

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 25, 1947.

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

Prayer by the Rev. Merle Golding of Augusta.

Journal of the previous session read and approved.

Papers from the Senate

From the Senate: Bill "An Act relating to Profit and Loss Statements of Banks" (S. P. 470) (L. D. 1320)

Came from the Senate referred to the Committee on Banks" (S. P. 470) (L. D. 1320)

Came from the Senate referred to the Committee on Banks and Banking.

In the House, referred to the Committee on Banks and Banking in concurrence.

Senate Reports of Committees Ought to Pass

Report of the Committee on Judiciary and reporting "Ought to pass" on Bill "An Act relating to Burglary and Breaking and Entering" (S. P. 387) (L. D. 1100)

Report of the Committee on Motor Vehicles reporting same on Bill "An Act relating to Driving Motor Vehicles on Roadways Laned for Traffic" (S. P. 171) (L. D. 422)

Report of same Committee reporting same on Bill "An Act relating to Driving Motor Vehicles on Divided Highways" (S. P. 170) (L. D. 421)

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 Judiciary on Bill "An Act relating to Purposes and Powers of Maine Port Authority" (S. P. 315) (L. D. 877) 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" read by the Clerk as follows:

Committee Amendment "A" to S. P. 315, L. D. 877, Bill "An Act Relating to Purposes and Powers of Maine Port Authority."

Amend said bill by reinstating the stricken out words "and in a sum not exceeding" in the 22nd line thereof.

Further amend said bill by inserting after the stricken out figure "\$5,000", the underlined figure "\$50,000".

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

Report of the Committee on Temperance on Bill "An Act to Provide Liquor Licenses for Taverns" (S. P. 303) (L. D. 790) 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" submitted therewith.

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

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

Committee Amendment "A" to S. P. 303, L. D. 790, Bill "An Act to Provide Liquor Licenses for Taverns."

Amend said bill by adding after the underlined word "place" in the 5th line thereof the following underlined words "for men only"

Further amend said bill by striking out the underlined word "served" in the 6th line thereof and inserting in place thereof the underlined word "sold."

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

Non-Concurrent Matter

From the Senate: Bill "An Act relating to Salaries of Judge and Recorder of the Bath Municipal Court" (H. P. 182) (L. D. 130) which was passed to be engrossed as amended

by Committee Amendment "A" in the House on March 7th.

Came from the Senate passed to be engrossed as amended by Committee Amendment "A" and Senate Amendment "A" in non-concurrence.

In the House: The House voted to recede and concur with the Senate.

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:

Public Utilities

Bill "An Act Creating a Sewer District in the town of Sanford" (H. P. 1643) (Presented by Mr. Broggi of Sanford)

(Ordered printed.)
Sent up for concurrence.

Taxation

Bill "An Act Prohibiting the Sale in Wholesale Lots of Gasoline on a Temperature Correction Basis" (H. P. 1644) (Presented by Mr. Peirce of Augusta)

(Ordered printed.)
Bill "An Act Eliminating Temperature Correction as a Basis for Assessing the State Gasoline Tax" (H. P. 1645) (Presented by same gentleman)

(Ordered printed.)
Sent up for concurrence

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

Majority Report of the Committee on Banks and Banking reporting "Ought not to pass" on Bill "An Act Permitting Closing of Banks on Saturday" (H. P. 970) (L. D. 628)

Report was signed by the following members:

- Messrs. Edwards of Oxford
- Murchie of Washington
- Blanchard of Aroostook
- of the Senate.
- Burgess of Limestone
- Stetson of Dixfield
- Morison of Wilton
- Rollins of Greenville
- of the House.

Minority Report of same Committee reporting "Ought to pass" on same Bill.

Report was signed by the following members:

- Messrs. Jalbert of Lewiston
- Thompson of Brewer
- Meloon of Portland
- of the House.

