

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Fifth Legislature

OF THE

STATE OF MAINE

1931

KENNEBEC JOURNAL COMPANY  
AUGUSTA, MAINE

### HOUSE

Thursday, February 5, 1931.

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

Prayer by the Rev. Mr. Bessom of Hallowell.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Memorial to the Department of the Interior urging the Secretary to request Mr. John D. Rockefeller, Jr., to continue with his road program on Mount Desert Island, (S. P. 346), Comes from the Senate read and adopted.

In the House:

Mr. SCATES of Westbrook: Mr. Speaker, it is indeed a pleasure to approve and support this Memorial. Mr. Rockefeller is a man of high ideals and he has devoted, and is devoting, not only his income but his life to the welfare of humanity. No one can read the annual report of the "Rockefeller Foundation" without being impressed with the wonderful work that that institution is doing. It has investigated and provided the means whereby the hook worm disease, which was sapping the very life of the mountaineers and the white labor of the South, has been practically stamped out. It has built and is maintaining hospitals and medical schools in China as an example to the Chinese of what modern sanitation and modern medicine and surgery can do.

Mr. Rockefeller came here to Maine and made Maine his summer home. He realized the possibilities of the National Park there and he has offered to spend four millions of dollars for the completion of the road in his estate and in the Park, not for his own advantage and pleasure but for the people as a whole. A certain number of people in Bar Harbor, or Mount Desert, have objected to it, and as a result of that he has asked the Department of the Interior at Washington to be relieved of it. The Department has asked him to hold the matter in abeyance for a

while. Now, whatever may happen to that episode, surely this Legislature can render no better service to the State than to adopt that Memorial unanimously; not particularly on account of the offer of four million dollars—that is only material, that is only money—but as an additional testimony of appreciation of his high ideals and for what he has done and is doing for the welfare of humanity. I move that the Memorial be adopted by a rising vote.

The SPEAKER: The House hears the motion of the gentleman from Westbrook, Mr. Scates, that the Memorial be adopted in concurrence with the Senate by a rising vote.

Mr. SHAW of Bar Harbor: Mr. Speaker, perhaps a word of explanation in regard to this will not be out of place. In the first place, Mr. Rockefeller has expended millions of dollars for roads on Mount Desert and he has four million more that he has offered to spend on roads on that island. He has acquired the land over which this road would go and at the present time, with the exception of a small strip of less than a mile, he owns all the land over which this road would go. There has, however, arisen a small sentiment in objection to this road, as we believe from a handful of people down there who object to everything and anything for the benefit or advantage of Mount Desert island. Those objections have reached Mr. Rockefeller, having been published in the newspapers. We did not think they really amounted to anything, but the final result has been that Mr. Rockefeller, in order not to hurt anybody's feelings, has suggested to the Department of the Interior that he would like to withdraw his offer. Up to that stage of the game, those in favor of this road had done nothing. The town of Bar Harbor, through its Board of Trade, had a meeting and elected a committee, or a citizen's committee, with the view of taking this into consideration. We sent telegrams to the various parties and have followed it up, and the Department of the Interior has suggested to Mr. Rockefeller that they would like to have him withhold his request to withdraw

until they could get a more full sentiment. The idea is that Mr. Rockefeller is still in control of his own land, and we believe in view of the roads he has built and the millions of dollars he has expended that it is not only a benefit to Bar Harbor, Mount Desert Island, and Hancock county, but that it is of vital interest to the whole State; and I therefore move the unanimous passage of this Memorial.

Mr. GRAVES of Mount Desert: Mr. Speaker as representing the town of Mount Desert, which is one of the towns on this island, I approve of all that Mr. Shaw has said and heartily agree with him in endorsing this Memorial.

The SPEAKER: The motion before the House is that of the gentleman from Westbrook, Mr. Scates, that the House concur with the Senate and adopt the Memorial by a rising vote. If that is the pleasure of the House you will so vote.

