

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-first Legislature

OF THE

STATE OF MAINE



1943

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**HOUSE**

Friday, February 19, 1943.

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

Prayer by the Rev. Mr. Aldrich of Augusta.

Journal of the previous session read and approved.

**Papers from the Senate**

From the Senate: "Bill "An Act relating to Buyers and Sellers of Milk and Cream" (S. P. 349) (L. D. 650)

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 Disposal of Confiscated Ammunition and Small Arms" (S. P. 352) (L. D. 649)

Came from the Senate, referred to the Committee on Inland Fisheries and Game.

In the House, referred to the Committee on Inland Fisheries and game in concurrence.

From the Senate: Bill "An Act relating to the Number of Justices of the Supreme Court" (S. P. 354) (L. D. 648)

Bill "An Act relating to Conscious Suffering Preceding Death" (S. P. 355) (L. D. 647)

Resolve proposing an Amendment to the Constitution relating to Adoption of Amendments to the Constitution (S. P. 357) (L. D. 644)

Resolve proposing an Amendment to the Constitution to provide for Four Year Term for Governor (S. P. 358) (L. D. 645)

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 the Termination of Organization of Towns or Plantations" (S. P. 360) (L. D. 642)

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

Permitting Use of Motor Vehicles to Transport Observers to Observation Posts without Registration" (S. P. 362) (L. D. 641)

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 providing for Construction of a Building for Employees at the Pownal State School (S. P. 365) (L. D. 639)

Came from the Senate, referred to the Committee on Pownal State School.

In the House, referred to the Committee on Pownal State School in concurrence.

From the Senate: Bill "An Act Increasing the Compensation of the County Attorney and Assistant County Attorney for Androscoggin County" (S. P. 369) (L. D. 635)

Bill "An Act relating to the Salary of the Chairman of the Liquor Commission" (S. P. 372) (L. D. 632)

Bill "An Act relating to Clerk Hire in the Office of the Register of Deeds in Kennebec County" (S. P. 367) (L. D. 637)

Bill "An Act relating to Salary of Register of Deeds of Kennebec County" (S. P. 368) (L. D. 636)

Bill "An Act relating to the Salaries of the Members of the State Highway Commission" (S. P. 370) (L. D. 634)

Bill "An Act Clarifying the Law relating to Clerk Hire in the Office of Register of Deeds in Washington County" (S. P. 371) (L. D. 633)

Bill "An Act relating to the Salary of the Commissioner of Insurance" (S. P. 373) (L. D. 631)

Bill "An Act relating to the Salary of the Commissioner of Inland Fisheries and Game" (S. P. 374) (L. D. 630)

Came from the Senate, referred to the Committee on Salaries and Fees.

In the House, referred to the Committee on Salaries and Fees in concurrence.

From the Senate: Bill "An Act relating to the Penalty for Interfering with any Contrivances used in the Lobster Industry" (S. P. 376) (L. D. 628)

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 Increase of the State Valuation" (S. P. 378) (L. D. 627)

Came from the Senate, referred to the Committee on Taxation.

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

#### Senate Reports of Committees Ought Not to Pass

Report of the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act relating to Endorsement of Bonds in State Treasury" (S. P. 198)

Report of same Committee reporting same on Bill "An Act relating to the Emergency Municipal Finance Board" (S. P. 101) (L. D. 37)

Came from the Senate, read and accepted.

In the House, read and accepted in concurrence.

#### Ought to Pass

Report of the Committee on Public Utilities reporting "Ought to pass" on Bill "An Act relating to the Building and Maintenance of Highway Crossings of Railroads" (S. P. 148) (L. D. 148)

Came from the Senate, the Report read and accepted and the Bill passed to be engrossed.

In the House, report read and accepted in concurrence and the Bill was read twice and assigned for third reading the next legislative day.

#### Indefinitely Postponed

From the Senate: Bill "An Act relating to Fishing and Hunting Licenses" (S. P. 353)

Came from the Senate, indefinitely postponed.

In the House, indefinitely postponed in concurrence.

The SPEAKER: The Clerk has in his possession several papers that have come down from the Senate, and if there is no objection, they will be taken up at this time.

From the Senate: Bill "An Act relating to Fingerprinting of Pupils in Public Schools" (S. P. 356) (L. D. 646)

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 the Weight of Motor Vehicles" (S. P. 361) (L. D. 640)

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: Bill "An Act relating to Certain Carriers under the Financial Responsibility Act" (S. P. 366) (L. D. 638)

Came from the Senate, referred to the Committee on Public Utilities.

