

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Third Legislature

OF THE

STATE OF MAINE

1947

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Thursday, February 6, 1947

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

Prayer by Rev. David Hickland of Richmond.

Journal of yesterday read and approved.

Papers from the Senate

From the Senate: Bill "An Act relating to Permanent School Fund" (S. P. 166) (L. D. 427)

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.

From the Senate: Bill "An Act Permitting the Declaration of Graduated Dividends by Savings Banks" (S. P. 167) (L. D. 426)

Came from the Senate referred to the Committee on Banks and Banking.

In the House, referred to the Committee on Banks and Banking in concurrence.

From the Senate: Resolve in favor of Omer Castonguay of Lewiston (S. P. 175)

Came from the Senate referred to the Committee on Claims.

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

From the Senate: Bill "An Act relating to Trial Justices" (S. P. 168) (L. D. 425)

Came from the Senate referred to the Committee on Judiciary.

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

From the Senate: Bill "An Act to Repeal the Incorporation of the Norway Village Corporation" (S. P. 169) (L. D. 424)

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

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

From the Senate: Bill "An Act relating to Driving Motor Vehicles on Divided Highways" (S. P. 170) (L. D. 421)

Bill "An Act relating to Driving Motor Vehicles on Roadways Laned for Traffic" (S. P. 171) (L. D. 422)

Bill "An Act relating to Length of Motor Vehicles" (S. P. 172) (L. D. 423)

Came from the Senate referred to the Committee on Motor Vehicles.

In the House, referred to the Committee on Motor Vehicles in concurrence.

From the Senate: Resolve Providing for an Increase in State Pension for Flossie Mae Shaw, of Lewiston (S. P. 180)

Came from the Senate referred to the Committee on Pensions.

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

From the Senate: Bill "An Act Increasing the Salary of the Judge of Biddeford Municipal Court" (S. P. 173) (L. D. 420)

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.

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

Resolve in favor of Maine Maritime Academy (H. P. 888) (Presented by Mr. Brewer of Presque Isle)

(Ordered printed)

Sent up for concurrence.

Claims

Resolve in favor of Edmund P. Skillin, of Freeport (H. P. 889) (Presented by Mr. Patterson of Freeport)

(Ordered printed)

Resolve in favor of Henry A. Moulton, Jr., of Biddeford (H. P. 890) (Presented by Mr. Peirce of Augusta)

(Ordered printed)

Resolve in favor of Arthur F. Bowie of Auburn (H. P. 891) (Presented by same gentleman)

(Ordered printed)

Resolve in favor of Charles A. Dean Memorial Hospital for Services Rendered to James Smith, a State Pauper (H. P. 892) (Presented by Mr. Rollins of Greenville)

(Ordered printed)

Sent up for concurrence.

Resolve in favor of Carl J. Broggi, of Sanford (H. P. 893) (Presented by Mr. Byron of Hollis)

Resolve in favor of Russell Wolfertz, of Biddeford (H. P. 894) (Presented by Mr. Cadorette of Biddeford)

Resolve in favor of Maurice Sandler, of Biddeford (H. P. 895) (Presented by Mr. Carey of Biddeford)

Resolve in favor of Edward J. Albair, of Caribou (H. P. 896) (Presented by Mr. Collins of Caribou)

Resolve in favor of Royal Robbins, of Deer Isle (H. P. 897) (Presented by Mr. Heansler of Deer Isle)

Sent up for concurrence.

Education

Resolve in favor of Monson Academy (H. P. 898) (Presented by Mr. Rollins of Greenville)

Sent up for concurrence.

Inland Fisheries and Game

Bill "An Act Repealing Mount Bigelow Game Preserve in Franklin and Somerset Counties" (H. P. 899) (Presented by Mr. Carville of Stratton)

(Ordered printed)

Bill "An Act relating to Closed Season on Muskrats in the county of Oxford" (H. P. 900) (Presented by Mr. Daniels of Gilead)

(Ordered printed)

Bill "An Act relative to Bounty on Porcupines and Hedgehogs" (H. P. 901) (Presented by Mr. Stearns of Hiram)

(Ordered printed)

Bill "An Act Providing for Registration of Bear Killed" (H. P. 902) (Presented by Mr. Wight of Bangor)

(Ordered printed)

Resolve Closing Torsey Pond in Mt. Vernon and Readfield in the county of Kennebec to Ice Fishing (H. P. 903) (Presented by Mr. Brown of Wayne)

(Ordered printed)

Resolve Closing the Tributaries to Wassookeag Lake in Dexter in Penobscot County to All Fishing (H. P. 904) (Presented by Mr. Campbell of Garland)

(Ordered printed)

Resolve Permitting Fly Fishing in Certain Waters of Franklin County (H. P. 905) (Presented by Mr. Carville of Stratton)