(On motion by Mr. Morison of Wilton, the two Reports, with accompanying papers, were tabled pending acceptance of either report and specially assigned for Tuesday, April 1st)

**Divided Report
Tabled and Assigned**

Majority Report of the Committee on Legal Affairs on Bill "An Act relating to Town of Norridgewock School District" (H. P. 615) (L. D. 380) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

- Messrs. Batchelder of York
- Blanchard of Aroostook
- Baker of Kennebec
- of the Senate.
- Rankin of Bridgton
- Anderson of New Sweden
- Payson of Union
- Weeks of South Portland
- of the House.

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

Report was signed by the following members:

- Messrs. Snow of Auburn
- Atherton of Bangor
- Woodworth of Fairfield
- of the House.

The SPEAKER: The Chair recognizes the gentleman from Anson, Mr. Sharpe.

Mr. SHARPE: Mr. Speaker, on Bill "An Act relating to the town of Norridgewock School District" (H. P. 615) (L. D. 380) I move acceptance of the majority "Ought to pass" report.

The SPEAKER: The Chair recognizes the gentleman from New Sweden, Mr. Anderson.

Mr. ANDERSON: Mr. Speaker, I note the absence in the House of the two members of the committee who signed the "Ought not to pass" report. I therefore move that the bill and the two reports be tabled and specially assigned for tomorrow morning.

The SPEAKER: The gentleman from New Sweden, Mr. Anderson, moves that this matter be laid on the table pending the motion of the gentleman from Anson, Mr. Sharpe, that the House accept the majority "Ought to pass" report, and that the matter be specially assigned for tomorrow, Wednesday, March 26th. Is this the pleasure of the House?

The motion prevailed and the bill and reports were so tabled and so assigned.

Ought to Pass in New Draft

Mr. Mills from the Committee on Judiciary on Bill "An Act to Create a Legislative Research Committee" (H. P. 496) (L. D. 318) reported same in a new draft (H. P. 1646) 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. Williams from the Committee on Judiciary reported "Ought to pass" on Resolve in favor of the town of Merrill (H. P. 1460) (L. D. 1064)

Mr. Atherton from the Committee on Legal Affairs reported same on Bill "An Act relating to Beano" (H. P. 1284) (L. D. 884)

Mr. Payson from same Committee reported same on Bill "An Act to Regulate the Sale of Fireworks" (H. P. 1189) (L. D. 756)

Mr. Rankin from same Committee reported same on Bill "An Act relating to Licensing of Institutions, Agencies and Boarding Homes" (H. P. 1273) (L. D. 879)

Mr. Weeks from same Committee reported same on Bill "An Act relating to the Licensing of Steam Engineers and Firemen" (H. P. 1186) (L. D. 755)

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 read once, and tomorrow assigned.

Ought to Pass with Committee Amendment

Mr. Atherton from the Committee on Legal Affairs on Bill "An Act to Incorporate the Town of New Gloucester School District" (H. P. 1448) (L. D. 1052) 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. 1448, L. D. 1052, Bill, "An Act to

Incorporate the Town of New Gloucester School District."

Amend said bill by striking out in line 5 of section 4 the words "at any one time outstanding."

Further amend said bill by striking out in line 6 of section 5, before the "%" sign, the figures "2½" and inserting in place thereof the figure '4'.

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

Mr. Rankin from the Committee on Legal Affairs on Bill "An Act to Incorporate the Reef Point Gardens Corporation" (H. P. 119) (L. D. 96) reported "Ought to pass" as amended by Committee Amendment "B" submitted therewith.

Report was read and accepted, and the Bill, having already been printed, was read twice under suspension of the rules.

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

Committee Amendment "B" to H. P. 119, L. D. 96, Bill, "An Act to Incorporate the Reef Point Gardens Corporation."

Amend said bill by striking out the entire second paragraph of section 2 and inserting in place thereof the following new paragraph:

"The corporation may for its purposes hold, receive and acquire personal property in an amount in excess of the limitation imposed by the general law upon charitable, scientific, and educational corporations, but the total amount of personal property held by the corporation shall not exceed \$250,000."

