

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Fourth Legislature

OF THE

STATE OF MAINE

1949

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Thursday, January 27, 1949

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

Prayer by the Rev. Mr. Brackley of Hallowell.

The journal of the previous session was read and approved.

Papers from the Senate

From the Senate:

Bill "An Act to Provide for a Reserve for Operating Capital for the General Fund of the State" (S. P. 96) (L. D. 102)

Bill "An Act to Appropriate Monies for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1950, and June 30, 1951" (S. P. 97) (L. D. 103)

Resolve in favor of the University of Maine for General Operations (S. P. 98) (L. D. 104)

Came from the Senate referred to the Committee on Appropriations and Financial Affairs.

In the House, referred to the Committee on Appropriations and Financial Affairs in concurrence.

From the Senate:

Resolve in favor of Ernest Brown, of Bath (S. P. 113)

Resolve in favor of Andre Pelletier, of St. Basile Mad., New Brunswick (S. P. 114)

Came from the Senate referred to the Committee on Claims.

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

From the Senate:

Bill "An Act relating to Fees of and Examinations by Board of Dental Examiners" (S. P. 87) (L. D. 114)

Bill "An Act relating to Power of Corporations Without Capital Stock to Hold Property" (S. P. 100) (L. D. 105)

Bill "An Act relating to State Prison Sentences" (S. P. 101) (L. D. 106)

Bill "An Act relating to Inheritance Taxes on Life Insurance Policies" (S. P. 102) (L. D. 107)

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 West Gardiner School District" (S. P. 103) (L. D. 108)

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:

Resolve Providing for State Pension for Lucy Leigh Fish, of Jonesboro (S. P. 117)

Resolve Providing for State Pension for Elizabeth Fish, 2nd, of Jonesboro (S. P. 118)

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 relating to Compensation of Justices of the Supreme Judicial and the Superior Courts upon Retirement" (S. P. 105) (L. D. 109)

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 Lobster and Crab Fishing Licenses for Veterans" (S. P. 106) (L. D. 110)

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 to Make Allocations from the General Highway Fund for the Fiscal Years Ending June 30, 1950, and June 30, 1951" (S. P. 107) (L. D. 111)

Bill "An Act to Relieve Towns of the Expense of Contributing Toward the Maintenance of State Highways" (S. P. 108) (L. D. 112)

Bill "An Act Relieving Towns of Expense of Maintaining State Aid Highways" (S. P. 109) (L. D. 113)

Came from the Senate referred to the Committee on Ways and Bridges.

In the House, referred to the Committee on Ways and Bridges in concurrence.

Non-Concurrent Matter

From the Senate:

Bill "An Act relating to the Gasoline Tax" (H. P. 245) (L. D. 78) which was referred to the Committee on Ways and Bridges in the House on January 20th.

Came from the Senate referred to the Committee on Taxation in non-concurrence.

The **SPEAKER**: The Chair recognizes the gentleman from Limestone, Mr. Burgess.

Mr. BURGESS: Mr. Speaker, I move that the House recede from its former action whereby this bill was referred to the Committee on Ways and Bridges and that the bill be referred to the Committee on Taxation; and, in a brief explanation of the reasons, may I state that the Committee on Ways and Bridges and the Committee on Taxation have conferred, and it is believed that time would be saved by having this bill now referred to the Committee on Taxation. It is believed that one hearing at the proper time on all measures relating to gasoline tax would save this group some time.

Thereupon, the motion prevailed, and the House voted to recede from its former action whereby it referred H. P. 245, L. D. 78, to the Committee on Ways and Bridges; and on further motion by Mr. Burgess the Bill was referred to the Committee on Taxation in concurrence.

The following Bills and Resolves were received, and, upon recommendation of the Committee on

reference of Bills, were referred to the following Committees:

Appropriations and Financial Affairs

Resolve in favor of Erskine Academy (H. P. 540) (Presented by Mr. Kent of Randolph)

Sent up for concurrence.