(Ordered printed)

Resolve Closing Saddleback Stream to All Fishing (H. P. 906) (Presented by same gentleman)

(Ordered printed)

Resolve Opening South Bog

Stream to Fly Fishing (H. P. 907) (Presented by same gentleman)

(Ordered printed)

Resolve Opening the South Branch of Dead River and Tributaries (Except Nash Stream) to Both Fly and Bait Fishing (H. P. 908) (Presented by same gentleman)

(Ordered printed)

Resolve Opening Big Magalloway River in Oxford County from the Big Eddy to the Outlet of Rump Pond to Fly Fishing (H. P. 909) (Presented by Mr. Daniels of Gilead)

Resolve Regulating Fishing in Certain Monticello Brooks (H. P. 910) (Presented by Mr. Day of Monticello)

(Ordered printed)

Resolve Providing for a Fish Screen at Chase Pond in the town of Moscow in the county of Somerset (H. P. 911) (Presented by Mr. DeSanctis of Madison)

(Ordered printed)

Resolve Opening Pleasant Lake, in Washington County, to Ice Fishing (H. P. 912) (Presented by Mr. Dick-er of Lakeville Pl.)

(Ordered printed)

Resolve Establishing the Opening Date for Fishing for White Perch in Ebeemee Lake, T. 5, R. 9, N.W.P. and Brownville in Piscataquis County (H. P. 913) (Presented by Mr. Ross of Brownville Jct.)

(Ordered printed)

Sent up for concurrence.

Judiciary

Bill "An Act to Incorporate the Public Loan Corporation of Augusta (H. P. 914) (Presented by Mr. Fuller of Hallowell)

(Ordered printed)

Bill "An Act relative to the Westbrook Municipal Court" (H. P. 915) (Presented by Mr. Haskell of Portland)

(Ordered printed)

Bill "An Act relating to Limitations of Actions for Tort" (H. P. 916) (Presented by Mr. Peirce of Augusta)

(Ordered printed)

Bill "An Act relating to Method of Payment of Alimony" (H. P. 917) (Presented by same gentleman)

(Ordered printed)

Bill "An Act relating to Payment of Expenses of Wife Pending Libel for Divorce" (H. P. 918) (Presented by same gentleman)

(Ordered printed)

Bill "An Act to Incorporate the Family Finance Corporation" (H.

P. 919) (Presented by same gentleman)
(Ordered printed)

Bill "An Act Validating Certain Divorces" (H. P. 920) (Presented by Mr. Perkins of Boothbay Harbor)
(Ordered printed)

Bill "An Act relating to Service in Divorce Cases" (H. P. 921) (Presented by same gentleman)
(Ordered printed)

Bill "An Act relating to Passing Motor Vehicles on the Right" (H. P. 922) (Presented by Mr. Plummer of Lisbon)
(Ordered printed)

Bill "An Act relating to Absent Voting" (H. P. 923) (Presented by Mr. Seeger of Kittery by request)
(Ordered printed)

Bill "An Act relating to the County Law Library at Rumford in the county of Oxford" (H. P. 968) (Presented by Mr. Kelley of Rumford)
(Ordered printed)

Bill "An Act to Incorporate the Kenduskeag Development District" (H. P. 924) (Presented by Mr. Webster of Bangor)
(Ordered printed)

Bill "An Act relating to Divorce" (H. P. 925) (Presented by Mr. Weeks of So. Portland by request)
(Ordered printed)

Bill "An Act relating to Collectors or Treasurer's Deed" (H. P. 926) (Presented by same gentleman)
(Ordered printed)
Sent up for concurrence.

Legal Affairs

Bill "An Act to Incorporate the Town of Lincolnville School District" (H. P. 927) (Presented by Mr. Ames of Northport)
(Ordered printed)

Bill "An Act Amending the Charter of the City of Lewiston to Provide Pensions for Widows and Dependents of Firemen" (H. P. 928) (Presented by Mr. Jalbert of Lewiston by request)
(Ordered printed)

Bill "An Act to Incorporate the Town of North Berwick School District" (H. P. 929) (Presented by Mr. Randall of No. Berwick by request)
(Ordered printed)

Bill "An Act to Amend the Charter of Rumford Falls Village Corporation" (H. P. 969) (Presented by Mr. Kelley of Rumford)
(Ordered printed)

Bill "An Act relating to the Charter of Lucerne-in-Maine Village

Corporation" (H. P. 930) (Presented by Mr. Sargent of Bucksport)
(Ordered printed)

Bill "An Act relating to the City of Brewer High School District" (H. P. 931) (Presented by Mr. Thompson of Brewer)
(Ordered printed)

Sent up for concurrence.

Maine Publicity

Bill "An Act to Designate Route 11 in Aroostook County as the Aroostook Scenic Highway" (H. P. 932) (Presented by Mr. Ellis of Castle Hill)
(Ordered printed)

Sent up for concurrence.

