

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 22, 1949

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

Prayer by the Rev. Mr. Lowe of Rockland.

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 Regulating Fisking in Fish Pond in the County of Knox (S. P. 627) (L. D. 1369)

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.

Senate Reports of Committees Leave to Withdraw

Report of the Committee on Taxation on Bill "An Act Relating to An Excise Tax on Flying Machines" (S. P. 368) (L. D. 585) reporting leave to withdraw as it is covered by other Legislation.

Came from the Senate read and accepted.

In the House, read and accepted in concurrence.

Ought to Pass

Report of the Committee on State Lands and Forest Preservation reporting "Ought to pass" on Bill "An Act Relating to Shelters or Tents on Maine Forestry Department Public Camp Sites and Luncheon Grounds" (S. P. 526) (L. D. 1060)

Report of same Committee reporting same on Bill "An Act Relating to Mill Privileges, Dam Sites and Flowage Rights" (S. P. 527) (L. D. 1059)

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

In the House, Reports were read and accepted in concurrence, and

the Bills read twice and tomorrow assigned.

Ought to Pass With Committee Amendment

Report of the Committee on Library on Bill "An Act to Clarify the State Library Law" (S. P. 171) (L. D. 230) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A".

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

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

COMMITTEE AMENDMENT "A"
To S. P. 171, L. D. 230, Bill, "An Act to Clarify the State Library Law."

Amend said bill by striking out the underlined figures "150" in the 10th line of that part of section 3 of said Bill designated "Sec. 21" and inserting in place thereof the underlined figures "50"

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

Non-Concurrent Matter

Resolve Appropriating Money to Improve the Approach to the Fish Way at Aroostook Falls (S. P. 348) (L. D. 574) which was passed to be enacted in the House March 16th and passed to be engrossed March 4th.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

In the House: The House voted to recede from its action of March 16th whereby the Resolve was finally passed and further voted to recede from its action of March 4th whereby the Resolve was passed to be engrossed.

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

SENATE AMENDMENT "A" to S. P. 348, L. D. 574, "Resolve Ap-

appropriating Money to Improve the Approach to the Fish Way at Aroostook Falls."

Amend said Resolve by striking out all after the title and inserting in place thereof the following:

"Resolves, 1947, c. 146, amended.

Resolved: That chapter 146 of the resolves of 1947 be, and hereby is, amended by adding at the end thereof a new paragraph to read as follows:

'All unexpended balances shall not lapse until June 30, 1951, but shall remain a continuing carrying account until June 30, 1951.'"

Senate Amendment "A" was adopted and the Resolve was passed to be engrossed as amended in concurrence.

The SPEAKER: The Chair, at this time, notes the presence in the balcony of the Hall of the House of the Civics Class from Community School No. 1, in charge of Miss Flett.

Community School No. 1 is the first community school in the State of Maine organized under a community school act adopted by a previous Legislature and comprises, so the Chair understands, pupils from St. Francis, Eagle Lake, Fort Kent, New Canada, and Wallagrass. Attention is called to the fact that these students have traveled close to four hundred miles to be here this morning.

On behalf of the House, we bid you welcome. (Applause)

The SPEAKER: The Chair recognizes the gentleman from Blaine, Mr. Bubar.

Mr. BUBAR: Mr. Speaker, this delegation comes from my county, from the great Aroostook Potato Empire, the greatest in the world. They have come four hundred miles, as has been stated, from the northern tip of Maine. We have heard it said very often that up in that country we have eleven months of winter and one month of poor sledding, but that is not true. The sun shines there and the flowers bloom and the perfume is in the air as

much as it is in this great New England.

They have come from that town of Fort Kent, where today stands the old blockhouse, around which the greatest battle of all times was fought. I want you to notice, if you will look at them, that they are still fighters, but they believe in fighting a bloodless battle.

Now, their elegance and beauty we must attribute a good deal to their diet. They live on Aroostook potatoes, brook trout, deer and moose meat, maple honey and Holstein milk; and if you can produce anywhere in the State of Maine a finer-looking class of young people I wish you would tell me, because I want to visit that community. They have come to see you and me because we are the State of Maine, and we want to be on our very best behavior today. Had I known they were coming I would have visited a beauty parlor myself and been touched up a little for this occasion. Thank you. (Applause)

An additional paper from the Senate, not on the calendar, was taken up at this time.

From the Senate: The following Order:

ORDERED, the House concurring, that H. P. 1759, L. D. 1031, An Act Relating to Boards of Registration, be recalled to the Senate from the Governor for further consideration. (S. P. 631).

Came from the Senate read and passed.

In the House, read and passed in concurrence.

House Reports of Committees Referred to Committee on Mercantile Affairs and Insurance

Mr. Campbell from the Committee on Legal Affairs on Bill "An Act Relating to the Inspection of Buildings and the Approval of Certain Articles Containing Natural or Synthetic Components" (H. P. 1654) (L. D. 962) reported that it be referred to the Committee on Mercantile Affairs and Insurance.

