

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

Friday, February 28, 1947.

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

Prayer by the Rev. Shibley Malouf of Hallowell.

Journal of yesterday read and approved.

Papers from the Senate

From the Senate: Bill "An Act relating to Advancing Moneys for 'Dog Licenses' Fund" (S. P. 396) (L. D. 1145)

Came from the Senate referred to the Committee on Agriculture.

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

From the Senate: Bill "An Act relating to Unorganized Townships Fund" (S. P. 398) (L. D. 1147)

Resolve Appropriating Moneys for Essential Facilities at Reid State Park (S. P. 397) (L. D. 1146)

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 Prohibiting Erection of Billboards Adjacent to Turnpikes" (S. P. 349) (L. D. 1161)

Bill "An Act Forbidding Impersonation of Liquor Inspectors" (S. P. 400) (L. D. 1149)

Bill "An Act relating to Eviction of Tenants" (S. P. 401) (L. D. 1150)

Resolve to Modify the Conditions of the Gift from B. C. Jordan to the State for the Purpose of Encouraging Cultivation of Forests (S. P. 399) (L. D. 1148)

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 relating to Veterinary Surgeons" (S. P. 402) (L. D. 1151)

Bill "An Act relating to Pari-Mutuel Harness Racing" (S. P. 403) (L. D. 1152)

Bill "An Act relating to Rental of Armory in city of Lewiston" (S. P. 404) (L. D. 1153)

Bill "An Act Concerning Agriculture Cooperative Associations" (S. P. 405) (L. D. 1154)

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 Fees for Registration of Motor Trucks and Basis Thereof" (S. P. 405) (L. D. 1155)

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 to Increase the Powers of the State Park Commission (S. P. 407) (L. D. 1156)

Came from the Senate referred to the Committee on Public Buildings and Grounds.

In the House, referred to the Committee on Public Buildings and Grounds in concurrence.

From the Senate: Bill "An Act Creating an Agency to Rehabilitate the Atlantic Sea Run Salmon" (S. P. 408) (L. D. 1157)

Came from the Senate referred to the Committee on Sea and Shore Fisheries.

In the House, referred to the Committee on Sea and Shore Fisheries in concurrence.

From the Senate: Bill "An Act relating to Forestry Cutting Practices" (S. P. 409) (L. D. 1158)

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 Privileges of Club Liquor Licensees" (S. P. 411) (L. D. 1159)

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 Assessment of Costs for Construction of Drains" (S. P. 412) (L. D. 1160)

Came from the Senate referred to the Committee on Towns.

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

Senate Reports of Committees Ought to Pass

Report of the Committee on Appropriations and Financial Affairs reporting "Ought to pass" on Bill "An Act relating to Permanent School Fund" (S. P. 166) (L. D. 427)

Report of same Committee reporting same on Bill "An Act relating to Disposal of Poll-Taxes Collected in Unincorporated Places" (S. P. 117) (L. D. 293)

Report of the Committee on Legal Affairs reporting same on Bill "An Act Amending the Charter of the town of Rumford" (S. P. 214) (L. D. 573)

Report of same Committee reporting same on Bill "An Act relating to Unredeemed Tickets on Pari-Mutuel Pools" (S. P. 212) (L. D. 575)

Came from the Senate 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 were read twice and assigned for third reading the next legislative day.

Ought to Pass with Committee Amendment

Report of the Committee on Judiciary on Bill "An Act relating to Trial Justices" (S. P. 168) (L. D. 425) 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 was read twice.

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

Committee Amendment "A" to S. P. 168, L. D. 425, Bill "An Act Relating to Trial Justices."

Amend said bill by striking out all of section 2 and section 4 thereof.

Further amend said bill by re-numbering section 3 as section 2 thereof.

Committee Amendment "A" was adopted in concurrence, and the Bill was assigned for third reading the next legislative day.

Report of same Committee on Bill "An Act relating to Fire Wardens in Organized Towns" (S. P. 141)

(L. D. 336) 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 was read twice.

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

Committee Amendment "A" to S. P. 141, L. D. 336, Bill "An Act Relating to Fire Wardens in Organized Towns."

Amend said bill by striking out all of that part designated as "Sec. 1" thereof.

Further amend said bill by re-numbering those parts designated as "Sec. 2", "Sec. 3" and "Sec. 4" respectively, to be 'Sec. 1', 'Sec. 2' and 'Sec. 3'.

Committee Amendment "A" was adopted in concurrence and the Bill was assigned for third reading the next legislative day.

Report of the Committee on Judiciary reporting "Ought to pass" on Bill "An Act to Validate the Use of Check Marks in Elections" (S. P. 144) (L. D. 339)

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

In the House, Report read and accepted in concurrence, and the Bill was read twice.

