

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Third Legislature

OF THE

STATE OF MAINE

1927

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Tuesday, March 15, 1927.

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

Prayer by the Rev. Mr. Walch of Augusta.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

The SPEAKER: The Clerk will read the reference of a bill which does not appear upon the advance sheet.

From the Senate:

Resolve proposing an amendment to Section 8 of Article IX of the Constitution of the State of Maine providing that no taxes on intangibles be levied, S. P. 439, S. D. 213.

Mr. EUSTIS of Strong: Mr. Speaker, I move that S. P. 458, S. D. 230, bill an act in relation to signs upon public highways be tabled.

Mr. WING of Auburn: Mr. Speaker, I rise to a point of order.

The SPEAKER: The gentleman will state his point.

Mr. WING: Mr. Speaker, I do not understand the motion of the gentleman.

The SPEAKER: The gentleman from Strong Mr. Eustis, made a motion referring to another bill than the one to which you refer, and before putting that motion the Chair will put the motion which is before the House that the last named bill be referred to the committee on Judiciary in concurrence with the Senate.

On motion by Mr. Piper of Jackman the bill was tabled pending reference in concurrence.

Mr. WING: Mr. Speaker, I cannot tell which bill we are talking about.

The SPEAKER: The Chair will state that the bill which has just been tabled is the intangible tax bill, S. P. 439, S. D. 213. The gentleman from Strong, Mr. Eustis' motion, which will now be placed before the House relates to S. D. 230, an act in relation to signs upon public highways; and the gentleman's motion is what?

Mr. EUSTIS: That this bill lie upon the table pending reference in concurrence.

Thereupon the bill was tabled pending reference in concurrence.

From the Senate: Bill, an act to amend the law regarding advertising signs on public highways, S. P. 449, S. D. 215,

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

In the House, on motion by Mr. Eustis of Strong tabled pending reference in concurrence.

From the Senate: Bill an act authorizing the transfer of the real estate used as a ferry landing at Woolwich, Maine, from the State of Maine to the town of Woolwich, S. P. 451, S. D. 217,

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

In the House, on motion by Mr. Piper of Jackman, tabled pending reference in concurrence.

From the Senate: Bill an act relating to advertising signs upon public highways, S. P. 489, S. D. 222,

Comes from the Senate referred to the committee on Maine Publicity.

In the House, on motion by Mr. Eustis of Strong, tabled pending reference in concurrence.

From the Senate: Bill an act to amend Section 8 of Chapter 53, Revised Statutes of 1916, relating to reference of fire losses, S. P. 450, S. D. 216 and bill an act relating to fees of insurance brokers, S. P. 463, S. D. 226.

Comes from the Senate referred to the committee on Mercantile Affairs and Insurance.

In the House, on motion by Mr. Bishop of Boothbay Harbor, tabled pending reference in concurrence.

From the Senate: Resolve to repeal the act empowering the Forest Commissioner to convey a lot of land in Wallagrass Plantation, S. P. 491.

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

In the House:

Mr. WING of Auburn: Mr. Speaker, I ask for a ruling of the Chair on how a resolve can repeal an act?

The SPEAKER: The Chair will state that, at least from the resolve it has before it, this is a resolve repealing a resolve, not an act.

Mr. WING: It reads "Resolve repealing the act" and is so described on the calendar.

The SPEAKER: The Chair will state that the resolve itself reads "Resolve entitled a resolve that the Forest Commissioner be empowered and directed to convey a lot of land in Wallagrass Plantation, finally passed by this Legislature." The Chair feels that this resolve is in proper form and that the resolve is to repeal a resolve. The title, as the gentleman from Auburn (Mr. Wing) suggests is wrong. It does state "Resolve to repeal an act."

Thereupon the resolve had its two readings and was passed to be engrossed in concurrence.

Senate Bills in First Reading

S. P. 140, S. D. 61: An act to authorize the county of Aroostook to enlarge and repair the Court House at Houlton and erect a Central Heating Plant.

S. P. 365, S. D. 142: An act relating to supervision of schools at Pleasant Point and Peter Dana's Point; reports and compensation of superintendents amended.

S. P. 218, S. D. 85: An act to ratify and make valid a quitclaim deed given by the Highway Commission for land near the State Ferry at Woolwich.

S. P. 296, S. D. 97: An act to amend the charter of Coburn Classical Institute.

From the Senate: Bill an act relating to the trapping of fur-bearing animals, H. P. 1008, H. D. 337, which by the House was referred to the committees on inland fisheries and game and agriculture jointly on March 8th.

Comes from the Senate referred to the committee on inland fisheries and game in non-concurrence.

In the House, on motion by Mr. Bailey of Harmony that body voted to recede and concur with the Senate in the reference of the bill to the committee on inland fisheries and game.

Orders

Mr. Bishop of Boothbay Harbor presented the following order:

Ordered, the Senate concurring, that bill an act to incorporate the Boothbay Harbor School District, H. P. No. 109, be recalled from the committee on legal affairs to the House.

The order received passage and was sent up for concurrence.

