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, March 3, 1949

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

Prayer by the Rev. Mr. Collind of Belfast.

The journal of the previous session was read and approved.

Finally Passed Emergency Measure

The following Emergency Resolve on its final passage was taken up out of order and under suspension of the rules:

Resolve Appropriating Moneys to Maintain Present Salary Scale for State Employees (S. P. 383) (L. D. 648)

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. 112 voted in favor of same, and none against, and accordingly, the Resolve was finally passed and signed by the Speaker and, on motion by Mr. Burgess of Limestone, was ordered sent forthwith to the Senate.

Papers from the Senate

From the Senate:

Bill "An Act Creating a Public Safety Council, Emergency" (S. P. 538) (L. D. 1101)

Bill "An Act Eliminating Special Primary Elections in Certain Cases" (S. P. 539) (L. D. 1102)

Came from the Senate referred to the Committee on Judiciary.

In the House, were referred to Committee on Judiciary in concurrence.

From the Senate:

Bill "An Act Relating to Labels on Bottles of Liquor" (S. P. 532) (L. D. 1104)

Came from the Senate referred to the Committee on Public Health. In the House, was referred to the Committee on Public Health in concurrence. From the Senate:

Bill "An Act Relating to Wholesale Sale of Spirituous and Vinous Liquor" (S. P. 541) (L. D. 1103)

Came from the Senate referred to the Committee on Temperance.

In the House, was referred to the Committee on Temperance in concurrence.

Senate Reports of Committee Placed on File

Report of Joint Select Committee relative to Joint Rule No. 1 (S. P. 560)

Came from the Senate with the Report read and accepted and ordered placed on file.

In the House, Report was read and accepted and ordered placed on file in concurrence.

Ought to Pass

Report of the Committee on Inland Fisheries and Game reporting "Ought to pass" on Bill "An Act Relative to Closed Season on Pheasant in the County of Aroostook" (S. P. 272) (L. D. 445)

Report of same Committee reporting same on Resolve Closing Mantle Lake in the City of Presque Isle, Aroostook County, to all Fishing by Persons Over 17 years of Age (S. P. 281) (L. D. 453)

Report of same Committee reporting same on Resolve Appropriating Money to improve the Approach to the Fish Way at Aroostook Falls (S. P. 348) (L. D. 574)

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

In the House, Reports were read and accepted in concurrence, the Bill read twice, Resolves read once, and tomorrow assigned.

Non-Concurrent Matter

Report of the Committee on Inland Fisheries and Game reporting "Ought not to pass" on Resolve, Closing Sandy Stream Pond in T. 3, R. 9, Piscataquis County to all Fishing (H. P. 289) which was accepted in the House on February 8th.

Came from the Senate recommitted to the Committee on Inland

Fisheries and Game in non-concurrence.

In the House: The House voted to reconsider its action taken on February 8th whereby the "Ought not to pass" report was accepted and concurred with the Senate in the recommitment of the Resolve to the Committee on Inland Fisheries and Game.

Messages and Documents

The following Communication: (H. P. 1902)

STATE OF MAINE DEPARTMENT OF HEALTH AND WELFARE AUGUSTA

March 2, 1949

To the 94th Legislature:

This is to certify that in the election held at Indian Island on September 7, 1948, Ernest Goslin was elected the Indian representative at the Ninety-Fourth Legislature from the Penobscot Tribe of Indians; and in the election held at Pleasant Point and Peter Dana Point on October 5, 1948, George Stevens, Jr., of Princeton, was elected the Indian representative at the Ninety-Fourth Legislature from the Passamaquoddy Tribe of Indians.

Respectfully submitted,

(Signed) DAVID H. STEVENS Commissioner

Was read and ordered placed on file and sent up for concurrence.

Bills and Resolves Requiring Reference

The following Bills and Resolves, transmitted by the 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:

Aeronautics

Bill "An Act Relating to Aviation" (H. P. 1862) (Presented by Mr. Brown of Baileyville)

(Ordered Printed)
Sent up for concurrence.

