

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

Tuesday, February 18, 1947

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

Prayer by the Rev. Edna Knowlton of Augusta.

Journal of the previous session read and approved.

Papers From The Senate

From the Senate: Resolve Providing for Fire Protection at the Augusta State Hospital (S. P. 269) (L. D. 813)

Resolve Providing for Certain New Construction at the Augusta State Hospital (S. P. 270) (L. D. 812)

Resolve Providing for Construction of Homes for Physicians at the Augusta State Hospital (S. P. 271) (L. D. 814)

Resolve Providing for Certain Construction at the Augusta State Hospital (S. P. 272) (L. D. 809)

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 to Provide for Maintenance and Operation of State Technical and Vocational Schools" (S. P. 275) (L. D. 815)

Came from the Senate referred to the Committee on Education.

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

From the Senate: Bill "An Act to Amend the Unemployment Compensation Law with Respect to Coverage" (S. P. 276) (L. D. 816)

Came from the Senate referred to the Committee on Federal Relations.

In the House, referred to the Committee on Federal Relations in concurrence.

From the Senate: Bill "An Act relative to Closed Season on Deer on Swan's Island, in the county of Hancock" (S. P. 277) (L. D. 817)

Bill "An Act relating to Trapping of Beaver" (S. P. 278) (L. D. 820)

Resolve Providing for a Fish Screen at Outlet of Kewayden Lake in the town of Stoneham in the

county of Oxford (S. P. 311) (L. D. 784)

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.

From the Senate: Bill "An Act Amending the Absent Voting Law with Reference to Towns and Plantations" (S. P. 279) (L. D. 811)

Bill "An Act relating to Courts Ordering Care of Child Pending Hearing" (S. P. 280) (L. D. 810)

Bill "An Act relating to Fees for Probate of Wills and Administrations" (S. P. 281) (L. D. 808)

Bill "An Act relating to Unclaimed Corporation Dividends" (S. P. 282) (L. D. 807)

Bill "An Act relating to Registration in Optometry" (S. P. 291) (L. D. 818)

Resolve in favor of a Special Recess Committee to Study the Creation of Domestic and Family Courts and Report to the Legislature (S. P. 283) (L. D. 806)

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 Establishing Minimum Wages of Labor on State Public Works Projects" (S. P. 284) (L. D. 805)

Came from the Senate referred to the Committee on Labor.

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

From the Senate: Bill "An Act relating to Fees for Licenses for Recreational Camps and Roadside Places" (S. P. 285) (L. D. 804)

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 Rights of Creditors and Beneficiaries Under Policies of Life, Endowment, or Accident Insurance, and Under Annuity Contracts" (S. P. 286) (L. D. 803)

Came from the Senate referred to the Committee on Mercantile Affairs and Insurance.

In the House, referred to the Committee on Mercantile Affairs and Insurance in concurrence.

From the Senate: Bill "An Act relating to Eligibility of Certain Veterans for Assistance" (S. P. 287) (L. D. 802)

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

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

From the Senate: Bill "An Act relating to General Public Health Nursing Service" (S. P. 292) (L. D. 801)

Bill "An Act relating to Immunization Against Certain Infectious Diseases" (S. P. 293) (L. D. 800)

Bill "An Act relating to Mineral Oil in Food" (S. P. 294) (L. D. 799)

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

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

From the Senate: Bill "An Act relating to Certain Fees of State Police Officers" (S. P. 295) (L. D. 798)

Bill "An Act relating to the Salary of Local Health Officers" (S. P. 296) (L. D. 797)

Bill "An Act to Increase the Salaries of Members of the State Police" (S. P. 297) (L. D. 796)

Bill "An Act relating to Salary of the Judge of Probate of York County" (S. P. 298) (L. D. 795)

Bill "An Act relating to Automobile Travel by State Employees" (S. P. 299) (L. D. 794)

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.

From the Senate: Resolve Providing for Purchase of Land for the Bangor State Hospital (S. P. 300) (L. D. 793)

Came from the Senate referred to the Committee on State Hospitals.

In the House, referred to the Committee on State Hospitals in concurrence.

From the Senate: Bill "An Act relating to Trespasses on Public Reserved Lots" (S. P. 301) (L. D. 792)

Bill "An Act relating to Proceeds of Sale of Timber on the Indian Township" (S. P. 302) (L. D. 781)

Came from the Senate referred to the Committee on State Lands and Forest Preservation.

In the House, referred to the Committee on State Lands and Forest Preservation in concurrence.

From the Senate: Bill "An Act relating to Refunds of Gasoline Tax" (S. P. 245) (L. D. 819)

Came from the Senate referred to the Committee on Taxation.

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

From the Senate: Bill "An Act to Provide Liquor Licenses for Taverns" (S. P. 303) (L. D. 790)

Bill "An Act relating to Sale of Malt and Malt Syrup" (S. P. 304) (L. D. 789)

Bill "An Act relating to the Responsibility of Licensees in Illegal Sales of Liquor" (S. P. 305) (L. D. 788)

Bill "An Act relating to Hours of Sale of Liquor" (S. P. 306) (L. D. 787)

Bill "An Act Preventing Drinking in Public Places" (S. P. 307) (L. D. 786)

Came from the Senate referred to the Committee on Temperance.