Motor Vehicles

Bill "An Act relating to Law of the Road for Motor Vehicles" (H. P. 933) (Presented by Mr. Berryman of Sidney)
(Ordered printed)

Bill "An Act relating to Operators' Licenses" (H. P. 934) (Presented by Mr. Smith of Westbrook)
(Ordered printed)
Sent up for concurrence.

Pensions

Resolve Providing for an Increase in State Pension for George W. Whiting, of Turner (H. P. 935) (Presented by Mrs. Hatch of Minot)

Resolve Providing for State Pension for Gladys Eaton, of Sedgewick (E. P. 936) (Presented by Mr. Heansler of Deer Isle)

Resolve Providing for State Pension for John Cooper, of Sedgewick (H. P. 937) (Presented by same gentleman)

Resolve Providing for an Increase in State Pension for Artel Cookson, of Newcastle (H. P. 938) (Presented by Mr. Johnston of Jefferson)

Resolve Providing for State Pension for Joseph Bachelin, of Rumford (H. P. 939) (Presented by Mr. Kelley of Rumford)

Resolve Providing for an Increase in State Pension for Grace Lawrence, of Pittston (H. P. 940) (Presented by Mr. Kent of Randolph)

Resolve Providing for State Pension for Daniel McCurdy, of Weeks Mills (H. P. 941) (Presented by same gentleman)

Resolve Providing for State Pension for William Leslie Cheney, of Pittston (H. P. 942) (Presented by Mr. Kent of Randolph)

Resolve Providing for an Increase in State Pension for Blanche

French, of Carmel (H. P. 943) (Presented by Mr. McGown of Carmel)

Resolve Providing for an Increase in State Pension for Elmira A. Brown, of Lewiston (H. P. 944) (Presented by Mr. Williams of Auburn)
Sent up for concurrence.

Public Utilities

Bill "An Act to Incorporate the Cape Cottage Woods Sewerage District" (H. P. 945) (Presented by Mr. Chase of Cape Elizabeth)

(Ordered printed)

Bill "An Act to Incorporate the Yarmouth Sewerage District" (H. P. 946) (Presented by Mr. Lombard of Yarmouth)

(Ordered printed)

Bill "An Act relating to Contract Carriers" (H. P. 947) (Presented by Mr. St. Pierre of Lewiston)

(Ordered printed)

Sent up for concurrence.

Salaries and Fees

Bill "An Act Increasing the Salary of the Sheriff of Cumberland County" (H. P. 948) (Presented by Mr. Haskell of Portland)

(Ordered printed)

Bill "An Act Increasing the Salaries of the Judge and Recorder of the Saco Municipal Court" (H. P. 949) (Presented by Mr. Jordan of Saco)

(Ordered printed)

Bill "An Act relating to the Payment of Fines and Costs and the Salary of the Judge of the Municipal Court in the town of East Livermore, now Livermore Falls" (H. P. 950) (Presented by Mr. Moulton of Livermore Falls)

(Ordered printed)

Bill "An Act to Amend the Charter of the city of Augusta" (H. P. 951) (Presented by Mr. Peirce of Augusta)

(Ordered printed)

Bill "An Act relative to the Salary of the Recorder of the York-shire Municipal Court" (H. P. 952) (Presented by Mr. Randall of No. Berwick)

(Ordered printed)

Bill "An Act to Increase the Salaries of the Judge and Clerk and the Clerk Hire of the Auburn Municipal Court" (H. P. 953) (Presented by Mr. Williams of Auburn)

(Ordered printed)

Sent up for concurrence.

Sea and Shore Fisheries

Bill "An Act relating to License for the Taking of Sea Moss for Commercial Purposes" (H. P. 954) (Presented by Mr. Bird of Rockland)

(Ordered printed)

Sent up for concurrence.

State Lands and Forest Preservation

Resolve Authorizing the Forest Commissioner to Convey the State's Interest in Certain Lands (H. P. 955) (Presented by Mr. Berryman of Sidney)

(Ordered printed)

Resolve Sale of Hatcheries and Feeding Station Property Authorized (H. P. 956) (Presented by Mr. Bird of Rockland)

(Ordered printed)

Resolve Authorizing the Maine State Park Commission to Convey a Lot of Land Situated in Bangor, to William Carmalt, of Bangor (H. P. 957) (Presented by Mr. Wight of Bangor)

(Ordered printed)

Sent up for concurrence.

Ways and Bridges

Resolve in favor of the city of Rockland (H. P. 958) (Presented by Mr. Bird of Rockland)

Resolve in favor of the town of Bethel (H. P. 959) (Presented by Mr. Daniels of Gilead)

Resolve in favor of Carroll Plantation (H. P. 960) (Presented by Mr. Dicker of Lakeville Pl.)

