

# 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**

Friday, March 3, 1933.

Senate called to order by the President.

Prayer by the Rev. J. N. Bessom of Hallowell.

Journal of yesterday read and approved.

On motion of Mr. Holman of Franklin, out of order and under suspension of rules, it was

Ordered, the House concurring, that when the Senate and House adjourn, they adjourn to meet Tuesday, March 7th at ten o'clock in the forenoon. (S. P. 556)

Sent down for concurrence.

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

Papers from the House disposed of in concurrence.

**House Bills in First Reading**

An Act relating to the permanent school fund (H. P. 574, L. D. 173)

An Act to improve rural school teaching (H. P. 1485, L. D. 777)

An Act relative to raising the water of York Pond situated in the towns of Eliot and York (H. P. 739, L. D. 776)

An Act to grant a new charter to the City of Ellsworth (H. P. 880, L. D. 355) (as amended by House Amendment "A")

The **PRESIDENT:** The Senate is in receipt from the House by special messenger of the following order: "Ordered, the Senate concurring, that House Paper 1305, Legislative Document 669, bill, An act relating to the counting and sealing of ballots, be recalled to the House from the engrossing department."

This comes from the House read and passed. The bill, according to the recollection of the Chair, is the bill on which Senate Amendment "A" was adopted on motion of the Senator from Androscoggin, Senator Holmes, who is not in the Senate Chamber at the present time. It seems to the Chair that it might be safe to pass the order in concurrence, in which case the rights of the Senator from Androscoggin (Senator Holmes) will be protected next Tuesday to move to reconsider if he so desires.

Thereupon, the order was passed in concurrence.

From the House:

The Committee on Agriculture on the Order relative to investigation of Poultry Department of Highmoor Farm (H. P. 1020, L. D. 374) reported that the same be referred to the Committee on Appropriations and Financial Affairs.

In the House recommitted to the Committee on Agriculture.

In the Senate, on motion by Mr. Story of Aroostook, that body voted to recede and concur with the House in the recommitment of the order.

From the House:

The Committee on Education on Bill "An Act relating to changes in location of any school legally established" (H. P. 1088, L. D. 575) reported that the same ought not to pass.

In the House recommitted to the Committee on Education.

In the Senate, on motion by Mr. Weeks of Somerset, tabled pending recommitment in concurrence.

From the House:

The Committee on Inland Fisheries and Game on Bill "An Act relating to closing of Attean Pond to ice fishing" (H. P. 699, L. D. 266) reported that the same ought to pass.

In the House recommitted to the Committee on Inland Fisheries and Game.

In the Senate, on motion by Mr. Angell of York, that body voted to recommit the bill to the Committee on Inland Fisheries in concurrence.

From the House:

Bill "An Act to amend the charter of the Northport Wesleyan Grove Camp Meeting Association" (H. P. 158, L. D. 635)

(In the Senate on February 21st passed to be engrossed as amended by House Amendment "A".)

In the House recommitted to the Committee on Legal Affairs in non-concurrence.

In the Senate, on motion by Mr. Blaisdell of Hancock, tabled pending recommitment in concurrence.

From the House:

Bill "An Act to provide a town council and manager form of government for the town of Washburn in the county of Aroostook" (S. P. 160, L. D. 164)

(In the Senate on February 17th passed to be engrossed.)

In the House recommitted to the Committee on Legal Affairs in non-concurrence.

In the Senate, on motion by Mr. Page of Somerset, tabled pending recommitment in concurrence.

From the House:

Bill "An Act relating to the shipping and transporting of clams beyond the limit of the State during closed time." (H. P. 1380, L. D. 685)

(In the Senate on February 22d passed to be engrossed)

In the House recommitted to the Committee on Sea and Shore Fisheries in non-concurrence.

In the Senate, that body voted to recede and concur with the House in the recommitment of the bill.

From the House:

The Majority of the Committee on Taxation on Bill "An Act for the taxation of billboards and the regulation and control of outdoor advertising" (H. P. 37, L. D. 23) reported that the same ought not to pass.

(Signed)

Jackson of Cumberland  
Towle of Kennebec  
Weymouth of Penobscot  
White of Crystal  
Mason of Mechanic Falls  
Piper of Bangor  
Sterling of Caratunk  
Mack of Veazie  
Walker of Rockport

The minority of the same Committee on the same subject reported that the same ought to pass.

(Signed) Blanchard of Wilton

In the House the Majority Report accepted.

In the Senate, on motion by Mr. Littlefield of York, the reports were tabled pending acceptance of majority report in concurrence.

From the House:

Ordered, the Senate concurring, that the Committee on Claims be requested to return to the House H. P. 815 "Resolve to reimburse the town of Livermore for hospital treatment of Archie Millett." (H. P. 1507)

In the House, the order was read and passed.

