

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

# Ninetieth Legislature

OF THE

STATE OF MAINE



1941

KENNEBEC JOURNAL COMPANY

AUGUSTA, MAINE

**SENATE**

Wednesday, February 5, 1941.

The Senate was called to order by the President.

Prayer by the Reverend William R. Wood of Augusta.

Journal of yesterday read and approved.

Papers from the House referred in concurrence.

**House Committee Reports**

The Committee on Inland Fisheries and Game on "Resolve for Screening Knight's Pond in Somerset County," (H. P. 47) (L. D. 50) reported that the same ought not to pass.

The same Committee on "Resolve Regulating Fishing in Knight's Pond," (H. P. 46) (L. D. 29) reported that the same ought not to pass.

Which reports were severally read and accepted in concurrence.

The Committee on Legal Affairs on Bill "An Act Relating to Municipal Ordinances," (H. P. 19) (L. D. 14) reported that the same ought to pass.

Which report was read and accepted in concurrence, the bill read once and tomorrow assigned for pass as amended by Committee

The same Committee on Bill "An Act Relating to Duties of Overseers of the Poor," (H. P. 18) (L. D. 13) reported that the same ought to pass as amended by Committee Amendment "A".

In the House, report read and accepted, and the bill passed to be engrossed as amended by Committee Amendment "A".

In the Senate, the report was read and accepted in concurrence, Committee Amendment A was read and adopted in concurrence and the bill as so amended was tomorrow assigned for second reading.

The Committee on Appropriations and Financial Affairs on "Resolve in Favor of Horace Polchies, Representative of the Penobscot Tribe of Indians," (H. P. 250) reported the same in a new draft (H. P. 869) under the same title and that it ought to pass.

Comes from the House indefinitely postponed.

In the Senate, on motion by Mr.

Chamberlain of Penobscot, tabled pending acceptance of the report.

**Communication:**

**STATE OF MAINE**

Department of the Attorney General  
Augusta

January 29, 1941.

To The  
Honorable Nathaniel Tompkins  
President of the Senate, and  
Honorable George D. Varney  
Speaker of the House of Representatives

Gentlemen:—

I have the Order H. P. 455, dated January 23, 1941, requiring my report on the amount recovered from the former controller, William A. Runnells, and asking whether or not the case is closed.

According to the records of the State Treasurer and the State Auditor, recoveries in the Runnells case have been as follows:

Cash in brief case returned	\$26,420.00
Cash received at settlement of Bill in Equity	25,649.40
Dividends received on Stocks, plus Cash found in desk	556.47
Cash received from sale of Stocks	1,414.05
Interest received on Postal Savings Acct.	36.50

Total	\$54,076.42
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In addition, the State has taken title to a Packard automobile which it is offering for sale at \$600.00; a House Lot in the City of Hallowell which has an estimated value of \$1,000.00; books comprising the personal library of Mr. Runnells; and various articles of personal property now stored in the State House. These will all be converted into cash as soon as a purchaser can be found.

Mr. Runnells has been adjudged guilty of embezzlement, and I am informed has received a maximum sentence of 10 years in State's Prison.

In reply to the question as to whether or not the case is closed, please be assured that no case that comes into the Attorney General's office will be closed while there remains any possibility of making recoveries for the State.

It is not the intention of your present Attorney General to close this case on the records until I am positive that all possible means of

recovery for the State have been exhausted.

Respectfully submitted,  
FRANK I. COWAN,  
Attorney General.

(S. P. 299)

Which communication was read and ordered placed on file.

Sent to the House.

#### Referred to Committees

The following bills and resolves were received and on recommendation by the Committee on Reference of bills were referred to the following committees:

#### Education

Mr. Sanborn of Cumberland presented Bill "An Act Relating to School Equalization Fund." (S. P. 293)

(500 copies ordered printed)

Sent down for concurrence.

Mr. Bate of Kennebec presented Bill "An Act to Provide Higher Standards of Education by Securing to Teachers Greater Permanency of Employment." (S. P. 193)

(1000 copies ordered printed)

Sent down for concurrence.

#### Federal Relations

Mr. Elliott of Knox presented Bill "An Act Amending the Law Relating to Unemployment Compensation to Collect Contributions on Wages Paid." (S. P. 206)

(500 copies ordered printed)

Sent down for concurrence.

#### Judiciary

Mr. Chamberlain of Penobscot presented "Resolve Proposing an Amendment to the Constitution Providing for a Four Year Term for Governor." (S. P. 294)

(500 copies ordered printed)

Sent down for concurrence.

Mr. Bishop of Sagadahoc presented Bill "An Act Creating a State Board of Eugenics." (S. P. 295)

(On motion by Mr. Bishop of Sagadahoc, tabled pending reference.)

#### Public Utilities

Mr. Farris of Kennebec presented Bill "An Act Relative to Regulations of the Use of the Highways by Motor Vehicles Transporting Property for Hire." (S. P. 296)

Mr. Libby of Cumberland presented Bill "An Act Relative to the Regulation of the Use of the Highways by Motor Vehicles Transporting Property and for the Supervision and Control of Such Motor Vehicles." (S. P. 297)

(500 copies of each ordered printed.)

Sent down for concurrence.