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

Senate Amendment "A" to S. P. 144, L. D. 339, Bill, "An Act to Validate the Use of Check Marks in Elections."

Amend said bill by adding at the end of section 5, thereof, the following:

'Wherever a cross (X) has heretofore been required, including referendum elections held pursuant to private and special acts, a cross (X) or a check mark (✓) shall both be valid.'

Further amend said bill by adding at the end thereof a new section as follows:

"Sec. 6. R. S., c. 80, § 52, amended. Section 52 of chapter 80 of the revised statutes is hereby amended by striking out the 10th sentence and inserting in place thereof the following:

"The ballots shall be so printed as to give each voter a clear opportunity to designate by a cross (X) or a Check mark (✓) in a square at the right of the name and designation of each candidate, his choice of candidates and his answer to the question submitted, and in the ballot may be printed such words as will aid the voter to do this, as "vote for one," "vote for three," "yes," "no," and the like."

Senate Amendment "A" was adopted in concurrence, and the Bill was assigned for third reading the next legislative day.

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, March 4th, 1947, at 11:30 o'clock in the forenoon. (S. P. 414)

Came from the Senate, in that body read and passed.

In the House, read and passed in concurrence.

The following Bills, 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:

Agriculture

Bill "An Act relating to Increased Participation of Agricultural Fairs" (H. P. 1559) (Presented by Mr. Sleeper of Rockland)

(Ordered printed)
Sent up for concurrence.

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

Salaries and Fees

Bill "An Act relating to Fees of Registers of Deeds" (H. P. 1560) (Presented by Mr. Berry of Portland)

Bill "An Act relating to the Salaries of the Judge and Recorder of the Millinocket Municipal Court" (H. P. 1561) (Presented by Mr. Boulier of Stacyville)

(Ordered printed)
Sent up for concurrence.

Taxation

Bill "An Act relating to Excise Taxes on Liquors" (H. P. 1562)

(Presented by Mr. Fowler of Augusta)

(Ordered printed)

Bill "An Act Increasing the Share of the State in Pari Mutuel Pools" (H. P. 1563) (Presented by Mr. Sleeper of Rockland)

(Ordered printed)
Sent up for concurrence.

Bill "An Act Imposing a Sales and Use Tax to Raise Additional Revenue and Equalize the Tax Burden" (H. P. 1572) (Presented by Mr. Elliott of Corinth)

(1000 copies ordered printed)
Sent up for concurrence.

Temperance

Bill "An Act relating to Suspension or Revocation of Liquor Licenses" (H. P. 1564) (Presented by Mr. Peirce of Augusta)

(Ordered printed)

Bill "An Act relating to Indebtedness of Wholesalers of Liquors" (H. P. 1565) (Presented by same gentleman)

(Ordered printed)

Bill "An Act relating to Revocation of Liquor Licenses" (H. P. 1566) (Presented by Mr. Sleeper of Rockland)

(Ordered printed)

Bill "An Act relating to Publication of Applications for Liquor Licenses" (H. P. 1567) (Presented by same gentleman)

(Ordered printed)

Bill "An Act relating to Tenure of Office of State Liquor Commission" (H. P. 1568) (Presented by same gentleman)

(Ordered printed)

Bill "An Act relating to Application of Penalty for Liquor Violation to Subsequently Issued Licenses" (H. P. 1569) (Presented by Mr. Williams of Auburn)

(Ordered printed)

Bill "An Act relating to Catering by Club Liquor Licensees to Non-Members" (H. P. 1570) (Presented by same gentleman)

(Ordered printed)

Bill "An Act relating to Duties of Liquor Inspectors" (H. P. 1571) (Presented by same gentleman)

(Ordered printed)
Sent up for concurrence.

Orders

On motion by Mr. Meloon of Portland, it was

ORDERED, that there be printed 200 extra copies of the Legislative Record for February 27th.

House Reports of Committees Ought to Pass in New Draft

Mr. Jordan from the Committee on Inland Fisheries and Game on Resolve Appropriating Money to Improve the Approach to the Fish Way at Arcostook Falls (H. P. 436) (L. D. 298) reported same in a new draft (H. P. 1573) under same title and that it "Ought to pass"

Mr. Smart from same Committee on Resolve to Provide for Repair of Fish Screen at Porter Lake (H. P. 437) (L. D. 299) reported same in a new draft (H. P. 1574) under same title and that it "Ought to pass"

Mr. Wight from same Committee on Bill "An Act relating to Non-Resident Deer Hunting Licenses" (H. P. 655) (L. D. 453) reported same in a new draft (H. P. 1575) 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. Jordan from the Committee on Inland Fisheries and Game reported "Ought to pass" on Bill "An Act relative to Transportation of Deer" (H. P. 828) (L. D. 478)