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

Mr. Snow from the Committee on Legal Affairs on Bill "An Act relating to Qualifications of Ward Officials in the city of Lewiston" (H. P. 1464) (L. D. 1068) 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. 1464, L. D. 1068, Bill, "An Act Relating to Qualifications of Ward Officials in the City of Lewiston."

Amend said Bill by deleting Sec. 2 thereof.

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 Creating the Town of Wales School District" (H. P. 1447) (L. D. 1053) 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. 1447, L. D. 1053, Bill, "An Act Creating the Town of Wales School District."

Amend said bill by striking out in line 4 of section 5, before the "%" sign, the figure "2" and inserting in place thereof the figure '4.'

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

Mr. Weeks from the Committee on Legal Affairs on Bill "An Act to Incorporate the Town of Dixfield School District" (H. P. 1446) (L. D. 1051) 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. 1446, L. D. 1051, Bill "An Act to Incorporate the Town of Dixfield School District."

Amend said bill by striking out in line 5 of section 4 the words "at any one time outstanding."

Further amend said bill by striking out in line 6 of section 5, before the "%" sign, the figures "2½" and inserting in place thereof the figure '5.'

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

Mr. Weeks from the Committee on Legal Affairs on Bill "An Act to Incorporate the Presque Isle School

District" (H. P. 1487) (L. D. 1088) 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. 1487, L. D. 1088, Bill, "An Act to Incorporate the Presque Isle School District."

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

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

Mr. Woodworth from the Committee on Legal Affairs on Bill "An Act relating to Log Driving Dams" (H. P. 1185) (L. D. 851) 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. 1185, L. D. 851, Bill, "An Act Relating to Log Driving Dams."

Amend said bill by striking out in the fourth line thereof (in the title of the new section) the underlined punctuation and word "; penalty" and inserting in place thereof the underlined punctuation '.'

Further amend said bill by deleting the last three underlined sentences.

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

Mr. Woodworth from the Committee on Legal Affairs on Bill "An Act to Create the Caribou School District" (H. P. 1463) (L. D. 1067) 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. 1463, L. D. 1067, Bill, "An Act to Create the Caribou School District."

Amend said bill by striking out the last two sentences in the third paragraph of section 3 and inserting in place thereof the following, "The treasurer shall give bonds or notes to the district in such sum and with such sureties as the trustees may determine, which bonds or notes shall remain in the custody of the president. The cost of such bonds or notes shall be paid by the district."

Further amend said bill by striking out at the end of line 5 and beginning of line 6 (line 5, as printed) of section 4 the words "at any one time outstanding."

Further amend said bill by striking out in line 6 of section 5, before the "%" sign, the figure "2½" and inserting in place thereof the figure "4".

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

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

First Reading of Printed Bills Tabled

Bill "An Act to Amend the Charter of Winthrop Water District" (H. P. 1640) (L. D. 1324)

(Bill had its two several readings, and on motion by Mr. Marsans of Monmouth, tabled pending assignment for third reading)

Tabled

Bill "An Act relating to the Brewer Water District" (H. P. 1641) (L. D. 1325)

(Bill had its two several readings, and on motion by Mr. Mills of Farmington, tabled pending assignment for third reading)

Resolve Providing for State Pension for Maude E. Hamilton, of Saco (H. P. 69) (L. D. 1321)

Resolve Providing for an Additional State Pension for George H. Babb, of Augusta (H. P. 1449) (L. D. 1322)

Resolve Providing for a State Pension for Charles Frost, of Augusta (H. P. 1450) (L. D. 1323)

Resolves were read once and tomorrow assigned.

Passed to be Engrossed

Bill "An Act relating to the Salaries of Various Officers in Aroostook County" (S. P. 135) (L. D. 281)

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. 454) (L. D. 1274)

Bill "An Act relating to Prohibiting the Use of an Airplane in Driving or Molesting any Wild Birds or Animals" (S. P. 464) (L. D. 1305)

Bill "An Act relating to Transportation of Deer Within State" (S. P. 465) (L. D. 1304)

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

Resolve Providing for an Increase in Retirement Pension for Oscar F. Williams (H. P. 500) (L. D. 321)

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 relating to School Committee in town of Rumford" (S. P. 98) (L. D. 197)

Bill "An Act relating to Fire, Marine and Inland Marine Insurance Rate Regulation (H. P. 64) (L. D. 49)

Bill "An Act relating to Casualty and Surety Insurance Rate Regulation" (H. P. 65) (L. D. 50)

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 Setting Aside Certain Lands for Settlement by Displaced Persons of Baltic Origin" (H. P. 1543) (L. D. 1173)

Was reported by the Committee on Bills in the Third Reading and read the third time.

