

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Sixth Legislature

OF THE

STATE OF MAINE

1933

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Thursday, February 2, 1933.

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

Prayer by the Rev. Dr. Moore of Gardiner.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Bill an act relating to health certificates for teachers and janitors, S. P. 207.

Comes from the Senate referred to the committee on Education.

In the House, on motion by Mr. Farris of Augusta, tabled pending reference in concurrence and 500 copies ordered printed.

From the Senate: Bill an act providing for the establishment of a State Experimental Fur Farm, S. P. 145.

Comes from the Senate referred to the committee on Inland Fisheries and Game.

In the House, on motion by Mr. Farris of Augusta the bill was tabled pending reference in concurrence and 500 copies ordered printed.

From the Senate: Bill an act relating to Inland Fish and Game wardens; powers, duties and service of processes, S. P. 193.

Comes 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.

On motion by Mr. Farris of Augusta, the House voted to reconsider its action whereby this bill was referred to the committee on Inland Fisheries and Game in concurrence; and on further motion by the same gentleman, the bill was tabled pending reference in concurrence and 500 copies ordered printed.

From the Senate: Bill an act relating to motor vehicle lights, S. P. 217.

Comes from the Senate referred to the committee on Judiciary.

In the House, on motion by Mr. Ashby of Fort Fairfield the bill was tabled pending reference in con-

currency and 500 copies ordered printed.

From the Senate: Bill an act to incorporate Sandy River Log Driving Company, S. P. 219.

Comes from the Senate referred to the committee on Judiciary.

In the House, on motion by Mr. Friend of Skowhegan tabled pending reference in concurrence.

From the Senate: Bill an act to authorize the Treasurer of State to make payment of the share of the State in the reconstruction of Cascade Bridge, in the town of Old Orchard, S. P. 220.

Comes from the Senate referred to the committee on Judiciary.

In the House, on motion by Mr. Farris of Augusta, tabled pending reference in concurrence and 500 copies ordered printed.

From the Senate: Bill an act amending the Workmen's Compensation Act, S. P. 228.

Comes from the Senate referred to the committee on Legal Affairs.

In the House, on motion by Mr. Farris of Augusta, tabled pending reference in concurrence and 500 copies ordered printed.

From the Senate: Bill an act providing for the regulation of the use of the highways by motor vehicles transporting property for hire in the State of Maine, and for the supervision and control of such motor vehicles, S. P. 168, L. D. 160.

Comes from the Senate referred to the committee on Public Utilities.

In the House, on motion by Mr. Trampkins of Houlton, tabled pending reference in concurrence.

Paper from the Senate, out of order and under suspension of the rules.

Ordered, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, February 7th, 1933, at ten o'clock in the forenoon.

Comes from the Senate, read and passed.

In the House, read and passed in concurrence.

From the Senate. Bill an act relating to open season on fishing in York county, S. P. 240.

Comes from the Senate referred

to the committee on State Lands and Forest Preservation.

In the House, on motion by Mr. Sterling of Caratunk tabled pending reference in concurrence.

From the Senate: Bill an act relating to manufacture of intoxicating liquor, S. P. 116, L. D. 163.

Comes from the Senate referred to the committee on Temperance.

In the House, on motion by Mr. Tupper of Calais, tabled pending reference in concurrence.

From the Senate:

Resolve in favor of the Estate of Jane Cuffe (H. P. No. 346)

Resolve in favor of the Estate of Rose Allen (H. P. No. 347)

Resolve in favor of the Estate of Edward B. Patch (H. P. No. 348)

Resolve in favor of the Estate of William Walden (H. P. No. 349)

Resolve in favor of Estate of Abigail W. Clark (H. P. No. 350)

Resolve in favor of the Estate of Amy Gore Iasigi (H. P. No. 351)

Resolve in favor of the Estate of Charles H. Bayley (H. P. No. 352)

Resolve in favor of the Estate of Solomon Davis (H. P. No. 353)

Resolve in favor of the Estate of Frank H. Kidder (H. P. No. 354)

Resolve in favor of the Estate of Morgan Jones (H. P. No. 355)

Resolve in favor of the Estate of William J. Neuenschwander (H. P. No. 356)

Resolve in favor of the Estate of Lenore Doster Cooke (H. P. No. 357)

Resolve in favor of the Estate of Carrie E. Smith (H. P. No. 358)

Resolve in favor of the Estate of Charles M. Crofoot (H. P. No. 359)

Resolve in favor of Estate of Harmon L. Rimmel (H. P. No. 368)

Resolve in favor of Estate of Luther Kountze (H. P. No. 544)

which were referred to the Committee on Claims in the House on January 31st.