Mr. Kinsman of Augusta presented the following order:

Ordered, the Senate concurring, that H. P. No. 871, an act to incorporate the City of Augusta Cony High School District, be recalled from the committee on legal affairs to the House.

The order received passage and was sent up for concurrence.

Reports of Committees

Mr. Crawford from the committee on agriculture on bill an act relating to apportionment of State aid to agricultural societies (H. P. 323) (H. D. 82), reported that legislation thereon is inexpedient as subject matter is covered in another bill.

Mr. MacKinnon from the committee on inland fisheries and game reported "ought not to pass" on bill an act relating to night fishing on Upper and Lower Richardson Lakes and tributaries and connecting waters (H. P. 356).

Same gentleman from same committee reported same on bill an act to regulate fishing in Virginia Lake, county of Oxford (H. P. 467).

Mr. Flint from same committee reported same on bill an act relative to Sunday hunting (H. P. 270) (H. D. 63).

(Tabled by Mr. Burns of Eagle Lake pending acceptance.)

Mr. Storm from same committee reported same on bill an act prohibiting fishing in Big Lake Austin and Little Lake Austin Ponds in Somerset county, except with artificial flies (H. P. 268).

Mr. Flint from same committee reported same on bill an act relating to fly fishing in the East Outlet of Kennebec River, and in the West Outlet of Kennebec River, in the county of Somerset, down as far as The Forks Bridge (H. P. 523).

Mr. Wood from same committee reported same on bill an act relating to the trapping of foxes in Knox and Lincoln counties (H. P. 173).

(Tabled by Mr. St. Clair of Rockland pending acceptance.)

Mr. Hale from the committee on judiciary reported same on bill an act relative to the superior court of the county of Penobscot (H. P. 361) (H. D. 77).

Mr. Fuller from the committee on legal affairs reported same on bill an act prohibiting use of names of sheriffs, deputy sheriffs and police officers for gift contests (H. P. 604) (H. D. 159).

(Tabled by Mr. Rounds of Portland pending acceptance.)

Mr. Littlefield from the committee on sea and shore fisheries reported same on bill an act to abolish the

commission of sea and shore fisheries and the director of sea and shore fisheries and to create the officer of commissioner (H. P. 480) (H. D. 123), and accompanying remonstrances of 1925 names.

Mr. Kane from same committee reported same on bill an act relating to fishing for smelts in Eastern River (H. P. 680) (H. D. 180).

Mr. Rawley from same committee reported same on bill an act relating to the use of power boats (H. P. 863) (H. D. 183).

Same gentleman from same committee reported same on bill an act relating to taking of smelts in the Georges River and its tributaries (H. P. 28) (S. D. 9).

Mr. Hawkes from the committee on State lands and forest preservation reported same on resolve authorizing the Governor and Council to sell certain State land situate in Bangor in the county of Penobscot (H. P. 615).

Mr. Piper from the committee on taxation reported same on bill an act relating to the exemption of taxation (H. P. 749) (H. D. 207).

Mr. Carleton from same committee reported same on bill an act to raise an excise tax on corporations organized for making, generating, selling, distributing and supplying electricity or electric current for power, lighting, heating, manufacturing or mechanical purposes (H. P. 919) (H. D. 246).

Reports read and accepted and sent up for concurrence.

(Tabled by Mr. Wing of Auburn pending reference, and specially assigned for Thursday, March 17.)

Mr. Stone from the committee on inland fisheries and game reported "ought to pass" on bill an act to establish a game preserve in the towns of Wells and Kennebunk, York county (H. P. 465) (H. D. 118).

Mr. Wing from the committee on judiciary reported same on bill an act relating to active retired justices of the supreme judicial court (H. P. 526) (H. D. 135).

Miss Laughlin from the committee on legal affairs reported same on bill an act to amend the charter of the Maine Real Estate Title Company (H. P. 729) (H. D. 201).

Mr. Sargent from the same committee reported same on bill an act to extend the charter of the Penobscot Lumbering Association (H. P. 730) (H. D. 202).

Mr. Littlefield from same Committee reported same on bill an act to extend the charter of the Penobscot

Boom Corporation (H. P. 732) (H. D. 204).

Mr. Hawkes from the Committee on State Lands and Forest Preservation reported same on bill an act relating to the establishment of town forests (H. P. 931) (H. D. 275).

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

Mr. Buker from the Committee on Inland Fisheries and Game reported same on bill an act relating to the protection of white perch in Pemiquid and Biscay Ponds, and Macurda Pond, or Hilton Lake, in Lincoln County (H. P. 354).

Mr. MacKinnon from same Committee reported same on bill an act to regulate bass fishing in Virginia Lake in the county of Oxford (H. P. 466).

Mr. Kinsman from same Committee reported same on bill an act for the better protection of trout in Lake Cobbosseecontee in the county of Kennebec (H. P. 358).

Reports read and accepted and the bills ordered printed under the Joint Rules.

Mr. Sturgis from the Committee on Agriculture on bill an act relating to the survey and sale of wood (H. P. 437) (H. D. 113) reported same in a new draft (H. P. 1162) under same title and that it "Ought to pass".