Mr. Peirce of Augusta, offered House Amendment "A" and moved its adoption.

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

House Amendment "A" to H. P. 1543, L. D. 1173, Bill "An Act Setting Aside Certain Lands for Settle-

ment by Displaced Persons of Baltic origin."

Amend said bill by striking out in the 3rd line of that part designated "Sec. 49-B" thereof, the underlined word "immigrants" and inserting in place thereof the underlined words "displaced persons".

Further amend said bill by striking out in the 4th line of that part title of the new section) the underlined word "immigrants" and inserting in place thereof the underlined words "displaced persons".

Further amend said bill by striking out in the 7th line of that part designated "Sec. 49-B", thereof, the underlined words "state forestry" and inserting in place thereof the underlined word "forest".

Further amend said bill by striking out in the 8th line of that part designated "Sec. 49-B" thereof, the underlined words "this act" and inserting in place thereof the underlined words "sections 49-A to 49-C, inclusive".

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

Further amend said bill by striking out in the 5th line of that part designated "Sec. 49-C" thereof, the underlined words "immigrants among".

On further motion by Mr. Pierce tabled pending adoption and tomorrow assigned.

The following paper from the Senate was taken up out of order under suspension of the rules:

From the Senate: The following Order:

ORDERED, the House concurring, that Bill "An Act Relating to Clerk Hire in County Offices in Sagadahoc County," (H. P. 185) (L. D. 133) be recalled from the Governor (S. P. 477)

Came from the Senate read and passed.

In the House read and passed in concurrence.

Orders of the Day

The SPEAKER: Under Orders of the Day, the Chair lays before the House the first tabled and today assigned matter, House Amendment "A" to Bill "An Act to Authorize the Creation of Public Bodies to be

Known as Housing Authorities to Serve Urban Areas in the State." (H. P. 842) (L. D. 537), tabled on March 19th by the gentleman from South Portland, Mr. Weeks, pending adoption; and the Chair recognizes that gentleman.

On motion by Mr. Weeks, the Bill and accompanying papers were tabled pending adoption of House Amendment "A" and specially assigned for Thursday, March 27th.

The SPEAKER: The Chair recognizes the gentleman from Rockland, Mr. Sleeper.

Mr. SLEEPER: Mr. Speaker, as a matter of personal privilege, I would like to ask a question through the Chair.

The SPEAKER: The gentleman may state his question.

Mr. SLEEPER: Mr. Speaker, are we as members of the Legislature supposed to read all the information put upon our desks and accept the same as the gospel truth? I have in mind this pamphlet which says, "Reciprocity means prosperity for all." It is an expensive publication evidently, but the only thing I see true about it is the last page which shows no room for pleasure cars on the highway. (Laughter)

The SPEAKER: The gentleman from Rockland, Mr. Sleeper, is requesting the Chair to give a reply. The Chair can only state that it has been customary in the past to distribute literature on the desks of the various members and the individual members should let their own judgment be their guide in the matter.

Mr. SLEEPER: Thank you very much, Mr. Speaker.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. McClure.

Mr. McCLURE: Mr. Speaker, I wonder if my colleague—

The SPEAKER: For what purpose does the gentleman wish to speak?

Mr. McCLURE: Mr. Speaker, to inform my colleague that paper will not refuse ink.

The SPEAKER: The gentleman from Bath, Mr. McClure, requests unanimous consent to address the House. Is this the pleasure of the House?

Objection being made, unanimous consent was not granted.

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. Peirce of Augusta,
Adjourned until tomorrow morning at ten o'clock.