

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

Monday, March 28, 1949

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

Prayer by the Rev. Mr. Wentworth of Augusta.

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**Senate Reports of Committees**

Bill "An Act Amending the Atlantic States Marine Fisheries Compact" (S. P. 634) (L. D. 1391)

Came from the Senate, received by unanimous consent and referred to the Committee on Sea and Shore Fisheries.

In the House, received by unanimous consent and referred to the Committee on Sea and Shore Fisheries in concurrence.

Leave to Withdraw

Report of the Committee on Appropriations and Financial Affairs on Resolve in Favor of the Town of Brownfield (S. P. 496) 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 Not to Pass

Report of the Committee on Education reporting "Ought not to pass" on Bill "An Act to Provide Driver Education in Secondary Schools" (S. P. 543) (L. D. 1290)

Report of the Committee on Judiciary reporting same on Bill "An Act Relating to Arrest by Virtue of Warrant Not in Officer's Possession" (S. P. 522) (L. D. 1052)

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 Inland Fisheries and Game on Bill

"An Act Relative to Extending Hunting Season on Deer" (S. P. 300) (L. D. 494) reporting same in a new draft (S. P. 630) (L. D. 1385) 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, the Bill read twice and tomorrow assigned.

Ought to Pass

Report of the Committee on Salaries and Fees reporting "Ought to pass" on Bill "An Act Relating to Clerk Hire in the Office of Register of Deeds, Southern District, Aroostook County" (S. P. 363) (L. D. 580)

Report of same Committee reporting same on Bill "An Act Relating to the Salary of the County Attorney of York County" (S. P. 266) (L. D. 396)

Report of the Committee on State School for Boys, State School for Girls, and State Reformatories reporting same on Resolve Permitting Socony-Vacuum Oil Company, Incorporated, to Lay a Pipeline Across Property of the State School for Girls in Hallowell and Property of the Augusta State Hospital in Augusta (S. P. 216) (L. D. 278)

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.

Ought to Pass with Committee Amendment

Report of the Committee on Claims on Resolve in Favor of the Town of East Millinocket (S. P. 258) (L. D. 1386) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

In the House, Report was read and accepted in concurrence and the Resolve was read once.

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

COMMITTEE AMENDMENT "A" to S. P. 258, L. D. 1386, Resolve in Favor of the Town of East Millinocket.

Amend said Resolve by striking out after the word "the" in the 6th line, the following words, "funds of the department of institutional service" and inserting in place thereof, the following: 'general fund of the state':

Committee Amendment "A" was adopted in concurrence and the Resolve was tomorrow assigned for second reading.

Report of the Committee on Legal Affairs on Bill "An Act to Amend the Westport Wiscasset Bridge District" (S. P. 460) (L. D. 912) 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.

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

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

COMMITTEE AMENDMENT "A" to S. P. 460, L. D. 912, Bill "An Act to Amend the Westport-Wiscasset Bridge District."

Amend said Bill by striking out all of the underlined 1st sentence of that part designated "Sec. 6-B" and inserting in place thereof the following underlined sentence:

'The county of Lincoln is hereby authorized to guarantee unconditionally the payment of interest upon any bonds issued by the district pursuant to section 4 or section 12 hereof and to pledge its full faith and credit for the payment of the interest on any of such bonds so issued by the district; provided, however, that such guarantee shall not be extended for a period longer than 50 years from the date of issue of the bonds first issued by the district and guaran-

teed by the county of Lincoln; provided, further, that the county commissioners for the said county of Lincoln are hereby authorized to assess a tax to the towns of Westport and Wiscasset in said county of Lincoln for 33 1/3% of any sums the county of Lincoln is obligated to pay pursuant to its guarantee under this section; and all moneys which shall be raised for the purposes named in this act for which the county may lawfully raise money shall be assessed in the amount of 33 1/3% upon the taxable polls and estates embraced within the towns of Westport and Wiscasset by the assessors of Westport and Wiscasset in the same manner as is provided by law for the assessment of town and county taxes.'

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

Tabled

Report of the Committee on Salaries and Fees on Bill "An Act Relating to the Salaries of Various County Officers of Franklin County" (S. P. 321) (L. D. 514) 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.

(In the House, on motion by Mr. Campbell of Garland, the Report with accompanying papers was tabled pending acceptance of the Committee Report.)

Tabled

Report of the Committee on Salaries and Fees on Bill "An Act Relating to the Salary of the Judge of the Franklin Municipal Court" (S. P. 319) (L. D. 512) 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.

(In the House, on motion by Mr. Campbell of Garland, the Report with accompanying papers was tabled pending acceptance of the Committee Report.)

Tabled

Report of the Committee on Salaries and Fees on Bill "An Act Relating to the Salaries of the Judge of Probate and Register of Probate, Franklin County" (S. P. 320) (L. D. 513) 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.

