

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

Friday, February 4, 1949

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

Prayer by the Rev. Mr. Roundy of Portland.

The journal of the previous session was read and approved.

Papers from the Senate

From the Senate:

Resolve to Reimburse the City of Gardiner for Sanatorium Treatment of Sylvester Van Sickle and Aid to Dependent Children of Cora Van Sickle (S. P. 200) (L. D. 280)

Resolve in Favor of Lyle Wheeler of Presque Isle (S. P. 223)

Resolve in Favor of William F. Rokes of Belfast (S. P. 245)

Resolve in Favor of Domenic Cucinello of Rockland (S. P. 246)

Resolve in Favor of Robert G. Spaulding of Thomaston (S. P. 247)

Resolve in Favor of Myrtle Keefe, of Fryeburg (S. P. 248)

Came from the Senate referred to the Committee on Claims.

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

From the Senate:

Resolve in Favor of Monson Academy (S. P. 224)

Came from the Senate referred to the Committee on Education.

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

From the Senate:

Bill "An Act Relating to Indians" (S. P. 201) (L. D. 231)

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 Relating to Free Hunting and Fishing Permits for Certain Veterans of World War II" (S. P. 202) (L. D. 265)

Resolve Regulating Fishing in Spencer Lake in Somerset County (S. P. 203) (L. D. 266)

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 Authorizing Prepayments by the County Treasurer of Somerset County to the Law Library Association for the Purchase of Law Books" (S. P. 204) (L. D. 267)

Bill "An Act to Establish and Define the Civil Liability of Radio Broadcasters Relative to Libel" (S. P. 205) (L. D. 268)

Bill "An Act Relating to Assistant County Attorneys for Cumberland County" (S. P. 206) (L. D. 269)

Bill "An Act Relating to Certificates of Intention to Seek Nominations to Public Office" (S. P. 207) (L. D. 270)

Bill "An Act Relating to Adoption of Neglected Children" (S. P. 209) (L. D. 271)

Bill "An Act Relating to Liens on Logs, Lumber or Pulpwood for Advances of Money or Merchandise" (S. P. 210) (L. D. 272)

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 Practice of Architecture" (S. P. 211) (L. D. 273)

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 in Favor of State of Maine Building at Eastern States Agricultural and Industrial Exposition (S. P. 212) (L. D. 274)

Came from the Senate referred to the Committee on Maine Publicity.

In the House, referred to the Committee on Maine Publicity in concurrence.

From the Senate:

Resolve to Repeal State Pension for Myrtle Ingalls of Anson (S. P. 229)

Resolve to Repeal State Pension for Joseph Duperry of Fairfield (S. P. 230)

Resolve to Repeal State Pension for Fred Jacques of Van Buren (S. P. 231)

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 Amending the Charter of the Skowhegan Water Company" (S. P. 213) (L. D. 275)

Bill "An Act Relating to Railroad Crossing Signs" (S. P. 214) (L. D. 276)

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 Salary of the Forest Commissioner" (S. P. 215) (L. D. 277)

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:

Resolve Permitting Socony-Vacuum Oil Company, Incorporated, to Lay a Pipeline Across Property of State School for Girls in Hallowell and Property of the Augusta State Hospital in Augusta (S. P. 216) (L. D. 278)

Came from the Senate referred to the Committee on State School for Boys, State School for Girls and State Reformatories.

In the House, referred to the Committee on State School for

Boys, State School for Girls and State Reformatories in concurrence.

From the Senate:

Resolve in Favor of the Town of Brownville (S. P. 239)

Resolve in Favor of the Town of Sangerville (S. P. 240)

Resolve in Favor of the Town of Parkman (S. P. 241)

Resolve in Favor of the Town of Sangerville (S. P. 242)

Resolve in Favor of Township No. 10, Hancock County (S. P. 243)

Resolve in Favor of the Town of Sullivan (S. P. 244)

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 relating to Amount of Aid to Dependents of Veterans" (H. P. 698) (L. D. 223) which was referred to the Committee on Welfare in the House on January 28th.

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

In the House: The House voted to recede from its former action whereby this Bill was referred to the Committee on Welfare and the Bill was referred to the Committee on Military Affairs in concurrence.

Senate Report of Committee Leave to Withdraw

Report of the Committee on Judiciary on Bill "An Act relating to Citizenship to Hold Office" (S. P. 82) (L. D. 70) reporting leave to withdraw.

Came from the Senate read and accepted.

In the House, read and accepted in concurrence.

