

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

Thursday, February 28, 1929

Senate called to order by the President.

Prayer by the Rev. Edna L. Knowlton of Augusta.

Journal of previous session read and approved.

From the House: Remonstrances against the levying of any additional gasoline tax (Senate Papers Nos. 385 to 401 inclusive, 415 to 438 inclusive, 447 to 452 inclusive, 464 to 479 inclusive, 481, 499 to 520 inclusive, 538, 557 to 559 inclusive, and 572).

(In Senate referred to the Committee on Taxation.)

In the House, referred to the Committees on Ways and Bridges and Taxation jointly, in non-concurrence.

In the Senate, that body voted to recede and concur with the House.

Papers from the House disposed of in concurrence.

House Bills in First Reading

Resolve in favor of C. J. Thomas, compensating him for the loss of a cow (H. D. 459)

(On motion by Mr. Dunbar of Hancock, tabled pending first reading)

An act to regulate fishing in Bent's Pond in New Sharon and Vienna (H. D. 78)

An act for the better protection of trout in Lake Cobbosseecontee in the county of Kennebec (H. D. 88)

From the House: Committee on Judiciary, on bill an act providing for retirement of court stenographers and their compensation (H. D. 28) reported that the same ought to pass.

In the House, report accepted, bill subsequently indefinitely postponed.

In the Senate, on motion by Mr. Martin of Kennebec, tabled pending consideration.

An act relating to the Eastport Municipal Court (H. D. 429)

An act relating to the taking of additional land by railroad corporations; proceedings before Pub-

lic Utilities Commission (H. D. 138)

An act to empower the Westfield Electric Company to sell its property to Gould Electric Company, and for other purposes (H. D. 453)

An act to increase amount paid for clerk hire in office of Clerk of Courts for Cumberland County (H. D. 449)

An act relating to the salary of the Judge of the Ellsworth Municipal Court (H. D. 450)

An act relating to Deputy Clerk of Courts of Kennebec County (H. D. 455)

An act relating to the salary of the Treasurer of Kennebec County (H. D. 454)

An act regulating the taking of shad in the Noneseuch River in Scarborough (H. D. 451)

An act to regulate the taking of clams in the town of Phippsburg (H. D. 452)

An act relating to the lobster industry within two miles of the shore of Monhegan Island (H. D. 457)

An act relating to the digging of clams in Biddeford, in the county of York (H. D. 456)

Resolve authorizing the Forest Commissioner as Land Agent to convey a certain lot of land to Asahel Darling (H. D. 458)

Resolve authorizing the Forest Commissioner to release the State's interest in Lots numbered three, four and six in township fifteen, range six, W. E. L. S., Aroostook County, Maine, to Clara E. Hodgkins of Farmington, Maine (H. D. 460)

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

Agriculture

By Mr. Bond of Lincoln: An act to provide for inspection of gasoline (S. P. 585)

(500 copies ordered printed)

Sent down for concurrence.

Banks and Banking

By Mr. Page of Somerset: An act to make uniform the method of computing interest on savings

accounts in trust companies and savings banks (S. P. 586)

(500 copies ordered printed)

Sent down for concurrence.

Inland Fisheries and Game

By Mr. Harriman of Kennebec: An act extending the limits and changing the name of the Augusta Game Sanctuary (S. P. 587)

(500 copies ordered printed)

Sent down for concurrence.

Judiciary

By Mr. Douglas of Hancock: petition of Lyman E. Haskell and 30 others of Mt. Desert and Northeast Harbor in favor of an act to register and license barbers and create a Board of Barber Examiners (S. P. 588);

By Mr. Leland of Piscataquis: petition of R. E. Taylor and 20 others of Brownville Jct. (S. P. 589) in favor of same;

By Mr. Slocum of Cumberland: petition of Percy S. French and 24 others of Warren (S. P. 590) in favor of same.

By Mr. Dwinall of Knox: An act relating to the crime of arson and punishment (S. P. 591)

(500 copies ordered printed)

Sent down for concurrence.

Legal Affairs

By Mr. Boulter of York: An act to amend section 13 of chapter 23 of the Revised Statutes requiring motor boats to be equipped with suitable mufflers (S. P. 592)

By Mr. Dwinall of Knox: An act to amend chapter 52 of the Public Laws of 1927 relative to enforcement of motor vehicle laws (S. P. 593)

By Mr. Minott of Cumberland: An Act to regulate the plotting of private lands for streets or ways and imposing conditions for recording maps or plans of private land with streets or ways thereon. (S. P. 594)

By Mr. Murchie of Washington: An Act to regulate expenditures in connection with matters of legislation submitted to the people under the provisions of Article 31 of the Constitution providing for the initiative and referendum. (S. P. 595) (500 copies of each ordered printed.)

