

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, February 3, 1949.

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

Prayer by the Rev. Mr. Storms of Gardiner.

The journal of the previous session was read and approved.

PAPERS FROM THE SENATE

From the Senate:

Resolve in Favor of Carroll B. Johnson, of Brewer. (S. P. 197)

Resolve in Favor of Roy Wright, of East Holden (S. P. 198)

Resolve in Favor of Herbert D. Page, of Portland (S. P. 199)

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 the Education of Indians on the Indian Reservation" (S. P. 189) (L. D. 242)

Came from the Senate referred to the Committee on Indian Affairs.

In the House, referred to the Committee on Indian Affairs in concurrence.

From the Senate:

Bill "An Act Regulating Industrial Homework" (S. P. 190) (L. D. 243)

Bill "An Act to Provide Facilities for the Peaceful Settlement of Industrial Disputes Through Mediation" (S. P. 191) (L. D. 244)

Came from the Senate referred to the Committee on Labor.

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

From the Senate:

Bill "An Act Relating to Caboose-cars Used by Railroads" (S. P. 192) (L. D. 245)

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 Compensation for State Board of Arbitration and Conciliation" (S. P. 193) (L. D. 246)

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 Consignment of Fish, Lobsters and Shellfish" (S. P. 194) (L. D. 247)

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 Excise Tax on Bicycles With Motor Attached" (S. P. 195) (L. D. 248)

Came from the Senate referred to the Committee on Taxation.

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

From the Senate:

Resolve in Favor of the Town of Sweden (S. P. 217)

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

Bill "An Act for the Assessment of a State Tax for the Year Nineteen Hundred Forty-Nine and for the Year Nineteen Hundred Fifty" (H. P. 250) (L. D. 79) which was referred to the Committee on Appropriations and Financial Affairs in the House on January 20th.

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

In the House: The House voted to recede from its former action whereby this Bill was referred to the Committee on Appropriations and Financial Affairs and the Bill was referred to the Committee on Taxation 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:

Appropriations and Financial

Affairs

Resolve in Favor of the Maine Historical Society (H. P. 811) (Presented by Mr. Chase of Cape Elizabeth)

(Ordered printed)

Resolve in Favor of State Military Defense Commission (H. P. 812) (Presented by Mr. Jennings of Strong)

(Ordered printed)

Sent up for concurrence.

Banks and Banking

Bill "An Act Relating to Destruction of Old Bank Records" (H. P. 813) (Presented by Mr. White of Auburn)

(Ordered printed)

Sent up for concurrence.

Claims

Resolve in Favor of Arthur L. Hitchcock, Jr., of Rangeley (H. P. 814) (Presented by Mr. Carville of Stratton)

Resolve in Favor of Albert E. Briggs, of Hudson (H. P. 815) (Presented by Mr. Chaples of Hudson)

Resolve to Reimburse the City of Old Town for Hospitalization and Aid Furnished Mrs. Lawrence Gordon (H. P. 816) (Presented by Mr. Latno of Old Town)

Resolve in Favor of Winfield Jordan of Old Town (H. P. 817) (Presented by same gentleman)

Resolve in Favor of Kenne Morrison of Wilton (H. P. 818) (Presented by Mr. Maxwell of Wilton)

Resolve in Favor of Darrell F. Ireland, of Pittsfield (H. P. 819) (Presented by Mr. Millett of Palmyra)

Resolve in Favor of Grevis F. Payson, of Union (H. P. 820) (Presented by Mr. Payson of Union)

Resolve in Favor of Donald Grinnell of Washington (H. P. 821) (Presented by same gentleman)

Resolve in Favor of Hatches, Inc., of Belgrade (H. P. 822) (Presented by Mr. Pullen of Oakland)

Resolve in Favor of Albert D. Bartlett, of Bucksport (H. P. 823) (Presented by Mr. Sargent of Bucksport)

Resolve in Favor of Reginald Hutchins, of Verona Island (H. P. 824) (Presented by same gentleman)

Resolve in Favor of the Town of Aurora (H. P. 825) (Presented by Mr. Silsby of Aurora)

Federal Relations

Bill "An Act Relating to Acceptance of Provisions of Federal Law and Federal Grants" (H. P. 826) (Presented by Mrs. Fay of Portland)

(Ordered printed)

Sent up for concurrence.

Inland Fisheries and Game

Bill "An Act Relating to Hunting of Deer in Washington County" (H. P. 827) (Presented by Mr. O'Dell of Eastport)

(Ordered printed)

Sent up for concurrence.