In the House, referred to the Committee on Public Utilities in concurrence.

From the Senate: Bill "An Act relating to the Compensation of the Justices of the Supreme and Superior Courts" (S. P. 375) (L. D. 629)

Came from the Senate, referred to the Committee on Salaries and Fees.

In the House, referred to the Committee on Salaries and Fees in concurrence.

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn at the close of this week's session, they adjourn to meet on Tuesday, February 23rd, 1943, at 11.30 A. M.

Came from the Senate, read and passed.

In the House, read and passed in concurrence.

#### Bills and Resolves Requiring Reference

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

##### Claims

Resolve Granting his Soldier's Bonus to Frank W. Hughes of East Machias (H. P. 1197) (Presented by Mr. Small of E. Machias)

Sent up for concurrence.

##### Education

Resolve Granting a Pension Status to Payson Smith of Orono (H.

P. 1198) (Presented by Mrs. Roberts of Westbrook)

Sent up for concurrence.

#### Interior Waters

Bill "An Act relating to Storage in Millinocket Lake" (H. P. 1199) (Presented by Mr. Brewer of Presque Isle)

(Ordered printed)

Sent up for concurrence.

#### Judiciary

Bill "An Act relating to Terms of the Northern Municipal Court at Fort Kent for the Trial of Actions of Forcible Entry and Detainer" (H. P. 1200) (Presented by Mrs. Leidy of Fort Kent)

(Ordered printed)

Bill "An Act Permitting Employees of the Public School System to Obtain Pensions" (H. P. 1201) (Presented by Mr. Webber of Mapleton)

(Ordered printed)

Sent up for concurrence.

#### Legal Affairs

Bill "An Act Permitting Towns to Raise Money for Hospitals" (H. P. 1202) (Presented by Mr. Rankin of Bridgton)

(Ordered printed)

Bill "An Act Authorizing the Withholding of the Federal Victory Tax" (H. P. 1203) (Presented by Mr. Sleeper of Rockland)

(Ordered printed)

Sent up for concurrence.

#### Pensions

Resolve in favor of Arthur Selden Hutchins of Jefferson (H. P. 1204) (Presented by Mr. Byers of Newcastle)

Resolve in favor of Grace Bryant of Jefferson (H. P. 1205) (Presented by same gentleman)

Sent up for concurrence.

#### Salaries and Fees

Bill "An Act relating to the Salary of the State Auditor" (H. P. 1206) (Presented by Mr. Osgood of Bradford)

(Ordered printed)

Sent up for concurrence.

#### Taxation

Bill "An Act relating to Taxation of Rural Electrical Cooperatives" (H. P. 1207) (Presented by Mr. Estabrook of Stacyville)

(Ordered printed)

Sent up for concurrence.

#### Ways and Bridges

Bill An Act Authorizing a Reis-

suance of Bonds for the Purpose of Refunding Waldo-Hancock Bridge Bonds" (H. P. 1208) (Presented by Mr. McLeod of Bar Harbor)

(Ordered printed)

Sent up for concurrence.

#### House Reports of Committees Ought to Pass in New Draft

Mr. Davis from the Committee on Inland Fisheries and Game on Resolve Regulating Fishing in Round Pond (H. P. 319) reported same in a new draft (H. P. 1209) 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

Mr. Anderson from the Committee on Inland Fisheries and Game reported "Ought to pass" on Resolve Regulating Ice Fishing for White Perch in Chesuncook Lake (H. P. 938)

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

Mr. Flagg from the Committee on Banks and Banking reported "Ought to pass" on Bill "An Act relating to Investments by Savings Banks" (H. P. 54) (L. D. 54)

Mr. Wright from same Committee reported same on Bill "An Act relating to Taxation of Loan and Building Associations" (H. P. 126) (L. D. 106)

Reports were read and accepted.

#### Bill Passed to Be Engrossed

Mr. Ward from Committee on Legal Affairs reported "Ought to pass" on Bill "An Act to Amend the Houlton Town Manager Form of Government Act" (H. P. 556) (L. D. 295)

On motion by Mr. Barnes of Houlton, under suspension of the Rules the Bill was given its three several readings, passed to be engrossed and sent up for concurrence.

