

# 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

**SENATE**

Tuesday, Feb. 3, 1931.

Senate called to order by the President.

Prayer by the Rev. P. H. Hershey of National Soldiers' Home.

Journal of Thursday, January 29, read and approved.

Papers from the House disposed of in concurrence.

From the House:

An Act to regulate the hunting of wild birds in Rangeley Lake. (H. P. 547, L. D. 181).

In the House, referred to the Committee on Inland Fisheries and Game.

In the Senate, on motion by Mr. Slocum of Cumberland, tabled pending reference in concurrence.

From the House:

Resolve relating to the Augusta Insane Hospital.

In the House, referred to the Committee on Insane Hospitals.

In the Senate referred to the Committee on Insane Hospitals in concurrence; thereupon, on motion by Mr. Southard of Kennebec, that body voted to reconsider its action whereby the resolve was referred to the Committee on Insane Hospitals in concurrence; and on further motion by the same senator the resolve was tabled pending reference.

From the House:

An Act authorizing the city council of the city of Portland to pay to Samuel S. Gilbert certain money paid by him to the city through error. (H. P. 704).

In the House, referred to the Committee on Judiciary.

In the Senate, on motion by Mr. Bissett of Cumberland, tabled pending reference.

From the House:

An Act to amend Section 60 of Chapter 29 relating to Dealer's registration under the motor vehicle law. (H. P. 702) (L. D. 229).

In the House, referred to the Committee on Judiciary.

In the Senate, on motion by Mr.

Littlefield of York, tabled pending reference in concurrence.

From the House:

An Act relative to the taxation of motor vehicles. (H. P. 603) (L. D. 162).

In the House, referred to the Committee on Legal Affairs.

In the Senate, on motion by Mr. Jackson of Cumberland, tabled pending reference in concurrence.

From the House:

An Act relative to the taxation of motor vehicles. (H. P. 604) (L. D. 163).

In the House, referred to the Committee on Legal Affairs.

In the Senate, on motion by Mr. Jackson of Cumberland, tabled pending reference in concurrence.

From the House:

An Act relating to the Board of Harbor Commissioners for the Harbor of Portland. (H. P. 607) (L. D. 208).

In the House, referred to the Committee on Legal Affairs.

In the Senate, on motion by Mr. Foster of Hancock, tabled pending reference in concurrence.

From the House:

The Committee on Judiciary on "An Act relating to false alarm of fire" (H. P. 10) (L. D. 17), reported that the same ought not to pass.

In the House, the report was read and accepted.

In the Senate, on motion by Mr. Greenleaf of Androscoggin, tabled pending acceptance in concurrence.

From the House:

The Committee on Judiciary on "An Act relating to Enginemen, fires and prevention of fires." (H. P. 9) (L. D. 16), reported that the same ought not to pass.

In the House, the report was read and accepted.

In the Senate, on motion by Mr. Greenleaf of Androscoggin, tabled pending acceptance in concurrence.

The following bills, resolves,

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

#### **Aeronautics and Radio Control**

Mr. Crosby of Penobscot: An Act authorizing cities, towns and counties to acquire and operate airports and landing fields. (S. P. 275).  
Five hundred copies ordered printed.

Sent down for concurrence.

#### **Appropriations and Financial Affairs**

Mr. Holman of Franklin: Resolve in favor of Nordica Memorial Association. (S. P. 276)

Mr. McLean of Hancock: An Act in favor of the Bar Harbor Medical and Surgical Hospital. (S. P. 289)

Sent down for concurrence.

#### **Claims**

Mr. Small of Waldo: Resolve in favor of the town of Burnham. (S. P. 289)

Sent down for concurrence.

#### **Education**

Mr. Crockett of York: An Act authorizing towns to raise money for repairing and building academies. (S. P. 281)

Five hundred copies ordered printed.

Sent down for concurrence.

#### **Judiciary**

Mr. Bishop of Lincoln: An Act to amend an Act incorporating Alna Lodge. (S. P. 282)

Mr. Weeks of Somerset: An Act to regulate the sterilization of inmates of institutions. (S. P. 277)

Mr. Weatherbee of Penobscot: An Act to provide for continuous revision of the Statutes and legislative assistance. (S. P. 278)

Five hundred copies of each ordered printed.

Sent down for concurrence.