In the Senate, on motion by Mr. Weatherbee of Penobscot, tabled pending passage in concurrence.

### Communications

Communication from the Secretary of State:

#### DEPARTMENT OF STATE

Augusta, March 2, 1933

To the Secretary of the Senate of the Eighty-sixth Legislature:

I herewith transmit further petitions proposing "An Act establishing a low rate tax on intangible personal property in accordance with Constitutional Amendment permitting the same" containing 252 signatures verified; also, petitions proposing "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," the same having 233 signatures verified.

Very respectfully yours,

(Signed) ROBINSON C. TOBEY

Secretary of State (S. P. 555)

Which communication with accompanying petitions were placed on file.

Sent down for concurrence.

Communication from the Department of Education.

#### DEPARTMENT OF EDUCATION

Augusta, March 3, 1933

To the Honorable Senate:

In compliance with request of March 1 to furnish statement showing (a) the amount of State funds which were available for the cities, towns and other school districts of the State in 1932 (b) the estimated State funds available for the same school units in 1933 and (c) the estimated revenue which would be available for the same school units from a proposed tax on tobacco products, I present, herewith, the same in detail.

Respectfully submitted,

(Signed) BERTRAM E. PACKARD

Commissioner of Education.

The PRESIDENT: The Senator from Androscoggin, Senator Holmes, this morning requested that 500 copies of this be printed.

Thereupon, on motion by Mr. Weeks of Somerset, the communication was placed on file and 500 copies of the accompanying information were ordered printed.

Communication from the State Controller.

**DEPARTMENT OF FINANCE**

Bureau of Accounts and Control  
March 2, 1933.

To the Honorable Senate:

In compliance with request of March 1 to furnish amount paid each owner of privately owned automobiles during the year 1932, I present herewith the same in detail.

Respectfully submitted,

(Signed) WILLIAM A. RUNNELLS  
State Controller.

On motion by Mr. Jackson of Cumberland, the communication was placed on file and 500 copies of the accompanying information were ordered printed.

The following remonstrances were received and on recommendation by the committee on reference of bills were referred to the following committees:

**Taxation**

Mr. Littlefield of York presented 632 Remonstrances containing 12,947 names opposing chain store tax legislation.

Sent down for concurrence.

Mr. Fernandez of Penobscot presented

Remonstrance signed by the W. C. T. U. Legislative Committee against the resubmission of the prohibitory amendment.

Which was placed on file.

Sent down for concurrence.

Mr. ABBOTT of York: Mr. President, I ask the unanimous consent of the Senate at this time to present a bill out of order and I will briefly state my position in doing so. On February 8th of this present year the court house at Alfred was burned. I present this bill so that the county of York may issue bonds to raise funds to provide for the rebuilding of the court house as public necessity demands the same, and I request that this be referred to the Committee on Judiciary.

Thereupon, unanimous consent was granted to the Senator from York, Senator Abbott, to introduce bill, "An Act to authorize the Treasurer of the County Commissioners of York County to secure a loan and issue bonds of York County therefor for the purpose of rebuilding the court house; and on further motion by the same Senator the bill

was referred to the Committee on Judiciary.

Sent down for concurrence.

**Orders**

On motion by Mr. Winn of Androscoggin, it was

Ordered, that the Governor be requested to return to the Senate for its further consideration (H. P. 64, L. D. 34) "Resolve relating to fishing in Whitney Brook."

**Bills in First Reading**

An Act relative to state aid to academies. (S. P. 278, L. D. 804)

An Act defining certain powers of industrial banks. (S. P. 534, L. D. 800)

Resolve providing for a pension for Laura Witham of Lisbon. (S. P. 535, L. D. 799)

An Act to amend the banking laws by amending Section 91 of Chapter 57 of the Revised Statutes. (S. P. 548, L. D. 805)

**Reports of Committees**

Mr. Weeks from the Committee on Judiciary on Bill "An Act relating to trial terms of the Superior Court within and for the County of Penobscot" (S. P. 282) reported that the same ought not to pass.

The same Senator from the same Committee on Bill "An Act relating to disclosure proceedings" (S. P. 284, L. D. 465) reported that the same ought not to pass.

The same Senator from the same Committee on Bill "An Act providing for Mechanic's Lien" (S. P. 288, L. D. 647) reported that the same ought not to pass.

(On motion by Mr. Jackson of Cumberland, tabled pending acceptance of the report.)

Mr. Holman from the same Committee on Bill "An Act relating to registration of motor vehicles for use on islands" (S. P. 326, L. D. 532) reported that the same ought not to pass.

Mr. Winn from the Committee on Salaries and Fees on Bill "An Act relating to county commissioners" (S. P. 292, L. D. 655) reported that the same ought not to pass.

