

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-first Legislature

OF THE

STATE OF MAINE



1943

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Monday, March 22, 1943.

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

Prayer by the Rev. Mr. Graichen of Gardiner.

Journal of the previous session read and approved.

Papers from the Senate

From the Senate: The following Communication. (L. D. 802)

**BUREAU OF TAXATION
PROPERTY DIVISION
AUGUSTA**

March 15, 1943.

To the Honorable Senate and House of Representatives of the Ninety-first Legislature, State of Maine

In accordance with the request contained in Joint Legislative Order, under date of March 3, 1943, I am forwarding herewith the valuation of the several cities, towns and plantations as returned to the Bureau of Taxation for the municipal year 1942 and the valuation of the several cities, towns and plantations as fixed by the Board of Equalization for the municipal years of 1941 and 1942.

Respectfully submitted,

(Signed) David H. Stevens
State Tax Assessor.

Came from the Senate, ordered placed on file.

In the House, read and ordered placed on file in concurrence.

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

Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act relating to Offenses against the Person" (S. P. 233) (L. D. 454)

Report of same Committee reporting same on Bill "An Act to Fix the Penalty for Negligently Killing a Human Being While Operating a Motor Vehicle" (S. P. 284) (L. D. 453)

Report of the Committee on Motor Vehicles reporting same on Bill "An Act Permitting Excise Tax Collectors to Issue Motor Vehicle Registration Licenses" (S. P. 418) (L. D. 722)

Report of same Committee reporting same on Bill "An Act Permitting

Excise Tax Collectors to Issue Motor Vehicle Operators' Licenses" (S. P. 419) (L. D. 721)

Report of same Committee reporting same on Bill "An Act relating to the Weight of Motor Vehicles" (S. P. 361) (L. D. 640)

Came from the Senate, read and accepted.

In the House, read and accepted in concurrence.

Final Report

Final Report of the Committee on Commerce.

Came from the Senate, read and accepted.

In the House, read and accepted in concurrence.

Ought to Pass in New Draft

Report of the Committee on Judiciary on Bill "An Act relating to Civil Actions for Death" (S. P. 291) (L. D. 446) reporting same in a new draft (S. P. 446) (L. D. 788) under same title and that it "Ought to pass"

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

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

Ought to Pass

Report of the Committee on Library reporting "Ought to pass" on Resolve relating to Old Legislative Publications (S. P. 322) (L. D. 787)

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

In the House, Report was read and accepted in concurrence, the Resolve read once, and tomorrow assigned.

Ought Not to Pass—Recommended

Report of the Committee on Towns reporting "Ought not to pass" on Bill "An Act relating to Annual Audits of Municipalities" (S. P. 99) (L. D. 158)

Came from the Senate, recommitted to the Committee on Towns.

In the House, the "Ought not to pass" Report of the Committee was accepted in non-concurrence and sent up for concurrence.

Non-Concurrent Matter

Bill "An Act relating to Membership in Farm Lands Loan Commission and Emergency Municipal Fi-

nance Board" (S. P. 197) (L. D. 280) which was passed to be engrossed in the House on March 12th as amended by House Amendment "A" in non-concurrence.

Came from the Senate, passed to be engrossed as amended by House Amendment "A" as amended by Senate Amendment "A" thereto in non-concurrence.

In the House, on motion by Mr. Sleeper of Rockland, under suspension of the rules, the House voted to reconsider its action taken on March 12th whereby it passed this Bill to be engrossed as amended by House Amendment "A" in non-concurrence; and on further motion by the same gentleman the House voted to reconsider its action whereby it adopted House Amendment "A".

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

Senate Amendment "A" to House Amendment "A" to Legislative Document 280, Bill, "An Act Relating to Membership in Farm Lands Loan Commission and Emergency Municipal Finance Board."

Amend said amendment by striking out the last paragraph thereof.

Thereupon, Senate Amendment "A" to House Amendment "A" was adopted.

