

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, March 8, 1949.

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

Prayer by the Rev. Mr. Lozier of Portland.

The Members stood at attention during the playing of the National Anthem.

The journal of the previous session was read and approved.

Papers from the Senate

From the Senate:

Resolve Providing for a Special Commission on Youth Problems (S. P. 561) (L. D. 1226)

Resolve Appropriating Funds to Provide for a Reclassification and Compensation Survey (S. P. 562) (L. D. 1227)

Resolve Appropriating Moneys to Build Armory in Lewiston (S. P. 563) (L. D. 1228)

Resolve in Favor of the Marcotte Home of Lewiston (S. P. 564) (L. D. 1229)

Resolve in Favor of Saint Joseph Orphanage of Lewiston (S. P. 565) (L. D. 1230)

Resolve in Favor of Hospital General Ste. Marie of Lewiston (S. P. 566) (L. D. 1231)

Resolve in Favor of Healy Asylum of Lewiston (S. P. 567) (L. D. 1232)

Resolve in Favor of Saint Louis Home and School, West Scarborough (S. P. 568) (L. D. 1233)

Resolve Reimbursing Certain Towns for Losses Incurred During Forest Fires of 1947 (S. P. 569) (L. D. 1234)

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:

Resolve in Favor of Wallace McQuarrie of Millinocket (S. P. 593)

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 Repealing the Experience Rating in the Unemployment Compensation Law" (S. P. 572) (L. D. 1235)

Bill "An Act Relating to Definition of "Employer" Under Unemployment Compensation Law" (S. P. 573) (L. D. 1236)

Bill "An Act Amending the Unemployment Compensation Law as to Benefits" (S. P. 574) (L. D. 1237)

Came from the Senate referred to the Committee on Federal Relations.

In the House, referred to the Committee on Federal Relations in concurrence.

From the Senate:

Resolve Authorizing the Commissioner of Inland Fisheries and Game to Give Pheasants and Rabbits to Consolidated Sportsman's Club (S. P. 575) (L. D. 1238)

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 Discriminating Against Persons" (S. P. 576) (L. D. 1239)

Bill "An Act Relating to Actions for Injuries Causing Immediate Death" (S. P. 577) (L. D. 1240)

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 Fire Escapes on Buildings" (S. P. 578) (L. D. 1241)

Bill "An Act Creating a Recreation Director for the City of Lewiston" (S. P. 580) (L. D. 1242)

Bill "An Act Relating to the Approved Listing of Certain Appliances, Compounds, Powders and Liquids" (S. P. 581) (L. D. 1252)

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 Pensions for Officers and Employees of Domestic Insurance Companies" (S. P. 582) (L. D. 1250)

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:

Bill "An Act Designating the Counties of Maine on Motor Vehicle Registration Plates" (S. P. 583) (L. D. 1251)

Came from the Senate referred to the Committee on Motor Vehicles.

In the House, referred to the Committee on Motor Vehicles in concurrence.

From the Senate:

Bill "An Act Relating to Surveys of State Highways" (S. P. 587) (L. D. 1245)

Bill "An Act Providing for the Construction, Maintenance and Improvement of Controlled Access Highways" (S. P. 588) (L. D. 1246)

Bill "An Act Providing for Construction of Roadside Picnic Areas" (S. P. 589) (L. D. 1247)

Resolve Authorizing Highway Commission to Designate Route No. 197 as a State Highway (S. P. 585) (L. D. 1243)

Resolve Authorizing the Highway Commission to Build a Parking Place in Windham (S. P. 586) (L. D. 1244)

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 Judiciary, on Bill "An Act Relating to Reinstatement of Dismissed State Employees" (S. P. 303) (L. D. 497) reporting leave to withdraw.

Came from the Senate read and accepted.

In the House, 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 Reinstatement of Dismissed State Employees" (S. P. 378) (L. D. 644)

Report of the Committee on Mercantile Affairs and Insurance reporting same on Bill "An Act Relating to Policies of Accident and Health Insurance" (S. P. 312) (L. D. 505)

Came from the Senate read and accepted.

In the House, read and accepted in concurrence.

Ought to Pass

Report of the Committee on Legal Affairs reporting "Ought to pass" on Resolve, Authorizing the Trustees of Town of Houlton School District to Convey Certain Land to the State of Maine (S. P. 380) (L. D. 646)

Report of the Committee on University of Maine reporting same on Bill "An Act Authorizing the Trustees of the University of Maine to Convey Certain Land in the City of Old Town and in Town of Chapman" (S. P. 149) (L. D. 205)

Report of same Committee reporting same on Bill "An Act Relating to Resident Auditor for University of Maine" (S. P. 183) (L. D. 240)

Came from the Senate with the Reports read and accepted, and the Bills and Resolve passed to be engrossed.