Sent down for concurrence.

(At this point the Hon. Frank Holley was escorted to a seat at the right of the President amid the

applause of the Senate, the members rising.)

Pensions

By Mr. Dunbar of Hancock: Resolve for teacher's pension for Annie L. Dunbar. (S. P. 596)

(500 copies ordered printed.)

Sent down for concurrence.

Public Utilities

By Mr. Weeks of Somerset: An Act to amend section 60 of chapter 57 of the Revised Statutes relating to number of brakemen on passenger trains. (S. P. 597)

(500 copies ordered printed.)

Sent down for concurrence.

Revision of the Statutes

By Mr. Weatherbee of Penobscot: An Act to amend section 37 of chapter 85 of the Revised Statutes relative to assistance to discharged prisoners. (S. P. 598)

By the same Senator: An Act to amend chapter 76 of the Revised Statutes, as amended, relative to sales of real estate by license of Probate Court. (S. P. 599)

By the same Senator: An Act to amend section 44 of chapter 82 of the Revised Statutes relative to certification of cases to the Law Court. (S. P. 600)

By the same Senator: An Act to repeal section 5 and to amend section 6 of chapter 72 of the Revised Statutes, relative to notice on application by municipal officers for appointment of guardians. (S. P. 601)

By the same Senator: An Act to amend sections 18, 19 and 21 of chapter 88 of the Revised Statutes, relative to appeals from trial justices and municipal courts. (S. P. 602)

(500 copies of each ordered printed.)

Sent down for concurrence.

Salaries and Fees

By Mr. Carlton of Sagadahoc: An Act to amend section 34 of chapter 117 of the Revised Statutes relative to salary of State Highway Commission. (S. P. 603)

(500 copies ordered printed.)

Sent down for concurrence.

State Lands and Forest Reservation

By Mr. Bond of Lincoln. An Act relating to a State Entomologist. (S. P. 604)

(500 copies ordered printed.)

Sent down for concurrence.

Taxation

By Mr. Greenleaf of Androscoggin: An Act relating to the taxation of street railway corporations. (S. P. 605)

(500 copies ordered printed.)

Sent down for concurrence.

Ways and Bridges and Taxation

By Mr. Littlefield of York: Remonstrance of W. T. Webber of Kennebunk and 14 others (S. P. 606) against the levying of any additional gasoline tax.

By Mr. Oakes of Cumberland: Remonstrance of W. W. Woodward of Portland and 48 others (S. P. 607) against the same.

Sent down for concurrence.

Orders

Mr. Martin of Kennebec, presented the following order:

ORDERED, the House concurring, that the Commissioner of Labor, and the Insurance Commissioner of the State of Maine, two members of the Senate to be appointed by the President of the Senate and three members of the House to be appointed by the Speaker of the House, are hereby authorized to make an investigation of the operation of the Workmen's Compensation Law of the State, and make full report in writing to the Governor on or before October 1, 1930.

Authority is hereby given to summons witnesses and require the production of papers, documents and reports, any witnesses so summoned to receive the same attendance fees as are paid in the Supreme Judicial Court.

Among the matters which are to be inquired into are the following:

(1) Are the present rates adequate and fully compensatory to the insurance carriers, or are they too high or too low?

(2) What are the reasons why mutual insurance companies at regular manual rates can return to their clients 20% or more of premiums paid, while stock companies claim to be losing money?

(3) What has been the experience of self-insurers?

(4) Is the so called "loading charge" of 40% justified or not?

(5) Are the insurance carriers properly or improperly expending money in audit, inspection, investigation and adjustment?

(6) What is the experience in

those States which have either a monopolistic state fund in its plan, or a competitive State fund and carrier plan?

The investigators herein provided for are to serve without compensation except actual expenses, but they may employ, at the expense of the State, such necessary expert, or other assistance as they require.

To enable the Commissioners herein named to perform their duties the Governor and Council are authorized to pay the expenses incurred up to, but not exceeding, the sum of twenty-five thousand dollars (\$25,000), such payment to be out of any funds available to the Governor and Council therefor.

