

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Fourth Legislature

SPECIAL SESSION

OF THE

STATE OF MAINE

1930

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Tuesday, August 5, 1930

This being the day designated in the proclamation of the Governor for the meeting of the Eighty-Fourth Legislature in extra session, the members of the House of Representatives assembled in their hall at three o'clock P. M., (Standard Time) and were called to order by the Speaker.

Prayer was offered by the Rev. Mr. Lowe of Augusta.

The following proclamation was then read by the Clerk:

STATE OF MAINE**PROCLAMATION BY THE GOVERNOR****SPECIAL LEGISLATIVE SESSION**

Provision was made, under Chapter 179 of the Resolves of 1927 and under Chapter 133 of the Resolves of 1929, for Revision of the General and Public Laws of the State.

Due notice has been given that this work will shortly be ready for submission to the legislature, and

WHEREAS, it is advisable for the Legislature to pass on any general revision of the statutes at least 90 days prior to its regular session:

I, THEREFORE, by virtue of the power vested in the Executive, convene the Legislature of this State, hereby requiring the Senators and Representatives to assemble in their respective chambers at the Capitol, in Augusta, on Tuesday, the fifth day of August 1930, at three o'clock in the afternoon, in order to receive such communication as may then be made to them, and to consult and determine on such measures as in their judgment will best promote the welfare of the State.

Given at the office of the Governor and sealed with the Great Seal of the State of Maine, this 25th day of June, in the year of our Lord one thousand nine hundred and thirty, and of the Independence of the United States of America the one hundred and fifty-fourth.

WM. TUDOR GARDINER,
Governor of Maine

By the Governor:

EDGAR C. SMITH
Secretary of State.

A true copy:

Attest : EDGAR C. SMITH
Secretary of State.

On motion by Mr. Kitchen of Presque Isle the Clerk of the House was instructed to call the roll of the House in order to determine whether a quorum of the House was present.

The Clerk thereupon called the roll of the House.

One hundred and thirty-four members answering to their names, a quorum was declared to be present.

A message was transmitted from the Senate, through its Secretary, informing the House that a quorum was present in their Chamber and that body was ready for the consideration of such business as may come before it.

On motion by Mr. Webster of Buxton it was voted that the Clerk of the House be directed to convey a message to the Senate, informing that body that a quorum of the House is present and that the House is ready to proceed with the transaction of such business as may come before it.

Subsequently the Clerk of the House reported that he had performed the duty assigned him.

Mr. Kitchen of Presque Isle was granted permission to introduce the following order, out of order:

Ordered, the Senate concurring, that all bills and resolves introduced at this session except

First: Private and special bills and resolves of an emergency character;

Second: Bills designed to correct errors of inadvertence in the Public Laws of 1929; and

Third: Bills and resolves designed to effectuate, aid or facilitate the general revision of the Statutes be referred to the Eighty-Fifth Legislature.

The order received passage.

THE SPEAKER: The Chair is advised by His Excellency, the Governor, that he considers that the occasion necessitates no special communication on his part beyond that already made, and he is not willing to consume the time of this session with anything not indispensable.

The Chair has, however, been asked to announce that the Governor and Mrs. Gardiner request the attendance of the members and their wives at supper at the Blaine

Mansion this evening at 5.30 Standard time.

MR. FOSTER of Ellsworth: Mr. Speaker, I have a bill here of vital importance to the citizens of Hancock county. As many of you know, we were unfortunate in losing our court house by fire early last spring. The Statute provides that, in order to make provision for rebuilding, a bond issue must be ratified or acted on by the town at its annual town meeting. As this fire occurred a few weeks after the town meeting, all that is open to us now is to have an act passed by the Legislature and we have had this bill printed, the draft of which is on your desks, to have this authority given to the county commissioners for a bond issue of approximately \$150,000 for the rebuilding of this court house. I know that you will all agree that this is a real emergency, and I am going to ask that the rules be suspended and the bill be given its three readings and passed to be engrossed without reference to any committee. If this is done and this courtesy extended to us, I am sure the citizens of Hancock county will very much appreciate it.