Report was read and accepted and the Bill was referred to the Committee on Mercantile Affairs and Insurance and sent up for concurrence.

**Ought to Pass
Printed Bills**

Mr. Burgess from the Committee on Judiciary reported "Ought to pass" on Bill "An Act Relating to Election to Certain Town Offices" (H. P. 1784) (L. D. 1123)

Mr. Muskie from same Committee reported same on Bill "An Act Relating to Discovery of Property of Deceased Persons" (H. P. 1834) L. D. 1159)

Mr. Payson from same Committee reported same on Bill "An Act Validating Certain Recorded Mortgage Discharges" (H. P. 1832) (L. D. 1157)

Mr. Bearce from the Committee on Inland Fisheries and Game reported same on Bill "An Act Relative to Transportation of Fish, Game and Fur-Bearing Animals by Airplane" (H. P. 744) (L. D. 286)

Mr. Campbell from same Committee reported same on Resolve Relating to Fishing in Rocky Pond and Johnson Pond in Knox County (H. P. 1045) (L. D. 462)

Mr. Carville from same Committee reported same on Resolve Regulating Fishing in Royal River, in the County of Cumberland (H. P. 1397) (L. D. 729)

Mr. Hayward from same Committee reported same on Resolve Closing Rocky Pond and Johnson Pond in Knox County to Ice Fishing (H. P. 1046) (L. D. 463)

Mr. Plummer from same Committee reported same on Bill "An Act Relating to the Revocation of License on Conviction of Hunting While Intoxicated" (H. P. 1773) (L. D. 1112)

Same gentleman from same Committee reported same on Bill "An Act Relating to Night Hunting of Skunks and Raccoons" (H. P. 1628) (L. D. 981)

Mr. Chase from the Committee on Taxation reported same on Bill "An Act Relating to Tax Stamp Discounts in Cigarette and Tobacco

Products Law" (H. P. 1541) (L. D. 818)

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

**Ought to Pass
With Committee Amendment**

Mr. Carville from the Committee on Inland Fisheries and Game on Bill "An Act Relating to Non-Resident and Alien Trapping Licenses" (H. P. 1293) (L. D. 676) 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. 1293, L. D. 676, Bill, "An Act Relating to Non-Resident and Alien Trapping Licenses."

Amend said Bill by striking out, in the last line thereof the underlined figure "\$100" and inserting in place thereof the underlined figure '\$200'

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

Mr. Wight from the Committee on Inland Fisheries and Game on Bill "An Act Relative to Bounty on Bears" (H. P. 1261) (L. D. 662) 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. 1261, L. D. 662, Bill, "An Act Relative to Bounty on Bears."

Amend said Bill by striking out, in the 4th and 5th lines thereof the deleted figure "\$15" and the underlined figure "\$25" and inserting in place thereof the figure '\$15'

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

First Reading of Printed Resolve

Resolve in favor of the Town of Kennebunk (H. P. 102) (L. D. 1377)

Was read once, and tomorrow assigned.

Passed to be Engrossed

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

Bill "An Act Relating to Lamoine Naval Coaling Station" (S. P. 499) (L. D. 1000)

Bill "An Act Relating to Powers of Inland Fish and Game Wardens, as Coastal Wardens" (S. P. 501) (L. D. 1002)

Bill "An Act Relating to State Registered Bonds" (H. P. 1498) (L. D. 854)

Bill "An Act Relating to Liens on Vehicles, Aircraft or Component Parts Thereof, and Parachutes" (H. P. 1780) (L. D. 1119)

Bill "An Act to Permit the Town of Kennebunkport to Take Advantage of a Proposed Government Project" (H. P. 1782) (L. D. 1121)

Bill "An Act Relating to Slash, Brush and Debris Disposal" (H. P. 1991) (L. D. 1376)

Resolve Authorizing Completion and Printing of a Digest of the Opinions of the Law Court (H. P. 1497) (L. D. 853)

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.

Amended Bill and Resolves

Bill "An Act Relating to Roadside Protection" (H. P. 1888) (L. D. 1206)

Resolve Regulating Fishing in Hayden Lake, in the County of Somerset (S. P. 376) (L. D. 642)

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

Were reported by the Committee on Bills in the Third Reading, Bill

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.

The SPEAKER: Before proceeding to Orders of the Day, the Chair will state to the House that a suggestion has been made that there are several members who are partially hard of hearing, and therefore it is suggested that wherever possible in debate the members do make use of the microphones. The Chair is relatively certain that this will be of assistance to those of our members who are hard of hearing, and I do not feel it will be any particular handicap to any member in debate, particularly if he will, in using the microphone, try and remember that if he will stand six to eight inches from the microphone ordinarily his voice will be best recorded. Also, it can be noted that if he approaches too close to the microphone he can hear his own voice and will know that he should move an inch or two away.

This is merely a suggestion, but it is one that apparently has been of some concern to some members of the House, and certainly during the course of debate, in so far as possible, we would like to have every member hear all that is spoken. Thank you.

