

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, March 21, 1947.

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

Prayer by the Rev. Wesley Riedel of Augusta.

Journal of yesterday read and approved.

Mr. Webber of Bangor was granted unanimous consent to address the House.

Mr. WEBBER: Mr. Speaker and Members of the House: For some time the ultimate fate of the Bangor Airport has been in doubt. The War Department has notified the Northeast Airlines and the City of Bangor that it was planning to take over Dow Field and that the Northeast Airlines could no longer use that airport.

The city officials and others have worked very hard on this problem and have tried to solve it, but to no avail. Last Saturday night we had word from Senator Brewster that he had exhausted all possibilities and he held out no hope of the War Department receding from the position it had taken. We have been given until June 30th to use the airport, and after that we will have to make other plans. It has produced a crisis, and it is a very important thing to the future of air service in the City of Bangor and surrounding areas. I would like to point out that the Bangor Airport serves all of eastern Maine and some of the neighboring counties. It is of importance to the people of the coastal area and the Moosehead area.

The purpose of this bill which I submit this morning is to help us solve this problem and to allow us to make other plans.

The SPEAKER: The gentleman from Bangor, Mr. Webber, requests unanimous consent to present a resolve. The Clerk will read the title.

"Resolve to Provide Funds for Construction and Improvement of Bangor Airport in Old Town." (H. P. 1642)

The SPEAKER: Is there objection to the reception of this resolve? The Chair hears none, and it is received by unanimous consent.

On motion by Mr. Webber, the resolve was referred to the Commit-

tee on Appropriations and Financial Affairs and ordered printed, and on further motion by the same gentleman, the resolve was ordered sent forthwith to the Senate.

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, March 25, 1947, at ten o'clock in the forenoon (S. P. 473)

Came from the Senate, read and passed.

In the House, read and passed in concurrence.

Papers from the Senate

From the Senate: The following Order:

ORDERED, the House concurring, that the State Controller be directed to pay, according to lists certified by the Secretary of the Senate and Clerk of the House, one-half of the legally established amount allowed for attendance of the representatives at the Legislature of the Passamaquoddy and Penobscot Tribes of Indians, the balance to be paid according to similar lists furnished, at the end of the session (S. P. 469)

Came from the Senate read and passed.

In the House, read and passed in concurrence.

Senate Reports of Committees Ought to Pass in New Draft

Report of the Committee on Inland Fisheries and Game on Bill "An Act relating to Transportation of Deer Within State" (S. P. 231) (L. D. 642) reporting same in a new draft (S. P. 465) (L. D. 1304) under same title and that it "Ought to pass"

Report of same Committee on Bill "An Act relating to Prohibiting the Use of an Airplane in Driving, Hunting or Molesting any Wild Birds or Animals (S. P. 179) (L. D. 522) reporting same in a new draft (S. P. 464) (L. D. 1305) under title of "An Act relating to Prohibiting the Use of an Airplane in Driving or Molesting any Wild Birds or Animals" and that it "Ought to pass"

Report of the Committee on Judiciary on Bill "An Act to Authorize Fraser Paper, Limited to Merge with and into, or to Consolidate with, a Corporation Organized Under the Laws of the State of Maine"

(S. P. 205) (L. D. 580) reported same in a new draft (S. P. 454) (L. D. 1274) under same title and that it "Ought to pass"

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 assigned for third reading the next legislative day.

Ought to Pass

Report of the Committee on Salaries and Fees reporting "Ought to pass" on Bill "An Act relating to the Salaries of Various Officers in Aroostook County" (S. P. 135) (L. D. 281)

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 Bill was read twice and assigned for third reading the next legislative day.

Ought to Pass with Committee Amendment

Report of the Committee on Legal Affairs on Bill "An Act relating to School Committee in town of Rumford" (S. P. 98) (L. D. 197) 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 was 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. 98, L. D. 197, Bill "An Act Relating to School Committee in Town of Rumford."

Amend said Bill by adding thereto a new section to be numbered 3, to read as follows:

Sec. 3. Referendum. This act shall take effect 90 days after the adjournment of this legislature only for the purpose of permitting its submission to the legal voters of the town of Rumford at any regular or special town meeting of such town. Such meeting shall be called for that purpose by an appropriate article inserted in the call for the meeting. The town clerk shall prepare the re-

quired ballots for the meeting, upon which he shall reduce the subject matter of this act to the following question: "Shall 'An Act Relating to School Committee in Town of Rumford', passed by the 93rd legislature, be accepted?" and the voters shall indicate by a cross placed over the words "Yes" or "No" their opinion of the same. This act shall take effect for all the purposes of this act immediately upon its acceptance at the above meeting. The result of the vote shall be declared by the municipal officers and certificate thereof filed by the town clerk with the secretary of state.