Claims

Resolve in favor of Caswell Plantation (H. P. 541) (Presented by Mr. Burgess of Limestone)

(Ordered Printed)

Sent up for concurrence.

Resolve in favor of the town of Chelsea (H. P. 542) (Presented by Mr. Arthur of Farmingdale)

Resolve in favor of Andrew Champeon, of Dexter (H. P. 543) (Presented by Mr. Campbell of Garland)

Resolve in favor of Charles A. Dean Memorial Hospital of Greenville Junction (H. P. 544) (Presented by Mr. Carle of Wellington)

Resolve in favor of Asa Ogden of Kingman (H. P. 545) (Presented by Mr. Cobb of Lee)

Resolve in favor of Brooks Terry of Dover-Foxcroft. (H. P. 546) (Presented by Mr. Hayes of Dover-Foxcroft)

Resolve in favor of Evan Leavitt of Flagstaff (H. P. 547) (Presented by Mr. Hill of Bingham)

Resolve in favor of Harold Young of Manchester (H. P. 548) (Presented by Mr. Jewett of Manchester)

Resolve in favor of Clifton E. Taylor of Brunswick. (H. P. 549) (Presented by Mr. Labbe of Brunswick)

Resolve in favor of Harold E. Rogers of Brunswick. (H. P. 550) (Presented by Mr. Lacharite of Brunswick)

Resolve in favor of Winfield Jordan of Old Town. (H. P. 551) (Presented by Mr. Latno of Old Town)

Resolve in favor of Donald Beane of Skowhegan (H. P. 552) (Presented by Mr. Lessard of Skowhegan)

Resolve in favor of Laura Doyle of Winthrop (H. P. 553) (Presented by Mr. Marsans of Monmouth)

Resolve in favor of Michael Markowski of Winthrop. (H. P. 554) (Presented by same gentleman)

Resolve in favor of Joseph E. Keith of Winthrop. (H. P. 555) (Presented by same gentleman)

Resolve in favor of Philip Warren of Kenduskeag. (H. P. 556) (Presented by Mr. McGown of Carmel)

Resolve in favor of Doria T. Nadeau of Biddeford. (H. P. 557) (Presented by Mr. Nadeau of Biddeford)

Resolve in favor of Donald E. Robbins of Cedar Grove. (H. P. 558) (Presented by Mr. Palmer of Nobleboro)

Resolve in favor of Irene Hemond of Mechanic Falls. (H. P. 559) (Presented by Mr. Ricker of Turner)

Resolve in favor of Robert J. Fisher of Turner. (H. P. 560) (Presented by same gentleman)

Resolve in favor of Mrs. Olive Bradford of Turner. (H. P. 561) (Presented by same gentleman)

Resolve in favor of Maynard Marsh of Gorham. (H. P. 562) (Presented by Mr. Sanborn of Gorham)

Resolve in favor of Maynard F. Marsh of Westbrook. (H. P. 563) (Presented by same gentleman)

Resolve in favor of Kenneth H. Morse of Gorham. (H. P. 564) (Presented by same gentleman)

Resolve in favor of George N. Sferes, of South Windham. (H. P. 565) (Presented by same gentleman)

Resolve in favor of William B. Forsyth of Ellsworth. (H. P. 475) (Presented by Mr. Sargent of Bucksport)

Resolve in favor of Walter Pottle of Mattapan, Massachusetts. (H. P. 566) (Presented by Mr. Williams of Auburn)

Resolve in favor of Paul E. Fortin of Lewiston. (H. P. 567) (Presented by same gentleman)

Resolve in favor of Wilfred Racicot, of North Berwick. (H. P. 568) (Presented by Mr. Wormwood of Wells)

Sent up for concurrence.

Inland Fisheries and Game

Bill "An Act Relating to Deer Hunting in Stonington and Deer

Isle" (H. P. 569) (Presented by Mr. Clapp of Brooklin by request.) (Ordered Printed)

Bill "An Act Relating to Hunting and Fishing Licenses for Persons Over Sixty-Five Years of Age" (H. P. 570) (Presented by Mr. Boothby of Livermore)

(Ordered Printed)
Sent up for concurrence.