Appropriations and Financial Affairs

Bill "An Act Providing Vocational Rehabilitation for Sanatoriums" (H. P. 1863) (Presented by Mr. McClure of Bath)

(Ordered Printed)

Resolve Authorizing State of Maine to Purchase Armory at Lewiston (H. P. 1864) (Presented by Mr. Jalbert of Lewiston)

(Ordered Printed)
Sent up for concurrence.

Claims

Resolve in Favor of Central Maine General Hospital of Lewiston (H. P. 1865) (Presented by Mr. White of Auburn)

(Ordered Printed)

Sent up for concurrence.

Resolve in Favor of Wilfred Moors, of Bradley (H. P. 1866) (Presented by Mr. Gray of Orrington)

Resolve in Favor of Kenneth Laughlin, of East Eddington (H. P. 1867) (Presented by same gentleman)

Resolve in Favor of John Stults of Lewiston (H. P. 1868) (Presented by Mr. Jalbert of Lewiston)

Resolve in Favor of Vaughn Walker of Island Falls (H. P. 1869) (Presented by Miss Longstaff of Crystal)

Sent up for concurrence.

Education

Bill "An Act Relating to Teaching of Importance of Voting in Public Schools" (H. P. 1870) (Presented by Mr. Bubar of Blaine)

(Ordered Printed)
Sent up for concurrence.

Inland Fisheries and Game

Bill "An Act Relating to Size of Traps for Wild Animals" (H. P. 1871) (Presented by Mr. Muskie of Waterville)

(Ordered Printed)
Sent up for concurrence.

Judiciary

Bill "An Act Relating to Procedure on Damages Caused by Location of Highways" (H. P. 1872) (Presented by Mr. Boulier of Stacyville)

(Ordered Printed)

Bill "An Act Relating to Establishing Boundaries of State Highways" (H. P. 1873) (Presented by Mr. Brown of Wayne)

(Ordered Printed)

Resolve Proposing an Amendment to the Constitution to Abolish the Executive Council (H. P. 1874) (Presented by Mr. Muskie of Waterville)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act to Incorporate the Town of Masardis School District" (H. P. 1875) (Presented by Mr. Dudley of Castle Hill)

(Ordered Printed)

Bill "An Act to Create the Town of Belgrade School District" (H. P. 1876) (Presented by Mr. Pullen of Oakland by request)

(Ordered Printed)

Bill "An Act to Incorporate the Town of Sidney School District" (H. P. 1877) (Presented by same gentleman by request)

(Ordered Printed)
Sent up for concurrence.

Maine Publicity

Bill "An Act Relating to Potato Shaped Number Plates on Motor Vehicles" (H. P. 1878) (Presented by Mr. Bubar of Blaine)

(Ordered Printed)

Sent up for concurrence.

Pensions

Resolve in Favor of John E. Mitchell, of Patten (H. P. 1879) (Presented by Mr. Boulier of Stacyville)

Resolve in Favor of R. Clifton Burnell, of East Sebago (H. P. 1880) (Presented by Mr. Fitch of Sebago)

Resolve Providing for State Pension for Delia Drouin of Lewiston (H. P. 1881) (Presented by Mr. Gauvin of Lewiston)

Resolve Providing for an Increase in State Pension for Fred Dwyer of Bath (H. P. 1882) (Presented by Mr. McClure of Bath)

Resolve in Favor of Mrs. Josephine Scribner of Newport (H. P. 1883) (Presented by Mr. Merrill of Stetson)

Resolve Providing for State Pension for Rita St. Jean of Grand Isle (H. P. 1884) (Presented by Mr. O'Connell of Van Buren)

Sent up for concurrence.

Public Utilities

Bill "An Act to Incorporate the Bluehill Water District" (H. P. 1885) (Presented by Mr. Dunham of Ellsworth)

(Ordered Printed)

Sent up for concurrence.