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

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:

Banks and Banking

Bill "An Act Providing for the Expenses of the Banking Department" (H. P. 1924) (Presented by Mr. Brown of Unity)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act Permitting Continuance of Service of State Employees Reaching Seventy Years of Age" (H. P. 1925) (Presented by Mr. Lackee of Addison)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act Relating to Fire Escapes" (H. P. 1926) (Presented by Mr. White of Auburn)

(Ordered Printed)

Sent up for concurrence.

Military Affairs

Resolve Appropriating Money to Transport War Trophies into the State (H. P. 1927) (Presented by Mr. McClure of Bath)

(Ordered Printed)

Sent up for concurrence.

Pensions

Resolve Providing for State Pension for Marie Aube, of Lewiston (H. P. 1928) (Presented by Mr. Gauvin of Lewiston)

Sent up for concurrence.

Public Utilities

Bill "An Act to Incorporate the Lincoln Water District" (H. P. 1929) (Presented by Mr. House of Lincoln)

(Ordered Printed)

Sent up for concurrence.

Salaries and Fees

Bill "An Act Increasing Salaries of Probation Officer, Assistant Probation Officer and Clerk Hire in Probation Office of Androscoggin County" (H. P. 1930) (Presented by Mr. Williams of Auburn)

(Ordered Printed)

Sent up for concurrence.

Orders

On motion by Mr. Johnston of Jefferson, it was

ORDERED, that Rev. Leslie Farrar of Jefferson, be invited to officiate as Chaplain of the House on Thursday, April 7, 1949.

On motion by Mr. Gauvin of Lewiston, it was

ORDERED, that Rev. Fr. Francois Drouin of Lewiston, be invited to officiate as Chaplain of the House on Tuesday, March 29th, instead of Thursday, March 10th, 1949. This change of date is made because of illness.

On motion by Mr. Marsans of Monmouth, it was

ORDERED, that there be printed 500 extra copies of Bill "An Act to Increase State Aid to Towns for the Support of Salaries of Teachers" (H. P. 1771) (L. D. 1110)

The following additional paper from the Senate was taken up at this time out of order and under suspension of the rules.

From the Senate: The following Order:

ORDERED, the House concurring, that S. P. 65, L. D. 48, An Act Relating to a State Police Barrack in the County of Penobscot, and S. P. 111, L. D. 136, Resolve, Relating to Impounded Bank Accounts of Certain Trust Funds, be recalled to the Senate from the Governor for further consideration. (S. P. 600)

Came from the Senate read and passed.

In the House, read and passed in concurrence.

**House Reports of Committees
Ought to Pass
Printed Bills
Tabled**

Mr. Albee from the Committee on Public Utilities reported "Ought to pass" on Bill "An Act relating to the Houlton Water Company" (H. P. 1070) (L. D. 476)

(Report was read and accepted, and on motion by Mr. Chase of Cape Elizabeth, tabled pending first reading.)

Mr. DeSanctis from the Committee on Public Utilities reported "Ought to pass" on Bill "An Act relating to the Corinna Water District" (H. P. 854) (L. D. 424)

Report was read and accepted, and the Bill having already been printed, was read twice under suspension of the rules and tomorrow assigned.

**Ought to Pass with Committee
Amendment**

Mr. Albee from the Committee on Public Utilities on Bill "An Act Amending the Charter of the Milo Water District" (H. P. 661) (L. D. 218) 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. 661, L. D. 218, Bill "An Act Amending the Charter of the Milo Water District."

Amend said Bill by striking out all of the last sentence of said bill and inserting in place thereof the following:

"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; provided, however, that the total number of votes cast for and against the acceptance of this act at said meeting equaled or exceeded 20% of the total vote for all candidates for governor cast in

said town at the next previous gubernatorial election."

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

Mr. Dufresne from the Committee on Public Utilities on Bill "An Act to Amend the Charter of the Freeport Sewer District" (H. P. 1069) (L. D. 475) 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. 1069, L. D. 475, Bill "An Act to Amend the Charter of the Freeport Sewer District."

Amend said bill by striking out, in the 18th and 25th lines of that part designated "Sec. 4." the underlined word "may" and inserting in place thereof the underlined word 'shall'

Further amend said bill by striking out all of the last sentence of the Emergency Clause thereof and inserting in place thereof the following: "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; provided, however, that the total number of votes cast for and against the acceptance of this act at said meeting equaled or exceeded 20% of the total vote for all candidates for governor cast in said town at the next previous gubernatorial election."

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

Mr. Faas from the Committee on Public Utilities on Bill "An Act relating to Transfer of Certificates of Motor Vehicles for Hire" (H. P. 660) (L. D. 217) 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. 660, L. D. 217, Bill "An Act Relating to Transfer of Certificates of Motor Vehicles for Hire."

