

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

Tuesday, February 28, 1933.

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

Prayer by the Rev. Mr. Barron of Winterport.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Resolve in favor of Charles L. Lindsey, H. P. 76, L. D. 691, which was passed to be engrossed in the House on February 21st.

Comes from the Senate indefinitely postponed in non-concurrence.

In the House:

Mr. GRAVES of Mt. Desert: Mr. Speaker, as Mr. Lindsey died last week, I move that we concur with the Senate in the indefinite postponement of this resolve.

Thereupon on motion by Mr. Graves of Mt. Desert the House reconsidered its action whereby this resolve was passed to be engrossed; and on further motion by the same gentleman the House concurred with the Senate in the indefinite postponement of this resolve.

From the Senate: Joint order H. P. 1452 relative to recalling from the committee on Legal Affairs bill an act creating a State Board of Registration for Professional Engineers and Land Surveyors, H. P. 1027, L. D. 476, which was passed in the House on February 23rd.

Comes from the Senate indefinitely postponed in non-concurrence.

In the House, on motion by Mr. Sargent of Brewer that body voted to recede and concur with the Senate in the indefinite postponement of this order.

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

Placed on File

Remonstrance of E. W. Dalton and 48 others of Springvale against re-submission of the Prohibitory Amendment (H. P. No. 1468) (Pre-

sented by Mr. Tompkins of Bridge-water)

Petition of E. L. Jackson and 47 others of Newport in favor of same (H. P. No. 1469) (Presented by Mr. Soper of Newport)

Petition of Louis C. Wessel and 30 others of Stratton in favor of same (H. P. No. 1470) (Presented by Mr. Ellis of Rangeley)

Remonstrance of Roland B. Hunter and 70 others of Strong against same (H. P. No. 1471) (Presented by Mr. Sanborn of Weld)

Remonstrance of Massapagua Grange No. 477 of South Blue Hill against same (H. P. No. 1472) (Presented by Mr. Gray of Brooksville)

Agriculture

Petition of J. H. Gould and 24 others in favor of Bounty on Bears (H. P. No. 1473) (Presented by Mr. Russ of Woodstock)

Petition of Percy A. Cook and 2 others in favor of same (H. P. No. 1474) (Presented by Mr. Sanborn of Weld)

Indian Affairs

Petition of Frederick M. Moore and 8 others (Veterans of the World War, and members of the Passamaquoddy Tribe of Indians) in favor of certain allowance for members of Veterans' Families (H. P. No. 1475) (Presented by Mr. Clarke of Cooper)

Pensions

Petition of Elizabeth D. Radcliffe and 33 others of Biddeford in favor of the Old Age Pension Bill (H. P. No. 1476) (Presented by Mr. Stern of Biddeford)

Taxation

Petition of J. T. Mason and 13 others of New Sharon in favor of Repeal of Auxiliary Forest Law (H. P. No. 1477) (Presented by Mr. Sanborn of Weld)

Petition of Percy A. Cook and 2 others of Avon in favor of same (H. P. No. 1478) (Presented by same gentleman)

Petition of Elman L. Colbeth and 33 others in favor of repeal of tax on Gasoline used in Fishing Boats (H. P. No. 1479) (Presented by Mr. Lewis of Boothbay)

Petition of Percy E. Bunker and 7 others in favor of same (H. P. No. 1480) (Presented by same gentleman)

Petition of A. P. Davis and 24 others in favor of same (H. P. No. 1481) (Presented by same gentleman)

Petition of Leslie B. Crowley and

25 others in favor of same (H. P. No. 1482) (Presented by same gentleman)

Petition of H. W. Look and 19 others in favor of same (H. P. No. 1483) (Presented by same gentleman)

Ways and Bridges

Petition of J. A. Russell and 43 others in favor of Oquossoc-Wilson's Mills Road (H. P. No. 1484) (Presented by Mr. Ellis of Rangeley)

Orders

Mr. Sterling of Caratunk presented the following order and moved its passage:

Whereas, the present economic condition of our citizenry has reached a most serious stage, deserving of every possible consideration, and

Whereas, our problems of taxation have, perhaps, more than ever before in history, reached the point of demanding most unusual tolerance, and

Whereas, it behooves us all, first, last and always, to bear in mind the welfare and happiness of our fellow-man, whom we are here to serve and from whom we, in turn, normally exact, through taxation, the expenditures of our State government,

It is hereby respectfully requested, in a spirit of co-operation, that the Treasurer of State be duly authorized to deduct from the salary of Ralph Sterling, a member of this 86th Legislature, a sum amounting to ten per cent of his total legislative allotment for services rendered, this deduction to divert to the general fund of the State of Maine, or to whatever other fund may be designated by our Governor, for the purpose of relieving poverty and destitution.