Thereupon the Memorial was adopted by a unanimous rising vote.

From the Senate: Bill an act relating to State Administrative Code, S. P. 60, L. D. 20.

Comes from the Senate referred to the Committee on Administrative Code.

In the House, on motion by Mr. Hathaway of Milo, tabled pending reference in concurrence.

From the Senate:

ORDERED, the House concurring, that a joint committee be appointed, three on the part of the Senate to be appointed by the President thereof, and seven on the part of the House, to be appointed by the Speaker thereof, with power to investigate the methods now employed in the State Assessors' Department in apportioning and equalizing the State taxes, and to study and report on the statutes and laws of the State appertaining to the above; (L. D. No. 107).

Comes from the Senate read and passed as amended by Senate Amendment "A" as follows:

"And they shall have the power and right to hold hearings, summon and swear witnesses and report their findings and recommend-

ations to this Legislature." (L. D. 274)

In the House the order and amendment were read and on motion by Mr. Allen of Sanford, tabled pending adoption of Senate Amendment A in concurrence.

#### Senate Bills In First Reading

S. P. 42. An act to authorize the Treasurer of the County of Penobscot to purchase a set of Maine Reports.

S. P. 40, L. D. 237: An act relating to payments to County Law Libraries.

#### Messages And Documents From The Executive and Heads Of Departments

##### BOARD OF STATE ASSESSORS STATE OF MAINE AUGUSTA

February 4, 1931

Hon. Clyde R. Chapman  
Clerk, House of Representatives,  
State House.

Dear Sir:—

I have the honor to enclose, herewith, a list and table showing the amount of electric light and power company property returned to the Board of State Assessors, as assessed in the several cities, towns and planations of this State, against such property in the year 1930 in each of said cities, towns and planations, in accordance with an order read and passed in the House of Representatives under date of February 3, 1931.

Very truly yours,

(Signed) F. H. STERLING

Chairman.

Communication read and placed on file.

The following bills and petitions were received, and, upon recommendation of the committee on reference of bills, were referred to the following committees:

#### Agriculture

By Mr. Sterling of Caratunk: An act relating to Agricultural Societies (H. P. No. 902)

(500 copies ordered printed)

#### Inland Fisheries and Game

By Mr. Snow of Bluehill: Petition of Pearl Emerson of Bluehill and 46 others in favor of bill to make open season for deer in Hancock

County the month of November (H. P. No. 903).

By Mr. Audibert of Fort Kent: An act relating to fly fishing in the St. John River tributaries (H. P. No. 904)

(500 copies ordered printed)

By Mr. Lowell of Lincoln: An act opening Upper Dobsis Lake to ice fishing (H. P. No. 905)

(500 copies ordered printed)

By Mr. Palmer of Bangor: An act relating to fur bearing animals (H. P. No. 906)

(500 copies ordered printed)

By the same gentleman: An act relating to shipping skins of fur-bearing animals (H. P. No. 907)

(Tabled by Mr. Lowell of Lincoln pending reference)

#### Judiciary

By Mr. Authier of Sanford: An act relating to appointment of receivers; attachments dissolved (H. P. No. 908)

(500 copies ordered printed)

By Mr. Morrill of Gray: An act creating the office of Registrar of Motor Vehicles (H. P. No. 909)

(500 copies ordered printed)

By Mr. Tompkins of Houlton: An act relating to itinerant vendors (H. P. No. 910)

(500 copies ordered printed)

#### Labor

By Mr. Morrill of Gray: An act to regulate employment of help in all State Highway construction (H. P. No. 911)

(500 copies ordered printed)

By Mr. Stern of Biddeford: An act relating to the forty-eight hour law (H. P. No. 912)

(500 copies ordered printed)

#### Legal Affairs

By Mr. Scates of Westbrook: Petition of the City Council of the city of Westbrook in favor of the bill amending its charter (H. P. No. 913)

By Mr. Perham of Paris: An act permitting outdoor and indoor recreation on Sunday (H. P. No. 914)

(1000 copies ordered printed)

By the same gentleman: An act legalizing recreational sports and games and certain other activities on Sunday (H. P. No. 916.)

