

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

Ninety-Fourth Legislature

OF THE

STATE OF MAINE

1949

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Friday, February 18, 1949.

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

Prayer by the Rev. Mr. Stackhouse of Belfast.

The journal of the previous session was read and approved.

Papers from the Senate

From the Senate:

Bill "An Act Relating to Branding of Potatoes" (S. P. 395) (L. D. 733)

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 in Favor of Canaan School District (S. P. 396) (L. D. 734)

Resolve Providing for a Multipurpose Building at the Oak Grove School (S. P. 397) (L. D. 735)

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 Investments of Savings Banks in Certain Mortgages" (S. P. 398) (L. D. 736)

Bill "An Act Relating to Retiring Allowances of Life Insurance for Officers and Employees of Savings Banks" (S. P. 399) (L. D. 737)

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 the Town of Jonesboro (S. P. 401) (L. D. 738)

Resolve in Favor of Nolan C. Gibbs, of Monroe (S. P. 420)

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 Hunting of Raccoons" (S. P. 402) (L. D. 740)

Bill "An Act Relating to Stamping of Beaver Skins" (S. P. 403) (L. D. 739)

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.

Tabled

From the Senate:

Bill "An Act Relative to Prosecutions of Inland Fisheries and Game Laws to be Published" (S. P. 404) (L. D. 743)

Came from the Senate referred to the Committee on Judiciary.

In the House, on motion by Mr. Wight of Bangor, tabled pending reference in concurrence.

From the Senate:

Bill "An Act Relating to the Permission of Water Districts and Other Quasi-Municipal Corporations to Become Members of the State Employees' Retirement System" (S. P. 405) (L. D. 742)

Bill "An Act Relating to Employees of Counties, Cities and Towns Entitled to Membership in State Employees' Retirement System" (S. P. 406) (L. D. 741)

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 Financing Community School Districts" (S. P. 407) (L. D. 744)

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:

Bill "An Act Relating to Insurance Agents and Brokers" (S. P. 408) (L. D. 745)

Came from the Senate referred to the Committee on Mercantile Affairs and Insurance.

In the House, referred to the Committee on Mercantile Affairs and Insurance in concurrence.

From the Senate:

Resolve Providing for State Pension for Roscoe Knight, of Northport (S. P. 437)

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 for Members of the Racing Commission" (S. P. 409) (L. D. 746)

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 the Shipping of Clams, Quahogs and Mussels" (S. P. 410) (L. D. 747)

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 Authorizing the State Tax Assessor to Convey Certain Land in Washington County to A. G. Durgin, of Forest City (S. P. 411) (L. D. 748)

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:

Bill "An Act Relating to Town Dumps" (S. P. 412) (L. D. 749)

Came from the Senate referred to the Committee on Towns.

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

From the Senate:

Resolve to Reimburse the Town of Gouldsboro (S. P. 331) (L. D. 750)

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.

Senate Reports of Committees

Leave to Withdraw

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act Relating to the Payment of the Cost of the Kennebec or Carlton Bridge" (S. P. 78) (L. D. 67) reporting leave to withdraw.

Report of the same Committee reporting same on Bill "An Act Relating to Penobscot Indian Fund" (S. P. 64) (L. D. 49)

Reports were read and accepted in concurrence.

Covered by Other Legislation

Report of the Committee on Pensions on Resolve Providing for State Pension for Arnold L. Oakes, of Bradford Center (S. P. 86) reporting leave to withdraw as it is covered by other legislation.

Report was read and accepted in concurrence.

Ought Not to Pass

Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act Relating to Penalty for Failure to Vote (S. P. 135) (L. D. 197)

Report of same Committee reporting same on Bill "An Act Relating to the Poll-tax" (S. P. 136) (L. D. 198)

Report of same Committee reporting same on Bill "An Act Relating to Re-Registration of Voters" (S. P. 138) (L. D. 200)

Report of same Committee reporting same on Bill "An Act Relating to Voting" (S. P. 137) (L. D. 199)

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 Power of Corporations Without Capital Stock to Hold Property" (S. P. 100) (L. D. 105) reporting same in a new draft (S. P. 388) (L. D. 651) under same title and that it "Ought to pass."

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 assigned for third reading the next legislative day.

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, February 22, 1949, at 11 o'clock in the forenoon (S. P. 455).

Came from the Senate in that body read and passed.

In the House, read and passed in concurrence.

Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act relating to Pedestrians on Ways" (H. P. 705) (L. D. 251) reporting that the House recede and concur with the Senate in referring the Bill to the Committee on Motor Vehicles.

(Signed)

Messrs. Wight of Bangor
 Patterson of Freeport—
 Committee on part of House
 Allen of Cumberland
 Brown of Washington—
 Committee on part of Senate.

Report was read and accepted and the Bill referred to the Committee on Motor Vehicles.