Tabled by Mr. Farris of Augusta by a viva voce vote pending passage.

Reports of Committees

Mr. Gallagher from the Committee on Education on Bill "An Act to Improve Rural School Teaching" (H. P. No. 586) (L. D. No. 169) reported same in a new draft (H. P. No. 1485) under same title and that it "Ought to pass"

Mr. Tompkins from the Committee on Judiciary on Bill "An Act to provide for the Surrender by Drew Plantation of its Organization" (H. P. No. 840) (L. D. No. 260) reported same in a new draft (H. P. No. 1486) under title of Bill "An Act to provide for the Surrender by town

of Drew of its Organization" and that it "Ought to pass"

Mr. Farris from same Committee on Bill "An Act relating to Ogunquit Beach District" (H. P. No. 856) (L. D. No. 264) reported same in a new draft (H. P. No. 1487) under same title and that it "Ought to pass"

Mr. Hawkes from the Committee on Pensions on Resolve providing for a State Pension for Sidney Potter of Gardiner (H. P. No. 914) reported same in a new draft (H. P. No. 1488) under same title and that it "Ought to pass"

Mr. Dow from the Committee on Pensions on Resolve providing for a State Pension for Charles Dowling Kidder of Otisfield (H. P. No. 905) reported same in a new draft (H. P. No. 1489) under same title and that it "Ought to pass"

Mr. Bailey from same Committee on Resolve providing for a State Pension for Joseph B. Pelletier of Winterville Plantation (H. P. No. 899) reported same in a new draft (H. P. No. 1490) under same title and that it "Ought to pass"

Reports read and accepted and the new drafts ordered printed under the Joint Rules.

Mr. Lindsey from the Committee on Claims reported "Ought to pass" on Resolve in favor of Hebert McDaniel of Somerville (H. P. No. 428)

Mr. Crowell from the Committee on Inland Fisheries and Game reported same on Bill "An Act relative to raising the Water of York Pond situated in the towns of Eliot and York" (H. P. No. 739)

Mr. Hawkes from the Committee on Pensions reported same on Resolve providing for a State Pension for Nellie E. Hatch of Monmouth (H. P. No. 911)

Same gentleman from same Committee reported same on Resolve providing for a State Pension for Eva E. Binford of Portland (H. P. No. 912)

Mr. Richardson from same Committee reported same on Resolve providing for a State Pension for Clara M. Ware of Pittston (H. P. No. 918)

Same gentleman from same Committee reported same on Resolve providing for a State Pension for Frank C. Davis of Jefferson (H. P. No. 901)

Mr. Bailey from same Committee reported same on Resolve providing for a State Pension for Addie L. Wakefield of Saco (H. P. No. 900)

Same gentleman from same Committee reported same on Resolve providing for a State Pension for Harrison B. Bowley Jr. of Rockport (H. P. No. 397)

Mr. Leathers from same Committee reported same on Resolve providing for an increase in State Pension for Harry E. Troop of Pittston (H. P. No. 389)

Same gentleman from same Committee reported same on Resolve providing for an increase in State Pension for Olive E. Brann of Augusta (H. P. No. 649)

Reports read and accepted and the Bill and Resolves ordered printed under the Joint Rules.

Mr. Wallingford from the Committee on Agriculture reported "Ought to pass" on Bill "An Act relating to Milk Containers" (H. P. No. 1082) (L. D. No. 558)

Mr. Lord from same Committee reported same on Bill "An Act relating to Damage to Poultry by Dogs or Wild Animals" (H. P. No. 1084) (L. D. No. 572)

Same gentleman from same Committee reported same on Bill "An Act relating to Testing of Livestock for Tuberculosis" (H. P. No. 1085) (L. D. No. 573)

Mr. Haggett from the Committee on Claims reported same on Resolve in favor of Bernard Andrews of Canton (H. P. No. 746) (L. D. No. 412)

Mr. Hall from the Committee on Education reported same on Bill "An Act relating to Schools in Plantations and Unorganized Territory" (H. P. No. 1091) (L. D. No. 578)

Mr. Tompkins from same Committee reported same on Bill "An Act relating to Tuition in Secondary Schools" (H. P. No. 1075) (L. D. No. 458)

Miss Lauohlin from the Committee on Judiciary reported same on Bill "An Act to amend the Absent Voting Law" (H. P. No. 1051) (L. D. No. 482)

Same member from same Committee reported same on Bill "An Act relating to Sterilization in certain cases" (H. P. No. 610) (L. D. No. 241)

Mr. Chase of Baring from the Committee on Legal Affairs reported same on Bill "An Act to Incorporate the Maine Reinsurance Company" (H. P. No. 877) (L. D. No. 313)

Mr. Chase of Sebec from same Committee reported same on Bill "An Act authorizing the town of

Bristol to raise money for the purpose of helping keep in repair the cemeteries in said town" (H. P. No. 638) (L. D. No. 296)

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

First Reading of Printed Bills and Resolves

(H. P. No. 1467) (L. D. No. 746)
An act to provide for the regulation of the practice of podiatry and for the examination and licensing of podiatrists.