House Amendment "A" as amended by Senate Amendment "A" thereto was then adopted, and the Bill as amended was passed to be engrossed in concurrence.

Non-Concurrent Matter

Bill "An Act Providing Authority to Board of Trustees of the Maine Maritime Academy to Confer Degrees" (H. P. 14) (L. D. 19)

on which the House accepted the Minority Report of the Committee on Education reporting "Ought to pass" and passed the Bill to be engrossed on March 17th.

Came from the Senate with the Majority Report of the Committee reporting "Ought not to pass" accepted in non-concurrence.

In the House, on motion by Mr. Leavitt of Portland, the House voted to insist and ask for a Committee of Conference.

The Speaker then appointed as Conferees on the part of the House:

Messrs. Leavitt of Portland
Downs of Falmouth
Rankin of Bridgton.

On motion by Mrs. Leidy of Fort Kent, House Rule 25 was suspended for the remainder of today's session, in order to permit smoking. (Applause)

House Reports of Committees

Ought to Pass in New Draft

Miss Clough from the Committee on Labor on Bill "An Act providing for a System of Apprenticeship whereby Voluntarily Made Agreements of Apprenticeship would be Encouraged, Establishing Standards for Such Agreements in Conformity with the Minimum Apprenticeship Standards of the Federal Committee on Apprentice Training; Creating an Apprenticeship Council and Defining their Duties" (H. P. 950) (L. D. 474) reporting same in a new draft (H. P. 1299) under same title and that it "Ought to pass"

Mr. Denny from the Committee on Taxation on Bill "An Act relating to Taxation of Telephone and Telegraph Companies" (H. P. 267) (L. D. 173) reported same in a new draft (H. P. 1300) under same title and that it "Ought to pass"

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

First Reading of Printed Bills

Bill "An Act relating to Membership in the Jointly-Contributory Retirement System for State Employees, Except Teachers" (H. P. 1286) (L. D. 809)

Bill "An Act relating to Sale of Tax Acquired Land" (H. P. 1287) (L. D. 810)

Bill "An Act relating to Stolen Property" (H. P. 1288) (L. D. 811)

Bill "An Act relating to the Reciprocal Enforcement of Violations of Fishing Laws in Boundary Waters between Maine and New Hampshire" (H. P. 1289) (L. D. 812)

Bill "An Act relating to Taxation of Motor Vehicles" (H. P. 1290) (L. D. 813)

Bill "An Act relative to Enforcing the Collection of Real Estate Taxes by the Alternative Method" (H. P. 1291) (L. D. 814)

Bill "An Act Authorizing the Withholding of the Federal Victory Tax" (H. P. 1292) (L. D. 816)

Bill "An Act relating to Ordinances covering Public Assemblage, etc." (H. P. 1293) (L. D. 815)

Bill "An Act relating to Records of Deorganized Towns" (H. P. 1294) (L. D. 817)

Bill "An Act relating to the Salaries of Clerks in County Offices in Oxford and Penobscot Counties" (H. P. 1295) (L. D. 818)

Bills were read twice and tomorrow assigned.

Passed to Be Engrossed

Bill "An Act relating to the Governor's Expense Account" (S. P. 443) (L. D. 784)

Bill "An Act relating to Vaccination of Animals to Prevent Tuberculosis" (H. P. 922) (L. D. 476)

Bill "An Act relating to Certificate of Health upon Sale of Pure-blooded Cattle" (H. P. 923) (L. D. 477)

Bill "An Act relating to the Protection of Cattle from 'Bang's Disease'" (H. P. 1066) (L. D. 556)

Bill "An Act relating to the Qualification and Registration of Voters" (H. P. 1116) (L. D. 581)

Bill "An Act Amending the Unemployment Compensation Law" (H. P. 1131) (L. D. 596)

Bill "An Act relating to Clerk Hire in the Office of Clerk of Courts for Oxford County" (H. P. 1159) (L. D. 614)

Bill "An Act to amend the Charter of the city of Rockland by providing for the Appointment of a Board of Commissioners of Police and Firemen" (H. P. 1222) (L. D. 709)

