

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

Tuesday, February 8, 1949

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

Prayer by the Rev. Mr. Millard of Hallowell.

The journal of the previous session was read and approved.

The Speaker appointed Walter H. Cowan of Damariscotta and Richard Leclair of Augusta, Messengers, as authorized by Order passed in the House on February 2nd.

Papers from the Senate

From the Senate:

Bill "An Act relating to an Institutional Farm Supervisor" (S. P. 219) (L. D. 339)

Came from the Senate referred to the Committee on Agriculture.

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

From the Senate:

Resolve Transferring Moneys from Employees' Retirement Fund to General Fund (S. P. 220) (L. D. 340)

Bill "An Act relating to Permanent State Trust Funds" (S. P. 221) (L. D. 341)

Resolve Providing for Furnishing and Operating Two New Dormitories at the Pownal State School (S. P. 232) (L. D. 346)

Resolve Providing for Purchase and Installation of Auxiliary Heating Equipment at the Pownal State School (S. P. 233) (L. D. 347)

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:

Bill "An Act Relating to Inactive Savings Deposits in Banks" (S. P. 222) (L. D. 342)

Came from the Senate referred to the Committee on Banks and Banking.

In the House, referred to the Committee on Banks and Banking in concurrence.

From the Senate:

Resolve in Favor of Carlton Rollins, of Sanford (S. P. 256)

Resolve in Favor of Donat J. Fortin, of Lewiston (S. P. 257)

Resolve in Favor of the Town of East Millinocket (S. P. 258)

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 Providing for a Fish Screen at Outlet of Cathance Stream and Bradley Pond (S. P. 225) (L. D. 354)

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 Increases of Capital Stock (S. P. 208) (L. D. 355)

Bill "An Act Relating to Fees of Guardians for Adults, and Conservators" (S. P. 226) (L. D. 343)

Bill "An Act Relating to the Penobscot Log Driving Company (S. P. 227) (L. D. 344)

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 Plumbing" (S. P. 228) (L. D. 345)

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 Mabelle K. Toole, of Bangor (S. P. 263)

Came from the Senate referred to the Committee on Pensions.

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

From the Senate:

Resolve Providing for Purchase of Property Adjacent to Pownal State School (S. P. 234) (L. D. 348)

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 to Promote the Topographic Mapping of Maine in Cooperation with the United States Geological Survey. (S. P. 235) (L. D. 349)

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 Analysis of Water (S. P. 236) (L. D. 350)

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 Fish Weirs" (S. P. 250) (L. D. 358)

Bill "An Act Regulating the Taking of Alewives in St. George River in the Town of Warren" (S. P. 251) (L. D. 357)

Resolve to Repeal Clam Cleansing Research (S. P. 237) (L. D. 351)

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:

Resolve for Development of State Park Facilities (S. P. 252) (L. D. 359)

Came from the Senate referred to the Committee on State Lands and Forest Preservation.

In the House, referred to the Committee on State Lands and Forest Preservation in concurrence.

From the Senate:

Resolve Providing for Certain Construction at the Maine State Prison (S. P. 253) (L. D. 360)

Came from the Senate referred to the Committee on State Prison.

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

From the Senate:

Bill "An Act Relating to Sub-Jobber of Cigarettes and Tobacco Products" (S. P. 238) (L. D. 352)

Bill "An Act Relating to Taxation of Musical Instruments" (S. P. 254) (L. D. 353)

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 to Pass

Report of the Committee on Judiciary reporting "Ought to pass" on Bill "An Act Permitting the Presidential Short Ballot" (S. P. 74) (L. D. 50)

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

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

Non-Concurrent Matter

From the Senate:

Bill "An Act Relating to Travel Reimbursement for Members of the Legislature" (H. P. 312) (L. D. 92) which was passed to be engrossed in the House on February 3rd.

Came from the Senate reccommitted to the Committee on Salaries and Fees in non-concurrence.

