

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, March 4, 1947

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

Prayer by the Rev. Elmer Colcord of Gardiner.

Journal of yesterday read and approved.

Papers From the Senate

From the Senate: Resolve Providing for Increase in State Pension for Abbie Spencer, of Clifton (S. P. 428)

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 Creating a State Forest Commission" (S. P. 410) (L. D. 1163)

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.

Senate Reports of Committees Ought to Pass

Report of the Committee on Judiciary reporting "Ought to pass" on Bill "An Act relative to Hearings Conducted by the Secretary of State" (S. P. 207) (L. D. 579)

Report of same Committee reporting same on Bill "An Act Amending the Acts which Constitute the Charter of Colby College, Formerly Colby University" (S. P. 209) (L. D. 573)

Report of same Committee reporting same on Bill "An Act relating to Insane Criminals" (S. P. 211) (L. D. 576)

Report of the Committee on Temperance reporting same on Bill "An Act relating to Business Hours in State Liquor Stores" (S. P. 265) (L. D. 727)

Report of same Committee reporting same on Bill "An Act relating to Disposition of Fees for Certificates of Approval of Manufacturers and Foreign Wholesalers of Malt Liquor" (S. P. 266) (L. D. 728)

Report of the Committee on Temperance reporting same on Bill "An Act relating to Hours of Sale of Liquor" (S. P. 306) (L. D. 787)

Came from the Senate with the Reports read and accepted and the Bills passed to be engrossed.

In the House, reports read and accepted in concurrence and the Bills read twice and tomorrow assigned.

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

Judiciary

Resolve in favor of Hydro-Electric Interstate Cooperation (H. P. 1576) (Presented by Mr. Rollins of Greenville)

(Ordered printed.)

Resolve in favor of Hydro-Electric Power Development (H. P. 1577) (Presented by same gentleman)

(Ordered printed.)

Sent up for concurrence.

Military Affairs

Bill "An Act Providing for the Payment of a Bonus to Maine Veterans of World War II and to Provide for the Payment Thereof by Running Horse Racing and Dog Racing" (H. P. 1578) (Presented by Mr. Doucette of Lewiston)

(1,000 copies ordered printed)

Sent up for concurrence.

Public Utilities

Bill "An Act for Exportation of Hydro-Electric Power" (H. P. 1579) (Presented by Mr. Smith of Westbrook)

(Ordered printed.)

Sent up for concurrence.

State Lands and Forest Preservation

Bill "An Act Creating Woods Products Research Service Center" (H. P. 1580) (Presented by Mr. Collins of Caribou)

(Ordered printed.)

Sent up for concurrence.

Ways and Bridges

Resolve in favor of the town of Carmel (H. P. 1581) (Presented by Mr. McGown of Carmel)

Sent up for concurrence.

Orders

On motion by Mr. Clements of Belfast, it was

ORDERED, that Rev. Frank A. Pitman of Belfast, be invited to officiate as Chaplain of the House on Tuesday, March 18th.

On motion by Mr. Silsby of Aurora, it was

ORDERED, that there be printed 500 additional copies of H. P. 1182, L. D. 776, An Act to Provide for Jurisdiction of Probate Courts in Divorce Cases.

House Reports of Committees Divided Report Tabled

Majority Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act relating to the Sanitary Water Board" (H. P. 1068) (L. D. 681)

Report was signed by the following members:

Mr. Dunbar of Washington
Miss Clough of Penobscot
Messrs. Barnes of Aroostook
—of the Senate.
Silsby of Aurora
Peirce of Augusta
McGlauffin of Portland
Williams of Auburn
Haskell of Portland
—of the House.

Minority Report of same Committee on same Bill reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. Perkins of Boothbay
Harbor
Mills of Farmington
—of the House.

(On motion by Mr. Perkins of Boothbay Harbor, the two Reports, with accompanying papers, were tabled pending acceptance of either report, and specially assigned for Thursday, March 6th)

Ought to Pass in New Draft

Mr. Atherton from the Committee on Legal Affairs on Bill "An Act relating to the Charter of Lucerne-in-Maine Village Corporation" (H. P. 931) (L. D. 547) reported same in new draft (H. P. 1582) 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

Miss Longstaff from the Committee on Education reported "Ought to pass" on Resolve in favor of Teacher-Pension Status of Martha O. Crosby of Benton (H. P. 1158)

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

Ought to Pass Printed Bills

Mr. Broggi from the Committee on Education reported "Ought to pass" on Bill "An Act to Provide Driver Education in Secondary Schools" (H. P. 486) (L. D. 316)

Mr. Lee from the same Committee reported same on Bill "An Act relating to Returns to Commissioner of Education of Towns having Seventy-five or More Teachers" (H. P. 600) (L. D. 369)

Mr. Marsans from same Committee reported same on Bill "An Act relating to Education for Physically Handicapped Children" (H. P. 972) (L. D. 629)

Mr. Russell from the same Committee reported same on Resolve, Abolishing Commission for Promotion of International Good Will in Education (H. P. 601) (L. D. 370)

Mr. Mills from the Committee on Judiciary reported same on Bill "An Act relating to the County Law Library at Rumford in the county of Oxford" (H. P. 968) (L. D. 619)

Mr. Perkins from same Committee reported same on Bill "An Act relating to Service in Divorce Cases" (H. P. 921) (L. D. 617)

Same gentleman from same Committee reported same on Bill "An Act relating to Lincoln County Law Library" (H. P. 1072) (L. D. 702)

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

Ought to Pass with Committee Amendment

Mr. McGlauffin from the Committee on Judiciary on Bill "An Act to Incorporate the Kenduskeag Development District" (H. P. 924) (L. D. 560) 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. 924, L. D. 560, Bill "An Act to Incorporate the Kenduskeag Development District."

