

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Fourth Legislature

OF THE

STATE OF MAINE

1929

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Thursday, January 17, 1929

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

Prayer by the Rev. Mr. Moyle of Hallowell.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Ordered, the House concurring, that when the Senate and House adjourn, they adjourn to meet Tuesday, January 22nd, at 4.30 o'clock in the afternoon.

In the Senate, read and passed.

In the House, read and passed in concurrence.

The following bills, resolves and petitions were received and, upon recommendation of the committee on reference of bills were referred to the following committees:

Appropriations and Financial Affairs

By Mr. Burns of Eagle Lake: Resolve in favor of Northern Maine General Hospital at Eagle Lake, in the county of Aroostook (H. P. 47)

By Mr. Comins of Eddington: Resolve in favor of the Maine Mission for the Deaf at Bangor (H.P. 48)

Banks and Banking

By Miss Laughlin of Portland: An act to incorporate the Home Finance Company (H. P. No. 49)

Miss LAUGHLIN: Mr. Speaker, I move that this bill be referred to the committee on Judiciary. My reason for it is as follows: The name might be misleading. It might be called by any other name, as the Home Security Company, or anything else. There have been certain companies operating under the general law, and exercising certain powers, making small loans, and some question has recently been raised as to whether they have the right to exercise such powers without a special charter giving them such powers. Many lawyers think they have such right without any special charter, and this bill is put in to settle that question; so

that, after all, the only question involved is the legal question as to whether under the general law they have these powers without a special charter, or whether they should have a special charter to fix these powers. That being the only real question involved, it seems to me that the bill should go to one of the legal committees, and I selected the Judiciary for the reason that this same question arises in a similar bill introduced by a company located in Fairfield, which bill was referred to the committee on Judiciary; so that it would be the logical thing to have these two bills before the same committee, and it would save time to have them go before the committee on Judiciary, rather than to have one go before one committee and the other before another.

Mr. CHASE of Cape Elizabeth: Mr. Speaker, possibly some explanation is due the House in regard to the suggestion of the committee on reference of bills that this bill be referred to the committee on Banks and Banking.

This bill, from a casual examination in the committee on reference of bills, appears to relate to a loan agency. Loan agencies, in their practices and in their licenses, are under the banking department. Anyone, either a corporation or an individual, doing the business of a loan agency is under the regulation of the Banking Commissioner. I suppose the reason that the committee suggested the reference was that if the company should be incorporated, it would come under the banking department, and that reference would be more appropriate to a banking committee which functioned with that department. The department is interested in all of those bills and in the practice of these small loan agencies. All the data with reference to existing practices is in the banking department. As I understand it, if this company is incorporated, it will be under the banking department. You must understand that to me and to the committee on reference, it is a matter of the greatest indifference where this particular bill goes. It does not appear to be a very important measure, and I can quite understand that a reference to a

legal committee should be suggested.

That explains, I think, the suggestion of the committee; and now, ceasing to speak in any way for the committee on reference of bills, but trying to speak germanely to this matter and to kindred matters, I would like to present this question of the reference of bills from my personal viewpoint. Some of the old members may remember that in the last session I was an advocate for reference of bills to the committee which had that matter in charge, even though legal points might be involved. It seems to me that the business of the Legislature is unnecessarily delayed by referring many bills, most of them of minor consequence, to the committee on Judiciary and the committee on Legal Affairs.

Those committees in the busy part of the session hold hearings almost every day in the week. Other committees, composed of business men whom I regard as fully capable of dealing with these matters, sit around the corridors "cooling their heels." If those committees can have something to do, if they can have referred to them every matter within their province, with which they are capable to deal, it will take so much more work off the legal committees, and they will thereby have more time to consider matters coming to them. The work, if divided, gives everybody something to do, and keeps every legislator interested, and for that reason I have been and still am an advocate of the reference of bills to the committee, having the matter in charge whether it be Banks and Banking, Public Utilities, Interior Waters, Taxation, or any of these committees. I believe it is for the interest of the State, and that the business of the Legislature will be expedited, if bills are referred to the committees having the particular matters to which they refer in charge, even though they may involve some minor legal point.