In the House, on motion by Mr. Campbell of Garland, the House voted to recede from its former

action of February 3rd whereby this bill was passed to be engrossed.

Mr. CAMPBELL: Mr. Speaker, in a brief explanation of this matter, I will say that the bill is not quite clear, and, in order to clarify it, I think we can do that better in the committee than we could by an amendment. I will say that we have no intention of changing the original intent of the bill; it is merely for clarification. Therefore, I move that we concur in this bill being recommitted to the Committee on Salaries and Fees.

The SPEAKER: The gentleman from Garland, Mr. Campbell, moves that this bill be now recommitted to the Committee on Salaries and Fees in concurrence. Is this the pleasure of the House?

The motion prevailed and the bill was recommitted to the Committee on Salaries and Fees 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 Relative to Licensing Dealers in Livestock" (H. P. 971) (Presented by Mr. Boothby of Livermore)

(Ordered Printed)

Bill "An Act Imposing an Assessment of One Cent Per Hundred-weight on Milk for Advertising and Research of the Milk Industry" (H. P. 972) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

Claims

Resolve in Favor of Paul Erickson of Monson (H. P. 973) (Presented by Mr. Campbell of Guilford)

Resolve in Favor of John P. Clark, of Scarborough (H. P. 974) (Presented by Mr. Chase of Cape Elizabeth)

Resolve in Favor of Clyde French, of Lincoln (H. P. 975) (Presented by Mr. House of Lincoln)

Resolve in Favor of Horace Newcombe, of Addison (H. P. 976) (Presented by Mr. Lackee of Addison)

Resolve in Favor of Alcide M. Pelletier, Jr., of Addison (H. P. 977) (Presented by same gentleman)

Resolve in Favor of Ernest This of Westbrook (H. P. 978) (Presented by Mr. Larrabee of Westbrook)

Resolve in Favor of Gordon Millett of Wilton (H. P. 979) (Presented by Mr. Maxwell of Wilton)

Resolve in Favor of Charles R. Ginn of Brewer (H. P. 980) (Presented by Mr. Thompson of Brewer)

Resolve in Favor of Arnold E. Adams, of Brewer (H. P. 981) (Presented by same gentleman)

Resolve in Favor of Lester Stubbs, of Hampden Highlands (H. P. 982) (Presented by same gentleman)

Resolve in Favor of Polly F. Peirce Leavitt, of Bangor (H. P. 983) (Presented by Mr. Webber of Bangor)

Sent up for concurrence.

Inland Fisheries and Game

Bill "An Act Relative to Fishing Contests" (H. P. 984) (Presented by Mr. Campbell of Guilford)

(Ordered Printed)

Bill "An Act Relating to Fishing Licenses for Persons Over Eighty Years of Age" (H. P. 985) (Presented by Mr. Fitch of Sebago by request)

(Ordered Printed)

Bill "An Act Relative to Fishing Licenses" (H. P. 986) (Presented by Mr. Hill of Bingham)

(Ordered Printed)

Bill "An Act Relative to the Possession of Partridge and Pheasants" (H. P. 987) (Presented by same gentleman)

(Ordered Printed)

Resolve Regulating Fishing in Spruce Pond in the County of Somerset (H. P. 988) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act Relating to Guides" (H. P. 989) (Presented by Mr. Kent of Randolph)

(Ordered Printed)

Resolve Regulating Fishing in Hancock Pond in the County of

Oxford (H. P. 990) (Presented by Mr. Stanley of Porter)

(Ordered Printed)

Resolve Regulating Fishing in Sand Pond in the County of Oxford (H. P. 991) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act Relating to Penalty for Operating Motor Vehicle Without an Operator's License" (H. P. 992) (Presented by Mr. Fitch of Sebago)

(Ordered Printed)

Bill "An Act Relating to Penalty for Operating Motor Vehicle While Under the Influence of Liquor" (H. P. 993) (Presented by same gentleman)

(Ordered Printed)

