

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

Tuesday, March 5, 1929

Senate called to order by the President.

Prayer by the Rev. L. D. Porter of Gardiner.

Journal of previous session read and approved.

From the House: An Act relating to legal holidays (S. D. 64).

(In Senate, February 28, passed to be engrossed and sent down for concurrence.)

In the House, recommitted to the Committee on Judiciary.

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

From the House, Resolve in favor of the Trustees of the University of Maine (S. D. 17).

(In Senate, February 26, passed to be engrossed and sent down for concurrence.)

In the House, indefinitely postponed in non-concurrence.

In the Senate, on motion by Mr. Slocum of Cumberland, tabled pending consideration.

From the House: An act relating to Portland Gas Light Company (S. D. 101).

(In Senate, February 19, passed to be engrossed and sent down for concurrence.)

In the House, passed to be engrossed as amended by House Amendment "A" in non-concurrence.

In the Senate, on motion by Mr. Oakes of Cumberland, tabled pending consideration.

From the House: Resolve to modify the conditions of the gift from B. C. Jordan to the State of Maine for the purpose of encouraging cultivation of forests (H. D. 384).

(In Senate, February 22, passed to be engrossed in concurrence.)

In the House, recommitted to the Committee on State Lands and Forest Preservation in non-concurrence.

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

Thereupon, on motion by Mr. Page of Somerset the Senate voted to reconsider its action just taken whereby this resolve was recommitted to the Committee on State Lands and Forest Preservation in concurrence; and on further mo-

tion by the same senator the resolve was laid upon the table pending consideration.

From the House: An act relating to the capacity of milk bottles and jars (H. D. 543).

In the House, referred to the Committee on Agriculture.

In the Senate, on motion by Mr. Slocum of Cumberland, tabled, pending consideration and five hundred copies ordered printed.

Papers from the House disposed in concurrence.

From the House: The Committee on Legal Affairs, on bill An act to establish a Park Commission of the city of South Portland (H. D. 96) reported that the same ought not to pass.

In the House, the report was accepted.

In the Senate, on motion by Mr. Slocum of Cumberland, tabled pending consideration.

House Bills in First Reading

An Act to open Virginia Lake in Stoneham to bass fishing (H. D. 474).

An Act to open Lily Pond, in Knox County, to fishing (H. D. 478).

An Act relating to fishing for smelts in Winnegance Creek (H. D. 479).

An Act to regulate fishing in Prescott Pond in Elliottsville Plantation (H. D. 477).

An Act to provide for the exoneration of bail in civil action after the entry of the action (H. D. 275).

An Act prohibiting interment or disinterment of bodies without permit (H. D. 274).

An Act to amend the charter of the city of Westbrook in reference to reducing the number of its Aldermen, and increasing the time of their office as well as that of the Mayor and Board of Assessors (H. D. 70).

In the House, report and bill recommitted to the Committee on Legal Affairs.

In the Senate, on motion by Mr. Crosby of Penobscot, tabled pending consideration.

Resolve in favor of William S. Smith of Alna for State pension (H. D. 491).

Resolve providing for a State pension for Jennie S. Sutton of Lewiston (H. D. 488).

Resolve providing for a State pension for Anna Lou Hobart of Farmington. (H. D. 489)

Resolve in favor of Anna L. Gagan, providing a State pension. (H. D. 490)

Resolve providing for a State pension for Electus Oakes of Thorndike. (H. D. 482)

Resolve providing for a State pension for Rosie E. Clark of Etna. (H. D. 480)

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

In the Senate report accepted and resolve given its first reading as amended by House Amendment "A".

Resolve to provide a State pension for Mary W. Chamberlin of Portland. (H. D. 483)

An act relative to the jurisdiction of courts over offenses under said chapter. (H. D. 351)

An act relative to canning of short lobsters. (H. D. 348)

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

An act relative to persons authorized to perform marriages. (H. D. 349)

An act providing for clerk hire in the office of the Register of Probate of Cumberland county. (H. D. 484)

An act relating to the salary of the County Attorney for the county of Knox. (H. D. 485)

An Act relating to the salary of the County Attorney for the county of Lincoln. (H. D. 486)

An act increasing the salaries of the County Attorney and Assistant County Attorney of Cumberland county. (H. D. 487)

An Act relating to the salaries of the County Commissioners of Sagadahoc county. (H. D. 475)

An act relating to salary of the Register of Probate of Sagadahoc county. (H. D. 476)

An act relating to salaries of County Treasurers. (H. D. 472)

An act relating to expenses and clerk hire of the Commissioner of Agriculture. (H. D. 481)

An act to increase the amount to be paid for clerk hire in the office of the Register of Deeds in the county of Cumberland. (H. D. 473)

An act to change the name of the town of East Livermore to the town of Livermore Falls. (H. D. 299)

The following communication from the Department of State Auditor:

"STATE OF MAINE
DEPARTMENT OF
STATE AUDITOR

Augusta, March 4, 1929.