Sea and Shore Fisheries

Bill "An Act Relating to Shipping of Clams, Quahogs and Mussels" (H. P. 1886) (Presented by Mr. Wight of Bangor)

(Ordered Printed)

Sent up for concurrence.

State Lands and Forest Preservation

Bill "An Act to Provide Forest Fire Prevention and Control in Unorganized Areas Not in the Maine Forestry District" (H. P. 1887) (Presented by Mr. Brown of Wayne)

(Ordered Printed)

Bill "An Act Relating to Roadside Protection" (H. P. 1888) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act Relating to Conservation of Christmas Trees" (H. P. 1889) (Presented by Mr. Castonguay of Waterville)

(Ordered Printed)

Sent up for concurrence.

Ways and Bridges

Bill "An Act Relating to Entrances to State Highways" (H. P. 1890) (Presented by Mr. Boulier of Stacyville)

(Ordered Printed)

Bill "An Act Relating to Installation in Public Highways" (H. P. 1891) (Presented by Mr. Brown of Wayne)

(Ordered Printed)

Bill "An Act Relating to Uncertain Boundaries of Highways" (H. P. 1892) (Presented by Mr. McKeen of Lovell)

(Ordered Printed)

Bill "An Act Relating to Notice to State Highway Commission in Re Highway Changes" (H. P. 1893) (Presented by Mr. Spear of South Portland)

(Ordered Printed)

Bill "An Act Crediting Certain Fees to the General Highway Fund" (H. P. 1894) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act Relating to Taking of Land by State Highway Commission" (H. P. 1895) (Presented by Mr. Wormwood of Wells)

(Ordered Printed)

Sent up for concurrence.

Resolve in Favor of the City of Waterville (H. P. 1896) (Presented by Mr. Castonguay of Waterville)

Resolve in Favor of the Town of Benedicta (H. P. 1897) (Presented by Miss Longstaff of Crystal)

Resolve in Favor of the Town of Hodgdon (H. P. 1898) (Presented by Mr. Maxell of Orient)

Resolve in Favor of the Town of Linneus (H. P. 1899) (Presented by same gentleman)

Sent up for concurrence.

Orders

On motion of Mr. Roundy of Portland, it was

ORDERED, that Rev. Cornelius E. Clark of Portland, be invited to officiate as Chaplain of the House on Thursday, March 17, 1949.

On motion by Mr. Winchenpaw of Friendship, it was

ORDERED, that the Rev. Kathleen I. Weed of Friendship, be invited to officiate as Chaplain of the House tomorrow, March 4, 1949.

House Reports of Committees Divided Report Tabled

Majority Report of the Committee on Welfare reporting "Ought not to pass" on Bill "An Act relating to Age Requirement for Old Age Assistance" (H. P. 320) (L. D. 100) Report was signed by the following members:

Messrs. WILLIAMS of Penobscot McKUSICK of Piscataquis —of the Senate.

LACKEE of Addison GATES of Millinocket SANDERSON of Greene CHASE of Cape Elizabeth TAYLOR of Lyman

-of the House.

Minority Report of same Committee reporting "Ought to pass on same Bill.

Report was signed by the follow-ing members:

Messrs. BOUCHER of Androscoggin
—of the Senate.

LESSARD of Skowhegan BUBAR of Blaine

-of the House.

(On motion by Mr. Gauvin of Lewiston, the two reports with accompanying papers were tabled pending the acceptance of either report.)

Ought Not to Pass Tabled

Mr. Campbell from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act to Incorporate the Topsham School District" (H. P. 1309) (L. D. 686)

(Report was read. Mr. Williams of Topsham moved that the Bill be substituted for the Report, and on further motion by the same gentleman, the Report, with accompanying papers, was tabled pending his motion.)

Ought to Pass in New Draft

Mr. Paine from the Committee on Legal Affairs on Bill "An Act to Incorporate the Town of Machias School District" (H. P. 362) (L. D. 125) reported same in a new draft (H. P. 1900) under same title and that it "Ought to pass"

Mr. Atherton from same Committee on Bill "An Act to Incorporate the Town of Orono High School District" (H. P. 1166) (L. D. 624) reported same in a new draft (H. P. 1901) under same title and that it "Ought to pass"

Reports were read and accepted and the new drafts ordered printed under the Joint Rules.