Amend said bill by striking out in the 2nd line of the 2nd paragraph of "Sec. 6" thereof, the words "not of the body politic", and inserting in place thereof the following words:

'shall be a debt due from the body politic as a quasi-municipal corporation, and may be enforced as provided by section 132 of chapter 49 of the revised statutes'

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

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

Mr. Anderson from the Committee on Legal Affairs on Bill "An Act to Incorporate the Town of Lincolnville School District" (H. P. 927) (L. D. 561) 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. 927, L. D. 561, Bill "An Act to Incorporate the Town of Lincolnville School District."

Amend said bill by inserting in the sixth line of Section 1 thereof, after the word and semi-colon "building;" the following words: "to complete the construction of a central school building commenced by the town of Lincolnville and to pay from the fund raised under Section 4 the cost already incurred in the construction of said school building;"

Further amend said bill by striking out in the third line of Section 4 thereof, after the word "bonds", the word "and", and inserting in place thereof the word 'or' so that the last three words of said line shall read "bonds or notes."

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

Mr. Collins from the Committee on Legal Affairs on Bill "An Act

to Incorporate the Enfield Water District" (H. P. 874) (L. D. 486) 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. 874, L. D. 486, Bill "An Act to Incorporate the Enfield Water District."

Amend said bill by adding after the word "any" in the third line of Sec. 2 the following word 'river,'

Further amend said bill by adding after the word "time," in the fourth line of Sec. 13 thereof the following: "not exceeding \$50,000,"

Further amend said bill by striking out the figures "13" in the fifth line of Sec. 17 thereof and inserting the following figure "20"

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

Mr. Payson from the Committee on Legal Affairs on Bill "An Act to Amend the Charter of Rumford Falls Village Corporation" (H. P. 969) (L. D. 623) 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. 969 L. D. 623, Bill, "An Act to Amend the Charter of Rumford Falls Village Corporation."

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

Further amend said bill by striking out the entire second paragraph of Section 3.

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

Mr. Rankin from the Committee on Legal Affairs on Bill "An Act to Repeal the Incorporation of the Madison Village Corporation" (H. P. 247) (L. D. 174) 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. 247, L. D. 174, Bill "An Act to Repeal the Incorporation of the Madison Village Corporation."

Amend said bill by inserting in line 3 (line 2 as printed) of section 3, after the word "property" the words "and franchises."

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

Mr. Snow from the Committee on Legal Affairs on Bill "An Act to Incorporate the Town of North Berwick School District" (H. P. 929) (L. D. 622) 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. 929, L. D. 622, Bill "An Act to Incorporate the Town of North Berwick School District."

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

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

Mr. Weeks from the Committee on Legal Affairs on Bill "An Act to Incorporate the Town of Van Buren School District" (H. P. 612) (L. D. 377) 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. 612, L. D. 377, Bill "An Act to Incorporate the Town of Van Buren 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 in the second line of section 6 thereof the figure and word "60 days" and inserting in place thereof the figure and word "6 months".

Further amend said bill by striking out after the designation "Sec. 7" thereof the title "Effective Date of October Referendum," and inserting in place thereof the new underlined title "Referendum Provided."

Further amend said bill in section 7 thereof by striking out in the fifth line (third and fourth lines of bill as printed) the figure and words "60 days after the approval of this act" and inserting in place thereof the following figure and words "6 months after the effective date of this act".

Further amend said bill by striking out all of Section 9 thereof, entitled "Emergency clause."

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

Tabled and Assigned

Mr. Daniels from the Committee on Public Utilities on Bill "An Act Creating the Ashland Water and Sewer District" (H. P. 683) (L. D. 439) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

(On motion by Mr. Ellis of Castle Hill, tabled pending acceptance of Committee Report, and specially assigned for Friday, March 7th)

Mr. Desanctis from the Committee on Public Utilities on Bill "An Act to Incorporate the Yarmouth Sewerage District" (H. P. 946) (L. D. 562) 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. 946, L. D. 562, Bill "An Act to Incorporate the Yarmouth Sewerage District."

Amend said bill by striking out the words "East Main" in the 8th line of Sec. 1 thereof and inserting the following word "Spring"

And further amend said bill by striking out the word "Spring" in

the 8th line of Sec. 1 thereof and inserting the words 'East Main'.

And further amend said bill by adding after the word "drainage" in the 36th line of Sec. 1 thereof the following: 'and to provide for disposal of sewage in whole or in part by other means than emptying it directly into the ocean or into rivers or streams, when such disposal units become necessary.'