(H. P. No. 394) (L. D. No. 747)
Resolve providing for a State pension for Hannah L. Batchelor of Belfast.

(H. P. No. 396) (L. D. No. 748)
Resolve providing for a State pension for George L. Harvey of Belfast.

(H. P. No. 834) (L. D. No. 749)
Resolve granting teacher's pension to Miss Nancy Rankin of Hiram.

(H. P. No. 987) (L. D. No. 750)
Resolve providing for an increase in State pension for Kate Bird of Farmingdale.

(H. P. No. 988) (L. D. No. 751)
Resolve providing for an increase in State pension for Ellen Bird of Farmingdale.

(H. P. No. 1460) (L. D. No. 752)
Resolve relating to fishing in Pleasant Pond in the town of Turner.

(H. P. No. 1461) (L. D. No. 753)
Resolve authorizing negotiations for screening the outlet of Eastern Grand Lake.

(H. P. No. 1463) (L. D. No. 754)
Resolve regulating the fishing in Parlin Stream.

(H. P. No. 1464) (L. D. No. 755)
Resolve regulating the fishing in Bog Brook, in Minot and Mechanic Falls.

(H. P. No. 1465) (L. D. No. 756)
Resolve regulating ice fishing in Tacoma Lakes.

(H. P. No. 1466) (L. D. No. 757)
Resolve providing for a State pension for Frank G. Downer of Palermo.

Passed to be Engrossed

(S. P. No. 134) (L. D. No. 135)
An act decreasing the subsidy contributed by the State relative to education.

(S. P. No. 173) (L. D. No. 664)
An act relative to fishing for gain

and hire prohibited; exceptions, penalty.

(S. P. No. 175) (L. D. No. 665)
An act relative to the visiting and setting of traps.

(S. P. No. 177) (L. D. No. 667)
An act relative to falsely assuming to be a game warden.

(H. P. No. 67) (L. D. No. 29)
An act empowering William L. Milliken of Presque Isle in the county of Aroostook, to erect and maintain piers, piles and booms in the Aroostook River.

(H. P. No. 662) (L. D. No. 205)
An act relating to prepayment of taxes.

(H. P. No. 710) (L. D. No. 371)
An act relating to closed seasons in the several waters of the state.

(H. P. No. 712) (L. D. No. 373)
An act relative to search and seizure of fish and game equipment used in hunting, trapping and fishing.

(H. P. No. 714) (L. D. No. 324)
An act relative to night hunting.

(H. P. No. 716) (L. D. No. 326)
An act relative to the taking of salmon in certain waters.

(H. P. No. 718) (L. D. No. 307)
An act relative to the revocation of licenses after violation of the fish and game laws.

(H. P. No. 719) (L. D. No. 328)
An act prohibiting the use of partridge as bait for trapping.

(H. P. No. 722) (L. D. No. 330)
An act relating to the penalties for violations of the fish and game laws.

(H. P. No. 724) (L. D. No. 332)
An act relative to the use of live decoys and boats in hunting waterfowl.

(H. P. No. 731) (L. D. No. 338)
An act relating to ice fishing in Sandy Pond in Freedom and Montville in the county of Waldo.

(H. P. No. 732) (L. D. No. 339)
An act relative to non-residents kindling fires and employment of guides.

(H. P. No. 733) (L. D. No. 340)
An act prohibiting the horning of deer.

(H. P. No. 734) (L. D. No. 403)
An act relative to fees for trapping licenses, resident and non-resident.

(H. P. No. 738) (L. D. No. 407)
An act relating to definitions under fish and game laws.

(H. P. No. 1149) (L. D. No. 599)
An act relating to protection at grade crossings.

(H. P. No. 1420) (L. D. No. 732)

An act relative to the use of power boats in hunting waterfowl.

(H. P. No. 398) (L. D. No. 733)
Resolve for State pension in favor of Mary Barton Redlon of Augusta, Maine.

(H. P. No. 399) (L. D. No. 734)
Resolve providing for an increase in State pension for Mary J. French of Carmel.

(H. P. No. 553) (L. D. No. 222)
Resolve opening Crystal Lake to ice fishing.

(H. P. No. 555) (L. D. No. 224)
Resolve relating to fishing in Baker Stream.