Bill "An Act relating to Records of Oaths in the Office of Town Clerks" (H. P. 1285) (L. D. 801)

Resolve relating to the Completion of the Eighth Revision of the General and Public Laws (S. P. 444) (L. D. 785)

Resolve for the Laying of the County Taxes for the Year 1943 (H. P. 1296) (L. D. 819)

Resolve for the Laying of the County Taxes for the Year 1944 (H. P. 1297) (L. D. 820)

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 Regulating the Transportation of Deer" (S. P. 188) (L. D. 274)

Was 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.

Bill "An Act Permitting the Pembroke Trotting Association to Conduct Amateur Races on Sunday" (S. P. 241) (L. D. 361)

The SPEAKER: The Chair recognizes the gentleman from Bridgton, Mr. Rankin.

Mr. RANKIN: Mr. Speaker, I want very briefly to say that I do not like this bill very well. I am supposed, naturally, to have quite strict views on the observance of Sunday. I personally observe Sunday quite strictly because I prefer it that way, but I am not opposed to all recreation on Sunday and not opposed to all sports on Sunday. I do not like this particular bill. It seems to me that if there is anything that is a nuisance on Sunday it is horse-racing. It seems to me that if there is any justification for any kind of Sunday prohibition that such a law would apply to this particular case.

I do not like the bill for these reasons, and I do not like it because it seems to be class legislation. I do not speak as a lawyer. I am not an expert on what may be class legislation, or what may not be class legislation. This is a bill to make horse-racing legal in Pembroke and nowhere else in the State. I suspect there is something behind this. I imagine it is the old case of the camel with his head in the tent and finally the whole camel in the tent. I think we should hear of this from other sources. I understand a great deal of effort has been put behind this bill in order to secure its passage, an effort which seems to be entirely out of proportion to its seeming importance. I am opposed to this bill, and I hope it will not pass.

Thereupon, the Report of the Committee on Bills in the Third Reading was accepted, and the Bill had its third reading, and was passed to be engrossed in concurrence.

Passed to Be Engrossed

(Continued)

Tabled and Specially Assigned

Bill "An Act Exempting Certain Property of Agricultural Societies

and Farmers from the Regulation in re Motor Vehicles Used in Intra-state Traffic" (H. P. 108) (L. D. 68)

Was reported by the Committee on Bills in the Third Reading.

The SPEAKER: The Chair recognizes the gentleman from Durham, Mr. Day.

Mr. DAY: Mr. Speaker, there is one word in this bill which needs clarifying a little. I would like to have the bill laid on the table pending its third reading.

Thereupon, the bill was tabled pending third reading and specially assigned for Friday, March 26th.

Bill "An Act relating to the Salary of the Judge of the Lincoln Municipal Court" (H. P. 206) (L. D. 141)

Bill "An Act relating to the Bath Municipal Court" (H. P. 249) (L. D. 165)

Bill "An Act Increasing the Salary of Clerks in the Office of Register of Probate of Lincoln County" (H. P. 470) (L. D. 251)

Bill "An Act Creating a Civil Service Commission for the city of Old Town" (H. P. 559) (L. D. 298)

Were reported by the Committee on Bills in the Third reading, read the Third Time, passed to be engrossed and sent to the Senate.

Tabled and Specially Assigned

Bill "An Act relating to the Excise Tax on Motor Vehicles" (H. P. 584) (L. D. 350)

(Was reported by the Committee on Bills in the Third reading, and on motion by Mr. Osgood of Bradford, tabled pending third reading and specially assigned for Friday, March 26th)

Bill "An Act relating to Clerk Hire in Office of Clerk of Courts of Lincoln County" (H. P. 825) (L. D. 393)

Bill "An Act relating to Compensation of County Commissioners of Lincoln County" (H. P. 826) (L. D. 394)

Bill "An Act relating to Salary of the County Treasurer of Lincoln County" (H. P. 827) (L. D. 395)