Comes from the Senate referred to the Eighty-seventh Legislature in non-concurrence.

Mr. ROUNDS of Portland: Mr. Speaker, I move that we recede and concur with the Senate. I will state that as these matters involve the inheritance tax, the attorney for the petitioners has agreed that these resolves may be considered by the next Legislature. I will also say, for the benefit of the House, that this involves a matter of about seventy thousand dollars and it is proposed to refer it to the next

Legislature as there is not the money to take care of it at this time.

The motion prevailed, and the above resolves were referred to the next Legislature in concurrence.

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

Judiciary

Bill "An Act relating to Commitment of Female Juvenile Delinquents" (H. P. No. 883) (Presented by Miss Laughlin of Portland)

Bill "An Act relating to Appeals in Non-support Cases" (H. P. No. 884) (Presented by Mr. Plummer of Portland)

Bill "An Act relating to the Taking of Land by the State Highway Commission, and the Taking or Discontinuing of a Public Highway" (H. P. No. 1007) (Presented by same gentleman)

Bill "An Act relating to Bail in Municipal Courts" (H. P. No. 1008) (Presented by same gentleman)

Bill "An Act to amend Eminent Domain Statute" (H. P. No. 1009) (Presented by same gentleman) (500 copies of each ordered printed.)

Pensions

Bill "An Act to provide for Old Age Pensions" (H. P. No. 1010) (Presented by Mr. Stern of Biddeford)

(1000 copies ordered printed.)

Legal Affairs

Bill "An Act relating to Complaints in cases of Neglected Children and Commitment of such Children into Suitable Custody" (H. P. No. 1011) (Presented by Mr. Rounds of Portland)

(500 copies ordered printed.)

Library

Bill "An Act for the Preservation of Academic Records" (H. P. No. 1012) (Presented by Mr. Hall of Bar Harbor)

(500 copies ordered printed.)

Public Health

Bill "An Act for the Regulation of the Practice of Hairdressing and Cosmetic Therapy" (H. P. No. 1013) (Presented by Miss Martir of Bangor)

(500 copies ordered printed.)

Taxation

Bill "An Act Exempting Horses and Dairy Cows from Taxation" (H. P. No. 1014) (Presented by Mr. Lebel of Brunswick)

Bill "An Act relating to the Gasoline Tax" (H. P. No. 1015) (Presented by Mr. Lewis of Boothbay) (500 copies of each ordered printed.)

Ways and Bridges

Petition of Selectmen and Road Commissioner of Madison in favor of reconstruction of Preble Road in Madison (H. P. No. 1016) (Presented by Mr. Viles of Madison)

Orders

On motion by Mr. Soper of Newport, it was

Ordered, that the use of the hall of the House of Representatives be granted to the Public Utilities committee for a public hearing on Thursday, February 16, at seven P. M.

On motion by Mr. Farris of Augusta, it was

Ordered, that on Wednesday of each week, commencing February 8th, under Orders of the Day, all matters placed on the table on or prior to Friday of the week preceding, and unassigned, shall be taken up, without motion, laid before the House by the Speaker and disposed of in the order in which they were placed on the table.

Mr. Leathers of Hermon presented the following order and moved its passage:

Ordered, the Senate concurring, that a committee of two be appointed on the part of the House, with such as the Senate may join, to investigate the operation of the poultry department at Highmoor Farm, with special reference to the question of its efficiency or inefficiency, and report to this Legislature during its regular session.

The members of said committee shall have authority to compel the attendance of witnesses and the production of books and records, and the Chairman is hereby authorized to administer oaths to witnesses.