Interior Waters

Bill "An Act Regulating Boats for Hire on Inland Waters" (H. P. 828) (Presented by Mr. Arthur of Farmingdale by request)

(Ordered printed)

Sent up for concurrence.

Judiciary

Bill "An Act Relating to Sale of Personal Property by Minors" (H. P. 829) (Presented by Mr. Atherton of Bangor by request)

(Ordered Printed)

Bill "An Act Relating to Right of Appeal in Cigarette and Tobacco Products Law" (H. P. 830) (Presented by Mr. Campbell of Augusta)

(Ordered Printed)

Bill "An Act Relating to Powers of Baxter State Park Authority" (H. P. 831) (Presented by Mr. Gates of Millinocket)

(Ordered Printed)

Bill "An Act Relating to Issuing of Licenses for the Carrying of

Concealed Weapons" (H. P. 832)
(Presented by same gentleman)

(Ordered Printed)

Bill "An Act Creating a State Highway Commissioner and Advisory Council" (H. P. 833) (Presented by Mr. Palmer of Nobleboro)

(Ordered Printed)

Bill "An Act Relating to the Collection Payment and Dishonor of Demand Items by Banks and the Revocation of Credit for, and Payment of, Such Items" (H. P. 834) (Presented by Mr. White of Auburn)

(Ordered Printed)

Bill "An Act Relating to Certificates of Marriage" (H. P. 835) (Presented by Mr. Williams of Auburn)

(Ordered Printed)

Bill "An Act Relating to Vital Statistics" (H. P. 836) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act to Incorporate the Dover-Foxcroft School District (H. P. 837) (Presented by Mr. Hayes of Dover-Foxcroft)

(Ordered Printed)

Bill "An Act Amending the Charter of the City of Lewiston" (H. P. 838) (Presented by Mr. Jalbert of Lewiston)

(Ordered Printed)

Bill "An Act to Create the Boothbay Region Community School District" (H. P. 839) (Presented by Mr. Stevens of Boothbay)

(Ordered Printed)

Sent up for concurrence.

Maine Publicity

Resolve for the Development and Improvement of Baxter State Park (H. P. 840) (Presented by Mr. Gates of Millinocket)

(Ordered Printed)

Sent up for concurrence.

Motor Vehicles

Bill "An Act Relating to Motor Vehicle Registration for Amputee Veterans" (H. P. 841) (Presented by Mr. Dufresne of Bar Harbor)

(Ordered Printed)

Sent up for concurrence.

Pensions

Resolve in Favor of Nancy A. Gilbert of Belfast (H. P. 842) (Presented by Mr. Clements of Belfast)

Resolve in Favor of Eva W. Dow, of Belfast (H. P. 843) (Presented by same gentleman)

Resolve in Favor of May Ella Folsom, of Belfast (H. P. 844) (Presented by same gentleman)

Resolve Providing for an Increase in State Pension for Harland B. Webber of Cumberland (H. P. 845) (Presented by Mr. Dow of Falmouth)

Resolve Providing for State Pension for Earl Hewett of Portage Lake (H. P. 846) (Presented by Mr. Dudley of Castle Hill)

Resolve Providing for State Pension for Ervin Lord, Sr., of Manchester (H. P. 847) (Presented by Mr. Jewett of Manchester)

Resolve Granting a Pension to Grace Merrill Cutts, of Saco (H. P. 848) (Presented by Mr. McEnery of Saco)

Resolve Providing for State Pension for Carlene Hanson, of Newport (H. P. 849) (Presented by Mr. Millett of Palmyra)

Resolve Providing for State Pension for Ralph Cunningham of Nobleboro (H. P. 850) (Presented by Mr. Palmer of Nobleboro)

Resolve Providing for State Pension for Ann Cochrane of Oakland (H. P. 851) (Presented by Mr. Pullen of Oakland)

Sent up for concurrence.

Public Buildings and Grounds

Resolve Appropriating a Fund to Repair and Recondition the Lot and Monument of a Former Maine Governor (H. P. 852) (Presented by Mr. Brown of Wayne)

Sent up for concurrence.

Public Health

Bill "An Act Relating to Public Health Nursing Service" (H. P. 853) (Presented by Mrs. Fay of Portland)

(Ordered Printed)

Sent up for concurrence.