#### **Mercantile Affairs and Insurance**

Mr. Story of Aroostook: An Act relating to limit of insured's deposit on mutual policies. (S. P. 283)

Five hundred copies ordered printed.

Sent down for concurrence.

#### **Pensions**

Mr. Small of Waldo: Resolve providing for a state pension for Seth C. Ham of Belfast. (S. P. 279)

The same Senator: Resolve providing for a state pension for Ber-

tha A. Dinslow of Searsmont. (S. P. 284)

Sent down for concurrence.

#### **Salaries and Fees**

Mr. McLean of Hancock: Resolve in favor of the Recorder of the Municipal Court for the town of Bar Harbor. (S. P. 285)

Mr. Story of Aroostook: An Act relating to the salary of the Commissioner of Agriculture. (S. P. 286)

Sent down for concurrence.

#### **Ways and Bridges**

Mr. McLean of Hancock: Resolve in favor of the town of Southwest Harbor. (S. P. 287)

The same senator: Resolve in favor of the town of Cranberry Isle. (S. P. 288)

Sent down for concurrence.

#### **Orders**

On motion by Mr. Towle of Kennebec, it was

ORDERED, that the Secretary of the Senate be instructed to invite the Rev. H. F. Milligan of Randolph, to officiate as chaplain on February 5, 1931.

#### **Bills in First Reading**

An Act relating to payments to County Law Libraries. (S. P. 40, L. D. 237).

An Act to authorize the Treasurer of the County of Penobscot to purchase a set of Maine Reports. (S. P. 42, L. D. 238).

#### **Committee Reports**

Mr. Leland from the Committee on Ways and Bridges on bill "An Act relating to the Mill Tax Highway Fund, (S. P. 22); reported that the same ought not to pass.

The same Senator from the same Committee on bill "An Act to incorporate the Penobscot River Bridge Company (S. P. 24); reported that the same ought not to pass.

Which reports were read and accepted.

Sent down for concurrence.

#### **Passed to be Engrossed**

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

Sent down for concurrence.

### Orders of the Day

On motion by Mr. Greenleaf of Androscoggin, it was voted

That two hundred (200) additional copies of An act relating to dental hygienist and appropriation and contributions for dental hygienist service, by towns, individuals and organizations (S. P. 218) (L. D. 153) be printed.

On motion by Mr. Aldrich of Sagadahoc, it was voted

That five hundred (500) copies of An act to protect cod in waters off the coast of Lincoln and Sagadahoc counties (S. P. 226) be printed.

On motion by Mr. Spear of Cumberland, the Senate voted to take from the table, Joint Order, to investigate the methods now employed in the State Assessors' Department (L. D. 107), tabled by that Senator January 27th pending passage.

Mr. SPEAR of Cumberland: Mr. President, I wish to offer Senate Amendment A, and I move its adoption:

"Senate Amendment A to Senate Legislative Document 107. And they shall have the power and right to hold hearings, summon and swear witnesses and report their findings and recommendations to this legislature."

And the following accompanying statement of facts and reasons, to support the order and amendment, which are as follows:

#### Facts and Reasons for this Order

The State Board of Assessors was constituted by law to act as an Equalization Board

Believing that the local valuation in many cities and towns, as determined by the State Assessors for the purpose of assessing the State tax, was too high compared with the valuation in other cities and towns, I held several conferences with the local assessors and others interested in the welfare of numerous municipalities, and finally held a conference with the Chairman of the State Board of Assessors at the State House on Monday, January 19th last.

My sole purpose in doing this was to ascertain how the valuations were determined by the State Assessors and see if the taxes were equitably assessed.

The Chairman of the Board informed me that the valuations placed by the State Board were smaller in two counties than the valuations placed by the local assessors. In fourteen others the valuations were larger. I asked the Chairman the reason why this was so, and the only answer I obtained was "Because we think it is best". He informed me further that the county valuations were made up for the purpose of determining the State valuation last November, that the valuation as assessed by the Board could not be changed, giving as the reason that it never had been. I asked him further if the Legislature could not change this valuation and he said he didn't think so; but wasn't sure but that something could be done.