The following additional paper from the Senate:

From the Senate: The following order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to

meet on Tuesday, February 8, 1949 at 11:30 o'clock in the forenoon. (S. P. 249)

Came from the Senate in that body read and passed.

In the House, the order received passage 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:

Agriculture

Bill "An Act Relating to Funds Collected by the Potato Tax" (H. P. 890) (Presented by Mr. Martin of Eagle Lake)
(Ordered Printed)
Sent up for concurrence.

Appropriations and Financial Affairs

Resolve in Favor of Lee Academy (H. P. 891) (Presented by Mr. Cobb of Lee)
(Ordered Printed)

Resolve Providing for Certain Construction at the Western Maine Sanatorium (H. P. 892) (Presented by Mr. Williams of Auburn)
(Ordered Printed)
Sent up for concurrence.

Claims

Resolve in Favor of Carroll Plantation (H. P. 893) (Presented by Mr. Cobb of Lee)
(Ordered Printed)

Resolve in Favor of the City of Biddeford (H. P. 894) (Presented by Mr. Duquette of Biddeford)
(Ordered Printed)

Resolve to Reimburse the Town of Sanford for Fire Equipment Used During the Emergency Fires of 1947 (H. P. 895) (Presented by Mr. Gauthier of Sanford)
(Ordered Printed)

Resolve in Favor of the Town of Machias (H. P. 896) (Presented by Mr. Hayward of Machias)
(Ordered Printed)

Resolve in Favor of the Town of Acton (H. P. 897) (Presented by Mr. Hobbs of Acton)
(Ordered Printed)
Sent up for concurrence.

Resolve in Favor of General Ice Cream Corporation of Rockland (H. P. 898) (Presented by Mr. Albee of Portland)

Resolve in Favor of Olin R. Beal, of Durham (H. P. 899) (Presented by Mr. Brown of Durham)

Resolve in Favor of Alice P. Gillespie, of Meddybemps (H. P. 900) (Presented by Mr. Brown of Robinston)

Resolve in Favor of Daniel W. Munroe of Waterville (H. P. 901) (Presented by Mr. Castonguay of Waterville)

Resolve in Favor of Webber's Dairy, Inc. of Waterville (H. P. 902) (Presented by same gentleman)

Resolve in Favor of Fred Foy of Montville (H. P. 903) (Presented by Mr. Cole of Liberty)

Resolve in Favor of Maine Bonding and Casualty Company, of Portland (H. P. 904) (Presented by Mrs. Fay of Portland)

Resolve in Favor of American Oil Company, of Portland. (H. P. 905) (Presented by same member)

Resolve in Favor of Ronald D. Grant, of Sanford (H. P. 906) (Presented by Mr. Letourneau of Sanford)

Resolve in Favor of Dr. Melvin Bacon, of Sanford (H. P. 907) (Presented by same gentleman)

Resolve in Favor of Aloyse Zbink of Monmouth (H. P. 908) (Presented by Mr. Marsans of Monmouth)

Resolve in Favor of John M. Schwerin, of Portland (H. P. 909) (Presented by Mr. Paine of Portland)

Resolve in Favor of Harold M. Weed, of Portland (H. P. 910) (Presented by same gentleman)

Resolve in Favor of Peter T. Benson, of Seawall, Manset (H. P. 911) (Presented by Mr. Phillips of Southwest Harbor)

Resolve in Favor of Mildred F. Anderson, of Newton Center,

Massachusetts (H. P. 912) (Presented by Mr. Stevens of Boothbay)

Resolve in Favor of P. E. Severance, of Hampden Highlands (H. P. 913) (Presented by Mr. Thomas of Hampden)

Sent up for concurrence.

Education

Bill "An Act Relating to Terms of Employment for Teachers" (H. P. 914) (Presented by Mr. Dunham of Ellsworth)

(Ordered printed)

Sent up for concurrence.

Resolve in Favor of Foxcroft Academy (H. P. 915) (Presented by Mr. Hayes of Dover-Foxcroft)

Resolve in Favor of Berwick Academy (H. P. 916) (Presented by Mr. Hobbs of South Berwick)

Sent up for concurrence.

Inland Fisheries and Game

Resolve Regulating Fishing in Webb Lake, in the County of Franklin (H. P. 917) (Presented by Mr. Jennings of Strong)

(Ordered printed)

Resolve Closing Embden Pond in the Town of Embden to Ice Fishing (H. P. 918) (Presented by Mr. Sharpe of Anson by request)

(Ordered printed)

Sent up for concurrence.

