

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 20, 1947

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

Prayer by the Rev. Warren Mesler of Wayne.

Journal of yesterday read and approved.

Papers from the Senate

From the Senate: Resolve in favor of William Reardon, of Sullivan (S. P. 329) (L. D. 974)

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 to Effect Certain Changes in Administrative Procedure Under the Unemployment Compensation Law" (S. P. 330) (L. D. 973)

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 Providing for Reciprocal Agreements relating to Public Assistance Recipients" (S. P. 331) (L. D. 972)

Bill "An Act relating to the Reporting of Divorce Statistics" (S. P. 332) (L. D. 971)

Bill "An Act Authorizing the Governor, with Advice and Consent of the Council, to Convey Lands and Easements Owned by the State" (S. P. 334) (L. D. 969)

Came from the Senate referred to the Committee on Judiciary.

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

Tabled and Assigned

From the Senate: Bill "An Act to Provide for the Incorporation, Supervision, Regulation and Dissolution of Medical Service Plan Corporations, and to Prescribe Penalties for Violations" (S. P. 335) (L. D. 968)

Came from the Senate referred to the Committee on Judiciary.

(In the House, on motion by Mr.

Bowker of Portland, tabled pending reference in concurrence, and specially assigned for Tuesday, February 25th)

From the Senate: Resolve in favor A. K. Gardner, of Orono (S. P. 333) (L. D. 970)

Came from the Senate referred to the Committee on Judiciary.

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

From the Senate: Resolve for the Purchase of Four Hundred Copies of "The Length and Breadth of Maine" (S. P. 336) (L. D. 967)

Came from the Senate referred to the Committee on Library.

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

From the Senate: Bill "An Act relating to Protection of Interest of Employees, Beneficiaries or Joint Annuitants Under Group Annuity Contracts and Pension Trusts" (S. P. 337) (L. D. 965)

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

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

From the Senate: Bill "An Act Exempting Certain Independent Contractors from the Regulations in re Motor Vehicles Used in Intrastate Traffic" (S. P. 338) (L. D. 965)

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 Granting a Pension to Mrs. Lucy Nickols, of Lewiston (S. P. 339) (L. D. 963)

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 relating to Persons Handling Food" (S. P. 340) (L. D. 964)

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: Resolve providing for Maintenance of a Road in the town of Lamoine (S. P. 341) (L. D. 962)

Resolve in favor of the town of Roxbury (S. P. 354)

Resolve in favor of the town of Woolwich (S. P. 355)

Resolve in favor of the town of Phippsburg (S. P. 356)

Resolve in favor of the town of Woolwich (S. P. 357)

Came from the Senate referred to the Committee on Ways and Bridges.

In the House, referred to the Committee on Ways and Bridges in concurrence.

Senate Reports of Committees Ought to Pass

Report of the Committee on Banks and Banking reporting "Ought to pass" on Bill "An Act Regulating Deposits in Banks" (S. P. 75) (L. D. 102)

Report of same Committee reporting same on Bill "An Act Exempting Banks from Laws Dealing with Small Loan Agencies" (S. P. 78) (L. D. 105)

Report of same Committee reporting same on Bill "An Act relating to Joint Deposits in Banks" (S. P. 76) (L. D. 103)

Report of the Committee on Judiciary reporting same on Bill "An Act relating to Qualifications for Admission to Practice Law" (S. P. 159) (L. D. 399)

Report of same Committee reporting same on Bill "An Act relating to Payment to Oxford County Law Library" (S. P. 123) (L. D. 287)

Report of the Committee on Legal Affairs reporting same on Bill "An Act Authorizing the city of Gardiner to Permit Extension of Buildings Over a Right of Way Leading from Depot Square to Bridge Street" (S. P. 91) (L. D. 142)

Report of same Committee reporting same on Bill "An Act relating to the Licensing of Motion-Picture Theaters" (S. P. 108) (L. D. 234)

Report of same Committee reporting same on Bill "An Act relating to Licensing of Motion Picture Operators" (S. P. 110) (L. D. 235)

Came from the Senate with 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 Banks and Banking on Bill "An Act Guaranteeing Loans for Veterans" (S. P. 77) (L. D. 104) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A".

In the House:

The SPEAKER: The Chair recognizes the gentleman from Cape Elizabeth, Mr. Chase.