The next day, Tuesday, January 20th, at about two o'clock in the afternoon the Portland City Manager, Mr. Barlow, Councilman for the City of Portland, Mr. Brooks, and two Assessors of the City of Portland, Mr. Hinds and Mrs. Jordan, and Representatives Rounds, Plummer, Carleton and myself, conferred with the Chairman of the State Board, and upon looking over the commitment for the next biennium, we found that the valuation in two counties, viz., Franklin and Piscataquis, had been assessed at the valuation for State purposes less than that assessed by the local authorities, and that fourteen counties had been assessed more. The Chairman gave as the reason for assessing these two counties at a valuation lower than that placed by the local authorities "Because there are no cities in these two counties". I then inquired of him if he thought the figures were fair, and he said he didn't know. Mr. Carleton then asked him if the figures would not be changed and the Chairman informed him that they would not. He did, however, agree that we all should have the opportunity of meeting with the full Board of State Assessors on the next day. On the day following, Mr. Hinds, Mr. Carleton and I conferred with the full Board with Representative Boody of Windham being present, and the outcome of the meeting was that the remaining members of the Board stood squarely behind the position taken by its chairman.

We mentioned taking some legis-

lative action regarding the matter and one of the State Assessors said in substance that he would welcome any action which might be taken.

The total state valuation is \$757,289,579.00. There is no question in my mind that the total valuation of the state is proper for the purpose of raising the required amount of money necessary to carry on State activities. I do not criticise this figure either as a legislator or as a citizen, but I do criticise the unequitable distribution of the burden by counties as made up by the State Assessors, and I further criticise the improper method used, for the purpose of determining by counties the tax to be assessed. Undoubtedly the present method does not permit the commitment of taxes assessed on a fair basis throughout the State.

I am submitting the figures here-to attached, which were obtained from the Chairman of the State Board of Assessors, showing the valuation by counties as determined by the State Board for the next biennium, which I am sure will be of interest to you.

The purpose of this order is to bring about some method whereby the whole situation of tax commitment and assessment may be studied impartially and a fairer and more equitable distribution of valuation may be speedily obtained.

The valuations for 1930 excluding wild lands and timber and grass were:

Androscoggin—Local, \$66,416,816; State, \$69,626,736; Increase, \$3,209,920.

Aroostook — Local, \$41,385,785; State, \$43,727,308; Increase, \$2,341,523.

Cumberland — Local, \$171,201,334; State, \$175,756,437; Increase, \$4,555,103.

Franklin — Local, \$14,898,459; State, \$14,723,658; Decrease, \$172,801.

Hancock — Local, \$27,147,122; State, \$30,082,796; Increase, \$2,935,674.

Kennebec — Local, \$50,654,203; State, \$54,379,054; Increase, \$3,724,851.

Knox—Local, \$19,445,644; State, \$21,432,518; Increase, \$1,986,874.

Lincoln—Local, \$11,949,031; State, \$12,589,213; Increase, \$640,182.

Oxford—Local, \$27,186,008; State, \$28,208,873; Increase, \$1,022,865.

Penobscot — Local, \$69,069,890;

State, \$72,706,373; Increase, \$3,636,483.

Piscataquis — Local, \$12,049,792; State, \$11,866,089; Decrease, \$183,703.

Sagadahoc — Local, \$14,484,883; State, \$15,177,409; Increase, \$692,526.

Somerset — Local, \$26,837,982; State, \$28,675,768; Increase, \$1,837,786.

Waldo—Local, \$12,120,008; State, \$13,248,999; Increase, \$1,128,991.

Washington — Local, \$18,272,966; State, \$19,717,263; Increase, \$1,444,297.

York — Local, \$62,533,615; State, \$68,372,058; Increase, \$5,838,443.

Totals—Local, \$645,653,538; State, \$680,290,552; Increase, \$34,637,014.

The valuations for 1928 excluding wild lands and timber and grass were:

Androscoggin—Local, \$68,048,127; State, \$68,772,490; Compar. \$724,363.

Aroostook — Local, \$42,089,817; State, \$42,802,867; Compar. \$713,050.

Cumberland—Local, \$172,747,556; State, \$174,479,224; Compar. \$1,731,668.

Franklin — Local, \$15,336,028; State, \$14,598,919; Compar. \$737,109.

Hancock — Local, \$27,336,552; State, \$27,971,954; Compar. \$635,402.

Kennebec — Local, \$52,646,873; State, \$54,342,855; Compar. \$1,695,982.

Knox — Local, \$19,730,489; State, \$20,773,117; Compar. \$1,042,628.

Lincoln—Local, \$11,766,122; State, \$11,996,635; Compar. \$230,513.