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

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:

Appropriations and Financial Affairs

Bill "An Act to provide Revenue for the Construction and Extension of Airports, and to Regulate and Control the Expenditures thereof" (H. P. 1638) (Presented by Mr. Cousins of Fort Kent)

(Ordered printed)

Sent up for concurrence.

Taxation

Bill "An Act to Define 'Distributor' in the Gasoline Tax Law" (H. P. 1639) (Presented by Mr. Peirce of Augusta)

(Ordered printed.)

Sent up for concurrence.

Orders

On motion by Mr. Burton of Milo, it was

ORDERED, that Mr. Thomas of Hampden be excused from attendance next week because of business.

On motion by Mr. Lee of Dover-Foxcroft,

ORDERED, that Rev. Cornelius E. Clark of Portland be invited to officiate as Chaplain of the House on Wednesday, April 9th.

On motion by Mr. Sterling of Caratunk, it was

ORDERED, that Rev. Arthur R. MacDougall of Bingham be invited to officiate as Chaplain of the House on Wednesday, March 26th.

House Reports of Committees Ought to Pass in New Draft

Mr. Collins from the Committee on Public Utilities on Bill "An Act to amend the Charter of Winthrop Water District" (H. P. 875) (L. D. 487) reported same in a new draft (H. P. 1640) under same title and that it "Ought to pass"

Mr. Marshall from same Committee on Bill "An Act relating to the Brewer Water District (H. P. 466) (L. D. 272) reported same in a new draft (H. P. 1641) 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

Mr. Harris from the Committee on Pensions reported "Ought to pass" on Resolve Providing for State Pension for Maude E. Hamilton, of Saco (H. P. 69)

Mr. Moreau from same Committee reported same on Resolve Providing for a State Pension for Charles Frost, of Augusta (H. P. 1450)

Mr. Patterson from same Committee reported same on Resolve Providing for an Additional State Pension for George H. Babb, of Augusta (H. P. 1449)

Reports were read and accepted and the Resolves ordered printed under the Joint Rules.

Ought to Pass Printed Resolve

Mr. Savage from the Committee on Pensions reported "Ought to pass" on Resolve Providing for an Increase in Retirement Pension for Oscar F. Williams (H. P. 500) (L. D. 321)

Report was read and accepted and the Resolve, having already been printed, was read once under suspensions of the rules and assigned for third reading the next legislative day.

Ought to Pass With Committee Amendment

Mr. Peirce from the Committee on Judiciary on Bill "An Act Setting Aside Certain Lands for Settlement by Displaced Persons of Baltic Origin (H. P. 1543) (L. D. 1173) 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. 1543, L. D. 1173, Bill "An Act Setting Aside Certain Lands for Settlement by Displaced Persons of Baltic Origin."

Amend said bill by striking out in the 3rd line of that part designated as "Sec. 49-A" thereof, the underlined words "**immigrants from**"

Further amend said bill by striking out in the last line of that part designated as "Sec. 49-B" thereof, the underlined word "**one**" and inserting in place thereof the underlined figures and letter '**49-A**'

Further amend said bill by inserting in the 2nd line of that part designated as "Sec. 49-C" thereof, after the underlined words "**U. S. Department of State**", the following underlined words: '**with the U. S. Department of Justice**'

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

Mr. Bowker from the Committee on Mercantile Affairs and Insurance on Bill "An Act relating to Fire, Marine and Inland Marine Insurance Rate Regulation" (H. P. 64) (L. D. 49) 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. 64, L. D. 49, Bill, "An Act Relating to Fire, Marine and Inland Marine Insurance Rate Regulation."

Amend said bill by striking out in the 2nd line of that part designated "Sec. 276" the following underlined words "**and at the request of the commissioner**".

Further amend said Bill by adding after the underlined word "**date**" in the 7th line of sub-section V of that part designated "Sec. 276", the following underlined words '**or other supporting information**'.

Further amend said Bill by striking out in the 1st line of that part designated "Sec. 277" the underlined word "**funds**" and inserting in place thereof the underlined words '**has reason to believe**'.