Public Utilities

Bill "An Act Relating to the Corinna Water District" (H. P. 854)

(Presented by Mr. Merrill of Stetson)

(Ordered Printed)

Sent up for concurrence.

Salaries and Fees

Bill "An Act Relating to Fees Payable to Registers of Deeds" (H. P. 855) (Presented by Mr. Burgess of Limestone)

(Ordered Printed)

Bill "An Act Relating to Salary of the Judge of the Rockland Municipal Court" (H. P. 856) (Presented by Mr. Burgess of Rockland)

(Ordered Printed)

Sent up for concurrence.

Sea and Shore Fisheries

Bill "An Act Relating to the Digging of Clams in the Town of Owl's Head" (H. P. 857) (Presented by Mr. Winchenpaw of Friendship)

(Ordered Printed)

Sent up for concurrence.

State Lands and Forest Preservation

Resolve Authorizing the State Tax Assessor to Convey by Sale Certain Interest of the State in Lands in the Unorganized Territory (H. P. 858) (Presented by Mr. Benn of Smyrna)

(Ordered Printed)

Resolve Authorizing the Forest Commissioner to Convey Certain Interest of the State in Lands in Aroostook County to Burton Porter of Mapleton (H. P. 859) (Presented by Mr. Merritt of Mapleton by request)

(Ordered Printed)

Sent up for concurrence.

Taxation

Bill "An Act Relating to Payments To Town of Masardis by Seed Potato Board" (H. P. 860) (Presented by Mr. Dudley of Castle Hill)

(Ordered Printed)

Bill "An Act Relating to Payments from Baxter State Park to Forestry District" (H. P. 861) (Presented by Mr. Gates of Millinocket)

(Ordered Printed)

Bill "An Act Relating to Motor Vehicle Excise Tax for Amputee Veterans" (H. P. 862) (Presented by Mr. Jennings of Strong)

(Ordered Printed)

Sent up for concurrence.

Towns

Bill "An Act to Authorize the Town of York to Construct a Public Wharf" (H. P. 864) (Presented by Mr. Gerrish of Old Orchard Beach)

(Ordered Printed)

Sent up for concurrence.

Welfare

Bill "An Act Relating to Old Age Assistance" (H. P. 865) (Presented by Mr. Lackee of Addison)

(Ordered Printed)

Sent up for concurrence.

Ways and Bridges

Resolve in favor of the town of Chelsea (H. P. 866) (Presented by Mr. Arthur of Farmingdale)

Resolve in favor of the town of Castle Hill (H. P. 867) (Presented by Mr. Dudley of Castle Hill)

Resolve in favor of the town of Buckfield (H. P. 868) (Presented by Mr. Fuller of Buckfield)

Resolve in favor of the town of Hebron (H. P. 869) (Presented by same gentleman)

Resolve in favor of the town of Sumner (H. P. 870) (Presented by same gentleman)

Resolve in favor of the town of Peru (H. P. 871) (Presented by same gentleman)

Resolve in favor of the town of Hartford (H. P. 872) (Presented by same gentleman)

Resolve in favor of the town of Bradley (H. P. 873) (Presented by Mr. Gray of Orrington)

Resolve in favor of the town of Greenbush (H. P. 874) (Presented by same gentleman)

Resolve in favor of the town of Holden (H. P. 875) (Presented by same gentleman)

Resolve in favor of the town of Clifton (H. P. 876) (Presented by same gentleman)

Resolve in favor of the town of Eddington (H. P. 877) (Presented by same gentleman)

Resolve in favor of the town of Berwick (H. P. 878) (Presented by Mr. Hobbs of So. Berwick)

Resolve in favor of the town of Easton (H. P. 879) (Presented by Mr. Merritt of Mapleton)

Resolve in favor of the town of Chapman (H. P. 880) (Presented by same gentleman)

Resolve in favor of the town of Palmyra (H. P. 881) (Presented by Mr. Millett of Palmyra)

Resolve in favor of the town of Detroit (H. P. 882) (Presented by same gentleman)

Resolve in favor of the town of Pittsfield (H. P. 883) (Presented by same gentleman)

Resolve in favor of the town of Cornville (H. P. 884) (Presented by same gentleman)

Resolve in favor of the town of Fryeburg (H. P. 885) (Presented by Mr. Stanley of Porter)

Resolve in favor of the town of Sidney (H. P. 886) (Presented by Mr. Pullen of Oakland)

Resolve in favor of the town of Gorham (H. P. 887) (Presented by Mr. Sanborn of Gorham)

Sent up for concurrence.