#### Ought to Pass (Cont'd)

Mr. Williams from the Committee on Public Utilities reported "Ought to pass" on Bill "An Act relating to the Houlton Water Company" (H. P. 573) (L. D. 304)

Same gentleman from the Committee on State Lands and Forest Preservation reported same on Resolve Authorizing the Maine Defense Commission to Convey Certain Land in Presque Isle (H. P. 211) (L. D. 133)

Mr. Hawes from the Committee on Welfare reported same on Bill "An Act relating to Protection of Children" (H. P. 348) (L. D. 218)

Mr. Osgood from same Committee reported same on Bill "An Act relating to Aid to the Blind" (H. P. 349) (L. D. 195)

#### Ought to Pass With Committee Amendment

Mr. MacKinnon from Committee on Inland Fisheries and Game on Resolve relating to Fishing in Sabbath Day Lake in New Gloucester (H. P. 785) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Mr. Thompson from same Committee on Bill "An Act relative to Hunting of Game Birds in York County" (H. P. 313) (L. D. 228) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Mr. Rollins from the Committee on Maine Publicity on Resolve Designating the Baxter State Park Road (H. P. 326) (L. D. 207) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Reports were read and accepted.

#### First Reading of Printed Bills

Bill "An Act relative to Racing Commission" (H. P. 338) (L. D. 222)

Bill "An Act relating to the Rules and Regulations of State Racing Commission" (H. P. 339) (L. D. 209)

Bill "An Act relating to the Abatement of Taxes" (H. P. 1172) (L. D. 652)

Bills were read twice and assigned for third reading the next legislative day.

#### First Reading of Printed Bill With Committee Amendment

Bill "An Act relating to Notices to the State in Actions by Towns in Pauper Cases" (H. P. 189) (L. D. 139)

Bill had its two several readings. Committee Amendment "A" read by the Clerk as follows:

Committee Amendment A to H. P. 189, L. D. 139, Bill "An Act Relating to Notices to the State in Actions by Towns in Pauper Cases."

Amend said bill by inserting after the word "pending" in the second line thereof, the words "as a party defendant."

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 Trapping Season for Muskrats" (S. P. 68) (L. D. 4)

Bill "An Act relating to Registration of Trucks" (S. P. 134) (L. D. 96)

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

#### Bill Tabled

Bill "An Act relating to White Mountain National Forest" (S. P. 167) (L. D. 181)

(Was reported by the Committee on Bills in the third reading, and on motion by Mr. Grua of Livermore Falls tabled pending third reading.)

Bill "An Act relating to the Report of the State Auditor" (S. P. 184) (L. D. 270)

Bill "An Act relating to Convention of Town Assessors" (H. P. 164) (L. D. 117)

Resolve Authorizing the Forest Commissioner to Grant Permits for Setting and Maintaining Poles and Wires on the Public Lot in Caratunk Plantation (S. P. 168) (L. D. 182)

Resolve providing for Better Protection of Shellfish within the Limits of the town of Brunswick (H. P. 208) (L. D. 132)

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

#### Amended Bills

Bill "An Act relating to Active Retired Justices of the Supreme Judicial and Superior Courts" (H. P. 19) (L. D. 24)

Bill "An Act relating to Credit for Excise Tax Paid" (H. P. 268) (L. D. 194)

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

On motion by Mr. Webber of Mapleton, the House voted to take

from the table the third unassigned matter, House Report "Ought not to pass" of the Committee on Judiciary on Bill "An Act Relating to the Definition of 'Teachers' in Re the Teachers' Retirement System" (H. P. 252) (L. D. 162), tabled by that gentleman on February 17th, pending acceptance, and on further motion by the same gentleman the Report, together with the accompanying Bill, was recommitted to the Committee on Judiciary and sent up for concurrence.

On motion by Mr. Cross of Augusta, the House voted to take from the table the eighth unassigned matter, Bill "An Act Relating to Itinerant Vendors" (S. P. 308) (L. D. 429), tabled by that gentleman

on February 18th, pending third reading; and on further motion by the same gentleman the bill was given its third reading and was passed to be engrossed in concurrence.

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

If there is nothing further to come before the House under Orders of the Day, the Clerk will read the notices.

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On motion by Mr. Milliken of Madison,

Adjourned until Tuesday, February 23rd, at 11.30 o'clock in the forenoon.