The following communication:

**STATE OF MAINE
 DEPARTMENT OF STATE**

To the Speaker of the House of Representatives of the Ninety-fourth Legislature:

I have the honor to herewith transmit copies of the estimate of expenses of the sixteen counties within the State for the years 1949 and 1950, the same having been filed in this office according to the provisions of Sections 13 and 14 of Chapter 79 of the Revised Statutes of 1944.

(Signed) HAROLD I. GOSS
 Secretary of State

February 17, 1949

Was read and, with accompanying papers, referred to the House Committee on County Estimates.

**Bills and Resolves Requiring
 Reference**

The following 15 Bills, transmitted by Director of Legislative Research, pursuant to Joint Order S. P. 452, were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

**Appropriations and Financial
 Affairs**

Bill "An Act Relating to Funds of the Examining Board of Chiropractic Examination and Registration" (H. P. 1573) (Presented by Mr. Atherton of Bangor)

(Ordered Printed)

Sent up for concurrence.

Banks and Banking

Bill "An Act Relating to Deposits in a Fiduciary's Personal Account" (H. P. 1574) (Presented by Mr. White of Auburn)

(Ordered Printed)

Sent up for concurrence.

Federal Relations

Bill "An Act to Control the Payment of Benefits During Vacation Periods Under the Unemployment Compensation Law" (H. P. 1575) (Presented by Mr. Payson of Union by request)

(Ordered Printed)

Bill "An Act to Amend the Unemployment Compensation Law to Provide for the Imposition of Administrative Penalties for Misrepresentation in Obtaining Benefits" (H. P. 1576) (Presented by same gentleman by request)
 (Ordered Printed)
 Sent up for concurrence.

Judiciary

Bill "An Act Relating to Unsatisfied Judgments Resulting from Motor Vehicle Accidents" (H. P. 1577) (Presented by Mr. Fitch of Sebago)
 (Ordered Printed)
 Bill "An Act Giving the Newspapers Access to Records of Vital Statistics" (H. P. 1578) (Presented by Mr. Martin of Augusta)
 (Ordered Printed)
 Sent up for concurrence.

Legal Affairs

Bill "An Act Providing for Veterans Bonus Fund for World War II Veterans and to Provide Moneys Therefor by Running Horse Races" (H. P. 1579) (Presented by Mr. Jennings of Strong)
 (Ordered Printed)
 Sent up for concurrence.

Maine Publicity

Bill "An Act Relating to Roadside Improvement" (H. P. 1580) (Presented by Mr. Chase of Cape-Elizabeth)
 (Ordered Printed)
 Sent up for concurrence.

Public Health

Bill "An Act Relating to Chiropractic Services under the Workmen's Compensation Act" (H. P. 1581) (Presented by Mr. Atherton of Bangor)
 (Ordered Printed)
 Bill "An Act Relating to the Examination of Applicants for the Practice of Chiropractic" (H. P. 1582) (Presented by same gentleman)
 (Ordered Printed)
 Sent up for concurrence.

Public Utilities

Bill "An Act Relating to Exemptions from Regulation of Motor

Carriers" (H. P. 1583) (Presented by Mr. Farley of Biddeford)
 (Ordered Printed)
 Bill "An Act Relating to Schedules of Rates Filed by Motor Carriers" (H. P. 1584) (Presented by same gentleman)
 (Ordered Printed)
 Sent up for concurrence.

Taxation

Bill "An Act Relating to Payments to Maine Forestry District in Lieu of Taxes for Lands Within Indian Township" (H. P. 1585) (Presented by Mr. Brown of Baileyville)
 (Ordered Printed)
 Bill "An Act Relating to Maine Forestry District Taxes" (H. P. 1586) (Presented by Mr. Chase of Cape Elizabeth)
 (Ordered Printed)
 Sent up for concurrence.

Temperance

Bill "An Act Relating to Liquor Licenses in Unincorporated Places" (H. P. 1587) (Presented by Mr. Maxell of Orient)
 (Ordered Printed)
 Sent up for concurrence.

Orders

Mr. McClure of Bath presented the following Order and moved its passage:

ORDERED, the Senate concurring, that not withstanding Joint Orders now in effect, any Bill or Resolves providing for a Bonus for Veterans or funds therefor shall be received without requiring unanimous consent if filed with the Secretary of the Senate or Clerk of the House before 12 o'clock noon March 17, 1949. (H. P. 863)

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

Mr. BURGESS: Mr. Speaker and Members of the House: Perhaps, before voting on this order, some explanation would be in order. I will attempt to give you that explanation very briefly. I know that the question could properly arise in your minds why the order should be presented when there are vehicles

in committee, perhaps, that could be used; but the various veterans organizations of Maine are honestly making an endeavor to combine their thoughts and present a workable proposition to this Legislature. They have not had the opportunity of joining together and accomplishing what they hope to do, and I believe that this order should be passed and that they should be given that opportunity in order that every bit of cooperation on our part will be shown; and we hope that it will not only result in benefits to the veterans but perhaps in a wiser solution for the public in general.