And further amend Section 2 of said bill so that the head note thereof shall read as follows:

'Sec. 2. Procedure in exercise of right of eminent domain and crossing public utilities'.

And further amend said Section 2 by adding the following paragraph thereto:

'In case of any crossing of any public utility, unless consent is given by the company owning or operating such public utility as to place, manner, and conditions of the crossing within 30 days after such consent is requested by such district, the public utilities commission shall determine the place, manner and conditions of such crossing; and all work on the property of such public utility shall be done under the supervision and to the satisfaction of such public utility, but at the expense of the district.'

And further amend said bill by adding after the word "district" in the 5th line of Sec. 9 thereof, the following: 'and the rates, rules and regulations of this district shall be subject to approval of the public utilities commission'

And further amend said bill by striking out the figures "1947." in the 5th line of Sec. 17 thereof and inserting the following:

'1948, but if and only if the total number of votes cast for and against the acceptance of this act in said election equals or exceeds 20% of the total vote for all candidates for governor cast in said district at the next previous gubernatorial election.'

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

Mr. Marshall from the Committee on Public Utilities on Bill "An Act to Incorporate the Freeport Sewer District" (H. P. 684) (L. D. 440) 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. 684, L. D. 440, Bill "An Act to Incorporate the Freeport Sewer District."

Amend Section 3 of said bill so that the head note shall read as follows:

'Sec. 3. Procedure in exercise of right of eminent domain and crossing public utilities'.

And further amend said Section 3 by adding the following paragraph thereto: 'In case of any crossing of any public utility, unless consent is given by the company owning or operating such public utility as to place, manner, and conditions of the crossing within 30 days after such consent is requested by such district, the public utilities commission shall determine the place, manner and conditions of such crossing; and all work on the property of such public utility shall be done under the supervision and to the satisfaction of such public utility, but at the expense of the district.'

And further amend said bill by striking out the figures "500,000" in the 8th line of section 17 thereof and inserting in place thereof the following: '250,000'

And further amend said bill by striking out the underlined words "; town relieved from duty relating to sewers" in the 2nd and 3rd lines of the head note of Sec. 19.

And further amend said bill by striking out the word "Eleven" in the 30th line of Sec. 20 thereof and inserting the following: 'Twenty per cent of the'

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

First Reading of Printed Bills

Bill "An Act relating to Non-Resident Deer Hunting Licenses" (H. P. 1575) (L. D. 1215)

Resolve Appropriating Money to Improve the Approach to the Fish Way at Aroostook Falls (H. P. 1573) (L. D. 1216)

Resolve to Provide for Repair of Fish Screen at Porter Lake (H. P. 1574) (L. D. 1217)

Bill was read twice, Resolves read once, and tomorrow assigned.

Passed to be Engrossed

Bill "An Act relating to Disposal of Poll-taxes Collected in Unincorporated Places" (S. P. 117) (L. D. 293)

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

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

Bill "An Act Amending the Charter of the town of Rumford" (S. P. 214) (L. D. 573)

Bill "An Act relating to Taxation of Imported Cigarettes" (H. P. 23) (L. D. 13)

Bill "An Act to Incorporate Old Town Great Works School District" (H. P. 249) (L. D. 190)

Bill "An Act relative to Transportation of Deer" (H. P. 828) (L. D. 478)

Bill "An Act Amending the Charter of the City of Rockland" (H. P. 845) (L. D. 501)

Bill "An Act Creating a Councilor-Manager Form of Government for the city of Bath" (H. P. 1272) (L. D. 952)

Bill "An Act Authorizing South Paris Village Corporation to Levy a Special Sewer Tax" (H. P. 1280) (L. D. 939)

Bill "An Act Granting Additional Powers to the South Parish Village Corporation" (H. P. 1281) (L. D. 881)

Bill "An Act Amending the Charter of the City of Brewer relative to Election Date and Filing of Petitions" (H. P. 1288) (L. D. 942)

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 relating to Fire Wardens in Organized Towns" (S. P. 141) (L. D. 336)

Bill "An Act to Validate the Use of Check Marks in Elections" (S. P. 144) (L. D. 339)

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

Bill "An Act to Incorporate the Town of Houlton School District" (H. P. 614) (L. D. 379)

Bill "An Act to Incorporate Georgetown School District" (H. P. 847) (L. D. 503)

Bill "An Act relating to the Town Manager Form of Government for the town of Camden" (H. P. 852) (L. D. 515)

Bill "An Act to Incorporate the Town of Easton School District" (H. P. 853) (L. D. 508)

Bill "An Act relating to Revocation of Hunting Licenses" (H. P. 975) (L. D. 633)

Bill "An Act Designating Through Ways" (H. P. 977) (L. D. 631)

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.

Tabled

Bill "An Act Creating the Rockland School District" (H. P. 1274) (L. D. 945)

(Was reported by the Committee on Bills in the Third Reading, and on motion by Mr. Bird of Rockland, tabled pending third reading)

Orders of the Day

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 Miss Cormier of Rumford,

Adjourned until ten o'clock tomorrow morning.