Thereupon, on motion by Mr. Foster, bill an act to authorize the county of Hancock, through its County Commissioners, to erect and construct a court house at Ellsworth, Maine, to take the place of the court house of said Hancock County that was destroyed by fire, had its three several readings, under suspension of the rules, without reference to any committee, and was passed to be engrossed.

Mr. MELCHER of Rumford: Mr. Speaker, I have a bill here, an emergency measure, that I would like to introduce at this time to validate the incorporation of the Town of Rumford School District. This was passed at the last Legislature but there is a clerical error that needs correction and the town wishes the Legislature to validate it at this time.

Thereupon, the rules were suspended, and the bill had its three several readings, under suspension of the rules, without reference to any committee, and was passed to be engrossed.

Mr. MERRILL of Dover-Foxcroft:

Mr. Speaker, I wish, under suspension of the rules, to introduce a bill and that it may have its three several readings at this time, without reference to a committee.

THE SPEAKER: Will the gentleman state the nature of the bill?

Mr. MERRILL: It comes under the second clause of the permissive legislation under the order and is to correct a mistake made in an amendment drawn at the last session relative to clerk hire in the Piscataquis county offices.

THE SPEAKER: The gentleman from Dover-Foxcroft (Mr. Merrill) presents a bill relative to clerk hire in the county offices in the county of Piscataquis and moves that the same receive its several readings at the present time, without reference to any committee, under suspension of the rules.

Mr. MERRILL: Mr. Speaker, may I give a word of explanation to make it clear?

THE SPEAKER: The gentleman has the floor.

Mr. MERRILL: It seems that an amendment passed at the last session to increase the clerk hire in the Registry of Deeds office contained a mistake in its drawing. No notice was taken of an amendment in the 1927 Legislature which increased the salaries of the clerks in the Probate office and the Clerk of Courts office. The effect of the amendment as passed at the last session was to grant the increase in that one office but decrease the pay in the other two back to the level of 1916,—evidently not the intention of the Legislature; and this bill is introduced simply to rectify that error.

Thereupon the bill had its three several readings, under suspension of the rules, without reference to any committee and was passed to be engrossed.

Mr. PERHAM of Paris: Mr. Speaker, I have here a bill amending the charter of the Paris Village Corporation which comes under the emergency clause. I would like to state at this time that the amendment was drawn by Mr. Farris of the Judiciary committee and is merely to correct an error that was made in the bill which was passed at the last session, inasmuch as it gave a certain group of people the right to vote in accepting the

charter, but, through an error, prevented their voting at a later meeting. I would move that the rules be suspended, and the bill have its several readings and be passed to be engrossed at this time.

Thereupon, the bill had its three several readings, under suspension of the rules, without reference to any committee, and was passed to be engrossed.

Mr. ANGELL of Saco: Mr. Speaker, I have a bill relative to fur-bearing animals, and ask that under suspension of the rules it have its several readings without reference to any committee, and be passed to be engrossed. It is to correct an error made at the last session of the Legislature which has worked, and is continuing to work, considerable hardship on a great many residents of the State.

Thereupon, the bill had its three readings, under suspension of the rules, without reference to any committee and was passed to be engrossed.

Mr. FOSTER of Ellsworth: Mr. Speaker, I would like to inquire if these several bills will go to the Senate as passed by us, or how will they be taken care of?

The SPEAKER: The bills will go to the Senate for their several readings in the Senate, and for passage to be engrossed in the Senate, and then will be returned to the House for enactment tomorrow morning, and will be enacted in the Senate immediately after their enactment in the House.

The Chair will say in this connection that no bills not introduced this afternoon can be printed, and in order for enactment tomorrow morning. Consequently, if adjournment is to take place tomorrow any bill that is introduced at all must be introduced this afternoon.

Mr. CAMPBELL of Leeds: Mr. Speaker, I wish to introduce a resolve providing for the erection of a statue in Gettysburg in memory of Major-General Oliver Otis Howard. The purpose of this resolve is to correct an error made at the last session of the Legislature and I therefore move that the resolve have its several readings under suspension of the rules.