Mr. MARTIN of Kennebec: Mr. President, in presenting this order I will say that I do so at the request of several citizens of the State and that the matter involved in it meets with the approval of the various people interested, at least I am so advised, and I move that five hundred copies of this order be printed and that it lie upon the table pending passage.

The motion prevailed.

On motion by Mr. Douglas of Hancock, it was

Ordered, that the use of the Senate Chamber be granted to the Committee on Inland Fisheries and Game for a hearing Thursday afternoon, March 7th, 1929.

Bills in First Reading

An Act relating to the salary of the Sheriff of Knox County. (S. D. 242)

Resolve in favor of the G. A. R. Cemetery Association of Lewiston. (S. D. 235)

An Act relating to amount to be paid for clerk hire in the office of the Register of Probate for Kennebec County. (S. D. 248)

Reports of Committees

Mr. Mitchell from the Committee on State Sanatoriums, on Resolve in favor of the Trustees of the tuberculosis sanatoriums for per diem and expenses (S. D. 53) reported that the same ought not to pass.

Mrs. Allen from the Committee on State School for Boys, State School for Girls and State Reformatories, on bill An Act to repeal section 6, chapter 144, Revised

Statutes, relating to State School for Boys (S. P. 383) reported that the same ought not to pass.

Mr. Harriman, from the same Committee, on bill An Act to repeal section 25, chapter 144, Revised Statutes, relating to State School for Girls (S. P. 382) reported that the same ought not to pass.

The reports were severally read and accepted.

Sent down for concurrence.

Mrs. Pinkham, from the Committee on Interior Waters, on bill An Act to authorize the erection of a dam across the East branch of Spruce Creek, sometimes called Barter's Creek, in the town of Kittery (S. D. 121) reported that the same ought to pass.

Mr. Martin, from the Committee on Judiciary, on bill An Act relating to the registration of non-resident trucks (S. D. 111) reported that the same ought to pass.

Mr. Weeks, from the same Committee, on bill An Act to change the name of Westbrook Seminary; to enlarge the board of trustees thereof and to authorize said trustees to accept and administer gifts to said institution (S. D. 86) reported that the same ought to pass.

The same Senator, from the same Committee, on bill An Act to amend the charter of Maine Central Institute (S. D. 89) reported that the same ought to pass.

Mr. Murchie, from the Committee on Revision of Statutes, on bill An Act relative to penalties by imprisonment (S. D. 172) reported that the same ought to pass.

Mr. Oakes, from the same Committee, on bill An Act to repeal section 27 of chapter 37 of the Revised Statutes relative to semi-monthly payments for milk and cream (S. D. 199) reported that the same ought to pass.

The same Senator, from the same Committee, on bill An Act to amend section 2, chapter 34, Revised Statutes, as amended, relative to the duties of the Commissioner of Agriculture (S. D. 202) reported that the same ought to pass.

The same Senator, from the same Committee, on bill An Act to amend section 6, chapter 33, Public Laws of 1927, relating to the sale and exchange of town forests and the location of public ways therein (S.

D. 201) reported that the same ought to pass.

Mrs. Allen, from the Committee on State School for Boys, State School for Girls and State Reformatories, on Resolve in favor of State School for Boys (S. D. 56) reported that the same ought to pass.

The same Senator, from the same Committee, on Resolve in favor of State School for Girls (S. D. 166) reported that the same ought to pass.

Mr. Harriman, from the same Committee, on bill An Act for the better care of inmates of the Reformatory for Women (S. D. 163) reported that the same ought to pass.

Mr. Weeks, from the same Committee, on Resolve in favor of the State Reformatory for Men (S. D. 120) reported that the same ought to pass.

Mr. Leland, from the Committee on Towns, on bill An Act to repeal the organization of the plantation of Long Pond (S. D. 147) reported that the same ought to pass.

The reports were severally read and accepted, the bills and resolves each read once, and tomorrow assigned for second reading.

Passed to be Engrossed

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

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

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

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

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

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

An Act relating to fees of Sheriffs and their deputies. (S. D. 36)

(On motion by Mr. Littlefield of York, tabled pending second reading)

An Act relating to legal holidays. (S. D. 64)

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

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

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

Resolve providing for a State pension for Henry W. Boynton of Jefferson. (S. D. 231)

Passed to be Enacted

An Act authorizing the erection of a bridge or roadway across tideswaters between Harbor Island in the town of Phippsburg in the County of Sagadahoc and the mainland of said town. (S. D. 42)

An Act to amend the banking laws of this state (S. D. 61)

(On motion by Mr. Oakes of Cumberland, tabled pending passage to be enacted.)