To the Honorable Senate and House of Representatives:

I refer to you herewith certain deficiencies, amounting in total to \$9,517.27. These are referred to you under Section 84, of Chapter 2, Revised Statutes which reads in part ". whenever any appropriation or fund is expended all bills and accounts presented to the State Auditor and drawn on said expended appropriation shall not be approved by him, but shall be reported by him to the next session of the Legislature."

In recent years, since the establishment of the State Contingent Fund, the deficiencies so referred to, have been smaller in amount than formerly for the reason that most of such deficiencies were paid from said State Contingent Fund. The law authorizes the Governor and Council, where the appropriation is insufficient to pay from the State Contingent Fund 'outstanding bills or accounts that were properly chargeable to the several appropriations for the previous fiscal year ending the thirtieth day of June preceding the time of payment.' (Section 3, Chapter 164, Public Laws 1925). Therefore no claims incurred after June 30, 1927 have been included except \$1,420.12 for 'Compilation and Publication of Data Concerning the Resources of the State' and \$2,843.84 for the Commissioner of Education. Inasmuch as lapsed balances of the State Commissioner of Education accrue to the school fund and not to the State Contingent Fund, I suggest that in acting upon these, authority to pay, if granted, should require this amount to be deducted from the permanent school fund.

One claim in favor of Wilber H. Gautuier, of Benedicta, \$108.00, is for sheep destroyed by bears while being pastured in Township 2, Range 6, Penobscot County. As the law provides that the municipal officers of the town where the animals were destroyed shall make claim for same, and as this is an unorganized place, I had no authority to pay the same.

The bills and correspondence

relative to these matters are on file in the office of the State Auditor and will be furnished to the Committee on application.

Very truly yours,
(Signed) ELBERT D. HAYFORD
State Auditor."

Which was referred to the Committee on Claims.

Sent down for concurrence.

Orders

On motion by Mr. Spear of Cumberland, it was

Ordered, the House concurring, that 2,500 copies of the communication of the Governor to the Legislature, in joint convention on Wednesday, February 27, relating to State finances, be printed for the use of the Legislature.

Sent down for concurrence.

On motion by Mrs. Carter of Androscoggin, it was

Ordered, that the Rev. Harold R. Carter of Auburn be invited to officiate as Chaplain of the Senate on Thursday, March 7th.

Bills in First Reading

An Act to aid in the enforcement of statutes governing the use of vehicles on closed or restricted ways and bridges. (S. D. 309)

Resolve for the general distribution of data concerning the resources of the State (S. D. 306.)

An Act to amend section 20 of chapter 34 of the Revised Statutes relative to State stipends to agricultural societies. (S. D. 307.)

An Act to amend section 2 of chapter 5 of the Revised Statutes by omitting the word 'male' from the qualification of voters. (S. D. 308.)

Reports of Committees

Mr. Crockett, from the Committee on Library, on Resolve for the purchase of a monograph on the Geology, Conchology and Botany of Maine. (S. P. 313.) reported that the same be referred to the next Legislature.

The report was read and accepted.

Sent down for concurrence.

Mr. Douglas, from the Committee on Taxation, on bill An Act to

amend the charter of the Portland Water District. (S. D. 105) reported that the same ought not to pass.

(On motion by Mr. Slocum of Cumberland, tabled pending acceptance.)

Mr. Crockett, from the Committee on Banks and Banking, on bill An Act to incorporate the Eastern Loan Company, Incorporated. (S. D. 107.) reported that the same ought to pass.

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

The same Senator, from the same Committee, on bill An Act to incorporate the New England Public Finance Co. (S. P. 34.) reported that the same ought to pass.

The same Senator, from the same Committee, on bill An Act to incorporate the Monroe Loan Society of Maine (S. P. 263) reported the same in a new draft, under the same title (S. P. 654) and that it ought to pass.

Mr. Dwinial, from the Committee on Pensions, on Resolve providing for a State pension for Mabel Paul Ferrow of Belfast. (S. P. 154) reported that the same ought to pass.

Mr. Noyes from the same Committee, on Resolve for a teacher's pension for Sadie Cummings. (S. P. 126.) reported that the same ought to pass.