(Tabled by Mr. Cyr of Waterville pending acceptance)

Mr. Robie from the Committee on Agriculture on bill an act defining "Storage or Processed Eggs" and regulating the distribution thereof (H. P. 499) (H. D. 148) reported same in a new draft (H. P. 1160) under same title and that it "Ought to pass".

Mr. Buker from the committee on Inland Fisheries and Game on bill an act to prohibit the bedding, advance baiting, or corning, so-called, or feeding of wild ducks (H. P. 524) reported same in a new draft (H. P. 1161) under same title and that it "Ought to pass".

Mr. Patterson from the Committee on Judiciary on bill an act relating to school house lots acquired by condemnation (H. P. 721) (H. D. 194) reported same in a new draft (H. P. 1159) under same title and that it "Ought to pass".

Mr. Aldrich from same Committee on bill an act relating to the Apportionment of Trustees of the Kennebec Water District. (H. P. 601) (H. D. 158) reported same in a new draft (H. P. 1158) under same title and that it "Ought to pass".

Reports read and accepted and the new drafts ordered printed under the joint rules.

First Reading of Printed Bills and Resolves

(H. P. 1104) (H. D. 370) An act to legalize the acts, doings and proceedings of the town of Otisfield and the assessment of taxes thereof, for the years 1924, 1925 and 1926.

(H. P. 1102) (H. D. 371) An act relating to the use as part of name the words "Bank", "Savings", "Trust" and kindred words.

(H. P. 1103) (H. D. 372) An act relating to pensioning members of the Police Department of the city of Brewer.

(H. P. 238) (H. D. 393) An act relating to teacher's pension for Fannie Marble.

(H. P. 262) (H. D. 394) An act relating to equal school privileges for all pupils.

(H. P. 606) (H. D. 395) An act relating to the Harrison Fire Insurance Company.

(H. P. 836) (H. D. 396) An act relating to a superintending school committee for Turner.

(H. P. 927) (H. D. 397) An act relating to the Penobscot Tribe of Indians.

(H. P. 1155) (H. D. 400) An act to confer the power to issue subpoenas to the City Council and Civil Service Commission of the city of Portland.

(H. P. 1154) (H. D. 399) Resolve for the laying of the county taxes for the year 1927.

(H. P. 1153) (H. D. 398) Resolve for the laying of the county taxes for the year 1928.

Passed to Be Engrossed

(H. P. 385) (H. D. 100) An act relating to whole family protection.

Orders of the Day

The SPEAKER: Under orders of the day the chair lays before the House, H. D. 203, an act abolishing caucuses in the city of Lewiston and substituting therefor primary elections, this bill having been recalled

from the committee on Legal Affairs by a joint order; and the Chair recognizes the gentleman from Lewiston, Mr. Belleau.

Mr. BELLEAU: Mr. Speaker, I do not know whether I can recall it without further parliamentary ruling.

The SPEAKER: The Chair will state that the bill is now before the House.

Thereupon, on motion by Mr. Belleau, the bill was indefinitely postponed.

Mr. CLIFFORD of Bath: Mr. Speaker, I would like the permission of the House to introduce, out of order, and under suspension of the rules, a bill to permit cities and towns to lay out bridle paths. I would say that this bill was just handed to me this morning and that under the pressure of income tax business the gentleman was unable to get it in form until today.

Thereupon the rules were suspended and the gentleman was permitted to introduce the bill out of order.

The SPEAKER: The gentleman from Bath, Mr. Clifford, moves that the bill be referred to the committee on Legal Affairs.

On motion by Mr. Piper of Jackman the bill was tabled pending reference to a committee.

The SPEAKER: The House is proceeding under orders of the day.

On motion by Mr. Kinsman of Augusta it was voted to take from the table S. P. 86, S. D. 158, resolve to reimburse the Cumberland County Fish and Game Association for one-half the amount expended in screening Peabody Pond in the county of Cumberland, tabled by that gentleman March 10, pending second reading; and on further motion by the same gentleman the resolve received its second reading.

Mr. KINSMAN: Mr. Speaker, I would like to offer House Amendment A to S. D. 158, and move its adoption.

House Amendment A to S. D. 158. Insert after the word "paid" in the second line thereof, the words "from the appropriation for the maintenance of the Department of Inland Fisheries and Game."

The amendment was adopted and the resolve as amended by House Amendment A, and also as amend-

ed by Senate Amendment A, was passed to be engrossed and sent up for concurrence.

On motion by Mr. Flint of Monson it was voted to take from the table, H. D. 367, an act relating to licenses of Indians for trapping fur-bearing animals, tabled by that gentleman March 10, pending reference to a committee; and on further motion by the same gentleman, the bill was re-

ferred to the committee on Inland Fisheries and Game.

The SPEAKER: If there is no further business under orders of the day the clerk will read the notices.

Notices read.

On motion by Mr. Belleau of Lewiston,

Adjourned until ten o'clock tomorrow morning.