Ought to Pass Printed Bills

Mr. Atherton from the Committee on Legal Affairs reported "Ought to pass" on Bill "An Act Repealing the Incorporation of the Town of Orono School District" (H. P. 1167) (L. D. 594)

Same gentleman from same Committee reported same on Bill "An Act relating to Scope of Purchasing Authority" (H. P. 1504) (L. D. 809)

Mr. Campbell from same Committee reported same on Bill "An Act Granting Additional Powers to the Ogunquit Village Corporation" (H. P. 1000) (L. D. 431)

Mr. Martin from same Committee reported same on Bill "An Act relating to Duties of the State Auditor" (H. P. 1403) (L. D. 763)

Mr. Paine from same Committee reported same on Bill "An Act to Incorporate the Town of Otisfield School District" (H. P. 1169) (L. D. 625)

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

Ought to Pass with Committee Amendment

Mr. Atherton from the Committee on Legal Affairs on Bill "An Act to Incorporate the Town of Corinth School District" (H. P. 1259) (L. D. 558) 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. 1259, L. D. 558, Bill "An Act to Incorporate the Town of Corinth School District."

Amend said Bill by adding in the 12th line of section 4 thereof after the word "bond" the words 'and note'.

Further amend said Bill by adding in the 15th line of section 4 thereof after the word "bonds" the words 'and notes'.

Further amend said Bill by adding in the 1st line of section 5 thereof after the words "bonds" the words 'or notes'.

Further amend said Bill by adding in the 3rd line of section 5 thereof after the word "bonds" the words 'and notes'.

Further amend said Bill by adding in the 6th line of section 5 thereof after the word "bonds" the words 'and notes'.

Further amend said Bill by adding in the 17th line of section 5 thereof after the word "bonds" the words 'and notes'.

Further amend said Bill by adding in the 1st line of the 2nd paragraph of section 5 thereof after the word "bonds" the words 'or notes'.

Further amend said Bill by adding in the 5th line of the 2nd paragraph of section 5 thereof after the first word "bonds" the words 'and notes'.

Further amend said Bill by adding in the 5th line of the 2nd paragraph of section 5 thereof before the word "so" the words 'or notes'.

Further amend said Bill by adding in the 2nd line of the 3rd paragraph of section 5 thereof after the word "bonds" the words 'and notes'.

Further amend said Bill by adding in the 4th line of the 3rd paragraph of section 5 thereof after the word "bonds" the words 'or notes'.

Further amend said Bill by adding in the 5th line of the 3rd paragraph of section 5 thereof after the word "bonds" the words 'or notes'.

Further amend said Bill by adding in the 6th line of the 3rd paragraph of section 5 thereof after the word "bonds" the words 'or notes'.

Further amend said Bill by adding in the 8th line of the 3rd paragraph of section 5 thereof after the word "bonds" the words 'or notes'.

Further amend said Bill by adding in the 9th line of the 3rd paragraph of section 5 thereof after the word "bonds" the words 'or notes'.

Further amend said Bill by adding in the 3rd line of section 6

thereof after the word "bonds" the words 'or notes'.

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

Passed to be Engrossed

Bill "An Act relating to Fees of Deputy Sheriffs" (S. P. 121) (L. D. 142)

Bill "An Act relating to Compensation for State Board of Arbitration and Conciliation" (S. P. 193) (L. D. 246)

Bill "An Act relating to Analysis of Water" (S. P. 236) (L. D. 350)

Bill "An Act relating to Cremation of Old State Bonds" (S. P. 274) (L. D. 447)

Bill "An Act relating to Ricker Classical Institute and Junior College" (S. P. 282) (L. D. 454)