Joint Resolution Proposing a Constitutional Convention of the United States or Amendments to the Constitution of the United States Relating to Strengthening the United Nations and Limited World Federal Government (H. P. 994) (Presented by Mr. Paine of Portland)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act to Incorporate the Town of Orrington School District" (H. P. 995) (Presented by Mr. Gray of Orrington)

(Ordered Printed)

Bill "An Act to Create the Town of Windsor School District" (H. P. 996) (Presented by Mr. Kent of Randolph by request)

(Ordered Printed)

Bill "An Act to Open Meetings of Government of City of Lewiston" (H. P. 997) (Presented by Mr. Malenfant of Lewiston)

(Ordered Printed)

Bill "An Act Relating to Vacancies of Alderman of the City of Lewiston" (H. P. 998) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act Relating to Retirement Pensions for Police and Fire Departments of the City of Port-

land (H. P. 999) (Presented by Mr. McGlauffin of Portland)

(Ordered Printed)

Bill "An Act Granting Additional Powers to the Ogunquit Village Corporation (H. P. 1000) (Presented by Mr. Wormwood of Wells)

(Ordered Printed)

Sent up for concurrence.

Motor Vehicles

Bill "An Act Relating to Insurance for Motor Vehicles Carrying Passengers for Hire" (H. P. 1001) (Presented by Mr. Jones of Bowdoinham)

(Ordered Printed)

Bill "An Act to Clarify Certain Provisions in the Motor Vehicle Law" (H. P. 1002) (Presented by Mr. Plummer of Lisbon)

(Ordered Printed)

Sent up for concurrence.

Public Utilities

Bill "An Act Relating to Continuous Driving of Commercial Motor Vehicles" (H. P. 1003) (Presented by Mr. Jones of Bowdoinham by request)

(Ordered Printed)

Sent up for concurrence.

Salaries and Fees

Bill "An Act Relating to Compensation of State Park Commissioners" (H. P. 1004) (Presented by Mr. Boothby of Livermore)

(Ordered Printed)

Bill "An Act Increasing the Salary of the Judge of the Norway Municipal Court" (H. P. 1005) (Presented by Mr. Eastman of Paris)

(Ordered Printed)

Sent up for concurrence.

State Lands and Forest Preservation

Bill "An Act to Establish Date for Arbor Day" (H. P. 1006) (Presented by Mr. Sargent of Bucksport)

(Ordered Printed)

Sent up for concurrence.

Taxation

Bill "An Act Relating to Taxation of Personal Property" (H. P.

1007) (Presented by Mr. Spear of South Portland)
 (Ordered Printed)
 Sent up for concurrence.

Welfare

Bill "An Act Relating to Aid to Dependent Children" (H. P. 1008) (Presented by Mrs. Fay of Portland)

(Ordered Printed)

Bill "An Act Relating to Aid to Dependent Children" (H. P. 1009) (Presented by same member)

(Ordered Printed)

Sent up for concurrence.

Ways and Bridges

Bill "An Act Freeing the Richmond-Dresden Bridge of Tolls" (H. P. 1014) (Presented by Mr. Jones of Bowdoinham)

(Ordered Printed)

Sent up for concurrence.

Resolve in favor of the town of Machiasport (H. P. 1010) (Presented by Mr. Hanson of Machiasport by request)

Resolve in favor of Brighton Plantation (H. P. 1011) (Presented by Mr. Hill of Bingham)

Resolve in favor of the town of Bowdoinham (H. P. 1012) (Presented by Mr. Jones of Bowdoinham)

Resolve in favor of the town of Bowdoinham (H. P. 1013) (Presented by same gentleman)

Resolve in favor of the town of Columbia (H. P. 1015) (Presented by Mr. Lackee of Addison)

Resolve in favor of the town of Columbia (H. P. 1016) (Presented by same gentleman)

Resolve in favor of the town of Jay (H. P. 1017) (Presented by Mr. Maxwell of Wilton)

Resolve in favor of the Deorganized Town of Medford (H. P. 1018) (Presented by Mr. Parker of Sebec)

