

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Fourth Legislature

OF THE

STATE OF MAINE

1929

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

SENATE

Wednesday, February 27, 1929

Senate called to order by the President.

Prayer by the Rev. Stanley Manning of Augusta.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

House Bills in First Reading

An Act to provide for the support of the University of Maine. (H. D. 87)

On motion by Mrs. Pinkham of Aroostook, the rules were suspended the bill given its second reading and passed to be engrossed; on motion by Mr. Crockett of York the bill was forthwith sent down for concurrence.

An Act relating to classification of stock. (H. D. 431)

An Act relating to the formation of corporations having stock without par value. (H. D. 430)

An Act to create the Gray Water District. (H. D. 302)

An Act relating to the destruction of fish in East Machias Waters. (H. D. 140)

An Act increasing the amount of the exemption from taxation of household furniture. (H. D. 295)

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

Inland Fisheries and Game

By Mr. Minott of Cumberland: An act relating to the regulation of the taking of smelts in Sebago Lake and its tributaries. (S. P. 574)

(500 copies ordered printed.)

Sent down for concurrence.

Judiciary

By Mr. Greenleaf of Androscoggin: Resolve proposing an amendment to the Constitution to provide for filling Councillor vacancies. (S. P. 575)

By Mr. Oakes of Cumberland: An act to revise the Workmen's Compensation Act. (S. P. 576)

(500 copies of each ordered printed.)

Sent down for concurrence.

Legal Affairs

By Mr. Slocum of Cumberland: An act relating to the publication

of impartial statements regarding any measure submitted to the people. (S. P. 577)

By Mr. Wheeler of Oxford: An act to establish the territorial limits of the South Paris Village Corporation. (S. P. 578)

(500 copies of each ordered printed.)

Sent down for concurrence.

Ways and Bridges

By Mr. Bond of Lincoln: An act relating to appropriation and use of motor vehicle fees. (S. P. 597)

(500 copies ordered printed.)

Sent down for concurrence.

Bills in First Reading

An Act relating to the salary of the Adjutant General. (S. D. 228)

An Act to increase the salary of the Judge of Probate of Kennebec County. (S. D. 229)

An Act relating to clerk hire in the office of Register of Deeds for Knox County. (S. D. 230)

Resolve providing for a state pension for Harry W. Boynton of Jefferson. (S. D. 231)

Resolve providing for an increase in state pension for Annie M. Welch of Kennebunk. (S. D. 232)

Resolve in favor of Rena Cooley. (S. D. 233)

Resolve providing for an increase in state pension for Perley A. Haskell of Augusta. (S. D. 234)

Reports of Committees

Mr. Martin, from the Committee on Judiciary, on bill An act relating to commitments to Pownal State School (S. D. 91) reported that the same ought not to pass.

Mr. Noyes, from the Committee on Salaries and Fees, on bill An Act relative to the salary of the Recorder of the Portland Municipal Court (S. P. 16) reported that the same ought not to pass.

The reports were severally read and accepted.

Sent down for concurrence.

The majority of the Committee on Salaries and Fees, on bill An Act relating to fees of sheriffs and their deputies (S. D. 36) reported that the same ought to pass.

(Signed) MURCHIE
NOYES
WHEELER
MELCHER
LOMBARD
MORSE
BUTLER
BISHOP
GILLESPIE

The minority of the same Committee, on the same subject matter, reported that the same ought not to pass.

(Signed) McKNIGHT

(On motion by Mr. Weatherbee of Penobscot the majority report, ought to pass, was accepted.)

Mr. Martin from the committee on Judiciary, on bill An act relating to legal holidays (S. D. 64) reported that the same ought to pass.

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

Mr. Murchie from the committee on Salaries and Fees, on bill An act to increase the salaries of clerks in the office of Register of Probate and Clerk of Courts, Kennebec county (S. P. 63) reported the same in a new draft, under the title of an act relating to amount to be paid for clerk hire in the office of Register of Probate for Kennebec county (S. P. 580) and that it ought to pass.

The same Senator from the same committee, on bill An act relating to the salary of the Register of Probate in Knox county (S. P. 114) reported the same in a new draft, under the same title (S. P. 581) and that it ought to pass.

The same Senator from the same committee, on bill An act relating to clerk hire in the office of the Register of Probate for Knox county (S. P. 116) reported the same in a new draft under the same title (S. P. 582) and that it ought to pass.

Mr. Noyes from the same committee, on bill An act relating to clerk hire in the office of Clerk of Courts for Knox county (S. P. 12) reported the same in a new draft, under the same title (S. P. 583) and that it ought to pass.

The same Senator from the same committee, on bill An act relating to the salary of Register of Deeds for the county of Knox (S. P. 324) reported the same in a new draft, under the same title (S. P. 584) and that it ought to pass.

The same Senator from the same committee, on bill An act relating to the salary of the Sheriff of Knox county (S. P. 115) reported that the same ought to pass.

