

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Sixth Legislature

OF THE

STATE OF MAINE

1933

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

SENATE

Thursday, February 23, 1933

Senate called to order by the President.

Prayer by the Rev. H. Mortimer Gesner of Augusta.

Journal of yesterday read and approved.

Papers from the House, disposed of in concurrence.

House Bills in First Reading

An Act relating to the taking of land by the State Highway Commission and the taking or discontinuing of a public highway. (H. P. 1007, L. D. 423)

An Act relating to criminal costs (H. P. 1035, L. D. 442)

An Act relating to election returns in plantations (H. P. 1044, L. D. 445)

An Act relative to speed of passenger busses (H. P. 1047, L. D. 448)

An Act permitting small town polls to close at five o'clock in regular elections (H. P. 1394, L. D. 704)

An Act authorizing Knox County to issue bonds (H. P. 875, L. D. 312)

An Act to amend the charter of the Mutual Fire Insurance Company of Saco (H. P. 836, L. D. 310)

An Act relating to the taking of smelts (H. P. 1390, L. D. 699)

An Act relating to taxation of motor vehicles (H. P. 665, L. D. 299)

From the House:

The following order:

Ordered, the Senate concurring, that the following bills be recalled to the House from the Committee on Agriculture:

H. P. 691, L. D. 375—An Act relative to closed season on bear.

H. P. 762, L. D. 376—An Act relating to bounty on bears. (H. P. 1417)

In the House, read and passed.

In the Senate:

Mr. LITTLEFIELD of York: Mr. President, I don't know why this was done. I understood that these bills had already been advertised for hearing by the Committee on Agriculture, and I also understood that in the House they wished to have these bills referred to some other committee. I would like to have this order lay upon the table until we can find out about it and I so move.

The motion prevailed and the

order was laid upon the table pending passage in concurrence.

Communications

Department of State
February 22, 1933

To the Honorable Senate of the Eighty-sixth Legislature of the State of Maine:

I herewith transmit further petitions received under date of February twenty-one on proposal of a bill entitled "An Act Establishing a low rate tax on intangible personal property in accordance with constitutional amendment permitting the same."

These petitions have three hundred and five signatures, verified.

Very respectfully yours,

(Signed) Robinson C. Tobey
Secretary of State (S. P. 453)

(On motion by Mr. Jackson of Cumberland, the communication and accompanying papers were tabled pending consideration.)

Department of State
February 22, 1933

To the Honorable Senate of the Eighty-Sixth Legislature of the State of Maine:

I herewith transmit further petitions received under date of February twenty-one on proposal of a bill entitled "An Act to raise an excise tax on corporations organized for making, generating, selling, distributing and/or supplying electricity or electric current for power, lighting, heating, manufacturing or mechanical purposes."

These petitions have three hundred and three signatures, verified.

Very respectfully yours,

(Signed) Robinson C. Tobey
Secretary of State (S. P. 454)

(On motion by Mr. Jackson of Cumberland, the communication and accompanying papers were tabled pending consideration.)

The following remonstrance was received and on recommendation by the committee on reference of bills was referred to the following committee:

Judiciary

Mr. Kitchen of Arrostook: Remonstrance against the passage of an Act (H. P. 850, L. D. 346) depriving the inhabitants of the Plantation of Allagash of the right of self-government, signed by Dawn S. Moirs and 82 others.

Sent down for concurrence.

Orders

On motion by Mr. Jackson of Cumberland, it was

Ordered, the House concurring, that the communications and accompanying petitions in relation to legislation regarding "An Act to raise an excise tax on corporations organized for making, generating, selling, distributing and/or supplying electricity or electric current for power, lighting, heating, manufacturing or mechanical purposes" (I. B. 1) be referred to the Committee on Judiciary for investigation and report as to the sufficiency of the petitions with power to summons witnesses. (S. P. 455)

Thereupon, on further motion by the same Senator of Cumberland, the order was transmitted to the House by special messenger.

Subsequently, the foregoing order came back from the House read and passed in concurrence.

On motion by Mr. Jackson of Cumberland, it was

Ordered, the House concurring, that the communications and accompanying petitions in relation to legislation regarding "An Act establishing a low rate tax on intangible personal property in accordance with Constitutional Amendment permitting the same" (I. B. 2) be referred to the Committee on Judiciary for investigation and report as to the sufficiency of the petitions with power to summons witnesses. (S. P. 456)

Thereupon, on further motion by the same Senator of Cumberland, the order was transmitted to the House by special messenger.