Mr. Atherton from the Committee on Legal Affairs reported same on Bill "An Act Creating a Council-Manager Form of Government for the city of Bath" (H. P. 1272) (L. D. 952)

Mr. Payson from same Committee reported same on Bill "An Act Amending the Charter of the city of Rockland" (H. P. 845) (L. D. 501)

Same gentleman from same Committee reported same on Bill "An Act to Incorporate Old Town Great Works School District" (H. P. 249) (L. D. 190)

Mr. Rankin from same Committee reported same on Bill "An Act Amending the Charter of the city of Brewer relative to Election Date and Filing of Petitions" (H. P. 1238) (L. D. 942)

Mr. Snow from same Committee reported same on Bill "An Act Authorizing South Parish Village Corporation to Levy a Special Sewer Tax" (H. P. 1230) (L. D. 939)

Mr. Woodworth from same Committee reported same on Bill "An Act Granting Additional Powers to the South Paris Village Corporation" (H. P. 1231) (L. D. 831)

Mr. Jordan from the Committee on Taxation reported same on Bill "An Act relating to Taxation of Imported Cigarettes" (H. P. 23) (L. D. 13)

Reports were read and accepted and the Bills having already been printed, were read twice under suspension of the rules, and assigned for third reading the next legislative day.

Ought to Pass with Committee Amendment

Mr. McGlaulin from the Committee on Judiciary on Bill "An Act Designating Through Ways" (H. P. 977) (L. D. 631) 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. 977, L. D. 631, Bill "An Act Designating Through Ways."

Amend said bill by striking out in the 6th and 7th lines from the end thereof, the following underlined words:

"having been erected as heretofore provided"

Committee Amendment "A" was adopted, and the Bill was assigned for third reading the next legislative day.

Mr. Silsby from the Committee on Judiciary on Bill "An Act relating to Revocation of Hunting Licenses" (H. P. 975) (L. D. 633) 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. 975, L. D. 633, Bill "An Act Relating to Revocation of Hunting Licenses."

Amend said bill by striking out in the last line thereof the underlined word "an".

Further amend said bill by striking out in the last line thereof the following underlined words:

"to the supreme judicial court".

Committee Amendment "A" was adopted, and the Bill was assigned for third reading the next legislative day.

Mr. Anderson from the Committee on Legal Affairs on Bill "An Act to Incorporate the Town of Easton School District" (H. P. 853) (L. D. 508) 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. 853, L. D. 508, Bill "An Act to Incorporate the Town of Easton School District."

Amend said bill by striking out in line 3 (line 4 as printed) of section 5 thereof the figure "2" and inserting in place thereof the figure '5'.

Committee Amendment "A" was adopted, and the Bill was assigned for third reading the next legislative day.

Mr. Payson from the Committee on Legal Affairs on Bill "An Act to Incorporate Georgetown School District" (H. P. 847) (L. D. 503) 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. 847, L. D. 503, Bill "An Act to Incorporate Georgetown School District."

Amend said bill by striking out in line 5 (line 4 of bill as printed) of section 4 thereof the figure "2" and inserting in place thereof the figure '5'.

Committee Amendment "A" was adopted, and the Bill was assigned for third reading the next legislative day.

Mr. Payson from the Committee on Legal Affairs on Bill "An Act Creating the Rockland School District" (H. P. 1274) (L. D. 945) 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. 1274, L. D. 945, Bill, "An Act Creating the Rockland School District."

Amend said Bill by striking out in line 8 (line 9 as printed) the figure "25" and inserting in place thereof the figure '20'.

Committee Amendment "A" was adopted, and the Bill was assigned for third reading the next legislative day.

Mr. Payson from the Committee on Legal Affairs on Bill "An Act relating to the Town Manager Form of Government for the town of Camden" (H. P. 852) (L. D. 515) 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. 852, L. D. 515, Bill "An Act Relating to the Town Manager Form of Government for the Town of Camden."

Amend said bill by striking out in line 6 (line 5 as printed) of section 4 the underlined figure "1st" and inserting in place thereof the underlined figure "2nd".

Further amend said bill by striking out in lines 7 and 8 (line 6 as printed) of section 4 the words "shall by a majority vote."

Committee Amendment "A" was adopted, and the Bill was assigned for third reading the next legislative day.

Mr. Weeks from the Committee on Legal Affairs on Bill "An Act to Incorporate the Town of Houlton School District" (H. P. 614) (L. D. 379) 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. 614, L. D. 379, Bill "An Act to Incorporate the Town of Houlton School District."