The reports were severally read and accepted and the bills laid upon the table for printing under the joint rules.

Passed To be Engrossed

An act relative to examination

papers of applicants for admission to the bar. (H. D. 368)

Resolve in favor of Fred A. Budge of Mattawamkeag. (H. D. 413)

An act to incorporate the Big Black River Dam Company. (S. D. 218)

An act making it unlawful to fish for smelts in certain parts of Washington and Hancock counties. (S. D. 226)

An Act relating to the digging of clams in the town of Wells. (S. D. 227)

The PRESIDENT: The Chair will state that the Act to protect muskrats in the town of Orrington in the county of Penobscot (H. D. 76) which was recalled from the Governor yesterday for further consideration is now in the possession of the Senate. Does the Senate wish to take any action on this matter at this time?

Subsequently, on motion by Mr. Douglas of Hancock the bill was laid upon the table pending further consideration.

On motion by Mr. Weeks of Somerset the Senate voted to reconsider its action of yesterday whereby it accepted in concurrence the report "ought not to pass" of the Committee on State Lands and Forest Preservations on resolve in favor of Caratunk Plantation (H. P. 623); and on further motion by the same Senator the resolve was laid upon the table pending consideration of the report.

On motion by Mr. Oakes of Cumberland the Senate voted to reconsider its action whereby An act to revise the Workmen's Compensation Act (S. P. 576) was referred to the committee on Judiciary; and on further motion by the same Senator the bill was laid upon the table pending reference.

Orders of the Day

The President laid before the Senate, Resolve in favor of Bangor State Hospital for additional equipment and renovations (S. D. 174) tabled on February 20th by Mr. Mitchell of Aroostook pending passage to be engrossed; and on motion by that Senator the resolve was retabled.

The President laid before the Senate, Resolve in favor of Augusta State Hospital (S. D. 175) tabled on February 20th by Mr. Mitchell of Aroostook pending passage to be en-

grossed; and on motion by that Senator the resolve was retabled.

The President laid before the Senate, Auditor's Report relative to Trust Fund (S. D. 149) tabled on February 20th by Mr. Spear of Cumberland pending consideration; and on motion by that Senator the report was placed on file.

The President laid before the Senate, Resolve in favor of Highmoor Farm (S. D. 12); Resolve in favor of animal husbandry (S. D. 13); Resolve making appropriation for the support and maintenance of the Maine Agricultural Experiment Station (S. D. 14); Resolve in favor of scientific investigation in agriculture in Aroostook county (S. D. 15); Resolve to appropriate money for cooperative agricultural work between the College of Agriculture of the University of Maine and the United States Department of Agriculture (S. D. 16), tabled on February 20th by Mr. Leland of Piscataquis, pending first reading.

Mr. LELAND of Piscataquis: Mr. President, referring to these resolves, I would simply say that in view of the very satisfactory progress made in this body this morning of the act providing for the maintenance of all branches of the University of Maine, it would seem quite probable that these might soon be taken from the table and indefinitely postponed and pending such action, I would move that they be retabled.

The motion prevailed.

The President laid before the Senate, Resolve in favor of the Western Maine Sanatorium for the maintenance, personal services, repairs and equipment (S. D. 73), Resolve in favor of the Central Maine Sanatorium for maintenance, personal services, repairs and equipment (S. D. 74), Resolve in favor of the Northern Maine Sanatorium for maintenance, personal services, repairs and equipment (S. D. 75,) tabled on February 20th by Mr. Mitchell of Aroostook pending passage to be engrossed; and on motion by that Senator the three resolves were retabled.

The President laid before the Senate, Resolve in favor of Children's Heart Work Society of Maine (S. P. 456) tabled on Feb-

ruary 20th by Mr. Oakes of Cumberland pending reference; and on motion by that Senator the resolve was retabled.

The President laid before the Senate, An act to regulate and control outdoor advertising (H. D. 403) tabled on February 21st by Mr. Weatherbee of Penobscot pending reference.

Mr. WEATHERBEE of Penobscot: Mr. President, I now yield to the Senator from Androscoggin, Senator Carter.

On motion by Mrs. Carter of Androscoggin the bill was retabled.

The President laid before the Senate, Resolve in favor of Augusta State Hospital (S. P. 527) tabled on February 21st by Mr. Murchie of Washington pending reference and printing; and on motion by that Senator resolve was referred to the Committee on Insane Hospitals.

The President laid before the Senate An act relating to taking clams in Trenton, (H. D. 8) tabled on February 21st by Mr. Murchie of Washington pending second reading.

Mr. MURCHIE of Washington: Mr. President, I tabled this bill for the purpose of moving its indefinite postponement because I think it purports to give the rights of the residents of the town a rather more complete monopoly than the Legislature ought to grant. I found, after examination, however, that there are a number of private and special laws regulating the digging of clams in different towns in the State and I would have no objection to a law being passed to take care of the town of Trenton if it can be done in a constitutional manner. If therefore, anyone in the Senate desires to table the bill for the purpose of amending to get it in proper form, I would have no objection. Otherwise, I would move its indefinite postponement.