The members of said committee shall be reimbursed for all expenses actually incurred by them in connection with said investigation, to be paid out of legislative funds, not to exceed the sum of \$100.00. (H. P. 1020).

On motion by Mr. Farris of Augusta tabled pending passage and 500 copies ordered printed.

Reports of Committees

Mr. Lindsey from the Committee on Claims reported "Ought not to pass" on Resolve in favor of the Heirs of Cyrenus B. Downes (H. P. No. 114).

Report read and accepted and sent up for concurrence.

Mr. Bennett from the Committee on Public Utilities reported "Ought to pass" on Bill "An Act relating to the Election of Officers for the Van Buren Water District" (H. P. No. 101).

Report read and accepted and the bill ordered printed under the Joint Rules.

Mr. Tompkins from the Committee on Judiciary on Bill "An Act regulating Number of Voting Compartments" (H. P. No. 34) reported same in a new draft (H. P. No. 1017) under same title and that it "Ought to pass."

(On motion by Mr. Rounds of Portland, tabled pending acceptance of report).

Mr. Quine from the Committee on Legal Affairs reported "Ought to pass" on Bill "An Act relating to the Board of Directors of the European & North American Railway" (H. P. No. 159) (L. D. No. 86).

Mr. Tompkins from the Committee on Judiciary reported same on Bill "An Act relating to Appointment of Agent by Non-resident Mortgagee" (H. P. No. 28) (L. D. No. 18).

Reports read and accepted and the bills having already been printed were read twice under suspension of the rules and tomorrow assigned.

Majority Report of the Committee on Judiciary reporting "Ought not to pass" on Resolve Proposing an Amendment to the Constitution changing the date of the Biennial Election (H. P. No. 16) (L. D. No. 4).

Report was signed by the following members:

Messrs. Weeks of Somerset; Holman of Franklin—of the Senate. Farris of Augusta, Eldridge of Eastport, Hill of South Portland, Miss Laughlin of Portland, Mr. Tompkins of Houlton—of the House.

Minority Report of same Committee reporting "Ought to pass" on same Bill.

Report was signed by the following members:

Mr. Holmes of Androscoggin—of the Senate. Goudy of South Portland, Fernald of Winterport—of the House.

Mr. FERNALD of Winterport: Mr. Speaker, I move that the majority and minority reports lie on the table and be specially assigned for Wednesday, February 3, at which time as this is a proposed Constitutional amendment, the yeas and nays will be taken.

The motion prevailed and both reports were tabled pending acceptance of either and specially assigned for Wednesday, February 8th.

First Reading of Printed Bills

H. P. 1004, L. D. 274: An Act validating the election of the city assessor of Eastport.

Orders of the Day

On motion by Mr. Wallingford of Auburn, the House voted to reconsider its action whereby it referred to the committee on Claims, H. P. No. 766, resolve providing for the payment of certain amounts due exhibitors at the Maine State Agricultural Society in 1932 on account of State stipend; and on further motion by the same gentleman the resolve was referred to the committee on Agriculture.

On motion by Mr. Hussey of Augusta, unanimous consent therefor being given, that gentleman introduced a resolve under suspension of the rules providing for a State pension for Emma Anderson of Augusta; H. P. 1019 and on further motion by the same gentleman the resolve was referred to the committee on Pensions.

On motion by Mr. Walker of Rockport, unanimous consent therefor being given, that gentleman introduced a resolve under suspension of the rules providing for a State pension for Will Howard of Union; H. P. 1018 and on further motion by the same gentleman the resolve was referred to the committee on Pensions.

On motion by Mr. Russ of Woodstock, the House voted to reconsider its action of yesterday whereby it referred H. P. 691, an act relative to closed season on bear, to the committee on Inland Fisheries and Game; and on further motion by the same gentleman the bill was tabled pending reference to a committee and 500 copies ordered printed.

On motion by Mr. Russ of Woodstock, the House voted to recon-

sider its action of yesterday whereby it referred H. P. 762, an act relating to bounty on bears to the committee on Appropriations and Financial Affairs; and on further motion by the same gentleman the bill was tabled pending reference to a committee and 500 copies ordered printed.