An Act to fix the salary of the Judge of Probate for the County of Somerset (S. D. 164)

An Act relating to the salary of the Register of Probate of Somerset County (S. D. 165)

An Act relating to the inspection of buildings and the authority and duty to remedy fire hazards (H. D. 17)

An Act relating to the expenses of the State Historian (H. D. 355)

An Act to incorporate the Union River Railway Company (H. D. 328)

An Act relating to increases in capital stock of railroad corporations (H. D. 139)

An Act to extend the charter granted to the Union Terminal Company (H. D. 183)

An Act relating to the Presque Isle Sewer District (H. D. 356)

An Act relating to the Presque Isle Sewer District (H. D. 357)

An Act to increase the salary of the Sheriff of Franklin County (H. D. 330)

An Act increasing the amount allowed for clerk hire in the office of the Clerk of Courts of Androscoggin County (H. D. 331)

An Act increasing the salary of the Clerk of Courts of Androscoggin County (H. D. 332)

An Act to empower and direct the Governor and Council to sell and convey certain property in

Bath to the city of Bath (H. D. 359)

An Act to amend the charter of the Mutual Fire Insurance Company of Saco, Maine (H. D. 361)

Finally Passed

Resolve in favor of Silas L. Barrows of Waterville, to compensate him for personal injuries and property damage, occasioned by his being shot by Hollis Spear, a state ward (H. D. 341)

Resolve providing for a state pension for Eliza F. Withee of Vassalboro (H. D. 128)

(Emergency Measure)

Resolve in favor of the Central Maine Sanatorium for the laying of a six inch water main from the county highway to the Sanatorium buildings (S. D. 100)

This resolve, carrying the emergency clause, required the affirmative vote of two-thirds of the membership of the Senate on its final passage.

Twenty-eight Senators having voted in the affirmative and none opposed, the resolve was finally passed.

Orders of the Day

Upon motion by Mr. Oakes of Cumberland, the Senate voted to take from the table An act to revise the Workmen's Compensation Law, (S. P. 576), tabled on February 27th by that Senator pending reference; and upon further motion by that Senator the bill was referred to the Judiciary Committee and 500 copies ordered printed.

Upon motion by Mr. Oakes of Cumberland, the Senate voted to take from the table Resolve in favor of Children's Heart Work Society of Maine (S. P. 456) tabled on February 27th by that Senator pending reference; and upon further motion by that Senator the resolve was referred to the Committee on Appropriations and Financial Affairs.

Upon motion by Mr. Greenleaf of Androscoggin, the Senate voted to take from the table An act to incorporate Sabattus Water and Sewer District (S. D. 206) tabled on February 27th by that Senator pending passage to be engrossed.

Mr. GREENLEAF of Androscoggin: Mr. President, I now offer

Senate Amendment A and move its adoption.

The Secretary read Senate Amendment A:

Senate Amendment A to Senate Document 206. "Amend Senate Document 206. An act to incorporate Sabattus Water and Sewer District by inserting after the word 'the' in the fifth line of the first paragraph of section seven of said document the words, 'persons therein' and by striking out the word 'voters' in the sixth line of said paragraph and inserting in place thereof the words 'to vote.'"

Senate Amendment A was adopted; and upon further motion by the same Senator the bill as amended by Senate Amendment A was passed to be engrossed.

The PRESIDENT: Pending arrival of papers from the House the Chair will declare a short recess.

After Recess

The Senate was called to order by the President.

Passed to Be Enacted

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

On motion by Mr. Wheeler of Oxford the bill was sent forthwith to the Governor for his approval.

On motion by Mr. Oakes of Cumberland, the Senate voted to take from the table An act to amend the banking laws of the State (S. D. 61) tabled earlier in today's session by that Senator pending passage to be enacted; and on further motion by the same Senator the bill was passed to be enacted.

On motion by Mr. Douglas of Hancock, the Senate voted to reconsider its action whereby An act to extend the charter granted to the Union Terminal Company (H. D. 183) was passed to be enacted; and on further motion by the same Senator the bill was laid upon the table pending passage to be enacted.

On motion by Mr. Boulter of York, Adjourned until tomorrow morning at ten o'clock.