Reformatory for Women (S. P. 273) (L. D. 614)

Resolve relating to a Central Heating Plant at State School for Girls, in Hallowell (S. P. 336) (L. D. 815)

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) (L. D. 410)

Resolve Authorizing the Forest Commissioner to Convey Certain Interest of the State in Lands in Oxford County to Fred L. Edwards of Bethel (H. P. 1007) (L. D. 555)

Resolve in favor of the National Guard Association (H. P. 1087) (L. D. 777)

Resolve Authorizing Conveyance of the Interest of the State in Certain Land in Albany Township (H. P. 1097) (L. D. 784)

Resolve Authorizing the Forest Commissioner to Convey Certain Interest of the State in Lands in Piscataquis County to Bertha M. Blanchard, of Greenville (H. P. 1294) (L. D. 940)

Resolve relating to Dipping of Alewives in Machias River (H. P. 1336) (L. D. 987)

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

Amended Bills

Bill "An Act Authorizing the Conveyance of 'Greenleaf Cemetery Lot' to the 'Milton Plantation Cemetery Association'" (H. P. 21) (L. D. 10)

Bill "An Act Authorizing the Highway Commission to Enter upon Lands for Certain Purposes" (H. P. 873) (L. D. 521)

Bill "An Act relating to Acquiring of Wharf by city of Rockland" (H. P. 1080) (L. D. 773)

Bill "An Act Imposing a Tax on Sweet Corn for the Suppression of the European Corn Borer" (H. P. 1135) (L. D. 693)

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

Orders of the Day

The Chair lays before the House the first tabled and today assigned matter, Senate Report "Ought not to pass" of the Committee on Education on Bill "An Act relating to School Unions" (S. P. 29) (L. D. 12), which report was read and accepted in the Senate on March 15th, and in the House tabled by Mr. Russell of Gorham, on March 16th, pending acceptance of Report in concurrence; and the Chair recognizes that gentleman.

Mr. RUSSELL: Mr. Speaker, I tabled this bill because the person who had presented it, the gentleman from Biddeford, Mr. Donahue, was absent. He is present this morning I think.

The SPEAKER: The Chair recognizes the gentleman from Biddeford, Mr. Donahue.

On motion by Mr. Donahue, the report, with accompanying bill was retabled and specially assigned for Thursday morning, March 22nd.

On motion by Mr. Thorndike of Bar Harbor, the House voted to take from the table the twenty-first tabled and unassigned matter, Bill "An Act Relating to Bounty on Seals" (H. P. 1337) (L. D. 986) (New Draft of H. P. 1218—L. D. 768) tabled on March 16th by that gentleman pending first reading; and on further motion by the same gentleman, the Bill was recommitted to the Committee on Sea and Shore Fisheries and sent up for concurrence.

On motion by Miss Deering of Bath, the House voted to take from the table the twelfth tabled and unassigned matter, Resolve Authorizing Kennebec Towage Company to Bring Suit at Law Against the State of Maine (H. P. 331) L. D. 146) Senate voted to insist and ask for a Committee of Conference); tabled on March 8th by Miss Deering pending further consideration.

On further motion by Miss Deering, under suspension of the rules, the House voted to reconsider its former action whereby it passed this bill to be engrossed as amended.

The House then voted to reconsider its former action whereby it adopted House Amendment "A" and House Amendment "A" was indefinitely postponed.

Thereupon, the Bill was passed to be engrossed in concurrence.

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

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

The SPEAKER: The newly elected Mayor, the gentleman from Old Town, Mr. Cousins, moves that the House do now adjourn.

The motion prevailed and the House adjourned until ten o'clock tomorrow morning.