On motion by Mr. Rounds of Portland, it was voted to take from the table report of the committee on Judiciary, ought to pass in new draft, on an act to regulate the number of voting compartments, (H. P. No. 34) (new draft H. P. No. 1017) tabled by that gentleman earlier in the session; and on further motion by the same gentleman, the report was accepted and the new draft ordered printed under the Joint Rules.

On motion by Mr. Fenlason of Anson, it was voted to take from the table the third unassigned matter, bill an act relating to taxes on insurance premiums H. P. 126, L. D. 79, tabled by that gentleman January 24, pending reference to a committee; and on further motion by the same gentleman the bill was referred to the committee on Mercantile Affairs and Insurance and 500 copies ordered printed.

On motion by Mr. Stern of Biddeford, the House voted to reconsider its action of January 31, whereby it referred to the committee on Labor and ordered printed H. P. 624, an act to create an Unemployment Insurance Commission, to create an Employers' Mutual Unemployment Insurance Company, to provide for payments to men out of work, and to establish a system of unemployment insurance.

On further motion by the same gentleman, unanimous consent was given him to withdraw this bill.

On motion by Miss Martin of Bangor, it was voted to take from the table the second unassigned matter, resolve relative to Lucerne-in-Maine, H. P. 124, L. D. 78, tabled by that member January 24, pending reference to a committee; and on further motion by the same member the resolve was referred to the committee on Legal Affairs.

On motion by Mr. Sargent of Brewer, it was voted to take from

the table the ninth unassigned matter, bill an act relating to prepayment of taxes, H. P. 662, L. D. 205, tabled by that gentleman January 31, pending reference to a committee; and on further motion by the same gentleman the bill was referred to the committee on Legal Affairs.

On motion by Mr. Ellis of Rangeley, it was voted to take from the table the tenth unassigned matter, bill an act relating to fishing in Tee Pond in Jim Pond Town in the county of Franklin, S. P. 144, tabled by that gentleman February 1, pending reference in concurrence; and on further motion by the same gentleman the bill was referred to the committee on Inland Fisheries and Game in concurrence.

On motion by Mr. Farris of Augusta, the House voted to reconsider its action of yesterday whereby it referred H. P. 796, resolve in favor of the city of Eastport, to the committee on Claims; and on further motion by the same gentleman the resolve was tabled pending reference to a committee.

On motion by Mr. Farris of Augusta, the House voted to reconsider its action of yesterday whereby it referred H. P. 876, bill an act relating to commitment in bastardy cases to the committee on Legal Affairs; and on further motion by the same gentleman the bill was tabled pending reference to a committee and 500 copies ordered printed.

The SPEAKER: The Clerk has in his hands House Paper No. 739 an act relating to the raising of water

in York pond, situated in the towns of Eliot and York.

On motion by Mr. Bartlett of Eliot, the House voted to reconsider its action whereby the above bill was referred to the committee on Inland Fisheries and Game; and on further motion by the same gentleman the bill was referred to the committee on Inland Fisheries and Game.

On motion by Mr. Farris of Augusta, the House voted to take from the table the 21st unassigned matter, Joint Order relative to investigation of the Department of Education, H. P. 1006, tabled by that gentleman February 1, pending passage; and on further motion by the same gentleman the order was referred to the committee on Education and 500 copies ordered.

On motion by Mr. Berry of Waterville, it was voted to take from the table the eighth unassigned matter, bill an act to establish a Board of Finance of the city of Waterville, H. P. 629, L. D. 204, tabled by that gentleman, January 31, pending reference to a committee; and on further motion by the same gentleman the bill was referred to the committee on Legal Affairs.

The SPEAKER: The House will remember that under the order we passed earlier in the session all these matters come off the table automatically next Wednesday and each succeeding Wednesday. Is there any other business to come before the House this morning? If not, the Clerk will read the notices.

On motion by Mr. Gagnon of Frenchville.

Adjourned until ten o'clock Tuesday morning, February 7, 1933.