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

From the Senate: Bill "An Act relating to Increasing the Maximum Payment in Aid to the Blind" (S. P. 309) (L. D. 785)

Bill "An Act relating to Increasing the Maximum Payment in Old Age Assistance" (S. P. 310) (L. D. 783)

Came from the Senate referred to the Committee on Welfare.

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

Senate Reports of Committees Divided Report Tabled

Majority Report of the Committee on Judiciary on Resolve Proposing an Amendment to the Constitution Providing for Additional Signers in Petitions for Referendum (S. P. 107) (L. D. 238) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

The Report was signed by the following members.

Mr. Dunbar of Washington
Miss Clough of Penobscot
—of the Senate.

Messrs. McGlaflin of Portland
Haskell of Portland
Peirce of Augusta

—of the House.

Minority Report of same Committee reporting "Ought not to pass" on same Resolve.

Report was signed by the following members:

Messrs. Perkins of Boothbay Harbor
Williams of Auburn
Silsby of Aurora
Mills of Farmington

—of the House.

Came from the Senate with the Majority Report accepted and the Resolve passed to be engrossed.

(In the House, on motion by Mr. Perkins of Boothbay Harbor, the two Reports, with accompanying papers, were tabled pending acceptance of either report)

Recommended

Report of the Committee on Education reporting "Ought to pass" on Bill "An Act relating to Reimbursing Towns for Tuition for Pupils Attending Secondary Schools" (S. P. 122) (L. D. 291)

Came from the Senate recommitted to the Committee on Education.

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

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

Claims

Resolve in favor of Conley & Fahey Funeral Home, Inc., of Lewiston (H. P. 1352) (Presented by Mr. Jalbert of Lewiston)

(Ordered printed)
Sent up for concurrence.

Judiciary

Bill "An Act relating to the Apportionment of Estate Taxes" (H. P. 1353) (Presented by Mr. Allen of Portland)

(Ordered printed)

Bill "An Act to Enforce Unfair Sales Practices in Cigarettes" (H. P. 1354) (Presented by Mr. Atherton of Bangor)

(Ordered printed)
Bill "An Act relating to Unfair

Sales of Cigarettes" (H. P. 1355) (Presented by Mr. Peirce of Augusta)

(Ordered printed)

Sent up for concurrence.

Military Affairs

Resolve relating to Certain Equipment Issued to Officers of Maine State Guard (H. P. 1356) (Presented by Mr. Jennings of Strong)

(Ordered printed)

Sent up for concurrence.

Salaries and Fees

Bill "An Act relating to Complainant and Witness Fees and Costs of Police Officers and Constables" (H. P. 1357) (Presented by Mr. Webber of Bangor)

(Ordered printed)

Sent up for concurrence.

Taxation

Bill "An Act relating to an Excise Tax on Flying Machines" (H. P. 1358) (Presented by Mr. Fowler of Augusta)

(Ordered printed)

Bill "An Act relating to Excise Taxes on Motor Vehicles" (H. P. 1359) (Presented by Mr. Webber of Bangor)

(Ordered printed)

Sent up for concurrence.

Ways and Bridges

Resolve in favor of the town of Limerick (H. P. 1360) (Presented by Mr. Chase of Limington)

Resolve in favor of the town of Cornish (H. P. 1361) (Presented by same gentleman)

Resolve in favor of the town of Parsonsfield (H. P. 1362) (Presented by same gentleman)

Resolve in favor of the town of Old Orchard Beach (H. P. 1363) (Presented by Mr. Marshall of York)

Sent up for concurrence.

House Reports of Committees

Ought to Pass in New Draft

Mr. Berryman from the Committee on Motor Vehicles on Bill "An Act relating to the Use of Hand Signals and Lights in the Operation of Motor Vehicles" (H. P. 343) (L. D. 216) reported same in a new draft (H. P. 1364) under title of "An Act relating to the Use of Lights in the Operation of Motor Vehicles" and that it "Ought to pass."

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

Ought to Pass Printed Bills

Mr. Silsby from the Committee on Judiciary reported "Ought to pass" on Bill "An Act relating to the Union Mutual Life Insurance Company" (H. P. 439) (L. D. 258)

Mr. McGlauffin from same Committee reported same on Bill "An Act relating to Facsimile Signatures of Clerks of Courts" (H. P. 341) (L. D. 214)

Mr. Mills from same Committee reported same on Bill "An Act to Increase the Authority of Lafayette Lodge to Hold Property" (H. P. 441) (L. D. 260)

Mr. Anderson from the Committee on Legal Affairs reported same on Bill "An Act to Provide a Town Council and Manager Form of Government for the town of Limestone in the county of Aroostook" (H. P. 118) (L. D. 82)

Mr. Weeks from same Committee reported same on Bill "An Act relating to Records of Pari Mutuel Racing" (H. P. 251) (L. D. 177)

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. Rankin from the Committee on Legal Affairs on Bill "An Act relating to Superintending School Committee for the town of Caribou" (H. P. 246) (L. D. 173) 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. 246, L. D. 173, Bill "An Act Relating to Superintending School Committee for the Town of Caribou."