Subsequently, the foregoing order came back from the House, read and passed in concurrence.

Reports of Committees

Mr. Kitchen from the Committee on Claims on "Resolve in favor of Charles H. French of Coopers Mills, R. No. 2, (Somerville, Maine)" (S. P. 56) reported that the same ought not to pass.

Mr. Weatherbee from the Committee on Claims on "Resolve in favor of William Sansom of Rockland" (S. P. 98) reported that the same ought not to pass.

Which reports were read and accepted.

Sent down for concurrence.

Mr. Blaisdell from the Committee on Legal Affairs on bill "An Act relative to nuisances" (S. P.

159, L. D. 209) reported that the same ought to pass.

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

Mr. Kitchen from the Committee on Claims on "Resolve authorizing payment of accident compensation to Leon P. Shepard" (S. P. 63) reported that the same ought to pass.

The same Senator from the same Committee on "Resolve in favor of A. L. Dennison of Wilton" (S. P. 199) reported that the same ought to pass.

Mr. Weatherbee from the same Committee on "Resolve in favor of Lawrence Hahn" (S. P. 80) reported that the same ought to pass.

Mr. Weeks from the Committee on Military Affairs on "Resolve authorizing the Governor to convey certain land in Petersburg, Virginia, to the United States" (S. P. 163) reported that the same ought to pass.

Mr. Kitchen from the Committee on Ways and Bridges on "Resolve suspending certain acts which require expenditure of tax money on the construction of new highways" (S. P. 37, L. D. 10) reported the same in a new draft (S. P. 457) in the form of an Act under the title of "An Act to create and allocate a general highway fund for state aid and third class highway construction and to temporarily suspend certain statutes" and that it ought to pass.

Which reports were severally read and accepted and the bill and resolves laid on the table for printing under joint rules.

Passed to be Engrossed

An Act decreasing the subsidy contributed by the State relative to education. (S. P. 134, L. D. 135)

An Act relative to fishing for gain and hire prohibited; exceptions, penalty. (S. P. 173, L. D. 664)

An Act relative to the visiting and setting of traps. (S. P. 175, L. D. 665)

An Act relative to falsely assuming to be a game warden. (S. P. 177, L. D. 667)

Resolve in favor of Charles L. Lindsey. (H. P. 76, L. D. 691)

Resolve in favor of the Somerset Farmers' Co-operative Telephone Company of Norridgewock. (H. P. 440, L. D. 692)

An Act relating to superintend-

ing School Committees. (H. P. 591, L. D. 237)

An Act relating to registration of voters. (H. P. 848, L. D. 345)

An Act with reference to dividends. (H. P. 855, L. D. 349)

An Act relating to commitment of female juvenile delinquents. (H. P. 883, L. D. 424)

Resolve in favor of Henry Moor of Township No. 28 (H. P. 1388, L. D. 693)

Orders of the Day

Mr. KITCHEN of Aroostook: Mr. President, I would like to inquire of the Chair whether it is necessary to specify the number of copies to be printed of bills laid upon the table for printing under the joint rules.

The PRESIDENT: The Chair will say that under the joint rules five hundred copies is the specified amount.

Mr. KITCHEN: Mr. President, that is what I thought. I am referring to the printing of bill, An Act to create and allocate a general highway fund for state aid and first class highway construction. It was originally Legislative Document 10, now reported back in a new draft as Senate Paper 457. This is an important matter and I move that fifteen hundred copies be printed. I am sorry that I neglected to do this at the proper time.

The PRESIDENT: The Senator from Aroostook, Senator Kitchen, moves that, notwithstanding the number fixed by the joint rules, the new draft of Legislative Document 10, which comes in as a report from the Committee on Ways and Bridges this morning, fifteen hundred copies of the new draft be printed. The motion prevailed.

On motion by Mr. Jackson of Cumberland, the Senate voted to take from the table, An Act granting preference to Maine Bidders (H. P. 153) (L. D. 85), tabled by that Senator on February 16th, pending first reading; and on further motion by the same Senator the bill was given its first reading and tomorrow assigned for second reading.