Which reports were severally read and accepted.

Sent down for concurrence.

Mr. Weeks from the Committee on Judiciary on Bill "An Act to increase the legal speed of commercial vehicles" (S. P. 154, L. D. 166) reported that the same ought to pass.

Mr. Holman from the same Committee on Bill "An Act enabling cities and towns to take advantage of Reconstruction Finance Corporation loans for construction of sewerage works" (S. P. 213, L. D. 280) reported that the same ought to pass.

Mr. Weeks from the same Committee on Bill "An Act relating to disclosure proceedings" (S. P. 287, L. D. 464) reported that the same ought to pass.

Mr. Winn from the Committee on Labor on Bill "An Act to prevent the maintaining of a black list in industry" (S. P. 43, L. D. 27) reported that the same ought to pass.

Which reports were read and accepted, the bills read once and Tuesday next assigned for second reading.

Mr. Weeks from the Committee on Judiciary on Bill "An Act relating to the War Bond Sinking Fund" (S. P. 70) reported the same in a new draft (S. P. 549) and that it ought to pass.

The same Senator from the same Committee on Bill "An Act to revise the laws relating to Sea and Shore Fisheries" (S. P. 2, L. D. 2) reported the same in a new draft (S. P. 550) and that it ought to pass.

The Committee on Judiciary on Bill "An Act to revise the Municipal Court Chapter of the Revised Statutes" (S. P. 67) reported the same in a new draft (S. P. 551) and that it ought to pass.

Mr. Abbott from the Committee on Agriculture on Bill "An Act relating to transportation of poultry" (S. P. 97, L. D. 134) reported the same in a new draft (S. P. 553) and that it ought to pass.

Mr. Story from the same Committee on Bill "An Act to amend Section 25 of Chapter 39 of the Revised Statutes as amended by Chapter 24 of the Public Laws of 1931" (S. P. 252, L. D. 383) reported the same in a new draft (S. P. 552), under the title of "An Act relative to the apportionment of state aid to agricultural societies" and that it ought to pass.

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

Mr. Jackson in behalf of the joint standing Committee on Commerce submitted its final report.

Which was read and passed.

Sent down for concurrence.

### Passed to be Engrossed

An Act relating to Teachers' Retirement. (S. P. 103, L. D. 211)

Resolve to repeal a resolve providing for a state pension for Charles Brown. (S. P. 164, L. D. 794)

Resolve to repeal a resolve providing for a state pension for Nellie Buck. (S. P. 166, L. D. 793)

An Act relating to health certificates for teachers and janitors. (S. P. 207, L. D. 395)

An Act relative to the conveyance of pupils. (S. P. 208, L. D. 277)

An Act to confer additional rights and powers upon East Branch Improvement Company. (S. P. 216, L. D. 795)

An Act to incorporate the town of Lincoln School District. (S. P. 230, L. D. 796)

(On motion by Mr. Weatherbee of Penobscot, tabled pending second reading.)

An Act relative to interest on taxes. (S. P. 352, L. D. 510)

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

An Act relative to collection of taxes. (S. P. 353, L. D. 511)

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

An Act relating to bids for supplies to institutions. (S. P. 485, L. D. 792)

(On motion by Mr. Bissett of Cumberland, tabled pending second reading.)

An Act to grant a new charter to the City of Rockland. (S. P. 486, L. D. 798)

Sent down for concurrence.

Resolve providing for a state pension for Hannah L. Batchelor of Belfast. (H. P. 394, L. D. 747).

Resolve providing for a state pension for George L. Harvey of Belfast. (H. P. 396, L. D. 748)

An Act relating to sterilization in certain cases. (H. P. 610, L. D. 241)

An Act authorizing the town of Bristol to raise money for the purpose of helping keep in repair the cemeteries in said town. (H. P. 638, L. D. 296)

An Act relative to non-residents kindling fires and employment of guides. (H. P. 732, L. D. 339)

Resolve in favor of Bernard Andrews of Canton. (H. P. 746, L. D. 412)

Resolve granting teacher's pension to Miss Nancy Rankin of Hiram. (H. P. 834, L. D. 749)

An Act to incorporate the Maine

Reinsurance Company. (H. P. 877, L. D. 313)

Resolve providing for an increase in state pension for Kate Bird of Farmingdale. (H. P. 987, L. D. 750)

Resolve providing for an increase in state pension for Ellen Bird of Farmingdale. (H. P. 988, L. D. 751)

An Act to amend the absent voting law. (H. P. 1051, L. D. 482)

An Act relating to tuition in secondary schools. (H. P. 1075, L. D. 458)

An Act relating to milk containers. (H. P. 1082, L. D. 558)

An Act relating to damage to poultry by dogs or wild animals. (H. P. 1084, L. D. 572)

(On motion by Mr. Story of Aroostook, tabled pending second reading.)