Thereupon, the resolve had its two several readings under suspension of the rules, without reference to

any committee, and was passed to be engrossed.

Mr. Blaisdell of Franklin, under suspension of the rules, introduced a resolve on the payroll of the House of Representatives, which resolve had its two several readings and was passed to be engrossed.

Orders

Mr. Kitchen of Presque Isle introduced the following order and moved its passage.

Ordered, the Senate concurring, that when the Senate and House adjourn, it be to meet on Wednesday, August 6th, at 9 o'clock in the forenoon.

The order received passage and was sent up for concurrence

Mr. BELLEAU of Lewiston: Mr. Speaker, if in order I would like to offer the following resolution:

The House of Representatives finds its meeting at this time saddened by the sudden death of one of its respected members, the Honorable Rodolphe Hamel of Lewiston, who died at his home March 7th last. Rodolphe Hamel was a gentleman of distinction and faithful to duty. We enjoyed our friendship with him. We appreciate his public services and we deem it only fitting that we thus recognize the loss to the State and to ourselves personally.

Therefore, it is resolved that these resolutions be spread upon the Journal of the House, and that a copy of the same be sent by the Clerk to the family of the deceased member.

The resolution was adopted by a rising vote.

Papers from the Senate, out of order.

Report of the committee on revision of Statutes to which was referred the report of the Commissioner on the revision and consolidation of the Public Laws of the State of Maine, reporting a bill entitled "An act to revise and consolidate the Public Laws of the State." and that it ought to pass.

Comes from the Senate, report read and accepted and the bill passed to be engrossed.

In the House, the report was accepted in concurrence, the bill had its first and second readings, and under suspension of the rules its third reading, and was passed to be engrossed in concurrence.

From the Senate: Report of the committee on the revision of Statutes on the report of the Commissioner on Revision of Statutes, reporting bill an act to repeal the acts consolidated in the Revised Statutes of the year one thousand nine hundred and thirty.

Comes from the Senate, report read and accepted and the bill passed to be engrossed.

In the House, report read and accepted in concurrence, the bill had its two several readings, and, under suspension of the rules, its third reading, and was passed to be engrossed in concurrence.

From the Senate: Bill an act relating to Oxford County issuing bonds.

Comes from the Senate, read twice under suspension of the rules and passed to be engrossed.

In the House, the bill had its two several readings, and, under suspension of the rules, its third reading, and was passed to be engrossed in concurrence.

From the Senate: Bill an act relating to the Western Washington Municipal Court.

Comes from the Senate, read twice under suspension of the rules and passed to be engrossed.

In the House, the bill had its two several readings, and, under suspension of the rules, received its third reading, and was passed to be engrossed in concurrence.

From the Senate: Bill an act to provide for the appointment of a Revisor to assist in the preparation and revision of Statutes.

Comes from the Senate, read twice under suspension of the rules, and passed to be engrossed.

In the House, on motion by Mr. Aldrich of Topsham, the bill had its two several readings, and, under suspension of the rules, received its third reading and was passed to be engrossed in concurrence.

From the Senate: Bill an act to amend Chapter 111 of the Private and Special Laws of 1925, being an act to incorporate Dexter P. Cooper incorporated.

Comes from the Senate, read twice under suspension of the rules and passed to be engrossed.

In the House, the bill had its two several readings, and, under sus-

pension of the rules, received its third reading, and was passed to be engrossed in concurrence.

From the Senate: Ordered, the House concurring, that 350 copies of the Legislative Record for the Special session of 1930 be printed and bound, one copy each for the members and officers of the Senate and House of Representatives, and the remainder to be deposited in the State Library for exchange and library use; and be it further ordered that 350 copies of the Legislative record be printed in pamphlet form for distribution from day to day to members of the Legislature and departments under direction of the document clerk.

Comes from the Senate read and passed.

In the House, read and passed in concurrence.