Bill "An Act relating to Duties of the Chief Justice of the Supreme Judicial Court in the Event of His Disability" (S. P. 309) (L. D. 502)

Bill "An Act relating to the Maine State Prison" (S. P. 352) (L. D. 577)

Bill "An Act relating to Compensation of State Park Commissioners" (H. P. 1004) (L. D. 435)

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 relating to Court Stenographers" (S. P. 147) (L. D. 203)

Bill "An Act relating to Registration and Excise Taxes of Volunteer Fire Departments" (H. P. 195) (L. D. 66)

Bill "An Act to Incorporate the Trustees of Franco American Oblate Fathers" (H. P. 296) (L. D. 84)

Bill "An Act relating to Powers of Baxter State Park Authority" (H. P. 831) (L. D. 316)

Bill "An Act to Incorporate the Town of Dexter School District" (H. P. 1052) (L. D. 468)

Bill "An Act to Incorporate the Town of Winthrop School District" (H. P. 1258) (L. D. 559) Bill "An Act relative to Stock-

Bill "An Act relative to Stockholm Game Preserve" (H. P. 1289) (L. D. 655)

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 Engrossed Without Amendment

Resolve Proposing an Amendment to the Constitution to Codify the Constitution (S. P. 48) (L. D. 30)

Constitution (S. P. 48) (L. D. 30)
Was reported by the Committee on Bills in the Third Reading, read the second time, passed to be engressed without amendment in non-concurrence, and sent up for concurrence.

On motion by Miss Cormier of Rumford, House Rule No. 25 was suspended for the remainder of today's session in order to permit smoking.

The SPEAKER: The Chair, at this time, notes the presence in the balcony of the Hall of the House of the Civics Club of the Freshman Class of Winthrop High School in charge of Mrs. Irene Hibbs. On behalf of the House, we bid you welcome. (Applause).

Orders of The Day

The SPEAKER: The Chair lays before the House the first tabled and today assigned matter, Bill "An Act relating to Taxation of Savings Banks and Trust Companies" (H. P. 1742) (L. D. 1070) tabled on March 1st by the gentleman from Unity, Mr. Brown, pending reference; and the Chair recognizes that gentleman.

Mr. BROWN: Mr. Speaker, I now move that this bill be indefinitely postponed.

The SPEAKER: The gentleman from Unity, Mr. Brown, moves that H. P. 1742, L. D. 1070, Bill "An Act relating to Taxation of Savings Banks and Trust Companies" be indefinitely postponed.

As many as are in favor of indefinite postponement will say aye; those opposed no.

A viva voce vote being taken, the bill was indefinitely postponed and sent up for concurrence. The SPEAKER: The House is proceeding under Orders of the Day.

The Chair recognizes the gentleman from Auburn, Mr. Williams.

Mr. WILLIAMS: Mr. Speaker and Members of the House: As there are no matters on the table requiring attention, I would like at this time unanimous consent to address the House.

The SPEAKER: The gentleman from Auburn, Mr. Williams, asks unanimous consent to address the House. Is there objection? The Chair hears none and the gentleman may proceed.

Mr. WILLIAMS: Mr. Speaker, we have now been in session about two months, and some 1196 bills have been printed. I am sure that we do not all appreciate some of the services that are furnished as a routine matter nor the advantage of utilizing those services.

Early in the session, we passed an order which was routine in nature and which received little attention, authorizing our very efficient Clerk of the House to employ such assistance as was needed in compiling an index, and also authorizing the hiring of necessary assistants. I am sure that you have all found that these assistants are equally efficient and courteous.

It may be that not all of you have used the services that are provided, and possibly you do not know the details under which they are available. Obviously, all bills will be indexed by their titles, but I would like to call your attention to L. D. 1146. This document is indexed under twenty-one different subject matters, and, if you will look at the bill, you will understand why. It is indexed under stoppage, brush, slash, debris disposal, forest fire prevention, fire prevention, lumbering, logging, highways, railroads, electric power lines, telephone and telegraph lines. pipelines, town dumps, dumps, sawmills, portable sawmills, burning, blueberry land, stumpage, pasture land.