An Act relating to testing of live stock for tuberculosis. (H. P. 1085, L. D. 573)

An Act relating to schools in plantations and unorganized territory. (H. P. 1091, L. D. 578)

(On motion by Mr. Viles of Kennebec, tabled pending passage to be engrossed.)

Resolve relating to fishing in Pleasant Pond in the town of Turner. (H. P. 1460, L. D. 752)

Resolve authorizing negotiations for screening the outlet of Eastern Grand Lake. (H. P. 1461, L. D. 753)

Resolve regulating the fishing in Parlin Stream. (H. P. 1463, L. D. 754)

Resolve regulating the fishing in Bog Brook in Minot and Mechanic Falls. (H. P. 1464, L. D. 755)

Resolve regulating ice fishing in Tacoma Lakes. (H. P. 1465, L. D. 756)

Resolve providing for a state pension for Frank G. Downer, of Palermo. (H. P. 1466, L. D. 757)

An Act to provide for the regulation of the practice of podiatry and for the examination and licensing of podiatrists. (H. P. 1467, L. D. 746)

### Orders of the Day

On motion by Mr. Littlefield of York, the Senate voted to reconsider its action taken earlier in today's session whereby, An Act to amend the absent voting law (H. P. 1051, L. D. 482) was passed to be engrossed in concurrence; and on further motion by the same Senator the bill was tabled pending passage to be engrossed in concurrence.

The PRESIDENT: The Chair will advise the Senate that there is now in the possession of the Senate, Senate Paper 356, "An Act relative to the State highway in Highland Plantation," recalled from the Committee on Ways and Bridges by joint order introduced by the Senator from Kennebec, Senator Viles.

Thereupon, on motion by Mr. Viles of Kennebec, that Senator was granted unanimous consent to withdraw the bill.

Sent down for concurrence.

The PRESIDENT: The Chair will advise the Senate that there is in the possession of the Senate, Senate Paper 152, "An Act relating to town meetings," recalled from the files by joint order introduced by the Senator from Somerset, Senator Weeks.

Thereupon, on motion by Mr. Weeks of Somerset, the bill was referred to the Committee on Judiciary.

Sent down for concurrence.

On motion by Mr. Page of Somerset, the Senate voted to take from the table, An Act to provide a town council and manager form of government for the town of Washburn (S. P. 160, L. D. 164), tabled by that Senator earlier in today's session pending recommitment in concurrence.

The PRESIDENT: This bill in the Senate was passed to be engrossed on February 17 and was sent back from the House recommitment to the Committee on Legal Affairs in non-concurrence.

Thereupon, on motion by Mr. Weeks of Somerset, the Senate voted to recede and concur with the House in the recommitment of the bill to the Committee on Legal Affairs.

On motion by Mr. Blaisdell of Hancock, the Senate voted to take from the table, An Act to amend the charter of the Northport Wesleyan Grove Camp Meeting Association (H. P. 158, L. D. 635), tabled by that Senator earlier in today's session pending recommitment to the Committee on Legal Affairs in concurrence; and on further motion by the same Senator the Senate voted to recede and concur with the House in the recommitment of the bill.

On motion by Mr. Bissett of Cum-

berland, the Senate voted to take from the table, New Draft—An Act Relating to Bids for Supplies to Institutions, (S. P. 485) (L. D. 792), tabled by that Senator earlier in today's session pending second reading; and on further motion by the same Senator the bill was given its second reading, and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Weeks of Somerset, the Senate voted to take from the table, An Act Relating to Prepayment of Taxes, (H. P. 662) (L. D. 205), tabled by that Senator on March 2nd pending passage to be engrossed; and on further motion by the same Senator, the bill was passed to be engrossed in concurrence.

On motion by Mr. Towle of Kennebec, the Senate voted to take from the table, Resolve in favor of the Kennebec Journal Company for Printing Public Laws of the State of Maine, (H. P. 775) (L. D. 738),

tabled by that Senator on March 2nd pending second reading; and on further motion by the same Senator, the resolve was given its second reading, and passed to be engrossed in concurrence.

On motion by Mr. Littlefield of York, the Senate voted to take from the table, New Draft—Resolve Extending Open Season on Mousam River, (S. P. 444) (L. D. 764), tabled by that Senator on March 1st, pending second reading; and on further motion by the same Senator, the resolve was recommitted to the Committee on Inland Fisheries and Game.

Sent down for concurrence.

The PRESIDENT: Is there anything further which can be taken from the table this morning and sent along its course?

On motion by Mr. Seavey of Oxford,

Adjourned until Tuesday morning, March 7th, at ten o'clock.