Resolve in favor of the town of Minot (H. P. 961) (Presented by Mrs. Hatch of Minot)

Resolve in favor of the town of Mechanic Falls (H. P. 962) (Presented by same member)

Resolve in favor of the town of Lincoln (H. P. 963) (Presented by Mr. House of Lincoln)

Resolve in favor of the town of Enfield (H. P. 964) (Presented by same gentleman)

Resolve in favor of the town of Lowell (H. P. 965) (Presented by same gentleman)

Resolve in favor of the city of Ellsworth (H. P. 966) (Presented by Mr. Smart of Ellsworth)

Resolve relating to the Road Leading from Oakland to Smithfield (H. P. 967) (Presented by Mr. Woodworth of Fairfield)

Sent up for concurrence.

Orders

On motion by Mr. Bove of Naples, it was

ORDERED, that there be printed 500 additional copies of S. P. 90, L. D. 141, Bill "An Act to Increase State Aid to Towns for the Support of Schools to Establish Minimum Salaries for Teachers".

The SPEAKER: The Chair at this time notes the presence in the balcony of the Civics class of Brown School of South Portland, and welcomes them to our session this morning.

House Reports of Committees Ought to Pass Printed Bills

Mr. Byron from the Committee on Inland Fisheries and Game reported "Ought to pass" on Bill "An Act Repealing Winthrop and Wayne Game Sanctuary" (H. P. 238) (L. D. 167)

Same gentleman from same Committee reported same on Bill "An Act relating to Use of Gill Net in Taking White Fish in Junior Lake, Penobscot County" (H. P. 239) (L. D. 168)

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 Limiting Actions by Depositors to Recover Money Paid on Forged Signatures" (S. P. 84) (L. D. 110)

Bill "An Act to Incorporate the Town of Lisbon School District" (H. P. 734) (L. D. 417)

Bill "An Act to Incorporate the Town of Machias School District" (H. P. 735) (L. D. 418)

Bill "An Act relating to Requirements of Foreign Insurance Companies to Obtain License" (H. P. 735) (L. D. 419)

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

Passed to Be Engrossed—Amended

Resolve Proposing an Amendment to the Constitution Changing the Tenure of Office of the Governor to Four-Year Terms (H. P. 33) (L. D. 31)

Was reported by the Committee on Bills in the Third Reading and read the second time.

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

Mr. ALLEN: Mr. Speaker and Members of the House: I assure you that my remarks will be very brief this morning. Politicians have the reputation of passing the buck when there is an error down the line. I think I can successfully pass the buck in this case.

You will notice before you House Amendment "A", which will call for a change in my bill so that the Governor shall not be eligible to succeed himself. You know in the debate which we had here yesterday morning that my remarks and the remarks of other proponents on this measure were all carried along on the assumption that the Governor should not be able to succeed himself in office. That was our case; that was the case we brought before you.

Through an error in the Revisor's office, this small phrase, so important, naturally, in the whole purpose of this bill, was left out. I think opponents and proponents alike will agree this should be inserted at this time to make our bill, L. D. 31, in accord with its purpose and in accord with the ideas which we expressed in our debate here yesterday morning.

Mr. Speaker, I move the adoption of House Amendment "A" to H. P. 33, L. D. 31.

The SPEAKER: The gentleman from Portland, Mr. Allen, presents House Amendment "A" and moves its adoption.

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

House Amendment "A" to H. P. 33, L. D. 31 "Resolve, Proposing an Amendment to the Constitution Changing the Tenure of Office of the Governor to Four-Year Terms."

Amend said Resolve by adding at the end of that part designated "Sec. 2." after the word "election" the following underlined words: **and shall not be eligible to succeed himself**

House Amendment "A" was adopted, and the Resolve, having had its two several readings, was passed to be engrossed as amended and sent up for concurrence.

Amended Bills

Bill "An Act relating to the Right of Safe Deposit Companies to Open Safe or Box" (S. P. 83) (L. D. 109)

Bill "An Act relating to Discrimination for Life Insurance Companies" (H. P. 59) (L. D. 47)

Bill "An Act relating to Annual

Excise Tax on Insurance Companies" (H. P. 63) (L. D. 48)

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

On motion by Mr. Collins of Caribou, the House voted to take from table Bill "An Act to Create and Establish a Four-Year Medical School in the State of Maine to be Known as "The Medical College of Maine," a School of Medicine of the University of Maine." (S. P. 164) (L. D. 403) In Senate referred

to the Committee on University of Maine. In the House tabled on February 4, by Mr. Collins pending reference.

On further motion by the same gentleman, the bill was referred to the Committee on University of Maine in concurrence.

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

On motion by Mr. Russell of Portland,

Adjourned until ten o'clock tomorrow morning.