Oxford—Local, \$28,547,456; State, \$27,870,151; Compar. \$677,305.

Penobscot — Local, \$71,939,818; State, \$72,703,829; Compar. \$764,011.

Piscataquis — Local, \$12,611,814; State, \$11,865,747; Compar. \$746,067.

Sagadahoc — Local, \$14,975,682; State, \$15,152,581; Compar. \$176,899.

Somerset — Local, \$27,305,652; State, \$26,460,927; Compar. \$844,725.

Waldo — Local, \$12,874,610; State, \$13,117,378; Compar. \$242,768.

Washington — Local, \$19,478,965; State, \$19,676,792; Compar. \$197,827.

York — Local, \$66,421,570; State, \$68,066,631; Compar. \$1,645,061.

Totals—Local, \$663,857,131 State, \$670,652,097; Compar. \$6,794,966.

The valuations for 1926 excluding wild lands and timber and grass were:

Androscoggin—Local, \$65,621,320; State, \$68,425,660; Compar. \$2,804,340.

Aroostook — Local, \$40,205,377; State \$40,376,380; Compar. \$171,003.  
 Cumberland — Local, \$167,113,746; State, \$108,272,297; Compar. \$1,158,551.  
 Franklin — Local, \$15,163,213; State, \$14,216,706; Compar. \$946,507.  
 Hancock — Local, \$25,668,474; State, \$25,839,170; Compar. \$170,696.  
 Kennebec — Local, \$51,985,446; State, \$53,419,983; Compar. \$1,434,537.  
 Knox — Local, \$19,154,833; State, \$19,376,335; Compar. \$221,502.  
 Lincoln—Local, \$11,299,247; State, \$11,481,065; Compar. \$181,818.  
 Oxford—Local, \$27,947,130; State, \$27,144,875; Compar. \$802,255.  
 Penobscot — Local, \$71,119,783; State, \$71,354,081; Compar. \$234,298.  
 Piscataquis — Local, \$12,487,319; State, \$11,690,919; Compar. \$796,400.  
 Sagadahoc — Local, \$14,902,971; State, \$14,648,477; Compar. \$254,494.  
 Somerset — Local, \$27,718,915; State, \$26,467,185; Compar. \$1,251,730.  
 Waldo—Local, \$12,573,644; State \$12,839,738; Compar. \$263,094.  
 Washington — Local, \$19,756,296; State, \$19,766,063; Compar. \$9,767.  
 York—Local, \$66,635,382; State, \$67,470,417; Compar. \$835,035.  
 Totals—Local, \$649,353,096; State, \$652,789,351; Compar. \$3,436,255.

The valuations for 1924 excluding wild lands and timber and grass were:  
 Androscoggin —Local, \$64,058,346; State, \$64,717,569; Compar. \$659,223.  
 Aroostook — Local, \$39,904,833; State, \$40,313,164; Compar. \$408,331.  
 Cumberland — Local, \$159,476,111; State, \$160,566,844; Compar. \$1,090,733.  
 Franklin — Local, \$14,696,706; State, \$13,699,939; Compar. \$996,767.  
 Hancock — Local, \$24,725,507; State, \$24,746,494; Compar. \$20,987.  
 Kennebec — Local, \$50,706,217; State, \$51,336,105; Compar. \$629,888.  
 Knox—Local, \$18,696,443; State, \$18,979,908; Compar. \$283,465.  
 Lincoln—Local, \$10,820,952; State, \$10,890,488; Compar. \$69,536.  
 Oxford—Local, \$26,858,138; State, \$26,077,953; Compar. \$780,185.  
 Penobscot — —Local, \$70,164,218; State, \$70,088,801; Compar. \$75,417.  
 Piscataquis — Local, \$12,565,319; State, \$11,645,938; Compar. \$919,381.  
 Sagadahoc — Local, \$14,704,452; State, \$14,742,460; Compar. \$38,008.  
 Somerset — Local, \$27,813,512;

State, \$26,593,883; Compar. \$1,219,629.  
 Waldo—Local, \$12,329,999; State, \$12,578,155; Compar. \$248,156.  
 Washington — Local, \$19,549,435; State, \$19,438,496; Compar. \$110,949.  
 York—Local, \$62,986,670; State, \$63,691,884; Compar. \$705,214.  
 Totals—Local, \$630,056,858; State, \$630,108,081; Compar. \$51,323.