Judiciary

Bill "An Act Relating to Appeals by Male Minors" (H. P. 919) (Presented by Mr. Chapman of Portland)

(Ordered printed)

Bill "An Act Relating to the County Law Library of Piscataquis County" (H. P. 920) (Presented by Mr. Hayes of Dover-Foxcroft)

(Ordered printed)

Resolve Proposing an Amendment to the Constitution Providing for Annual Sessions of the Legislature (H. P. 921) (Presented by Mr. Brown of Baileyville)

(Ordered printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act Relating to Number of Private Detectives" (H. P. 922)

(Presented by Mr. Castonguay of Waterville)

(Ordered printed)

Bill "An Act to Incorporate the Town of Shapleigh School District" (H. P. 923) (Presented by Mr. Hobbs of Acton)

(Ordered printed)

Bill "An Act to Provide for the Election of a Board of Commissioners of Police for the Town of Sanford" (H. P. 924) (Presented by Mr. Letourneau of Sanford)

(Ordered printed)

Bill "An Act Amending the Charter of the Town of Litchfield School District" (H. P. 925) (Presented by Mr. Marsans of Monmouth)

(Ordered printed)

Bill "An Act Relating to the Government of the Town of Mount Desert" (H. P. 926) (Presented by Mr. Phillips of Southwest Harbor)

(Ordered printed)

Sent up for concurrence.

Library

Resolve for the Purchase of Two Hundred Copies of "The Length and Breadth of Maine" (H. P. 927) (Presented by Mr. Jacobs of Auburn)

Sent up for concurrence.

Motor Vehicles

Bill "An Act Relating to Time of Lighting on Snow Removal or Sanding Equipment" (H. P. 928) (Presented by Mr. Carle of Wellington)

(Ordered printed)

Bill "An Act Relating to Motor Vehicle Licenses for Amputee Veterans" (H. P. 929) (Presented by Mr. Chapman of Portland)

(Ordered printed)

Bill "An Act Relating to Use of Identification Number in Motor Vehicle Registration" (H. P. 930) (Presented by Mr. Grant of South Portland)

(Ordered printed)

Bill "An Act Relating to Motor Driven Cycles" (H. P. 931) (Presented by Mr. Hobbs of Acton)

(Ordered printed)

Bill "An Act Relating to Equipment in Official Inspection Ga-

rages" (H. P. 932) (Presented by Mr. Thomas of Hampden)
(Ordered printed)
Sent up for concurrence.

Pensions

Resolve Providing for State Pension for Manley E. Cooper, of Chelsea (H. P. 933) (Presented by Mr. Arthur of Farmingdale)

Resolve Providing for an Increase in State Pension for Elvin L. Trimm, of Charleston (H. P. 934) (Presented by Mr. Chaples of Hudson)

Resolve Providing for an Increase in State Pension for Guy Babb, of Hudson (H. P. 935) (Presented by same gentleman)

Resolve in favor of Lillis B. Goodwin, of East Corinth (H. P. 936) (Presented by same gentleman)

Resolve Providing for an Increase in State Pension for Melvin Steven Belden of Palermo (H. P. 937) (Presented by Mr. Cole of Liberty)

Resolve Providing for an Increase in State Pension of Dudley P. Howard of Searsmont (H. P. 938) (Presented by same gentleman)

Resolve Providing for State Pension for Elmira A. Brown, of Lewiston (H. P. 939) (Presented by Mr. Jacobs of Auburn)

Resolve Providing for State Pension for Arthemise Bernier of Winthrop (H. P. 940) (Presented by Mr. Marsans of Monmouth)

Sent up for concurrence.

Salaries and Fees

Bill "An Act relating to Increase of Salaries of Certain County Officials of Knox County" (H. P. 759) (Presented by Mr. Burgess of Rockland)

(Ordered printed)

Bill "An Act relating to Salary of Judge and Clerk Hire of the Municipal Court of Waterville" (H. P. 941) (Presented by Mr. Castonguay of Waterville)

(Ordered printed)

Bill "An Act relating to Salary of Register of Deeds and Clerks in the Office of Register of Deeds, Northern Registry, Aroostook County" (H. P. 942) (Presented by Mr. Cyr of Fort Kent)

(Ordered printed)

Bill "An Act relating to the Salaries of the Judge of Probate and the Register of Probate in Piscataquis County" (H. P. 943) (Presented by Mr. Hayes of Dover-Foxcroft)

(Ordered printed)
Sent up for concurrence.