Orders of the Day

On motion by Mr. Jennings of Strong, the House voted to take from the table the twenty-fifth tabled and unassigned matter, House Report "Ought to pass" as amended by Committee Amendment "A" of the Committee on Appropriations and Financial Affairs, on Resolve in favor of State Military Defense Commission (H. P. 812) (L. D. 309) tabled on March 17th by that gentleman pending acceptance of report; and on further motion by the same gentleman the report was accepted, and the Resolve, having already been printed, was given its first reading under suspension of the rules.

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

COMMITTEE AMENDMENT "A" to H. P. 812, L. D. 309, Resolve in Favor of State Military Defense Commission.

Amend said resolve by striking out all after the words "the sum of" in the third line and inserting in place thereof the following: '\$100,000 for the construction of an Armory-Community Center in Fort Fairfield and \$100,000 for the purchase and remodeling of certain property to be used as an Armory-Community Center in Waterville to be matched to the extent of at least a 50-50 basis by the communities provided however that if the Federal Government matches any part of the state funds herein specified, that part of State funds in excess shall be used for Capital Expenditures for Armory construction, but only if such additional construction is matched on a 50% matching basis by Federal monies.'

Thereupon, Committee Amendment "A" was adopted, and tomorrow was assigned for second reading of the Resolve.

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

The Chair recognizes the gentleman from Fort Kent, Mr. Cyr.

On motion by Mr. Cyr, the House voted to take from the table the fourteenth tabled and unassigned matter Bill "An Act Amending the Charter of Maine Public Service Company" (S. P. 175) (L. D. 235) tabled on March 10th by that gentleman pending assignment for third reading; and on motion by the same gentleman the Bill was assigned for third reading tomorrow morning.

On motion by Mr. Robbins of Houlton, the House voted to take from the table the eighteenth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Appropriations and Financial Affairs on Resolve relating to Construction of Airports (H. P. 1444) (L. D. 802) tabled on

March 16th by that gentleman, pending acceptance of report.

Mr. ROBBINS: Mr. Speaker, I now move that this bill be recommitted to the Committee on Appropriations and Financial Affairs, and I am authorized to say that this is agreeable to the committee.

The SPEAKER: The gentleman from Houlton, Mr. Robbins, moves that the bill be recommitted to the Committee on Appropriations and Financial Affairs. Is this the pleasure of the House?

The motion prevailed, and the Bill was recommitted to the Committee on Appropriations and Financial Affairs and sent up for concurrence.

Mr. Chase of Cape Elizabeth was granted unanimous consent to address the House.

Mr. CHASE: Mr. Speaker and Members of the House: The Committee on Taxation has before it a number of bills proposing amendments to sub-section 1 of Section 13 of Chapter 81 of the Revised Statutes. This is a section which relates to the taxation of personal property and involves a question of taxation whether where employed or where located.

Having five bills before the committee, the committee wishes to introduce a new bill on the same section in order that a full hearing can be had. The committee is not sure yet that this new draft represents as great improvement as we should like to make, and therefore we are not prepared as yet to report it out in a new draft, but we would like to put it in as a new bill and have a full hearing on it as it is quite an important bill.

I ask unanimous consent for the introduction of this bill.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Chase, presents a bill and requests unanimous consent for its introduction. The Clerk will read the title.

The CLERK: (reading) Bill, "An Act Relating to Taxation of Personal Property."

The SPEAKER: Is there objection to the reception of the bill? The Chair hears none and the bill

has been received by unanimous consent.

On motion by Mr. Chase, the bill was referred to the Committee on Taxation, ordered printed and sent up for concurrence.

On motion by Mr. Martin of Eagle Lake, the House voted to take from the table the ninth tabled and unassigned matter, Resolve Reducing the Daily Bag Limit on Trout, in the county of Aroostook (H. P. 1042) (L. D. 526) tabled on March 2nd by that gentleman pending second reading; and on further motion by the same gentleman the Resolve was given its second reading, passed to be engrossed and sent up for concurrence.

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

The Chair recognizes the gentleman from Wayne, Mr. Brown.

Mr. BROWN: Mr. Speaker and Members of the House: I move that we reconsider our action whereby we passed to be engrossed H. P. 1887, L. D. 1205, on March 11th. The reason I ask for that is that it con-

cerns taxes in deorganized towns, and, where those taxes have to be set before April 1st, I wish to offer an amendment.

The SPEAKER: The Chair would inquire of the gentleman from Wayne, Mr. Brown, if the matter in question was before the House today?

Mr. BROWN: No, Mr. Speaker, it was passed to be engrossed on March 11th.

The SPEAKER: Would the gentleman be kind enough to approach the rostrum?

The Chair understands that the gentleman from Wayne, Mr. Brown, requests leave to withdraw his previous motion for reconsideration on the ground that the paper is not now in the possession of the House.

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

On motion by Mr. Berry of South Portland,

Adjourned until 10:00 o'clock tomorrow morning.