THE PRESIDENT: The motion before the Senate is on the adoption of Senate Amendment A, to Legislative Document 107. Is it the pleasure of the Senate that Senate Amendment A be adopted?

Thereupon Senate Amendment A was adopted, and on motion by Mr. Greenleaf of Androscoggin, five hundred (500) copies of the Amendment were ordered printed.

THE PRESIDENT: Is it now the pleasure of the Senate that Legislative Document 107, as amended by Senate Amendment "A" receive passage?

Thereupon, the Order as amended by Senate Amendment "A" was passed.

THE PRESIDENT: That Order calls for the appointment by the Chair of three members on the part of the Senate, and the Chair will appoint on the part of the Senate, the Senator from Cumberland, Senator Spear; the Senator from Somerset, Senator Weeks; the Senator from York, Senator Boulter.

Sent down for concurrence.

On motion of Mr. Jackson of Cumberland, the Senate voted to take from the table An Act relative to chiefs of fire and police departments of the city of South Portland (H. P. 618) tabled by that Senator January 29th pending reference; and on further motion by the same Senator the bill was referred to the Committee on Judiciary in non-concurrence.

Sent down for concurrence.

On motion of Mr. Wheeler of Oxford, the Senate voted to take from the table Resolve appropriating money to build a highway from Wilson's Mills in Lincoln Plantation, Oxford County, to Oquossoc in Rangeley, Franklin County (H. P. 283) tabled by that Senator Jan-

uary 29th pending reference; and on further motion by the same Senator, the Resolve was referred to the Committee on Ways and Bridges in concurrence.

On motion by Mr. Murchie of Washington, the Senate voted to take from the table Joint Order relative to appointment of a joint select committee on apportionment and assignment of councillor districts, tabled by that Senator January 8th pending passage; and on further motion by the same Senator the order received passage.

Sent down for concurrence.

On motion by Mr. Slocum of Cumberland, the Senate voted to take from the table An Act to regulate the hunting of wild birds in Rangeley Lakes (H. P. 547) (E. D. 181) tabled by that Senator earlier in today's session pending reference.

MR. SLOCUM of Cumberland. Mr. President, I understood when this bill was read that it was to regulate the hunting of wild cats in Rangeley Lakes, and I thought I would learn of a new type of vermin, but I find upon looking at the measure that it is with reference to the taking of wild birds, whether cat birds or any other birds, and I move we concur with the House in the reference of this bill.

The motion to refer to the Committee on Inland Fisheries and Game, in concurrence, prevailed.

On motion by Mr. Greenleaf of Androscoggin, the Senate voted to take from the table, Resolve in favor of the town of Webster (S. P. 256) tabled by that senator January 28th pending reference, and on further motion by the same senator the Resolve was indefinitely postponed.

Sent down for concurrence.

On motion by Mr. Greenleaf of Androscoggin, the Senate voted to take from the table, Resolve in favor of the town of Webster (H. P. 445) tabled by that senator January 29th

pending reference, and on further motion by the same senator the Resolve was referred to the Committee on Ways and Bridges in concurrence.

On motion by Mr. Leland of Piscataquis, the Senate voted to take from the table, An Act relating to the excise tax on motor vehicles (H. P. 233) (L. D. 129), tabled by that senator January 29th pending reference, and on further motion by the same senator the bill was referred to the Committee on Taxation in concurrence.

On motion by Mr. Littlefield of York, the Senate voted to take from the table, An Act providing for the registration of two and one-half ton trucks (L. D. 36), tabled by that senator January 22nd pending reference, and on further motion by the same senator the bill was referred to the Committee on Ways and Bridges in non-concurrence.

Sent down for concurrence.

THE PRESIDENT: The Chair will announce the appointment of the committees, the orders for which have been previously passed, relative to Apportionment and to Administrative Code.

#### On Apportionment:

##### Senators

Murchie of Washington  
Foster of Hancock  
Leland of Piscataquis  
Littlefield of York  
Holman of Franklin  
Jackson of Cumberland  
Towle of Kennebec.

#### On Administrative Code:

##### Senators

Weatherbee of Penobscot  
Wheeler of Oxford  
Greenleaf of Androscoggin  
Kitchen of Aroostook  
St. Clair of Knox  
Small of Waldo.

On motion by Mr. Farnsworth of Aroostook,

Adjourned, until tomorrow morning at ten o'clock.