State Lands and Forest Preservation

Resolve Appropriating Money for the Study and Control of the Spruce Budworm (H. P. 944) (Presented by Mr. Benn of Smyrna)

(Ordered Printed)

Sent up for concurrence.

Taxation

Bill "An Act relating to Taxation of Goats" (H. P. 945) (Presented by Mr. Williams of Auburn)

(Ordered Printed)

Sent up for concurrence.

Temperance

Bill "An Act relating to Selling Liquor Near National Soldiers' Home" (H. P. 946) (Presented by Mr. Arthur of Farmingdale)

(Ordered Printed)

Sent up for concurrence.

Towns

Bill "An Act Annexing Certain Land to Brighton Plantation in Somerset County" (H. P. 947) (Presented by Mr. DeSanctis of Madison)

(Ordered Printed)

Sent up for concurrence.

Ways and Bridges

Resolve in favor of the town of Orono (H. P. 948) (Presented by Mr. Bates of Orono)

Resolve in favor of the town of Cooper (H. P. 949) (Presented by Mr. Brown of Robbinston)

Resolve in favor of the town of Alexander (H. P. 950) (Presented by same gentleman)

Resolve in favor of the town of Harrison (H. P. 951) (Presented by Mr. Chute of Harrison)

Resolve in favor of Carroll Plantation (H. P. 952) (Presented by Mr. Cobb of Lee)

Resolve in favor of the town of Northport (H. P. 953) (Presented by Mr. Cole of Liberty)

Resolve in favor of the town of Lincolnville (H. P. 954) (Presented by same gentleman)

Resolve in favor of the town of Freedom (H. P. 955) (Presented by the same gentleman)

Resolve in favor of the town of Morrill (H. P. 956) (Presented by same gentleman)

Resolve in favor of the town of Liberty (H. P. 957) (Presented by same gentleman)

Resolve in favor of the town of Solon (H. P. 958) (Presented by Mr. DeSanctis of Madison)

Resolve in favor of the town of Solon (H. P. 959) (Presented by same gentleman)

Resolve in favor of the town of Sangerville (H. P. 960) (Presented by Mr. Hayes of Dover-Foxcroft)

Resolve in favor of the town of Dover-Foxcroft (H. P. 961) (Presented by same gentleman)

Resolve in favor of the town of Roque Bluffs (H. P. 962) (Presented by Mr. Hayward of Machias)

Resolve in favor of the town of Wesley (H. P. 963) (Presented by same gentleman)

Resolve in favor of the town of Marshfield (H. P. 964) (Presented by same gentleman)

Resolve in favor of the town of East Machias (H. P. 965) (Presented by same gentleman)

Resolve in favor of the town of Northfield (H. P. 966) (Presented by same gentleman)

Resolve in favor of the town of Machias (H. P. 967) (Presented by same gentleman)

Resolve in favor of the town of Passadumkeag (H. P. 968) (Presented by Mr. House of Lincoln)

Resolve in favor of the town of Lincoln (H. P. 969) (Presented by same gentleman)

Resolve in favor of the town of Sanford (H. P. 970) (Presented by Mr. Letourneau of Sanford)

Sent up for concurrence.

House Reports of Committees Ought Not To Pass

Mr. Burgess from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act Establish-

ing the Limestone Municipal Court" (H. P. 294) (L. D. 82)

Report was read and accepted and sent up for concurrence.

Tabled

Mr. Chase from the Committee on Taxation reported "Ought not to pass" on Bill "An Act Exempting Persons Sixty-two Years of Age from Poll-Tax" (H. P. 373) (L. D. 133)

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

Mr. McCLURE: Mr. Speaker, I move that this bill be substituted for the "Ought not to pass" report of the committee, and I further move that the motion be laid on the table.

The SPEAKER: The gentleman from Bath, Mr. McClure, moves that the bill be substituted for the "Ought not to pass" report of the committee and that the matter lie upon the table. Is this the pleasure of the House?

The Chair recognizes the gentleman from Cape Elizabeth, Mr. Chase.

Mr. CHASE: Mr. Speaker, I rise to make a parliamentary inquiry. The motion seems to combine one motion which is debatable with another which is not. Is it proper to speak on this motion?

The SPEAKER: Does the gentleman wish to have the motion separated?

Mr. CHASE: Yes, Mr. Speaker.

The SPEAKER: The question before the House is on the motion of the gentleman from Bath, Mr. McClure, to substitute the bill for the report.

The Chair recognizes the gentleman from Cape Elizabeth, Mr. Chase.