(In the House, on motion by Mr. Campbell of Garland, the Report with accompanying papers was tabled pending acceptance of the Committee Report.)

Report of the Committee on Salaries and Fees on Bill "An Act Relating to the Salaries of the Clerk of Courts and Deputy Clerk of Courts of Penobscot County" (S. P. 438) (L. D. 793) 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.

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

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

COMMITTEE AMENDMENT "A" to S. P. 438, L. D. 793, Bill "An Act Relating to the Salaries of the Clerk of Courts and Deputy Clerk of Courts of Penobscot County".

Amend said Bill by striking out the underlined figures "\$3,300" in the 8th line thereof and inserting in place thereof the underlined figures '\$3,200'

Further amend said Bill by striking out the underlined figures "\$2,500" in the 9th line thereof and inserting in place thereof the underlined figures '\$2,400,'

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

The Committee on Salaries and Fees on Bill "An Act Relating to the Presque Isle Municipal Court" (S. P. 465) (L. D. 918) 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.

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

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

COMMITTEE AMENDMENT "A" to S. P. 465, L. D. 918, Bill "An Act Relating to the Presque Isle Municipal Court."

Amend said Bill by inserting after the enacting clause thereof and before the headnote, the following: 'Sec. 1.'

Further amend said Bill by striking out in the 6th line thereof the underlined figure "\$1,500" and inserting in place thereof the underlined figure '\$1,250'.

Further amend said Bill by adding at the end thereof a new section, as follows:

"Sec. 2. P. & S. L., 1917, c. 145, amended. The 4th sentence of the 3rd paragraph of that part designated "Sec. 1." of chapter 58 of the private and special laws of 1945, which amended chapter 145 of the private and special laws of 1917, is hereby amended to read as follows: 'His duties shall include such duties as are performed by clerks of the superior court, so far as applicable and he shall draft all criminal warrants.'"

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

From the Senate: The following communication:

STATE OF MAINE
SENATE CHAMBER
OFFICE OF THE SECRETARY
AUGUSTA

March 25, 1949

Honorable Harvey R. Pease, Clerk
House of Representatives

Sir:

"Resolve, in Favor of Frank D. Miller, of Orland," (H. P. 454) (L. D. 1349) which was finally passed in the Senate on Friday, March 25th, was not presented to the Governor, it being held at the request of a Senator, for further consideration by the Senate.

Respectfully,

(Signed) Chester T. Winslow
Secretary

In the House, was read and ordered placed on file.

Orders

On motion by Mr. Gerrish of Old Orchard Beach, it was

Ordered, that Rev. Robert J. Seekins, Jr., Vicar St. Johns-by-the-Sea Episcopal Church of Old Orchard Beach, be invited to officiate as Chaplain of the House on Monday, April 11th, 1949.

**House Reports of Committees
Ought to Pass in New Draft**

Mr. Campbell from the Committee on Inland Fisheries and Game on Resolve Opening Streams to Fishing in Cumberland and York Counties (H. P. 1827) (L. D. 1153) reported same in a new draft (H. P. 2017) (L. D. 1404) under title of "Resolve Changing the Opening Date for Fishing in Streams in Cumberland and York Counties" and that it "Ought to pass"

Mr. Hill from same Committee on Bill "An Act Relative to Open Season on Beaver" (H. P. 1478) (L. D. 837) reported same in a new draft (H. P. 2018) (L. D. 1403) under same title and that it "Ought to pass"

Reports were read and accepted and the Bill and Resolve, having already been printed, the Bill was read twice under suspension of the

rules, the Resolve read once, and tomorrow assigned.

**Ought to Pass
Printed Bills**

Mr. Muskie from the Committee on Federal Relations reported "Ought to pass" on Bill "An Act to Effect a Change in the Experience Rating Record Provisions of the Unemployment Compensation Law" (H. P. 1626) (L. D. 937)

Mr. Bearce from the Committee on Island Fisheries and Game reported same on Resolve Opening Leighton Brook, Hancock County, to All Fishing (H. P. 1487) (L. D. 844)

Mr. Carville from same Committee reported same on Resolve Regulating Fishing in Moosehead Lake in the County of Piscataquis (H. P. 1480) (L. D. 880)

Same gentleman from same Committee reported same on Resolve Regulating Fishing in Porter Lake (H. P. 747) (L. D. 289)

Mr. Hayward from same Committee reported same on Bill "An Act Relating to Closed Season on Deer in town of Islesboro" (H. P. 1471) (L. D. 834)

Mr. Hill from same Committee reported same on Resolve Opening Upper and Lower Macwahoc Lakes, Arrostook County, to Ice Fishing (H. P. 1392) (L. D. 725)

Mr. Plummer from same Committee reported same on Resolve Opening Deer Pond, in the town of Hollis, York County, to Fishing (H. P. 1826) (L. D. 1152)

Same gentleman from same Committee reported same on Resolve Regulating Fishing in Whetstone Pond, in the County of Piscataquis (H. P. 465) (L. D. 1402)

Miss Longstaff from the Committee on Public Health reported same on Bill "An Act relating to Public Health Nursing Service" (H. P. 853) (L. D. 323)

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

**Ought to Pass
with Committee Amendment**

Mr. Campbell from the Committee on Inland Fisheries and Game on Resolve Closing the Tributaries to Great Moose Pond to Fishing (H. P. 1483) (L. D. 840) 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. 1483, L. D. 840, Resolve Closing the Tributaries to Great Moose Pond to Fishing.