Resolve regulating Fishing in Long and Square Lakes, in the County of Aroostook. (H. P. 571) (Presented by Mr. Bearce of Caribou)

Resolve Extending the Open Season on Gull Pond. (H. P. 572) (Presented by Mr. Carville of Stratton)

Resolve Regulating Fishing in Mayfield Pond, in the County of Somerset. (H. P. 573) (Presented by Mr. Hill of Bingham)

Sent up for concurrence.

Interior Waters

Resolve Changing the Name of Number Three Pond. (H. P. 574) (Presented by Mr. Cobb of Lee)

(Ordered Printed)
Sent up for concurrence.

Judiciary

Bill "An Act Relating to Housing and Redevelopment" (H. P. 575) (Presented by Mr. Burgess of Rockland)

(Ordered Printed)

Bill "An Act Relating to North Knox Agricultural and Horticultural Society" (H. P. 576) (Presented by Mr. Payson of Union)

(Ordered Printed)

Bill "An Act Relating to Unclassified Importer of Cigarettes and Tobacco Products" (H. P. 577) (Presented by Mr. Wight of Bangor)

(Ordered printed)

Bill "An Act Limiting the Filing of Proof of Financial Responsibility" (H. P. 578) (Presented by Mr. Williams of Auburn)

(Ordered printed)

Bill "An Act Relating to Liens for Architects and Engineers" (H. P. 579) (Presented by same gentleman)

(Ordered printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act to Incorporate the Prentiss School District" (H. P. 580) (Presented by Mr. Cobb of Lee)

(Ordered printed)

Bill "An Act to Incorporate the Carroll School District" (H. P. 581) (Presented by same gentleman)

(Ordered printed)

Sent up for concurrence.

Mercantile Affairs and Insurance

Bill "An Act Liberalizing the Beneficiary Limitation on Fraternal Insurance" (H. P. 582) (Presented by Mr. White of Auburn)

(Ordered printed)

Sent up for concurrence.

Military Affairs

Bill "An Act Relating to Files and Records in the Division of Veterans' Affairs" (H. P. 583) (Presented by Mr. Farley of Biddeford)

(Ordered printed)

Sent up for concurrence.

Tabled

Bill "An Act Relating to Retirement Fund of State Employees in Armed Forces" (H. P. 584) (Presented by Mr. Hayes of Dover-Foxcroft)

(On motion by Mr. Williams of Auburn, tabled pending reference and ordered printed.)

Tabled

Bill "An Act Relating to Reemployment Rights of State Employees in Armed Forces" (H. P. 585) (Presented by same gentleman)

(On motion by Mr. Williams of Auburn, tabled pending reference and ordered printed.)

Motor Vehicles

Bill "An Act Relating to the Issuance of Dealer's Registration" (H. P. 586) (Presented by Mr. Campbell of Augusta)

(Ordered printed)

Sent up for concurrence.

Pensions

Resolve Providing for State Pension for Evan Sproul of Farming-

dale (H. P. 587) (Presented by Mr. Arthur of Farmingdale)

Resolve Providing for State Pension for Charles Smith of Caswell Plantation (H. P. 588) (Presented by Mr. Burgess of Limestone)

Resolve Providing for a State Pension for Blanche Poitras of Limestone (H. P. 589) (Presented by same gentleman)

Resolve Providing for State Pension for Arnold Oakes, of Bradford (H. P. 590) (Presented by Mr. Chaples of Hudson)

Resolve Providing for an Increase in State Pension for Percy Jakins of Winslow (H. P. 591) (Presented by Mr. Dostie of Winslow)

Resolve Providing for State Pension for Wilfred Turgeon of Waterboro (H. P. 592) (Presented by Mr. Hobbs of Acton)