Mr. CHASE: Mr. Speaker, if the purpose of the gentleman's motion is to assign consideration of this matter to another day by tabling, I have no objection; but to substitute the bill for the report at this time would remove from the issue the fact that the Committee on Taxation has considered this mat-

ter, and that the question of sustaining the committee is the one, I think, which would really come before the House.

The Committee on Taxation asked me on its behalf to report the bill for the committee and to make such explanation as might be necessary of the reasons for the committee's decision. Now the attendance here today seems a little light, and if the gentleman from Bath wishes to table the matter so that the matter will come up on the question of the acceptance of the report of the committee at a later date, I have no objection; but if it is the purpose at this time to substitute the bill for the report, then I do object to that procedure, and if that is the gentleman's purpose I will speak further on the merits of the question.

The SPEAKER: The Chair understands that the gentleman from Bath, Mr. McClure, in making his motion, moved to substitute the bill for the report of the committee and to place the matter upon the table.

Mr. CHASE: Is that the motion, Mr. Speaker, which will be put to the House?

The SPEAKER: The Chair will put the motion to table first. The question before the House is on the motion of the gentleman from Bath, Mr. McClure, that the report with accompanying papers be tabled. Is this the pleasure of the House?

The motion prevailed and the Report with accompanying papers was tabled pending acceptance of the committee report.

Ought To Pass Printed Bills

Mr. Muskie from the Committee on Judiciary reported "Ought to pass" on Bill "An Act relating to Service on Foreign Corporations" (H. P. 293) (L. D. 86)

Mr. Woodworth from same Committee reported same on Bill "An Act Relating to Special Guardians for Minors" (H. P. 295) (L. D. 83)

Mr. Carter from the Committee on Taxation reported same on Bill

"An Act relating to Expenses of Publishing Delinquent Corporate Franchise Taxes" (H. P. 372) (L. D. 132)

Reports were read and accepted and the Bills, having already been printed, were read twice under suspension of the rules and assigned for third reading the next legislative day.

Passed To Be Engrossed Amended Bill

Bill "An Act to Incorporate the Town of Troy School District" (H. P. 888) (L. D. 307)

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

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

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

HOUSE AMENDMENT "A" to H. P. 888, L. D. 307, Bill, "An Act to Incorporate the Town of Troy School District."

Amend said Bill by inserting before the last sentence of section 8 thereof the following sentence:

"This act shall take effect for all the purposes hereof immediately upon its acceptance by a majority of the legal voters voting at said meeting."

Thereupon, House Amendment "A" was adopted, the Bill was passed to be engrossed as amended and sent to the Senate.

Passed to Be Engrossed (Continued)

Bill "An Act to Incorporate the Town of Penobscot School District" (H. P. 889) (L. D. 308)

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

Amended Bill

Bill "An Act to Create the Limestone School District" (H. P. 180) (L. D. 56)

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

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

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

House Amendment "A" to H. P. 180, L. D. 56, Bill "An Act to Create the Limestone School District."

Amend said bill by striking out the last two sentences of the 3rd paragraph of section 3 thereof and inserting in place thereof the following:

'The treasurer shall give bond to the district in such sum and with such sureties as the trustees may determine which bond shall remain in the custody of the president. The cost of such bond shall be paid by the district.'

Thereupon, House Amendment "A" was adopted, the Bill was passed to be engrossed as amended and sent to the Senate.

Orders of the Day

On motion by Mr. Campbell, of Augusta, the House voted to reconsider its action of yesterday whereby Bill "An Act to Incorporate the Town of Burnham School District" (H. P. 54) was passed to be engrossed; and on further motion by the same gentleman the Bill was tabled pending passage to be engrossed.

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

The Chair recognizes the gentleman from Limestone, Mr. Burgess.

Mr. BURGESS: Mr. Speaker and Members of the House: I would like at this time briefly to call your attention to the date of February 9th which is the last date for introduction of private and special bills. Mention is made of this purely so that none of you will find yourselves in the position of being on the outside when the time comes, also that this session may progress as well as it is now progressing and that we will not have to stay here into May.

I would like to make one other brief statement: Wherever it is possible, when an item is tabled, if you can, will you assign a special date. That again is a suggestion merely to keep the wheels rolling and is no attempt by me or anyone else to attempt to push anything. I only make that suggestion in the event you can do it. I thank you.

The SPEAKER: If there is no further business to come before the House, the Clerk will read the notices.

On motion by Mr. Jewett of Manchester,

Adjourned until Tuesday, February 8th, at 11:30 in the forenoon.