(1000 copies ordered printed)

By Mr. Palmer of Bangor: An act requiring keepers and operators, or

managers or owners of dance pavilions to be licensed (H. P. No. 916)  
(500 copies ordered printed)

#### Ways and Bridges

By Mr. Snow of Bluehill: An act relating to the construction of State Aid Highways (H. P. No. 917)

(500 copies ordered printed)

By the same gentleman: An act relating to tax on gasoline (H. P. No. 918)

(500 copies ordered printed)

#### Orders

Mr. Robie of Westbrook presented the following order and moved its passage:

Ordered, the Senate concurring, that House Paper 623, an act to amend the charter of the city of Westbrook, be returned to the House from the Legal Affairs committee.

Mr. SCATES of Westbrook: Mr. Speaker, if I understand Mr. Robie's position it is that he simply wants this bill recalled in order that it may be printed. I would add that to his motion and then would have no objection whatever to it.

Thereupon the order received passage, with the printing ordered, and was sent up for concurrence.

Mr. Leonard of Hampden presented the following order and moved its passage:

Ordered, that the State Highway Commission explain to this Legislature why it was necessary to expend \$483,765.90 on building the new Bingham-Caratunk road, who received this money, and for what reason? Was any agreement made with the Central Maine Power Company as to their share of the cost of this road before work was commenced? Who makes the final settlement with the Central Maine Power Company, and has the basis of this settlement been agreed upon at this time? If so, what is this agreement?

The order was passed by a viva voce vote.

Mr. Smith of Bangor presented the following order and moved its passage:

Ordered, the Senate concurring, that an extra five hundred copies of Legislative Document No. 28, House Paper 14, relating to enforce-

ment of the "Blue Sky Law" be printed.

The order received passage and and was sent up for concurrence.

#### Reports of Committees

Mr. Littlefield from the Committee on Claims reported ought not to pass on resolve in favor of Levi H. May. (H. P. No. 82)

Mr. Rounds from same committee reported same on resolve in favor of J. F. Booker of Somerville (H. P. No. 77)

Mr. Blaisdell from the Committee on Legal Affairs reported same on bill an act relating to pedestrians on the highway. (H. P. No. 119) (L. D. No. 84)

Reports read and accepted and sent up for concurrence.

Mr. Jack from the committee on Legal Affairs reported ought not to pass on bill an act to establish a Boxing Commission. (H. P. No. 118.) (L. D. No. 83)

(On motion by Mr. Robie of Westbrook, bill and report tabled, pending acceptance of report.)

Mr. Burkett from Committee on Judiciary reported ought to pass on bill an act relative to the North Knox Agricultural and Horticultural Society. (H. P. No. 115)

Same gentleman from same committee reported same on bill an act to change the name of the Congregational Conference and Missionary Society of Maine and to enlarge its purposes. (H. P. No. 116)

Mr. McCart from same committee reported same on bill an act relating to terms of the County Commissioners' Court for the county of Washington. (H. P. No. 117)

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

#### Passed to be Engrossed

S. P. 30, L. D. 109: Resolve in favor of the Kennebec Law Library Association.

#### Orders of the Day

On motion by Mr. MacPherson of Easton, the House voted to reconsider its action whereby House Report, ought not to pass, on bill an act relating to pedestrians on the highway, H. P. 119, L. D. 84 was accepted; and on further motion by the same gentleman the report was tabled pending acceptance.

On motion by Mr. Rogers of Yarmouth, the House voted to reconsider its action whereby it referred in concurrence Senate Paper 336, an act to authorize the Treasurer of State to receive a portion of the residue of the estate of Joseph C. Greene, bequeathed to the Pownal State School to the committee on State School for Boys, State School for Girls and Sate Reformatories; and on further motion by the same gentleman the bill was tabled pending reference in concurrence.