Resolve Providing for an Increase in State Pension for Cecil Overlock of Hallowell (H. P. 593) (Presented by Mr. Jewett of Manchester)

Resolve Providing for State Pension for David S. Taylor of Mechanic Falls (H. P. 594) (Presented by Mr. Ricker of Turner)

Resolve Providing for an Increase in State Pension for Elva L. Morton of Mechanic Falls (H. P. 595) (Presented by same gentleman)

Resolve Providing for State Pension for Vesta M. Spinney of Mechanic Falls (H. P. 596) (Presented by same gentleman)

Resolve Providing for an Increase in State Pension for Berger H. Shorey of Mechanic Falls (H. P. 597) (Presented by same gentleman)

Resolve Providing for an Increase in State Pension for Roger Creamer, of Thomaston (H. P. 598) (Presented by Mr. Winchenpaw of Friendship)

Sent up for concurrence.

Salaries and Fees

Bill "An Act Relating to the Salaries of Certain County Officials in Knox County" (H. P. 599) (Presented by Mr. Burgess of Rockland)

(Ordered Printed)

Bill "An Act Relating to the Salary of the Commissioner of Labor

and Industry" (H. P. 600) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act Relating to Fees of Secretary of State" (H. P. 601) (Presented by Mrs. Fay of Portland)

(Ordered Printed)

Sent up for concurrence.

Sea and Shore Fisheries

Bill "An Act Relating to the Taking of Clams in Cobscook River in the Town of Edmunds" (H. P. 602) (Presented by Mr. Bucknam of Whiting)

(Ordered Printed)

Sent up for concurrence.

Resolve Regulating Smelt Fishing in Union River, Hancock County (H. P. 603) (Presented by Mr. Dunham of Ellsworth by request.)

Sent up for concurrence.

Temperance

Bill "An Act Relating to Sale of Liquor on Sundays (H. P. 604) (Presented by Mr. Gauvin of Lewiston)

(Ordered Printed)

Sent up for concurrence.

On motion by Miss Longstaff of Crystal, House Rule No. 25 was suspended for the remainder of today's session, in order to permit smoking. (Applause)

Ways and Bridges

Resolve in favor of the town of Farmingdale (H. P. 605) (Presented by Mr. Arthur of Farmingdale)

Sent up for concurrence.

Bill "An Act Providing for Bridges and Culverts on Certain Roads" (H. P. 606) (Presented by Mr. Boulter of Stacyville)

(Ordered Printed)

Sent up for concurrence.

Resolve in favor of the town of Limestone (H. P. 607) (Presented by Mr. Burgess of Limestone)

Resolve in favor of the town of Howland (H. P. 608) (Presented by Mr. Chaples of Hudson)

Resolve in favor of the town of Otisfield (H. P. 609) (Presented by Mr. Chute of Harrison)

Resolve in favor of Prentiss Plantation (H. P. 610) (Presented by Mr. Cobb of Lee)

Resolve in favor of town of Lee (H. P. 611) (Presented by same gentleman)

Resolve in favor of the town of Winslow (H. P. 612) (Presented by Mr. Dostie of Winslow)

Resolve in favor of the town of Vassalboro (H. P. 613) (Presented by same gentleman)

Resolve in favor of the town of Machiasport (H. P. 614) (Presented by Mr. Hanson of Machiasport)

Resolve in favor of the town of Bingham (H. P. 615) (Presented by Mr. Hill of Bingham)

Resolve in favor of the town of Bingham (H. P. 616) (Presented by same gentleman)

Resolve in favor of the town of Acton (H. P. 617) (Presented by Mr. Hobbs of Acton)

Resolve in favor of the town of Newfield (H. P. 618) (Presented by same gentleman)

Resolve in favor of the town of Shapleigh (H. P. 619) (Presented by same gentleman)

Resolve in favor of the town of Brunswick (H. P. 620) (Presented by Mr. Labbe of Brunswick)