With this type of an index, if one of your constituents inquires about some subject matter in which he is interested, if you will go in the second door on your right as you leave the hall of the House and speak to Mrs. Strout or Miss Whalen, either one of them will use this index and give you the legislative document number of the bill. As is quite likely, you will like to know what has happened to that bill. Even though you have the legislative document number, looking in your document book will not tell you the story.

They also maintain a record of the House action on these various bills. You are all familiar with the bill with regard to legislative travel. On January 20th this was referred to the Committee on Salaries and Fees and ordered printed; on February 2nd the "Ought to pass" report appeared on our House calendar; and the report was accepted and the bill was assigned for the next day. On the 3rd, the bill I would like to was engrossed. mention the Senate action. On the 26th it was referred in concurrence: on February 4th it was recommitted to the Committee on Salaries and Fees in non-concurrence. In the House on February 8th we receded and concurred in recommitting to the Committee on Salaries and Fees. On the 10th the "Ought to pass in New Draft under new title" report was tabled pending acceptance of the report by Representative Dow and the bill tomor-On the 11th the row assigned. bill was retabled by Representative
Dow and assigned for February
16th. On February 16th this report was accepted and the bill tomorrow assigned. On the 17th the bill was passed to be engrossed. On the 18th the matter was tabled in Senate by Senator Slocum pending acceptance of the report.

If you members have any question at any time in regard to a bill or its progress, if you will consult either of these young ladies they can tell you just what has happened to the bill.

This year a new service has been added in that a complete list of

all bills referred to any particular committee is available. They also have a complete list of all the bills under the name of each representative who introduced the bills. This may be helpful in case somebody passes you a bill and you are not sure how many you have or what they are or where they are.

In conclusion,I want to emphasize the fact that the Clerk of the House, the Speaker of the House, and our Floor Leader are available and will be glad to help any member of the House at any time. I

thank you.

The SPEAKER: The Chair thanks the gentleman from Auburn for his explanation of the procedure available to the members of the House.

The SPEAKER: The House is proceeding under Orders of the The Chair recognizes the gentleman from Stratton, Mr. Carville.

On motion by Mr. Carville, the House voted to take from the table the seventh tabled and unassigned matter, Resolve providing for a Fish Screen at John's Pond in Davis Plantation (H. P. 285) (L. D. 412) tabled by that gentleman on Feb-

ruary 16th pending final passage. On further motion by the same gentleman, under suspension of the rules, the House voted to reconsider its action whereby it passed the resolve to be engrossed on February

9th

Mr. Carville then offered House Amendment "A" and moved its adoption.

House Amendment "A" was read

by the Clerk as follows:

HOUSE AMENDMENT "A" to H. P. 285, L. D. 412, "Resolve Providing for a Fish Screen at John's Pond in Davis Plantation."

Amend said resolve by striking out all of the second paragraph thereof, and inserting in place thereof the following:

'Resolved: That such fish screen shall not be installed until such time as Mrs. Margaret B. Mason, of Rangeley, in the county of Franklin, or some responsible person or persons shall have paid in to the state treasury the amount necessary to install such screen; and shall have assumed, in a manner satisfactory to the Commissioner, all liability for future maintenance of such screen, and the keeping of the same free from sticks, leaves and all debris.'

House Amendment "A" adopted and the resolve was passed to be engrossed as amended in nonconcurrence and sent up for concurrence.

On motion by Mr. Bates of Orono, the House voted to take from the table the eighteenth tabled and unassigned matter, Bill "An Act relating to Chiropractic Services Under the Aid to Dependent Children and Dependents of Veterans' Law" (H. P. 1755) (L. D. 1128) tabled on February 25th by that gentleman, pending reference; and on further motion by the same gentleman the bill was referred to the Committee on Welfare and sent up for concurrence.

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

On motion by Mr. Foley of Winterport,

Adjourned until 10:00 o'clock tomorrow morning.