I raise this question at this time for your consideration. It is something which is bound to enter into the practice of the Legislature, how shall these bills be referred. Speaking personally and as I may not for the committee on reference of bills,

of which I happen to be a member, I have advocated the principle of giving the business committees something to do, and I am a believer in their capacity to deal with practically all of the measures presented which are within their province.

Mr. ROUNDS of Portland: Mr. Speaker, these small loan agencies—and this I believe is the same thing—were started in 1917; and as I understand this one—I have not read the bill, but I have heard it rumored—is a bill so that one can buy an automobile by making a small payment down and they will take the risk of getting their money. Therefore, as I have not read the bill, I would like to have it tabled and printed, and I make that motion.

The SPEAKER: The gentleman from Portland, Mr. Rounds, moves that the bill lie on the table, and the gentleman's motion takes precedence over the motion previously made. Is it the pleasure of the House that this bill lie upon the table, pending Miss Laughlin's motion to refer it to the committee on Judiciary?

The motion to table prevailed and on motion by the same gentleman, 500 copies ordered printed.

Claims

By Mr. Hurd of Berwick: Resolve in favor of C. J. Thomas, compensating him for the loss of a cow (H. P. 50)

(500 copies ordered)

By Mr. Hathaway of Milo: Resolve in favor of Raymond E. Hurd, compensating him for injuries (H. P. 51)

(500 copies ordered)

Inland Fisheries and Game

By Mr. Wing of Kingfield: An act to repeal Chapter 91 of the Public Laws of 1927, relating to Mount Bigelow Game Preserve (H. P. 52)

(500 copies ordered printed)

By the same gentleman: Petition of A. M. Jones and others in favor of same (H. P. 53)

By Mr. Melcher of Rumford: An act prohibiting fishing in Swift River Tributaries and Swift River Pond, Franklin County (H. P. 54)

(500 copies ordered printed)

By the same gentleman: Petition of James A. McMennamin and others in favor of same (H. P. 55)

By the same gentleman: Petition of Arthur H. Jordan and others of Rumford in favor of same (H. P. 56)

Judiciary

By Mr. Foster of Ellsworth: An

act relative to term of Hancock Supreme Judicial Court (H. P. 57)

(500 copies ordered printed)

By Mr. Williamson of Augusta: An act relating to the annual payments to the Kennebec Law Library (H. P. 58)

(500 copies ordered printed)

By Mr. Aldrich of Topsham: An act providing for retirement of Court Stenographers and their compensation (H. P. 59)

(500 copies ordered printed)

Legal Affairs

By Mr. Burkett of Portland: An act to amend the charter of the Bar Harbor Village Improvement Association (H. P. 60)

(500 copies ordered printed)

Salaries and Fees

By Mr. Comins of Eddington: An act relative to the County Commissioners of Penobscot County (H. P. 61)

By Mr. Aldrich of Topsham: An act relating to salaries of County Treasurers (H. P. 62)

Taxation

By Mr. St. Clair of Rockland: An act relating to a tax upon gasoline (H. P. 63)

Ways and Bridges

By Mr. Wing of Kingfield: An act relating to aid in the construction of highway bridges (H. P. 64)

(500 copies ordered printed)

By Mr. Burns of Eagle Lake: An act relating to registration fees payable for automobiles (H. P. 65)

(500 copies ordered printed)

By Mr. Burkett of Union: Resolve in favor of the town of Union (H. P. 66)

By Mr. Libby of Albion: Resolve in favor of the town of Albion (H. P. 67)

By the same gentleman: Resolve in favor of the town of Clinton (H. P. 68)

By Mr. Vose of Cushing: Resolve in favor of the town of Cushing (H. P. 69)

By Mr. Libby of Albion: Resolve in favor of the town of Benton (H. P. 70)

By Mr. Hill of Fairfield: Resolve in favor of the town of Fairfield for the construction, maintenance and repair of The Ridge Road, so-called, in said Fairfield (H. P. 71)

By Mr. Friend of Skowhegan: Resolve in favor of the town of Skowhegan (H. P. 72)

By Mr. Burkett of Union: Resolve

in favor of the town of Warren (H. P. 73)

Orders

On motion by Mr. Foster of Ellsworth, it was

Ordered, the Senate concurring, that the time limit for the reception of petitions and bills for private and special legislation be fixed at Tuesday, February 5th, at 4 o'clock in the afternoon, and that all such petitions and bills presented after that date be referred to the next Legislature, and that the Clerk of the House cause copies of this order to be published in all the daily and weekly papers of the State until and including February 5th, 1929.