(H. P. No. 556) (L. D. No. 225)
Resolve relating to fishing in Baker Pond.

(H. P. No. 558) (L. D. No. 226)
Resolve relating to fishing in George Durgin Pond.

(H. P. No. 559) (L. D. No. 227)
Resolve relating to fishing in Big King and Bartlett Lakes.

(H. P. No. 564) (L. D. No. 230)
Resolve relating to fishing in tributaries of Sturtevant Pond.

(H. P. No. 567) (L. D. No. 735)
Resolve providing for a State pension for Oscar Lund of East Machias.

(H. P. No. 569) (L. D. No. 736)
Resolve providing for a State pension for Susie May Harding of Hampden.

(H. P. No. 645) (L. D. No. 737)
Resolve providing for a State pension for Leland Palmer of Carmel.

(H. P. No. 740) (L. D. No. 254)
Resolve regulating the taking of muskrats on Massacre Pond in Scarborough.

(H. P. No. 775) (L. D. No. 738)
Resolve in favor of the Kennebec Journal Company for printing Public Laws of the State of Maine.

(H. P. No. 806) (L. D. No. 739)
Resolve in favor of Gerald Lund.

(H. P. No. 991) (L. D. No. 740)
Resolve providing for a State pension for Fred E. Stevens of Chelsea.

(H. P. No. 1418) (L. D. No. 741)
Resolve in favor of Bion M. Rhoades of Topsfield.

(H. P. No. 1419) (L. D. No. 742)
Resolve in favor of George Mawhinney of Jonesboro.

(H. P. No. 1421) (L. D. No. 743)
Resolve regulating fishing in Heald Ponds.

(H. P. No. 1422) (L. D. No. 744)
Resolve providing for an increase in State pension for Hannah C. McLaughlin.

(H. P. No. 1423) (L. D. No. 745)

Resolve providing for a State pension for Ailda Jackson of Waldo.

**Passed to be Enacted
(Emergency Measure)**

S. P. 257, L. D. 387: An act to permit Loan and Building Associations to borrow money.

The SPEAKER: This is a bill permitting Loan and Building Associations in the State to take advantage of the provisions of the Federal Home Loan Bank System to borrow money from that organization, and other sources, and it seems quite necessary that it be passed as soon as possible in order that it may be signed by the Governor before he leaves for the inauguration.

This being an emergency measure, it is necessary that it have the affirmative of two-thirds the entire membership of this body. All those in favor of the passage of the bill to be enacted will rise and stand until counted, and the monitors have made and returned the count.

A division being had,

One hundred and twenty-seven voting in the affirmative and none in the negative, 127 being more than two-thirds of the elected membership of the House, the bill was passed to be enacted.

Orders of the Day

The SPEAKER: As tomorrow will be a busy day, it being Calendar Wednesday, any matters that can be disposed of under Orders of the Day this morning, it would be well to attend to.

On motion by Miss Laughlin of Portland, it was voted to take from the table the third unassigned matter, House Report, ought not to pass, of the committee on Judiciary on bill an act providing for removal of paupers to town of settlement, H. P. 849, L. D. 261, tabled February 22nd by that member, pending acceptance of the report; and on further motion by the same member the bill and accompanying report were recommitted to the committee on Judiciary.

On motion by Mr. Allison of Biddeford, it was voted to take from the table the fourth unassigned matter, being House Report, ought not to pass, of the committee on Labor on bill an act relating to the forty-hour law, H. P. 1059, L. D. 449, tabled by that gentleman February 22, pending acceptance of the report; and on further motion by the same gentleman, the report was accepted.

On motion by Mr. Hills of Northport, it was voted to take from the table the fifth unassigned matter, House Report, ought not to pass, of the committee on Legal Affairs on bill an act relating to Greenwood Cemetery Association, Inc., H. P. 642, L. D. 298, tabled by that gentleman February 22, pending acceptance of the report; and on further motion by the same gentleman the report was accepted.

On motion by Mr. Sterling of Caratunk, it was voted to take from the table the eleventh unassigned matter, bill an act relating to State salaries for persons receiving pay from the United States Government, H. P. 1152, L. D. 601, which was referred to the committee on Salaries and Fees in the House on February 8th, comes from the Senate referred to the committee on Judiciary in non-concurrence, tabled by that gentleman February 22, pending further consideration.

On further motion by the same gentleman the House voted to reconsider its action of February 8th whereby this bill was referred to the committee on Salaries and Fees; and on further motion by the same gentleman the House voted to concur with the Senate in the reference of this bill to the committee on Judiciary.

On motion by Mr. Labbe of Wal-lag-rass,

Adjourned until ten o'clock tomorrow morning.