On motion by Mr. Bowers of Portland, it was voted to take from the table the 12th unassigned matter, H. P. 866, bill an act regulating the taking and sale of clams in the town of Scarborough, tabled by that gentleman yesterday; pending reference to a committee; and on further motion by the same gentleman the bill was referred to the committee on Sea and Shore Fisheries and 500 copies ordered printed.

On motion by Mr. Thompson of Belfast, the House voted to reconsider its action of yesterday whereby it referred House Paper 828, an act relating to the charter of the city of Belfast, to the committee on Legal Affairs; and on further motion by the same gentleman, the bill was tabled pending reference.

On motion by Mr. Gibson of Harrington, it was voted to take from the table the 9th unassigned matter, H. P. 799, an act relating to wild hares or rabbits, tabled by that gentleman February 4, pending reference to a committee; and on further motion by the same gentleman the bill was referred to the committee on Inland Fisheries and Game and 500 copies ordered printed.

On motion by Mr. Sargent of Brewer, it was voted to take from the table the 14th unassigned matter, resolve in favor of the town of Greenfield, H. P. 896, tabled by that gentleman February 4th, pending reference to a committee; and on further motion by the same gentleman, the resolve was referred to the committee on Ways and Bridges.

On motion by Mr. Morse of Oakland, it was voted to take from the

table the 5th unassigned matter, Joint Order relative to old age compensation, tabled by that gentleman February 3rd, pending passage.

Mr. MORSE: Mr. Speaker, I yield to the gentleman from Bath, Mr. Jackson.

On motion by Mr. Jackson the order was referred to the committee on Pensions, and sent up for concurrence.

On motion by Mr. Morse of Oakland, it was voted to take from the table the 15th unassigned matter, resolve creating an Old Age Pension Recess Committee, H. P. 898, tabled by that gentleman February 4, pending reference to a committee.

Mr. MORSE: Mr. Speaker, I yield to the gentleman from Wells, Mr. Brewster.

On motion by Mr. Brewster the resolve was referred to the committee on Pensions and 500 copies ordered printed.

On motion by Mr. Allen of Sanford it was voted to take from the table the third unassigned matter, bill an act to refund excise tax on gasoline to towns, cities and village corporations, H. P. 63, L. D. 41, which was referred to the committee on Taxation in the House and in the Senate referred to the committee on Ways and Bridges in non-concurrence, tabled by Mr. Allen on February 3rd, pending reconsideration; and on further motion by the same gentleman the House voted to recede and concur with the Senate.

On motion by Mr. Harrington of Patten the House voted to take from the table the 8th unassigned

matter, H. P. 787, resolve to reimburse the town of Kingman for assistance to Annie B. Baker, the wife of a disabled veteran of the World War, tabled by that gentleman on February 4th, pending reference to a committee; and on further motion by the same gentleman the resolve was referred to the committee on Claims.

The SPEAKER: Are there any other unassigned matters that can be taken from the table?

Mr. BLAISDELL of Franklin: Mr. Speaker, I move to take from the table the 6th unassigned matter, Joint Order relative to appointment of a Joint Select Committee on Apportionment, tabled by me February 4th, pending passage in concurrence.

The motion prevailed.

Mr. BLAISDELL: Mr. Speaker, I move the passage of this Joint Order in concurrence with the Senate.

Mr. JACK of Lisbon: Mr. Speaker, at the proper time I wish to move to re-table it.

The SPEAKER: The question is on the passage of this order. All those in favor of its passage will say aye—

Mr. JACK: Mr. Speaker, I move that the order be retabled, and is that motion debatable?

The SPEAKER: The Chair will say that a motion to table is not debatable.

A viva voce vote being taken, the order was retabled, pending passage in concurrence.

On motion by Mr. Lizotte of Lewiston,

Adjourned until tomorrow morning.