Bill "An Act relating to Compensation of Fire Wardens" (H. P. 829) (L. D. 396)

Bill "An Act relating to Authority of Clerks of Municipal Courts" (H. P. 941) (L. D. 541)

Bill "An Act Enacting the Consumer's Cooperative Act" (H. P. 1126) (L. D. 591)

Bill "An Act relating to Compensation of County Commissioners of Aroostook County" (H. P. 1156) (L. D. 611)

Bill "An Act relating to Compensation of Register of Deeds of the Northern District of Aroostook County" (H. P. 1157) (L. D. 612)

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 seventh tabled and unassigned matter, House Report "Ought to pass in New Draft" (H. P. 1260) (L. D. 757) of the Committee on Temperance on Bill "An Act Relating to Sale of Liquor by Summer Hotels" (H. P. 973) (L. D. 501) tabled by that gentleman on March 5th, pending acceptance.

The SPEAKER: The Chair recognizes the gentleman from Mapleton, Mr. Webber.

Mr. WEBBER: Mr. Speaker, have I permission to face the House?

The SPEAKER: The gentleman has permission.

Mr. WEBBER: Mr. Speaker and Members of the House: It is my belief that we have gone as far as we ought to go in permitting the liquor traffic to be expanded. I think that we ought not to try to have it sold in dry towns. I am afraid that if this bill goes through, after several attempts have been made from session to session, it will be the opening wedge of having those towns which permit one hotel to sell liquor to give the same permission to other hotels to sell liquor. By and by all of our dry towns will become wet towns. I do not think this is right. I wish my opposition to be clear. Now, there are gentlemen interested in this bill who desire to amend it, so I am going to yield at this time.

I hope at the proper time the House will register the opposition which I feel that this bill ought to have.

Thereupon, a viva voce vote being taken, the "Ought to pass in New Draft" Report of the Committee was accepted, and this being a printed Bill, under suspension of the rules, had its two several readings.

Mr. Pierce of Bucksport, then offered House Amendment "A" and moved its adoption.

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

House Amendment "A" to H. P. 1260, L. D. 757, Bill "An Act Relating to Sale of Liquor by Summer Hotels."

Amend said bill by inserting in the underlined paragraph of subsection (4) after the word "petition" in the first line thereof the underlined words 'of electors resident in that city or town'.

Further amend said underlined paragraph by inserting after the word "town" in the next to the last line the underlined words 'which petition shall be filed with the secretary of state on or before the first day of July preceding the day of the biennial election.'

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

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

The Chair recognizes the gentleman from Presque Isle, Mr. Brewer.

Mr. BREWER: Mr. Speaker, if possible, I would like at this time to take from the table the third tabled and specially assigned matter. This was assigned for Tuesday morning, but I would like to take it from the table at this time.

The SPEAKER: The gentleman from Presque Isle, Mr. Brewer, asks unanimous consent that he be allowed to take the third tabled and specially assigned matter House Report "Ought not to pass" of the Committee on Towns on Bill "An Act to Divide the Town of Ashland and to Create Sheridan Plantation" (H. P. 347) (L. D. 196) tabled by the gentleman from Presque Isle, Mr. Brewer, on March 17th, pending acceptance of the Report.

This matter was to have been taken up on Tuesday, March 23rd, but the gentleman wishes to take it from the table at this time? Is there objection? The Chair hears objection.

The Chair understands that the gentleman from Presque Isle, Mr. Brewer, was simply trying to expedite matters. There was a dangerous situation involved in that we might be putting ourselves into a position where we might take something up that had been specially assigned when, perhaps, members who might have been present on the particular day for which it was assigned, might now be absent. That, no doubt, was the basis of the objection, but the House appreciates the intent of the gentleman from Presque Isle, Mr. Brewer.

The SPEAKER: If there is nothing further to be taken up under Orders of the Day, the Clerk will read the notices.

On motion by Mrs. Roberts of Westbrook,

Adjourned until ten o'clock tomorrow morning.