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

Mr. Sargent from same Committee on Bill "An Act relating to Casualty and Surety Insurance Rate Regulation" (H. P. 65) (L. D. 50) 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. 65, L. D. 50, Bill "An Act Relating to Casualty and Surety Insurance Rate Regulation."

Amend said bill by striking out all of sub-section IV of that part designated "Sec. 292" and inserting in place thereof the following:

IV. Workmen's compensation insurance. Provided that the filings required by sub-section II of section 6 of chapter 26 may be made on behalf of any Workmen's Compensation Insurer by a rating organization licensed in accordance with the provisions of section 296'

Further amend said Bill by striking out in the 2nd line of that part designated "Sec. 294" the following underlined words "and at the request of the commissioner."

Further amend said Bill by adding after the underlined word "data" in the 7th line of sub-section V of that part designated "Sec. 294" the following underlined words 'or other supporting information.'

Further amend said Bill by striking out in the 2nd line of that part designated "Sec 295" the underlined word "finds" and inserting in place thereof the underlined words 'has reason to believe.'

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

First Reading of A Printed Bill

Bill "An Act Relating to Fire Insurance Policies." (H. P. 1637) (L. D. 1317)

Bill was read twice and tomorrow assigned.

Passed to Be Engrossed

Bill "An Act relating to Rights of Creditors and Beneficiaries Under Policies of Life, Endowment, or Ac-

cident Insurance, and Under Annuity Contracts" (S. P. 286) (L. D. 803)

Bill "An Act relating to Protection of Interest of Employees, Beneficiaries or Joint Annuitants Under Group Annuity Contracts and Pension Trusts" (S. P. 462) (L. D. 1297)

Bill "An Act Providing for Payment of Personal Property Tax on Trailers Before Motor Vehicle Registration Permitted" (H. P. 1512) (L. D. 1136)

Bill "An Act relating to Manufacture and Sale of Apple Cider" (H. P. 1524) (L. D. 1117)

Bill "An Act relating to the Salaries of the Judge and Recorder of the Millinocket Municipal Court" (H. P. 1635) (L. D. 1312)

Resolve Authorizing Warren Worcester of Greenville to Construct a Wharf (H. P. 1538) (L. D. 1168)

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

Amended Bills

Bill "An Act Declaring Greater Portland Public Development Commission as a State Agency" (H. P. 58) (L. D. 45)

Bill "An Act relating to Licenses for 'On Premise' Sale of Malt Liquor" (H. P. 1103) (L. D. 678)

Bill "An Act relating to Revocation of Liquor Licenses" (H. P. 1566) (L. D. 1195)

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: The Chair recognizes the gentleman from Auburn, Mr. Williams.

Mr. WILLIAMS: Mr. Speaker and Members of the House: Yesterday we passed to be enacted L. D. 613, An Act Relating to Limitation of Actions for Tort. In the first instance, this bill proposed to repeal the special limitation of one year on vehicles under the control of the Public Utilities Commission. With Committee Amendment 87, this bill changed that limitation from one year to two years, but it did insert the word "hereafter." The apparent defect of that word "hereafter" is to make the limitation six years on actions that occur

prior to the effective date of the act.

Therefore I now move that we reconsider our action of yesterday whereby we passed L. D. 613 to be enacted.

The SPEAKER: The gentleman from Auburn, Mr. Williams, moves that the House reconsider its action of yesterday whereby it passed to be enacted, L. D. 613, An Act Relating to Limitation of Actions for Tort. Is this the pleasure of the House?

A viva voce vote being taken, the motion prevailed.

On further motion by the same gentleman, the House voted, under suspension of the rules, to reconsider its former action of March 11th whereby the bill was passed to be engrossed.

On further motion by Mr. Williams, the House voted, under suspension of the rules, to reconsider its former action whereby Committee Amendment "A" was adopted on March 7th.

Mr. Williams then offered House Amendment "A" to Committee Amendment "A" and moved its adoption.

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

House Amendment "A" to Committee Amendment "A" to H. P. 916, L. D. 613, Bill "An Act Relating to Limitation of Actions for Tort."

Amend said Amendment by striking out from the third paragraph thereof the underlined word "hereafter."

House Amendment "A" to Committee Amendment "A" was adopted.

Committee Amendment "A" as amended by House Amendment "A" was then adopted, and the bill was 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 of Mr. Carey of Biddeford,

Adjourned until Tuesday, March 25th, at 10 o'clock in the forenoon.