Orders of the Day

Mr. KITCHEN of Presque Isle: Mr. Speaker, I move to take from the table the joint order tabled by me yesterday, pending passage in concurrence, that the Joint Standing Committee for this session on State Lands and Forest Preservation be authorized to attend the New England Sportsmen's Show now being held in Mechanics Building in Boston, Mass. In connection with this matter, I move the indefinite postponement of the order because of the fact it has been agreed by those interested that another order is to follow satisfactory to all concerned.

Thereupon the House voted that the order be taken from the table, and further voted that it be indefinitely postponed.

Mr. ROUNDS of Portland: Mr. Speaker, I would like to take from the table an act providing for the retirement of members of the Police and Fire Departments of the City of Portland by defining the phrase "half pay", tabled by me on January 9, pending reference to a committee.

The motion prevailed.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Rounds.

Mr. ROUNDS: I would like to inquire to what committee the committee on reference of bills suggested the reference of this matter.

The SPEAKER: The committee on reference of bills suggested reference to the committee on Legal Affairs and the printing of 500 copies.

On motion by Mr. Rounds, the

bill was referred to the committee on Legal Affairs.

The SPEAKER: Does the gentleman from Portland (Mr. Rounds) wish the bill printed or not?

Mr. ROUNDS: I do not think it is necessary, Mr. Speaker, it being a local matter.

The following matters were received from the Senate, out of order:

From the Senate: Ordered, the House concurring, that the Senate and House chairmen of the committee on Inland Fisheries and Game and the Senate and House Chairmen of the committee on State Lands and Forest Preservation, with one House member of each of these committees, said House members to be appointed by the Speaker of the House, be authorized to attend the meeting of the New England Sportsmen's Association at Mechanics Building, Boston, Mass., at an expense not to exceed two hundred dollars.

In the Senate, read and passed.

In the House, read and passed in concurrence.

From the Senate: Report of the committee on Insane Hospitals on resolve in favor of the Bangor State Hospital, Senate Paper 3, Senate Document 3, reporting that the same ought to pass.

In the Senate, report read and accepted, and the resolve read twice under suspension of the rules and passed to be engrossed.

In the House, the report of the committee was accepted in concurrence, the resolve had its first reading.

Mr. VARNUM of Westbrook: Mr. Speaker, I move that the rules be suspended and that this resolve be given its second reading at this time.

Mr. ROUNDS of Portland: Mr. Speaker, are these patients going to be sent from the Augusta State Hospital to the Bangor State Hospital? It is overcrowded, I under-

stand, over here. If so, why couldn't we transfer a part of the appropriation from the Augusta State Hospital to the Bangor State Hospital to take care of this matter for the rest of fiscal year? I would like to ask some member of the Insane Hospital committee if this cannot be done.

The SPEAKER: Is there anyone who cares to answer the question of the gentleman from Portland (Mr. Rounds)?

Mr. JONES of Corinna: Mr. Speaker, the appropriation cannot be transferred from one hospital to another. If there is any unexpended surplus, it reverts to the State Treasury. Therefore, it is necessary that this resolve pass for that reason.

The SPEAKER: The question before the House is on the motion of the gentleman from Westbrook, Mr. Varnum, that the rules be suspended and the resolve be given its second reading at this time.

The motion prevailed, the resolve had its second reading, under suspension of the rules and was passed to be engrossed in concurrence.

The SPEAKER: The House is proceeding under Orders of the Day. Are there any further Orders of the Day? (No response)

The Chair will again urge upon the members who are leaving for the week end to do their utmost to impress upon their constituents the importance of introducing legislation at as early a moment as possible, to facilitate the work of this Legislature and its seasonable adjournment.

There being no further Orders of the Day, and no further business to come before the House, the Clerk will read the notices.

On motion by Mr. Gillespie of Meddybemps

Adjourned until Tuesday afternoon, January 22, at 4:30 P. M.