Amend Section 5-A of said bill by adding at the end thereof, the following underlined sentence:

No more than three members of said committee shall serve as members of the joint school committee.

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

Mr. Weeks from same Committee on Bill "An Act relating to Municipal Planning and Zoning" (H. P. 453) (L. D. 269) 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. 453, L. D. 269, Bill "An Act Relating to Municipal Planning and Zoning."

Amend said bill by inserting after the words, "vote of" in the fifth line of said bill (third line of said bill as printed) the black print words: **"not less than a majority of the full membership of"**

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

Mr. Weeks from same Committee on Bill "An Act to Incorporate the Town of Litchfield School District" (H. P. 250) (L. D. 176) 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. 250, L. D. 176, Bill, "An Act to Incorporate the Town of Litchfield School District."

Amend said bill by striking out the entire "Emergency preamble" therein, so that said bill shall commence with the enacting clause.

Further amend said bill by striking out the entire second paragraph of Section 8 titled "Emergency clause; effective date of act; referendum," and inserting in place thereof the following new paragraph:

Effective date of act; referendum. This act shall take effect when accepted and approved at a regular town meeting or a special meeting of the legal voters of the territory embraced within the limits of said district called and held for the purpose not later than 1 year after the approval of this act. Such special election shall be called, advertised and conducted according

to law relating to municipal elections, provided however, that the selectmen in the town of Litchfield shall not be required to prepare for posting or the town clerk to post a new list of voters, and for the purposes of registration of voters, said selectmen shall be in session 1 hour preceding such election. The town clerk shall reduce the subject matter of this act to the following question: "Shall the act to incorporate the Town of Litchfield School District be accepted?" and the voters shall indicate by ballot the words "Yes" or "No" their opinion of the same. The result in said district shall be declared by the municipal officers of the town of Litchfield and due certificate filed by the town clerk with the secretary of state.

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

Mr. Woodworth from same Committee on Bill "An Act relating to the Licensing of Merry-go-Rounds, and Other Mechanical Rides" (H. P. 451) (L. D. 267) 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. 451, L. D. 267, Bill, "An Act Relating to the Licensing of Merry-Go-Rounds, and Other Mechanical Rides."

Amend said bill by striking out after the underlined figure \$50, in line 2 of paragraph 2 of section 62 thereof, the underlined word "shall" and inserting in place thereof the underlined word "may."

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

On motion by Mr. Rankin of Bridgton, out of order and under suspension of the rules, it was

ORDERED, that Dr. Rodney W. Roundy be invited to officiate as Chaplain of the House on Tuesday, February 25th.

On motion by Mrs. Hatch of Minot, House Rule 25 was suspended for the remainder of today's session, in order to permit smoking.

Passed to Be Engrossed

Bill "An Act relating to Registration of State Highway Equipment" (S. P. 46) (L. D. 20)

Bill "An Act relating to Sirens on Automobiles" (S. P. 129) (L. D. 284)

Bill "An Act to Provide for Authorization of Issue of Stocks, Bonds or Notes by Public Utilities and Railroads" (S. P. 238) (L. D. 647)

Bill "An Act relative to the Limington, Hollis and Waterboro Game Preserve" (H. P. 433) (L. D. 257)

Bill "An Act relative to Open Season on Raccoons" (H. P. 435) (L. D. 297)

Bill "An Act to Extend the Charter of the Patten Water and Power Company" (H. P. 506) (L. D. 327)

Bill "An Act to Extend the Charter of the Vanceboro Water Company" (H. P. 507) (L. D. 328)

Bill "An Act Repealing Rangeley Game Preserve in Franklin and Oxford Counties" (T. P. 603) (L. D. 408)

Bill "An Act relative to Closing Runnell's Brook to Hunting and Trapping of Fur-bearing Animals" (H. P. 606) (L. D. 409)

Bill "An Act relating to Licenses for Dealers in Deer Skins and Heads" (H. P. 607) (L. D. 373)

Bill "An Act Amending the Charter of the Brunswick and Topsham Water District" (H. P. 622) (L. D. 411)

Bill "An Act to Incorporate the Brownville Junction Water District" (H. P. 623) (L. D. 383)

Bill "An Act to Incorporate the Brownville Water District" (H. P. 685) (L. D. 441)

Resolve Regulating Fishing in Jerry Pond (H. P. 113) (L. D. 77)

Resolve Establishing the Opening Date for Open Water Fishing in Sabbathday Lake in Cumberland County (H. P. 438) (L. D. 309)

Resolve Regulating Fishing in East Pond Stream, town of Smithfield, Somerset County (H. P. 656) (L. D. 454)

Resolve Regulating Fishing in Hatchery Brook in the town of Belgrade, Kennebec County (H. P. 657) (L. D. 455)

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.

Orders of the Day

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

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

On motion by Mrs. Hatch of Minot,

Adjourned until ten o'clock tomorrow morning.