Amend said bill by striking out in line 6 of Section 5 thereof the figures "2½" and inserting in place thereof the figure '5'.

Further amend said bill by striking out in line 10 of section 5 thereof after the word "any" where it appears the second time in said line, the words "trust Company or savings."

Committee Amendment "A" was adopted, and the Bill was assigned for third reading the next legislative day.

Passed to be Engrossed

Bill "An Act relating to the Board of Registration of Nurses" (S. P. 125) (L. D. 290)

Bill "An Act to Provide for Plant Railroads" (S. P. 133) (L. D. 282)

Bill "An Act relating to Validity of Signature of Outgoing State Controller" (S. P. 142) (L. D. 337)

Bill "An Act relating to Liens on Articles of Clothing and Household or Office Goods" (S. P. 143) (L. D. 338)

Bill "An Act relating to Service of Writs in Western Somerset Municipal Court" (S. P. 160) (L. D. 400)

Bill "An Act Permitting Soil Conservation Districts to Acquire Surplus Property" (S. P. 161) (L. D. 398)

Bill "An Act relating to Salary of Superintendents of Schools" (H. P. 111) (L. D. 95)

Bill "An Act relating to Local Option Provisions" (H. P. 355) (L. D. 225)

Bill "An Act relating to Penalty for Failure to Report After Motor Vehicle Accidents" (H. P. 831) (L. D. 400)

Bill "An Act relative to the Westbrook Municipal Court" (H. P. 915) (L. D. 543)

Bill "An Act relating to Passing Motor Vehicles on the Right" (H. P. 922) (L. D. 545)

Bill "An Act relating to Passing of Motor Vehicles" (H. P. 975) (L. D. 632)

Bill "An Act relating to Determination of Valuation of Property With Relation to Inheritance Tax" (H. P. 1069) (L. D. 700)

Bill "An Act relating to Liquor Commission Inspectors" (H. P. 1073) (L. D. 670)

Bill "An Act to Prevent the Employment of Minors on Premises Where Liquor to be Consumed on the Premises is Sold" (H. P. 1227) (L. D. 751)

Bill "An Act relating to Transfer of Liquor Licenses" (H. P. 1229) (L. D. 753)

Bill "An Act Compensating Gardiner G. Deering of Bath for Duties as Recorder" (H. P. 1530) (L. D. 1112)

Bill "An Act relating to Civil Service Rules for Police and Fire Departments" (H. P. 1532) (L. D. 1113)

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

Amended Bills

Bill "An Act Amending the Law relative to Publication of Notice of Hearing on Applications for Liquor Licenses" (S. P. 73) (L. D. 65)

Bill "An Act relating to the Northern Arrostook Municipal Court" (H. P. 660) (L. D. 36)

Bill "An Act relating to Manufacturing Liquor" (H. P. 1228) (L. D. 752)

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 SPEAKER: Under Orders of the Day the Chair lays before the House the tabled and today assigned matter, House Report "Ought not to pass" as covered by other legislation," of the Committee on Temperance on Bill "An Act Relating to Possession of Liquor in an Open Bottle." (H. P. 1226) (L. D. 758) tabled on February 27th by the gentleman from Hodgdon, Mr. Corson pending acceptance of report; and the Chair recognizes that gentleman.

Mr. CORSON: Mr. Speaker and Members of the House: The "Ought not to pass" report is not covered as yet by other legislation on H. P. 1226, L. D. 758. It is "would be" legislation which has been proposed to cover this bill. So I wish to table this bill to await this other legislation that would cover this bill.

The SPEAKER: The gentleman from Hodgdon, Mr. Corson, moves that this matter be laid on the table pending acceptance of the committee report. Is this the pleasure of the House?

The motion prevailed and the report and bill were so tabled.

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

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

Mr. WIGHT: Mr. Speaker, may I inquire as to whether or not the Clerk has received any answer from our request that the Health and Welfare Department deliver a list of State-aid recipients?

The SPEAKER: The gentleman may inquire, and the Chair will attempt to furnish the information.

The Chair is informed by the Clerk that a copy of the order, certified by the Clerk of the House, requesting information relative to recipients of Old Age Assistance and dependent children, was deliv-

ered to Dr. Bristol, Commissioner of Health and Welfare, in hand, at approximately 1:00 P. M., February 20th, by an officer of the House. The Clerk of the House has received no official acknowledgment of receipt or information regarding compliance with the order.

Does that answer the gentleman?

Mr. WIGHT: Yes, Mr. Speaker.

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

On motion by Mr. Sleeper of Rockland,

Adjourned until Tuesday, March 4th, at 11:30 o'clock in the forenoon.