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

Passed to be Engrossed

An act establishing Moosehead Lake Game Preserve, in the county of Piscataquis (H. D. 117)

An act to increase the jurisdiction of the Auburn Municipal Court (H. D. 267)

An act providing for the attesting of records of city and town clerks by volume (H. D. 273)

An act relating to the quarantine of cattle (H. D. 310)

An act increasing the amount paid by the State for condemned cattle (H. D. 309)

(On motion by Mr. Spear of Cumberland, the Senate voted to reconsider its action just taken whereby this bill was passed to

be engrossed and on further motion by the same Senator the bill was tabled pending passage to be engrossed.)

An act relating to the protection of children (S. D. 94)

(On motion by Mr. Bragdon of Aroostook, tabled pending passage to be engrossed)

An act to amend the charter of Lee Academy (S. D. 92)

An act relating to highway crossings of railroads (S. D. 177)

An act relating to the salary of the Register of Probate in Knox County (S. D. 249)

An act relating to clerk hire in the office of the Register of Probate for Knox County (S. D. 250)

An act relating to clerk hire in the office of clerk of courts for Knox County (S. D. 251)

An act relating to the salary of Register of Deeds for the County of Knox (S. D. 252)

Additional paper from the House disposed of in concurrence.

Orders of the Day

On motion by Mr. Slocum of Cumberland, the Senate voted to take from the table An act to establish a Park Commission of the City of South Portland, (H. D. 96) tabled by that Senator earlier in today's session, pending consideration.

Mr. SLOCUM of Cumberland: Mr. President, I tabled this bill owing to the absence at the time of Senator Minott of Cumberland, and I now move that it take its regular course.

Thereupon the report of the committee "ought not to pass" was accepted in concurrence.

On motion by Mrs. Carter of Androscoggin, the Senate voted to take from the table An act to regulate and control outdoor advertising, (H. D. 403) tabled on February 27th by that Senator pending reference; and on further motion by the same Senator, the bill was referred to the committees on Judiciary and Maine Publicity jointly, in non-concurrence.

On motion by Mr. Bragdon of Aroostook, the Senate voted to take from the table An act relating to the Protection of Children, (S. D. 94), tabled by that Senator

earlier in today's session, pending passage to be engrossed; and upon further motion by the same Senator, the bill was passed to be engrossed.

On motion by Mr. Bragdon of Aroostook, the Senate voted to take from the table An act relative to the duties of the Commissioner of Agriculture, (S. D. 202), tabled by that Senator on March 1st, pending passage to be engrossed; and on further motion by the same Senator the bill was passed to be engrossed.

On motion by Mr. Mitchell of Aroostook, the Senate voted to take from the table Resolve in favor of Bangor State Hospital for additional equipment and renovations, (S. D. 174), tabled on February 27th by that Senator pending passage to be engrossed; and on further motion by the same Senator, the resolve was recommitted to the committee on Insane Hospitals.

On motion by Mr. Mitchell of Aroostook, the Senate voted to take from the table Resolve in favor of Augusta State Hospital, (S. D. 175), tabled on February 27th by that Senator pending passage to be engrossed; and on further motion by the same Senator, the resolve was recommitted to the committee on Insane Hospitals.

On motion by Mr. Mitchell of Aroostook, the Senate voted to take from the table Resolve in favor of the Western Maine Sanatorium for the maintenance, personal services, repairs and equipment, (S. D. 73), tabled on February 27th by that Senator pending passage to be engrossed; and on further motion by the same Senator, the resolve was passed to be engrossed.

On motion by Mr. Mitchell of Aroostook, the Senate voted to take from the table Resolve in favor of the Central Maine Sanatorium for maintenance, personal services, repairs and equipment, (S. D. 74), tabled on February 27th by that Senator, pending passage to be engrossed; and on further motion by the same Senator, the resolve was passed to be engrossed.

On motion by Mr. Mitchell of Aroostook, the Senate voted to take from the table Resolve in favor of the Northern Maine Sanatorium for maintenance, personal services, repairs and equipment, (S. D. 75), tabled on February 27th by that Senator, pending passage to be engrossed; and on further motion by the same Senator the resolve was passed to be engrossed.

On motion by Mrs. Allen of Penobscot the Senate voted to take from the table An act for the better care of inmates of the Reforma-

tory for Women, (S. D. 163), tabled on March 1st by that Senator pending passage to be engrossed; and on further motion by the same Senator the bill was passed to be engrossed.

Additional House papers disposed of in concurrence.

On motion by Mr. Campbell of Washington

Adjourned until tomorrow morning at ten o'clock.