Resolve in favor of the Deorganized Town of Orneville (H. P. 1019) (Presented by same gentleman)

Resolve in favor of Lakeview Plantation (H. P. 1020) (Presented by same gentleman)

Resolve in favor of the town of Hermon (H. P. 1021) (Presented by Mr. Thomas of Hampden)

Resolve in favor of the town of Topsham (H. P. 1022) (Presented by Mr. Williams of Topsham)

Resolve in favor of the town of Lebanon (H. P. 1023) (Presented by Mr. Wormwood of Wells)

Resolve in favor of the town of Lebanon (H. P. 1024) (Presented by same gentleman)

Sent up for concurrence.

House Reports of Committees Ought Not to Pass

Mr. Hayward from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Resolve Closing Sandy Stream Pond in T.3, R.9, Piscataquis County to All Fishing (H. P. 289)

Report was read and accepted and sent up for concurrence.

Ought to Pass

Mr. Bearce from the Committee on Inland Fisheries and Game reported "Ought to pass" on Resolve Closing Salt Pond in the towns of Friendship and Cushing to Ice Fishing (H. P. 292) (L. D. 409)

Same gentleman from same Committee reported same on Resolve Regulating Fishing in Orange and Rocky Lakes in the county of Washington (H. P. 176) (L. D. 404)

Mr. Campbell from same Committee reported same on Resolve Regulating Fishing in Smelt Brook in the county of Washington (H. P. 354) (L. D. 410)

Mr. Carville from same Committee reported same on Resolve Regulating Fishing in Salt Pond in the towns of Friendship and Cushing (H. P. 290) (L. D. 407)

Same gentleman from same Committee reported same on Resolve Regulating Fishing in Colcord Pond in the county of Oxford (H. P. 355) (L. D. 411)

Mr. Hayward from same Committee reported same on Resolve Providing for a Fish Screen at John's Pond in Davis Plantation (H. P. 285) (L. D. 412)

Mr. Hill from same Committee reported same on Resolve relating to Fly Fishing in Stratton Brook in Coplin Plantation in Franklin County (H. P. 132) (L. D. 403)

Mr. Plummer from same Committee reported same on Resolve Regulating Fishing in Forest Lake in the town of Friendship, Knox County (H. P. 291) (L. D. 408)

Same gentleman from same Committee reported same on Resolve Opening Thistle Pond in the town of Monroe, Walde County, to Ice Fishing (H. P. 177) (L. D. 405)

Reports were read and accepted and the Resolves, having already been printed, were read once under suspension of the rules and tomorrow assigned.

Ought to Pass with Committee Amendment

Mr. Hill from the Committee on Inland Fisheries and Game on Resolve Closing Certain Ponds in Piscataquis County to Fishing (H. P. 288) (L. D. 406) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted, and the Resolve, having already been printed, was read once under suspension of the rules.

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

COMMITTEE AMENDMENT "A"
to H. P. 288, "Resolve Closing Certain Ponds in Piscataquis County to Fishing."

Amend said Resolve by inserting in the next to last line thereof, after the figure "10," the following words:

'and tributaries,'

Committee Amendment "A" was then adopted and the Resolve was assigned for second reading tomorrow morning.

Passed to be Engrossed

Bill "An Act relating to Special Guardians for Minors" (H. P. 295) (L. D. 83)

Bill "An Act relating to Service on Foreign Corporations" (H. P. 298) (L. D. 86)

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

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

Orders of the Day

On motion by Mr. Sharpe of Anson, the House voted to reconsider its action taken earlier in today's session whereby Bill "An Act Relating to Penobscot Log Driving Company" (S. P. 227) (L. D. 344) was referred to the Committee on Judiciary; and on further motion by the same gentleman the bill was referred to the Committee on Interior Waters in non-concurrence and sent up for concurrence.

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

On motion by Mr. Ames of Vinalhaven.

Adjourned until ten o'clock tomorrow morning.