Amend said Resolve by striking out in the 3rd line thereof the words "all brooks" and inserting in place thereof the following:

'Brown brook, Goodwin brook, Lemon stream, Tuttle stream and Higgins stream as far as Bartlett's Dam'.

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

Tabled

Mr. Campbell from the Committee on Inland Fisheries and Game on Resolve Regulating Fishing in Long and Square Lakes, in the County of Aroostook (H. P. 571) (L. D. 1401) 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.

(On motion by Mr. Bearce of Caribou, tabled pending assignment for second reading.)

Mr. Wight from the Committee on Inland Fisheries and Game on Resolve Opening Lone Pond, in the town of Waterboro, York County, to Fishing (H. P. 1825) (L. D. 1151) 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. 1825, L. D. 1151, Resolve Opening Lone Pond, in the Town of Waterboro, York County, to Fishing.

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

'Resolve Changing the Opening Date for Fishing in Lone Pond, in the Town of Waterboro, York County.'

Further amend said Resolve by striking out all of said Resolve and inserting in place thereof the following:

'Lone pond; opening date for fishing changed.'

Resolved: That the commissioner of inland fisheries and game be, and hereby is, authorized and directed to issue a rule and regulation establishing May 1st as the opening date for fishing in Lone pond, in the town of Waterboro, York county.'

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

Passed to be Engrossed

Bill "An Act Relating to the Salaries of the Judge of Probate and the Register of Probate in Piscataquis County" (H. P. 943) (L. D. 384)

Bill "An Act Relating to the Salary of the Recorder of the Augusta Municipal Court" (H. P. 1195) (L. D. 620)

Bill "An Act Relating to the Salary of the County Treasurer of Hancock County" (H. P. 1530) (L. D. 861)

Bill "An Act Relating to the Bangor Theological Seminary" (H. P. 1637) (L. D. 990)

Bill "An Act Relating to Application for Liquor Licenses" (H. P. 1744) (L. D. 1036)

Bill "An Act Relating to the Publication of Notice of Application

for Liquor Licenses" (H. P. 1747) (L. D. 1039)

Bill "An Act Relating to the Revocation of Liquor Licenses" (H. P. 1750) (L. D. 1042)

Bill "An Act Authorizing Cities and Towns to Appropriate Money for Volunteer Fire Departments" (H. P. 1842) (L. D. 1201)

Bill "An Act Relating to Teaching of Importance of Voting in Public Schools" (H. P. 1870) (L. D. 1210)

Bill "An Act Relative to Careless Shooting of Human Being" (H. P. 2014) (L. D. 1396)

Resolve to Create an Educational Surplus Property Pool (H. P. 1953) (L. D. 1326)

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 Bills

Bill "An Act to Increase the Salary of the County Treasurer of Penobscot County" (H. P. 310) (L. D. 90)

Bill "An Act Relating to Salary of Clerk of Courts in Kennebec County" (H. P. 314) (L. D. 94)

Bill "An Act Relating to Salaries and Clerk Hire for Certain Public Offices in Piscataquis County" (H. P. 497) (L. D. 166)

Bill "An Act Relating to Salaries of Judge and Recorder of the Town of Lincoln Municipal Court" (H. P. 498) (L. D. 167)

Bill "An Act Relating to Old Age Assistance" (H. P. 865) (L. D. 332)

Bill "An Act Relating to Salary of Register of Deeds and Clerks in the Office of Register of Deeds, Northern Registry, Aroostook County" (H. P. 942) (L. D. 383)

Bill "An Act to Establish the Brewer Municipal Court" (H. P. 1636) (L. D. 989)

Bill "An Act Relating to Annuities for Dependents of Members of Police and Fire Departments of the City of Portland" (H. P. 1698) (L. D. 1021)

Bill "An Act Regulating Sale of Malt and Malt Syrup" (H. P. 1749) (L. D. 1041)

Bill "An Act Appropriating Moneys for Anticipated Overdrafts in the State Park Commission Due to Insufficient Appropriations" (H. P. 1931) (L. D. 1307)

Bill "An Act Appropriating Moneys for Anticipated Overdrafts in the Department of the Adjutant General Due to Insufficient Appropriations" (H. P. 1947) (L. D. 1320)

Were 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.

Orders of the Day

The SPEAKER: 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 10:00 o'clock tomorrow morning.