Thereupon, the order received passage and was sent up for concurrence.

House Reports of Committees Ought to Pass

Printed Bill

Mr. Brown from the Committee on Appropriations and Financial Affairs reported "Ought to pass" on Bill "An Act relating to Dog License Fees" (H. P. 324) (L. D. 115)

Report was read and accepted and the Bill, having already been printed, was read twice under suspension of the rules and assigned for third reading the next legislative day.

First Reading of Printed Bill

Bill "An Act relating to the Inheritance Tax" (H. P. 1566) (L. D. 771)

Was read twice and assigned for third reading the next legislative day.

Passed to be Engrossed

Bill "An Act Relating to Excise Tax on Bicycles with Motor Attached" (S. P. 195) (L. D. 248)

Bill "An Act Relating to the West Gardiner School District" (S. P. 371) (L. D. 537)

Bill "An Act Relating to Motor Vehicle Excise Tax for Amputee Veterans" (H. P. 862) (L. D. 338)

Bill "An Act Relating to Number of Private Detectives" (H. P. 922) (L. D. 374)

Bill "An Act to Provide for the Election of a Board of Commissioners of Police for the Town of Sanford" (H. P. 924) (L. D. 376)

Bill "An Act to Establish Date for Arbor Day" (H. P. 1006) (L. D. 437)

Resolve Appropriating Money for the Study and Control of the Spruce Budworm (H. P. 944) (L. D. 385)

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

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.

Amended Bills

Bill "An Act Relating to the Government of the Town of Mount Desert" (H. P. 926) (L. D. 377)

Bill "An Act to Incorporate the Town of Orrington School District" (H. P. 995) (L. D. 426)

Resolve Authorizing the State Tax Assessor to Convey by Sale Certain Interest of the State in Land with Buildings Thereon in Newcastle, in the County of Lincoln (H. P. 194) (L. D. 306)

Resolve Authorizing the Forest Commissioner to Lease Certain Land in Washington County to Eastern Pulp Wood Company (H. P. 499) (L. D. 168)

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 as amended by Committee Amendment "A" and sent to the Senate.

Orders of the Day

The gentlewoman from Crystal, Miss Longstaff, presented the following order out of order and moved its passage:

ORDERED, that there be printed 500 additional copies of the following Bill:

Bill "An Act Creating a State Commission of Nursing Attendant Education." (S. P. 269) (L. D. 442)

The Order received passage.

On motion by Mr. Sargent of Bucksport, the House voted to reconsider its action of yesterday whereby it referred H. P. 1501, Resolve proposing an amendment to the Constitution relative to Elections, to the Committee on Judiciary.

Mr. SARGENT: Mr. Speaker, I now ask the permission of the House to withdraw this resolve.

The SPEAKER: The gentleman from Bucksport, Mr. Sargent, now requests permission to withdraw the resolve. Is there objection? The Chair hears none and the resolve may be withdrawn.

Mr. SARGENT: Mr. Speaker, may I ask a question? There is an accompanying bill which I do not have the number of, and, if that is in the possession of the House, I make the same motion relative to it.

The SPEAKER: The Chair understands that the gentleman from Bucksport, Mr. Sargent, now moves that the House reconsider its action of yesterday whereby it referred H. P. 1499, Bill "An Act to Facilitate Voting by Members of the Armed Forces of the United States" to the Committee on Judiciary. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The gentleman from Bucksport, Mr. Sargent, now requests permission to withdraw the bill. Is there objection? The Chair hears none and the bill has been withdrawn.

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

Mr. CHASE: Mr. Speaker, would it be in order at this time to point out an obvious mistake in a printed bill when the original bill is not before the House?

The SPEAKER: The gentleman may make an explanation if there is no objection. The Chair hears no objection and the gentleman may proceed.

Mr. CHASE: Mr. Speaker, L. D. 770, this morning circulated, and which is an important bill, in the first line on the second page contains an obvious error which may cause confusion not only here but outside. I have not seen the original. It is my understanding that the intent in that line was to cross out the figures "1½" and to insert the figure "2". The printer, however, has stricken out apparently only the "1" so that the printed bill now reads "plus ½ 2". I think that correction should be made before those bills are widely circulated.

The SPEAKER: The Chair thanks the gentleman from Cape Elizabeth, Mr. Chase, for his explanation. For the benefit of the House, the Chair will state that the new draft is in the hands of the Senate and there is nothing we can do about it at this particular moment.

The House is proceeding under Orders of the Day.

If there be no further items of business to come before the House, the Clerk will read the notices.

On motion by Mr. Clements of Belfast,

Adjourned until Tuesday, February 22nd, at 11:00 o'clock in the forenoon.