House Reports of Committees Leave to Withdraw

Mr. Campbell from the Committee on Salaries and Fees on Bill "An Act relating to Travel Expense for Members of the Legislature" (H. P. 138) (L. D. 76) reported leave to withdraw.

Report was read and accepted and sent up for concurrence.

Ought to Pass in New Draft

Mr. Atherton from the Committee on Legal Affairs on Bill "An Act to Incorporate the Town of Penobscot School District" (H. P. 183) (L. D. 59) reported same in a new draft (H. P. 889) (L. D. 308) under same title and that it "Ought to pass."

Mr. Campbell from same Committee on Bill "An Act to Incorporate the Town of Troy School District" (H. P. 299) (L. D. 87) reported same in a new draft (H. P.

888) (L. D. 307) under same title and that it "Ought to pass"

Reports were read and accepted, and the new drafts having already been printed, were read twice under suspension of the rules and tomorrow assigned.

Ought to Pass with Committee Amendment

Mr. Campbell from the Committee on Legal Affairs on Bill "An Act to Create the Limestone School District" (H. P. 180) (L. D. 56) 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. 180, L. D. 56, Bill "An Act to Create the Limestone School District."

Amend said Bill by inserting after the word "district" in the 3rd line of section 4 thereof the words ', by its trustees,'.

And further amend said Bill by striking out in the 8th line of the 3rd paragraph of section 5 thereof the figures "40" and inserting in place thereof the figures '30'.

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

Passed to Be Engrossed

Bill "An Act relating to a Non-resident Fishing License" (S. P. 126) (L. D. 147)

Bill "An Act relating to Travel Reimbursement for Members of the Legislature" (H. P. 312) (L. D. 92)

Bill "An Act to Incorporate the Town of New Sweden School District" (H. P. 809) (L. D. 264)

Bill "An Act to Incorporate the Town of Burnham School District" (H. P. 810) (L. D. 263)

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

Amended Bills

Bill "An Act to Create the Ellsworth School District" (H. P. 56) (L. D. 19)

The SPEAKER: The Chair notes at this time the presence in the balcony of the Hall of the House the members of the class in Problems of Democracy of the Deering High School in Portland; Mr. Elliot in charge. In behalf of the House, we bid you welcome.

Amended Bills
(Continued)

Bill "An Act to Incorporate the Town of Lisbon School District" (H. P. 58) (L. D. 21)

Bill "An Act relating to the Board of Trustees of Maine Wesleyan Seminary and College" (H. P. 136) (L. D. 42)

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.

Passed to be Enacted
Emergency Measure

An Act Increasing Tax Assessments of Dixfield Village Corporation (H. P. 137) (L. D. 43)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of the entire elected membership of the House being necessary, a division was had. 141 voted in favor of same, and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

ORDERS OF THE DAY

On motion by Mr. Atherton of Bangor, the House voted to take from the table the third tabled and unassigned matter, Bill "An Act Relating to Horse Pulling Contest" (H.P. 725) (Committee on Reference of Bills suggested reference to Committee on Agriculture) tabled by

that gentleman on February 2 pending reference.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Atherton.

Mr. ATHERTON: Mr. Speaker, I now move that this bill be referred to the Committee on Judiciary rather than the Committee on Agriculture.

As a brief explanation for this, I wish to say there is another bill, L.D. 123. "An Act Relating to Cruelty to Animals," which also relates to horse pulling contests. It seems best to the sponsors of this bill which I have introduced on behalf of the Bangor Humane Society that it be heard at the same time before the same committee. I have taken the matter up with the Committee on Reference of Bills and they have no objection. It makes no difference to me whether they are both heard by the Committee on Judiciary or by the Committee on Agriculture, but it seems best in any event that they both be heard by the same committee. Since the first one is already in the hands of the Committee on Judiciary, I make the motion that this one be referred to that committee.

The SPEAKER: The gentleman from Bangor, Mr. Atherton, moves that Bill "An Act Relating to Horse Pulling Contest" H.P. 725, be referred to the Committee on Judiciary. Is this the pleasure of the House?

The motion prevailed and the Bill was referred to the Committee on Judiciary and sent up for concurrence.

The SPEAKER: The House is proceeding under Orders of the Day. If there be no further items of business, the Clerk will read the notices.

On motion by Mr. Taylor of Lyman,
Adjourned until ten o'clock tomorrow morning.