Reports of Committees

The recess committee on the fishing laws of the State of Maine created by joint order passed at the regular session of the Eighty-Fourth Legislature, and directed to codify, simplify and revise the fishing laws of the State, ask leave to report the accompanying bill entitled "An act to revise, codify and simplify the fishing laws applying to inland waters," and recommend that the same be referred to the Eighty-Fifth Legislature, and that 5,000 copies be printed.

The report was accepted.

Passed to Be Enacted

An act to repeal the acts consolidated in the Revised Statutes of the year one thousand nine hundred and thirty.

An act to revise and consolidate the Public Laws of the State.

Orders Of The Day

On motion by Mr. Angell of Saco the House voted to reconsider its action whereby bill an act relative to fur-bearing animals was passed to be engrossed earlier this afternoon.

Thereupon, Mr. Angell offered House Amendment A, placing a date when this bill shall become effective.

House Amendment A to bill an act relative to fur-bearing animals.

Amend said bill by adding at the end thereof, the following section:

Sec. 2. This act shall take effect

on January one, nineteen hundred and thirty-one.

House Amendment A was adopted, and the bill as amended by House Amendment A was passed to be engrossed.

Mr. Jacobs of Auburn was granted permission to introduce the following order, out of order;

Ordered that the Clerk of the House prepare and cause to be typewritten two copies of the Journal of the House of the present Special Session, one copy to be duly authenticated and filed in the office of the Secretary of State as the official record of the proceedings, and the other copy to be attested and filed in the State Library.

The order received passage.

Further papers from the Senate, out of order.

From the Senate: Bill an act to amend Chapter 331 of the Public Laws of 1929.

Comes from the Senate referred to the next Legislature.

In the House so referred in concurrence.

From the Senate: Bill an act to amend Section 43 of Chapter 23 of the Revised Statutes relating to the mill tax highway fund.

Comes from the Senate referred to the next Legislature.

In the House so referred in concurrence.

From the Senate: Bill an act to permit the State Highway Commission to expend certain moneys in the town of Cornville.

Comes from the Senate read twice under suspension of the rules and passed to be engrossed.

Mr. ALDRICH of Topsham: Mr. Speaker, I would like to have some idea if possible as to what that bill is.

Mr. FOGG of Cornville: Mr. Speaker and members of the House: This bill was introduced for the reason that Cornville, Hartland and Athens entered into the Three Town act. The money has been raised on the part of the town of Cornville and part of it has been expended in completing the road toward Hartland. The Athens people requested the State Highway Commission to change the location of their road and that change automatically puts them on the di-

rect route, which the law requires; but it was fully understood at the time that this should be expended over what is now a State aid road. There is approximately seven thousand dollars left that has not been expended. It is costing the town a lot of money each year to maintain this road, and while the Highway Commission is in favor of the proposed action, yet it has no authority to act. Now if we could get this through at this special session it would straighten this matter out and would save the expending of four or five hundred dollars each year to keep the road passable. If there are any questions I will answer them if I can.

In the House, the bill had its two several readings, and, under suspension of the rules, its third reading, and was passed to be engrossed in concurrence.

Papers from the Senate disposed of in concurrence.

From the Senate: Ordered, the House concurring, that the committee on Revision of the Statutes be and is hereby authorized and directed to supervise the completion of the index to the Revised Statutes, with power to accept the same.

Comes from the Senate, read and passed.

In the House, read and passed in concurrence.

From the Senate: Resolve on the payroll of the Senate.

Comes from the Senate, read twice under suspension of the rules and passed to be engrossed.

In the House, the resolve had its two several readings under suspension of the rules and was passed to be engrossed in concurrence.

From the Senate: Bill an act relating to clerk hire in the county offices in the county of Piscataquis, which was given its three several readings under suspension of the rules and passed to be engrossed by the House earlier in the day.

Comes from the Senate indefinitely postponed in nonconcurrency.

In the House, that body receded and concurred.

On motion by Mr. Kitchen of Presque Isle, adjourned until tomorrow morning at nine o'clock, Standard Time.