Amend said bill by striking out, in the 6th line thereof, the underlined semicolon ";" and inserting in place thereof the underlined word 'or'

Futher amend said bill by striking out, in the 6th line thereof, the underlined word "by"

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

First Reading of Printed Bills

Bill "An Act Assigning Counsel in Cases Punishable by Imprisonment" (H. P. 1922) (L. D. 1263)

Bill "An Act Permitting Public Library Corporations and Maine Municipal Association to Participate in State Employees' Retirement System" (H. P. 1923) (L. D. 1264)

Resolve in favor of Procuring Testimonials for the Purpose of Marking the Unmarked Graves of the Soldiers of the Revolutionary War (H. P. 18) (L. D. 1260)

Resolve in favor of the Maine Historical Society (H. P. 811) (L. D. 1261)

Resolve in favor of the Knox Memorial Association, Inc. for Support and Maintenance of "Montpelier" (H. P. 1338) (L. D. 1262)

Bills were read twice, Resolves read once, and tomorrow assigned.

Passed to be Engrossed

Bill "An Act relating to Compensation for Members of the Racing Commission" (S. P. 409) (L. D. 746)

Bill "An Act relating to Boards of Registration" (S. P. 536) (L. D. 1067)

Bill "An Act Liberalizing the Beneficiary Limitation on Fraternal Insurance" (H. P. 582) (L. D. 180)

Bill "An Act relating to the Care of Cemetery Lots" (H. P. 1155) (L. D. 608)

Bill "An Act relating to Liquor License Fees" (H. P. 1325) (L. D. 639)

Bill "An Act relating to the Licenses of Buildings for Dancing Purposes" (H. P. 1402) (L. D. 762)

Bill "An Act relating to the Powers of Insurance Companies" (H. P. 1405) (L. D. 752)

Bill "An Act relating to Funds of the Examining Board of Chiropractic Examination and Registration" (H. P. 1573) (L. D. 896)

Bill "An Act relating to Payments to Maine Forestry District in Lieu of Taxes for Lands Within Indian Township" (H. P. 1585) (L. D. 907)

Bill "An Act to Incorporate the Town of Machias School District" (H. P. 1900) (L. D. 1225)

Bill "An Act to Incorporate the Town of Orono High School District" (H. P. 1901) (L. D. 1224)

Resolve in favor of the Town of Freeman (S. P. 196) (L. D. 1066)

Resolve to Repeal State Pension for Myrtle Ingalls of Anson (S. P. 229) (L. D. 1065)

Resolve to Repeal State Pension for Joseph Duperry of Fairfield (S. P. 230) (L. D. 1064)

Resolve to Repeal State Pension for Fred Jacques of Van Buren (S. P. 231) (L. D. 1063)

Resolve in favor of the University of Maine for Buildings (H. P. 1027) (L. D. 459)

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 and sent to the Senate.

Amended Bills

Bill "An Act relating to Licenses Issued by Boxing Commission" (H. P. 758) (L. D. 295)

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

Tabled

Bill "An Act to Incorporate the Town of Searsport School District" (H. P. 1171) (L. D. 627)

(Was reported by the Committee on Bills in the Third Reading, and on motion by Mr. Foley of Winterport, tabled pending third reading.)

Orders of The Day

The SPEAKER: Under Orders of the Day, the Chair lays before the House the first tabled and today assigned matter, House Order for a Special Calendar for Bills and Resolves Carrying or Requiring an Appropriation, tabled on March 4th by the gentleman from Unity, Mr. Brown, pending passage; and the Chair recognizes that gentleman.

Mr. BROWN: Mr. Speaker and Members of the House: This order, if passed, will provide for a special calendar for bills and resolves requiring an appropriation and will save a tremendous lot of work in the Clerk's office. The procedure will be that after the bills and resolves have been engrossed they will be tabled by some member of the Appropriations Committee pending enactment. I trust the members will understand that in doing this the members are not committing themselves either for or against any bill or resolve. It is just a matter of procedure. They will come in on this special calendar

until they are removed by some member of the committee, which will be done just as promptly as it is possible to do so.

The SPEAKER: The gentleman from Unity, Mr. Brown, moves that the order receive passage. Is this the pleasure of the House?

The motion prevailed and the order received passage.

On motion by Mr. Muskie of Waterville, the House voted to take from the table the 15th tabled and unassigned matter, House Report "Ought to pass" of the Committee on Taxation on Bill "An Act relating to Maine Forestry District Taxes" (H. P. 1586) (L. D. 908), tabled on March 1st by that gentleman pending acceptance; and on further motion by the same gentleman, the "Ought to pass" report of the committee was accepted, and the bill, having already been printed, was given its two several readings under suspension of the rules and tomorrow assigned for third reading.

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. Brown of Robbinston,
Adjourned until 10:00 o'clock tomorrow morning.