Mr. CHASE: Mr. Speaker, I move that the Committee Report, Bill and Amendment, lie on the table.

As to the matter of assignment, my attitude depends on the disposition of another bill which is also on the calendar, but I will take it up at a later date.

Thereupon, the report, with accompanying papers, was tabled pending acceptance in concurrence.

Report of the Committee on Legal Affairs on Bill "An Act relating to Licensing of Cinematographs or Other Similar Apparatus" (S. P. 111) (L. D. 237) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with 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 read twice.

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

Committee Amendment "A" to S. P. 111, L. D. 237, Bill "An Act Relating to Licensing of Cinematographs or Other Similar Apparatus."

Amend said bill by reinstating in the 8th line of that part designated "Sec. 66" thereof, (eighth line of Sec. 66 of bill as printed), the

stricken out words "or cause to be inspected."

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

On motion by Miss Longstaff of Crystal, House Rule 25 was suspended for the remainder of today's session, in order to permit smoking.

The SPEAKER: The Chair at this time notes in the balcony a delegation from Deering High School. On behalf of the members of the House we bid you welcome here this morning. (Applause)

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:

Federal Relations

Bill "An Act relating to Definition of Employment Under the Unemployment Compensation Law" (H. P. 1438) (Presented by Mr. Allen of Portland by request)

(Ordered printed)

Bill "An Act Amending the Unemployment Compensation Law as Employer's Experience Classification" (H. P. 1439) (Presented by Mr. Brown of Unity)

(Ordered printed)

Sent up for concurrence.

Judiciary

Bill "An Act relating to Pollution of Streams" (H. P. 1440) (Presented by Mr. Marsans of Monmouth)

(Ordered printed)

Bill "An Act Providing for the Transfer of Persons Arrested on Certain Capias Executions" (H. P. 1441) (Presented by Mr. Peirce of Augusta)

(Ordered printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act relating to the Construction, Installation, Repair, Use, Operation and Inspection of Elevators, Dumb-Waiters and Escalators" (H. P. 1442) (Presented by Mr. Fowler by request)

(Ordered printed)

Bill "An Act to Incorporate the Town of Bridgton School District" (H. P. 1443) (Presented by Mr. Rankin of Bridgton)

(Ordered printed)

Bill "An Act relating to the Plumbers' Examining Board" (H. P. 1444) (Presented by Mr. Rollins of Greenville)

(Ordered printed)

Bill "An Act Amending the Charter of the town of Norridgewock School District" (H. P. 1445) (Presented by Mr. Sharpe of Anson)

(Ordered printed)

Bill "An Act to Incorporate the Town of Dixfield School District" (H. P. 1446) (Presented by Mr. Stetson of Dixfield)

(Ordered printed)

Bill "An Act Creating the Town of Wales School District" (H. P. 1447) (Presented by Mr. Torrey of Poland)

(Ordered printed)

Bill "An Act to Incorporate the Town of New Gloucester School District" (H. P. 1448) (Presented by Mr. Woodbury of New Gloucester)

(Ordered printed)

Sent up for concurrence.

Pensions

Resolve Providing for an Additional State Pension for George H. Babb, of Augusta (H. P. 1449) (Presented by Mr. Peirce of Augusta)

Resolve Providing for a State Pension for Charles Frost, of Augusta (H. P. 1450) (Presented by same gentleman)

Sent up for concurrence.

Salaries and Fees

Bill "An Act Adjusting the Salaries of All Full-time State Employees" (H. P. 1451) (Presented by Mr. Mills of Farmington)

(Ordered printed)

Bill "An Act relating to Compensation of Members of the Maine-New Hampshire Interstate Bridge Authority" (H. P. 1452) (Presented by Mr. Seeger of Kittery)

(Ordered printed)

Sent up for concurrence.

Sea and Shore Fisheries

Bill "An Act Providing for Restoration and Development of Shellfish Resources" (H. P. 1453) (Presented by Mr. Emerson of North Haven)

(Ordered printed)

Sent up for concurrence.

Ways and Bridges

Resolve in favor of the town of Newry (H. P. 1454) (Presented by Mr. Daniels of Gilead)

Resolve in favor of the town of Newry (H. P. 1455) (Presented by same gentleman)

Resolve in favor of the town of

Levant (H. P. 1456) (Presented by Mr. McGown of Carmel)
Sent up for concurrence.