#### Temperance

Mr. Boothby of York presented Bill "An Act Providing for a Discount from the Established Retail Sale Price upon Sales of Liquor by the State Liquor Commission to Persons Licensed to Sell Liquor to be Consumed on the Premises." (S. P. 298)

(500 copies ordered printed.)

Sent down for concurrence.

#### Senate Committee Reports

Mr. Harvey from the Committee on Judiciary on Bill "An Act Relating to Petitions for Discontinuance of Highways," (S. P. 117) (L. D. 155) reported that the same ought to pass as amended by Committee Amendment "A."

Which report was read and accepted, Committee Amendment A was read and adopted and the bill as so amended was tomorrow assigned for second reading.

Mr. Sanborn from the Committee on Legal Affairs on Bill "An Act Relating to the Port of Portland Authority," (S. P. 102) (L. D. 146) reported that the same ought to pass.

Which report was read and accepted, the bill read once and tomorrow assigned for second reading.

#### Passed to be Engrossed

"Resolve Regulating Fishing in Tributaries to Garland Pond." (S. P. 64) (L. D. 72)

Sent down for concurrence.

#### Orders

On motion by Mr. Findlen of Aroostook, it was

ORDERED, that 500 copies be printed of each of the following: An Act Repealing the Potato Tax Law (S. P. 63) (L. D. 47); An Act Regulating the Expenditure of the Potato Tax (S. P. 189) (L. D. 285).

On motion by Mr. Sanborn of Cumberland, it was

ORDERED, that 500 additional copies be printed of An Act Relating to Apportionment of School Funds (S. P. 143) (L. D. 195).

On motion by Mr. Friend of Somerset, it was

ORDERED, that the office of the Senate Reporter and the equip-

ment therein remain under his control for a period of two weeks after the close of the legislature for use in completing the stenographic record of the Senate proceedings of the 90th legislature and be it further,

**ORDERED**, that he be authorized to procure the services of a proof reader at a cost of not more than \$50 for the same purpose.

#### Orders of the Day

On motion by Mr. Stilphen of Lincoln the Senate voted to take from the table Resolve Regulating Fishing in Pemaquid River (S. P. 242) tabled by that Senator on February 4th pending reference; and on further motion by the same Senator the resolve was referred to the Committee on Sea and Shore Fisheries.

Sent down for concurrence.

On motion by Mr. Dow of Oxford, the Senate voted to take from the table An Act to Enable the Plantation of Magalloway to Produce and Distribute Electricity Within its Territorial Limits (S. P. 271) tabled by that Senator on February 4th pending reference; and on further motion by the same Senator the bill was referred to the Committee on Public Utilities.

Sent down for concurrence.

On motion by Mr. Dow of Oxford, the Senate voted to take from the table An Act to Enable the Town of Upton to Produce and Distribute Electricity Within its Territorial Limits (S. P. 272), tabled by that Senator on February 4th pending reference; and on further motion by the same Senator, the bill was referred to the Committee on Public Utilities.

Sent down for concurrence.

On motion by Mr. Dow of Oxford, the Senate voted to take from the table, An Act to Enable the Plantation of Lincoln to Produce and Distribute Electricity Within its Territorial Limits (S. P. 273), tabled by that Senator on February 4th pending reference; and on further motion by the same Senator, the bill was referred to the Committee on Public Utilities.

Sent down for concurrence.

On motion by Mr. Melvin of Androscoggin, the Senate voted to take from the table, An Act Relating to

Candidates for Mayor in the City of Lewiston (S. P. 251), tabled by that Senator on February 4th pending reference; and on further motion by the same Senator, unanimous consent was granted to withdraw the bill.

On motion by Mr. Harkins of Androscoggin, the Senate voted to reconsider its vote of yesterday whereby bill, An Act to Establish a Sanitary Water Board and to Control, Prevent and Abate Pollution of Certain Waters in the State (H. P. 677) (L. D. 229) was referred to the Committee on Public Health in concurrence; and on further motion by the same Senator the bill was referred to the Committee on Interior Waters, in non-concurrence.

Sent down for concurrence.

#### Order

(Out of Order)

On motion by Mr. Elliot of Knox, out of order and under suspension of the rules, it was

**ORDERED**, that five hundred additional copies be printed of the following:

S. P. 27, L. D. 1, An Act Relating to Pedestrians.

S. P. 28, L. D. 2. An Act Regulating the Dimming of Lights on Approaching Motor Vehicles.

S. P. 86, L. D. 69. An Act to Change the Method of Issuing Licenses to Operate Motor Vehicles and to Apportion the Annual Expiration Thereof.

S. P. 312, L. D. 121. An Act Relating to Registration Fees for Certain Motor Trucks.

S. P. 249, L. D. 88. An Act Forbidding Parking Motor Vehicles Near Hydrants.

S. P. 120, L. D. 150. An Act Making Uniform Registration Standards of Weight and Length of Trucks in the Northeastern States.

S. P. 155, L. D. 224. An Act Relating to Reserved Number Plates.

The President: We are proceeding under Orders of the Day. Is there any further business to come before the Senate?

On motion by Mr. Friend of Somerset

Adjourned until tomorrow morning at ten o'clock.