Resolve in favor of the town of Damariscotta (H. P. 621) (Presented by Mr. Palmer of Nobleboro)

Resolve in favor of the town of Mechanic Falls (H. P. 622) (Presented by Mr. Ricker of Turner)

Resolve in favor of the town of Starks (H. P. 623) (Presented by Mr. Sharpe of Anson)

Resolve in favor of the town of Norridgewock (H. P. 624) (Presented by same gentleman)

Resolve in favor of the town of Emden (H. P. 625) (Presented by same gentleman)

Resolve in favor of the town of Anson (H. P. 626) (Presented by same gentleman)

Resolve in favor of the town of Mariaville (H. P. 627) (Presented by same gentleman)

Resolve in favor of the town of South Thomaston (H. P. 628) (Presented by Mr. Winchenpaw of Friendship)

Resolve in favor of the town of North Berwick (H. P. 629) (Presented by Mr. Wormwood of Wells)
Sent up for concurrence.

**House Report of Committee
Ought to Pass with Committee
Amendment**

Mr. Campbell from the Committee on Legal Affairs on Bill "An Act to Amend the Charter of the City of Bath" (H. P. 55) (L. D. 18) 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. 55, L. D. 18, Bill "An Act to Amend the Charter of the City of Bath."

Amend said Bill by adding thereto a new section to be numbered 7-A, to read as follows:

Sec. 7-A, P. & S. L., 1947, c. 82, c. II, § 224, repealed and replaced.

Section 224 of chapter 82 of P. & S. L., 1947, is hereby repealed and the following enacted in place thereof:

Section 224. Ordinances. In addition to such acts of the council as are required by statute or by this charter to be by ordinance, every act of the council establishing a fine or other penalty or providing for the expenditure of funds or for the contracting of indebtedness, except as otherwise specifically provided shall be by ordinance. The enacting clause of all ordinances shall be, "The council of the City of Bath hereby ordains:"

Further amend said Bill by striking from that paragraph of Section 15 thereof beginning "Sec. 403" the underlined words "on a separate ballot" and inserting in place thereof the underlined words 'as provided in Chapter VIII.'

Further amend said Bill by adding at the end of that paragraph of Section 15 thereof beginning "Sec. 406" the underlined words 'except as provided in Section 402.'

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

Mr. McCLURE: Mr. Speaker, I would like to move for the suspension of the rules and have the third reading on this bill. It is a very important bill, and it will expedite matters for the City of Bath and enable us to borrow money in expectation of taxes and also to issue licenses which we find under our City Manager plan we are unable to do now.

The SPEAKER: The gentleman from Bath, Mr. McClure, moves that the rules be suspended and this bill be given its third reading at this time. Is this the pleasure of the House?

The motion prevailed, and the bill was given its third reading under suspension of the rules, passed to be engrossed and sent up for concurrence.

**Emergency Enactor
Tabled**

An Act Appropriating Moneys for Old Age Assistance and Aid to the Blind. (S. P. 30) (L. D. 5)

The SPEAKER: The Chair recognizes the gentleman from Unity, Mr. Brown.

Mr. BROWN: Mr. Speaker and Members of the House: I move that this bill lie on the table pending new draft. This new draft will not change the dollars to be appropriated but will prevent transfer of moneys within the Department of Health and Welfare.

The SPEAKER: The gentleman from Unity, Mr. Brown, moves that S. P. 30, L. D. 5 lie on the table pending passage to be enacted. Is this the pleasure of the House?

The motion prevailed and the bill was so tabled.

Passed to be Enacted

An Act Increasing Old Age As-

sistance and Aid to the Blind (S. P. 37) (L. D. 9)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 137 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker, and on motion by Mr. Lackee, of

Addison, was ordered sent forthwith to the Senate.

Orders of the Day

The SPEAKER: If there be no further matters of business to be brought before the House, the Clerk will read the notices.

On motion by Mr. Larrabee of Bath,

Adjourned until ten o'clock tomorrow morning.