(L. D. 461) reported leave to withdraw.
Report was read and accepted.

ORDERS

Mr. Mills of Farmington, presented the following Order and moved its passage:

ORDERED, the Senate concurring, that there be prepared after adjournment of the present session, under the direction of the Clerk of the House, a Register of all Bills and Resolves considered by both branches of the Legislature, showing the history and final disposition of each Bill and Resolve, and that there be printed six hundred copies of the same. The Clerk of the House is hereby authorized to employ the necessary clerical assistance to prepare such Register. (H. P. 1458)

The Order received passage and was sent up for concurrence.

Ought Not to Pass

Mr. McGlauffin from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to the Use of Light for Motor Vehicles" (H. P. 838) (L. D. 535)

Mr. Mills from same Committee reported same on Bill "An Act Requiring Vehicles to Stop Upon Signal" (H. P. 835) (L. D. 532)

Mr. Peirce from same Committee reported same on Bill "An Act relating to Membership of the Personnel Board" (H. P. 681) (L. D. 458)

Mr. Williams from same Committee reported same on Bill "An Act relating to Filing of Descriptions of Land Taken for Highway Purposes" (H. P. 836) (L. D. 533)

Reports were read and accepted.

**House Reports of Committees
Divided Report
Tabled and Assigned**

Majority Report of the Committee on Judiciary reporting "Ought to pass" on Bill "An Act Declaring Greater Portland Public Development Commission as a State Agency" (H. P. 58) (L. D. 45)

Report was signed by the following members:

- Mr. Dunbar of Washington
- Miss Clough of Penobscot
- Messrs. Barnes of Aroostook
- of the Senate.
- Haskell of Portland
- Peirce of Augusta
- Silsby of Aurora

—of the House.

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

Report was signed by the following members:

- Messrs. Perkins of Boothbay Harbor
- McGlauffin of Portland
- Mills of Farmington
- Williams of Auburn

(On motion by Mr. Haskell of Portland, the two Reports, with accompanying papers, were tabled pending acceptance of either Report and specially assigned for Wednesday, February 23th)

Leave to Withdraw

Mr. Mill's from the Committee on Judiciary on Bill "An Act relating to Poll-Tax Receipts" (H. P. 665)

Tabled

Mr. Atherton from the Committee on Legal Affairs reported "Ought not to pass on Bill "An Act Creating a State Board of Examiners of Electricians and Defining its Powers and Duties" (H. P. 610) (L. D. 375)

(On motion by Mr. Weeks of South Portland, tabled pending acceptance)

Tabled

Mr. Snow from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act relating to the Appointment and Removal of the Chief of Police of the city of Lewiston" (H. P. 854) (L. D. 509)

(On motion by Mr. Ma'enfant of Lewiston, tabled pending acceptance)

Mr. Weeks from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act relating to Steam Engineers and Firemen" (H. P. 669) (L. D. 464)

Mr. Woodworth from same Committee reported same on Bill "An Act to Dissolve the Bay Point Village Corporation" (H. P. 668) (L. D. 463)

Reports were read and accepted.

Ought to Pass in New Draft

Mr. Silsby from the Committee on Judiciary on Bill "An Act relating to Proceedings to Bar Action on Undischarged Real Estate Mort-

gages" (H. P. 169) (L. D. 123) reported same in a new draft (H. P. 1457) under same title 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. Peirce from the Committee on Judiciary reported "Ought to pass" on Bill "An Act relating to Appointment of Directors of Corporations by Court" (H. P. 663) (L. D. 460)

Mr. Perkins from same Committee reported same on Bill "An Act relative to Penalties" (H. P. 837) (L. D. 534)

Same gentleman from same Committee reported same on Bill "An Act to Authorize the Treasurer and County Commissioners of Lincoln County to Procure a Loan and Issue Bonds of said County therefor for the purpose of Building a Court House or Adding to the Present Court House" (H. P. 664) (L. D. 437)

Mr. Silsby from same Committee reported same on Bill "An Act relating to Freedom Academy" (H. P. 658) (L. D. 456)

Same gentleman from same Committee reported same on Bill "An Act Repealing the Farm Lands Loan Act and Disposing of Assets" (H. P. 841) (L. D. 484)

Mr. Williams from same Committee reported same on Bill "An Act Declaring Maine Maritime Academy as a State Agency" (H. P. 57) (L. D. 44)