Upon motion by Mr. Slocum of Cumberland, the bill was retabled pending second reading.

The President laid before the Senate, An Act to extend the time for taking smelts in the tidal waters of Stonington and Deer Isle, in the county of Hancock. (H. D. 316), tabled on February 22nd by

Mr. Littlefield of York, pending consideration.

Mr LITTLEFIELD of York: Mr. President, I move this bill take its regular course.

The PRESIDENT: The Chair will state for the information of the Senator from York, Senator Littlefield, this bill was passed to be engrossed in the House and passed to be engrossed in the Senate. It came into the House again as an enactor. In that body the passage to be engrossed was reconsidered and House Amendment A was adopted. It was then passed to be engrossed as amended by House Amendment A, in non-concurrence. Does the Senator wish to have the amendment read?

The Secretary read House Amendment A.

Upon motion by Mr. Littlefield, the bill was retabled pending consideration.

The President laid before the Senate, An Act providing for the appointment of clerks of courts, (S. D. 34) tabled on February 22nd by Mr. Harriman of Kennebec, pending passage to be engrossed.

Mr. HARRIMAN of Kennebec: Mr. President, I yield to the Senator from Knox, Senator Dwinal.

Mr. DWINAL of Knox: Mr. President, I offer Senate Amendment A and move its adoption:

The Secretary read Senate Amendment A:

"Senate Amendment A to Senate Document 34.

Senate Document 34 entitled An Act Providing for the Appointment of Clerks of Courts is hereby amended by striking out all after the enacting clause and inserting in place thereof the following: Section one of chapter 84 of the Revised Statutes is hereby amended so as to read as follows: Clerks of the Judicial courts shall hereafter be appointed by the Governor and confirmed by the council and shall hold office for the term of four years unless removed by the Governor and council for cause; but all such clerks now in office shall continue to hold their office until the expiration of the term for which they were appointed or elected or until a vacancy occurs from some other cause. All such clerks shall be residents of the county for which they are ap-

pointed. Upon a vacancy occurring in any such clerk's office and before the appointments provided for in this section are made, it shall be the duty of the Chief Justice of the Supreme Judicial Court to make recommendations to the Governor and council relative to said appointments."

The PRESIDENT: The question before the Senate is on the adoption of Senate Amendment A. Is it the pleasure of the Senate that Senate Amendment A be adopted?

Senate Amendment A was adopted.

Upon motion by Mr. Harriman, the bill as amended was then placed upon the table and especially assigned for Friday next, and 500 copies ordered printed.

The President laid before the Senate, An Act providing for inspection, registration and safety of vessels engaged in inland navigation under jurisdiction of Public Utilities Commission (S. D. 146) tabled on February 22nd by Mr. Slocum of Cumberland pending passage to be engrossed; and upon motion by that Senator the bill was passed to be engrossed.

The President laid before the Senate, An Act to incorporate Sabattus Water and Sewer District (S. D. 206) tabled on February 26th by Mr. Greenleaf of Androscoggin pending passage to be engrossed.

Mr. GREENLEAF of Androscoggin: Mr. President, I tabled this act for the purpose of amendment. I expect to have the amendment ready within a week and I move this be retabled.

The motion prevailed.

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

ORDERED, that a message be sent to the House of Representatives proposing a Joint Convention to be held forthwith in the Hall of the House for the purpose of extending an invitation to the Governor to attend the convention and present such communication as he may be pleased to make.

The Secretary conveyed the message.

Subsequently a message was received from the House, by Mr.

Chapman, its Clerk, concurring in the foregoing proposition for a Joint Convention.

The Senate then proceeded to the House of Representatives where a Convention was formed.

(For proceedings in Joint Convention see House Report).

In The Senate

The Senate was called to order by the President.

Mr. SPEAR of Cumberland: Mr. President, I understand that the bill changing the appropriation of the Secretary of Public Welfare (S. D. 236), is in the possession of the Senate.

The PRESIDENT: The Senator is correct.

Mr. SPEAR: I move, Mr. President, that we reconsider our vote whereby this bill was referred to a committee.

The PRESIDENT: The Senator from Cumberland Senator Spear,

moves that the Senate reconsider its action whereby An Act to Provide for the Governor and Council to fix the salary of the Secretary of Public Welfare was referred to a committee. Is this the pleasure of the Senate?

The motion to reconsider prevailed.

Mr. SPEAR: Mr. President, as this matter is covered by law at the present time and this bill is therefore unnecessary, I would like unanimous consent to withdraw it.

The PRESIDENT: The Senator from Cumberland, Senator Spear, now asks the unanimous consent of the Senate that he may be permitted to withdraw the bill. Is this the pleasure of the Senate?

Unanimous consent to withdraw the bill was given.

On motion by Mr. Campbell of Washington.

Adjourned until tomorrow morning at ten o'clock.