On motion by Mr. Viles of Kennebec, the Senate voted to take from the table, House Report from the Committee on Banks and Banking, "Ought to Pass" on "An Act to

Provide a Penalty for Circulating False Reports, Concerning Banks, Loan and Building Associations and Insurance Companies," (H. P. 1025) (L. D. 473), tabled by that Senator on February 22nd, pending acceptance of the report; and on further motion by the same Senator, the report of the committee was accepted, the bill was given its first reading and tomorrow assigned for second reading.

On motion by Mr. Littlefield of York, the Senate voted to take from the table, An Act Relating to Appointments of Town Road Commissioners, (H. P. 122) (L. D. 72), tabled by that Senator on February 17th pending second reading; and on further motion by the same Senator, the bill was given its second reading and passed to be engrossed in concurrence.

On motion by Mr. Jackson of Cumberland, the Senate voted to take from the table, Communication from the Secretary of State (S. P. 435) with accompanying petitions and bill, "An Act to raise an excise tax on corporations organized for making, generating, selling, distributing, and/or supplying electricity or electric current for power, lighting, heating, manufacturing or mechanical purposes" (I. B. 1), tabled by that Senator on February 21st pending consideration; and on further motion by the same Senator the communication with the accompanying petitions and the bill were referred to the Committee on Judiciary in accordance with the joint order passed earlier in today's session.

Sent down for concurrence.

On motion by Mr. Jackson of Cumberland, the Senate voted to take from the table, Communication from the Secretary of State (S. P. 436) with accompanying petitions, on proposal of a bill entitled, "An Act to raise an excise tax on corporations organized for making, generating, selling, distributing, and/or supplying electricity or electric current for power, lighting, heating, manufacturing or mechanical purposes", tabled by that Senator on February 21st pending consideration; and on further motion by the same Senator the communication with the accompanying petitions were referred to the Committee on

Judiciary in accordance with the joint order passed earlier in today's session.

Sent down for concurrence.

On motion by Mr. Jackson of Cumberland, the Senate voted to take from the table, Communication from the Secretary of State (S. P. 437) with accompanying petitions, regarding bill "An Act establishing a low rate tax on intangible personal property in accordance with constitutional amendment permitting the same" (I. B. 2), tabled by that Senator on February 21st pending consideration; and on further motion by the same Senator the communication with accompanying petitions were referred to the Committee on Judiciary in accordance with the joint order passed earlier in today's session.

Sent down for concurrence.

On motion by Mr. Jackson of Cumberland, the Senate voted to take from the table, Communication from the Secretary of State (S. P. 438) with accompanying petitions, regarding tax on intangibles, tabled by that Senator on February 21st pending consideration; and on further motion by the same Senator the communication with accompanying petitions were referred to the Committee on Judiciary in accordance with the joint order passed earlier in today's session.

Sent down for concurrence.

On motion by Mr. Jackson of Cumberland, the Senate voted to take from the table, Communication from the Secretary of State (S. P. 453) with accompanying petitions, regarding tax on intangibles, tabled by that Senator earlier in today's session pending consideration; and on further motion by the same Senator the communication with accompanying petitions were referred to the Committee on Judiciary in accordance with the

joint order passed earlier in today's session.

Sent down for concurrence.

On motion by Mr. Jackson of Cumberland, the Senate voted to take from the table, Communication from the Secretary of State (S. P. 454) with accompanying petitions on bill, "An Act to raise an excise tax on corporations organized for making, generating, selling, distributing and/or supplying electricity or electric current for power, lighting, heating, manufacturing or mechanical purposes", tabled by that Senator earlier in today's session pending consideration; and on further motion by the same Senator the communication with the accompanying petitions were referred to the Committee on Judiciary in accordance with the joint order passed earlier in today's session.

Sent down for concurrence.

On motion by Mr. Littlefield of York, the Senate voted to take from the table, Joint Order, (H. P. 1417), recalling to the House from the Committee on Agriculture: H. P. 691, L. D. 375, An Act relative to closed season on bear and H. P. 762, L. D. 376, An Act relating to bounty on bears, tabled by that Senator earlier in today's session pending passage in concurrence.

Mr. JACKSON of Cumberland: Mr. President, may I ask what the action in the House was regarding this order?

The PRESIDENT: The Chair will state that in the House the order was passed recalling these two bills from the Agricultural Committee, they being already in the hands of the committee and advertised for hearing.

Thereupon, on motion by Mr. Littlefield of York, the order was indefinitely postponed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Cooper of Waldo,

Adjourned, until tomorrow morning at ten o'clock.