Mr. Atherton from the Committee on Legal Affairs reported same on Bill "An Act relating to the Board of Commissioners of Pharmacy" (H. P. 611) (L. D. 376)

Mr. Payson from same Committee reported same on Bill "An Act Amending the Charter of the Chestnut Street Methodist Society in Portland" (H. P. 613) (L. D. 378)

Mr. Rankin from same Committee reported same on Bill "An Act to Authorize the town of Norway to Acquire Property" (H. P. 671) (L. D. 466)

Mr. Woodworth from same Committee reported same on Bill "An Act to Incorporate the City of Belfast School District" (H. P. 687) (L. D. 438)

Mr. Bel from the Committee on Towns reported same on Bill "An

Act relating to Bank Accounts and Deposits of Town Treasurers" (H. P. 273) (L. D. 185)

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 the Use of Lights in the Operation of Motor Vehicles" (H. P. 1364) (L. D. 961)

Was 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 Enacted Emergency Measure

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

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of the entire elected membership of the House being necessary a division was had, 133 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

An Act relating to Collection of Corporate Franchise Taxes (S. P. 53) (L. D. 25)

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

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

An Act relating to Time Limit for Adjusting and Paying Fire Losses (H. P. 66) (L. D. 51)

An Act relating to Exemptions from Taxation (H. P. 192) (L. D. 137)

Resolve, Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Lincoln County to Chester Poland, of Loudville (H. P. 354) (L. D. 224)

Resolve, Authorizing the State Tax Assessor to Convey Certain Interest of the State to Lands in Oxford County to Myron E. Morrill, of Bethel (H. P. 472) (L. D. 304)

Resolve, Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Arcostook County to Alice Cassidy of Oxbow (H. P. 473) (L. D. 305)

Resolve, Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Franklin County to Richard S. York, of Wilton (H. P. 474) (L. D. 336)

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

Orders of the Day

The SPEAKER: The Chair lays before the House the first tabled and today assigned matter, House Order Relative to Information on Applicants and Recipients of Old Age Assistance and Aid to Dependent Children to be Filed with the Clerk of the House, tabled on February 19th by the gentleman from Farmington, Mr. Mills, pending passage.

The Chair recognizes the gentleman from Bangor, Mr. Wight.

On motion by Mr. Wight, the Order received passage.

On motion by Mr. Marsans of Monmouth, the House voted to take from the table the eleventh tabled and unassigned matter, Bill "An Act to Incorporate the Town of Litchfield School District" (H. P. 250) (L. D. 176), which in the House was read the third time, tabled by that gentleman on February 19th pending passage to be engrossed.

Mr. Marsans then offered House Amendment "A", and moved its adoption.

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

House 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, in the 2nd line of section 1 thereof, the words "section 8 hereof" and inserting in place thereof the words "this act".

Further amend said Bill by striking out, in the 7th and 8th lines of section 3, the following: "expiration of the official term of 3 years."

Thereupon, House Amendment "A" was adopted, and the Bill as amended was passed to be engrossed and sent up for concurrence.

On motion by Mr. Bowker of Portland, the House voted to take from the table the twelfth tabled and unassigned matter, An Act Relating to Penalty for Night Hunting (H. P. 32) (L. D. 27), tabled on February 19th by that gentleman pending passage to be enacted; and on further motion by the same gentleman the bill was passed to be enacted, signed by the Speaker and sent to the Senate.

On motion by Mr. Marshall of York, the House voted to take from the table the 6th tabled and unassigned matter, Bill "An Act Relating to Erroneous Charges by Public Utilities" (S. P. 99) (L. D. 199), which was passed to be engrossed in the Senate, and in the House tabled on February 13th by that gentleman, pending third reading.

Mr. Marshall then offered House Amendment "A" and moved its adoption.

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

House Amendment "A" to S. P. 99, L. D. 199, Bill, "An Act Relating to Erroneous Charges by Public Utilities"

Amend said bill by striking out the words "six months" in the 8th line thereof and by inserting in place thereof the words "90 days, or in the case of railroads six months,".

House Amendment "A" was adopted, and the Bill was given its third reading, and passed to be engrossed as amended in non-concurrence and sent up for concurrence.

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

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

On motion by Mr. Hayward of Machias,

Adjourned until ten o'clock tomorrow morning.