

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Seventh Legislature

OF THE

STATE OF MAINE

1935

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**HOUSE**

Tuesday, February 19, 1935.

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

Prayer by the Rev. Mr. McWhorter of Augusta.

Journal of the previous session read and approved.

The **SPEAKER**: The Chair will call the attention of the members to a corrected reprint of L. D. 339, on your desks this morning. This document is substituted for the original print, L. D. 339, in your document book.

From the Senate: Bill an act relating to the practice of chiropractic, S. P. 394, L. D. 417, which was referred to the committee on Public Health in non-concurrence in the House on February 13th.

Comes from the Senate referred to the committee on Judiciary in non-concurrence.

In the House:

Mr. **BUBAR** of Blaine: Mr. Speaker, this is a bill that requires a legal opinion, and, as a member of the committee on Public Health, I move that we recede from our former position and concur with the Senate.

The motion prevailed and the House voted to recede and concur with the Senate in the reference of this bill to the committee on Judiciary.

From the Senate: Bill an act relating to registration of chiropractors, H. P. 1348, L. D. 585, which was referred to the committee on Public Health in the House on February 12th.

Comes from the Senate referred to the committee on Judiciary in non-concurrence.

In the House, on motion by Mr. Bubar of Blaine, the House voted to recede and concur with the Senate in the reference of this bill to the committee on Judiciary.

Papers from the Senate disposed of in concurrence.

**Senate Bill In First Reading**

S. P. 155, L. D. 486: An act to confirm the organization of University of Maine Foundation and to define its powers.

From the Senate: Majority Re-

port of the Committee on Judiciary reporting ought not to pass on resolve proposing an amendment to the Constitution changing the date of the biennial election (S. P. No. 193) (L. D. No. 147)

Report was signed by the following members: Messrs. Burkett of Cumberland, Burns of Aroostook,—of the Senate. Gray of Presque Isle, Weatherbee of Lincoln, Philbrick of Cape Elizabeth, Hill of So. Portland, Willey of Falmouth, Jacobson of Portland, Vaughan of So. Berwick,—of the House.

Minority Report of same Committee reporting ought to pass on same bill.

Report was signed by the following member: Mr. Fernald of Waldo,—of the Senate.

Comes from the Senate with the Majority Report read and accepted.

In the House, on motion by Mr. Scates both reports tabled, pending acceptance of either, and specially assigned for Thursday, February 21st.

The following petitions and remonstrances were received and upon recommendation of the committee on Reference of Bills were referred to the following committees:

**Education**

Petition of Joseph F. Kolouch of Mapleton and 46 others in favor of L. D. No. 56 relating to educational program (H. P. No. 1417) (Presented by Mr. Cambridge of Westfield)

Petition of Ralph F. Klucken of Stoneham and 34 others in favor of same (H. P. No. 1418) (Presented by Mr. Heald of Lovell)

Petition of Fred D. Kimball of Lovell and 139 others in favor of same (H. P. No. 1419) (Presented by same gentleman)

Petition of Donald B. Partridge of Norway and 40 others in favor of same (H. P. No. 1420) (Presented by same gentleman)

Petition of Bartley A. Jackson of Augusta and 20 others in favor of same (H. P. No. 1421) (Presented by Mr. Mace of Augusta)

Petition of Geo. C. Frye of Harrington and 109 others in favor of same (H. P. No. 1422) (Presented by Mr. Shaw of Milbridge)

Petition of Mrs. Frank W. Harmon of Brownfield and 20 others in favor of same (H. P. No. 1423)

(Presented by Miss Stickney of Brownfield)

Petition of C. E. Lundgren of New Sweden and 101 others in favor of same (H. P. No. 1424) (Presented by Mr. Story of Washburn)

Petition of Lyman L. Willard of Oxbow and 10 others in favor of same (H. P. No. 1425) (Presented by Mr. Ellis of Castle Hill)

Petition of F. A. Greenlaw of Masardis and 23 others in favor of same (H. P. No. 1426) (Presented by same gentleman)

Petition of R. R. Ross of Portage and 59 others in favor of same (H. P. 1427) (Presented by same gentleman)

Petition of W. N. Nash of Addison and 61 others in favor of same (H. P. 1428) (Presented by Mr. Shaw of Milbridge)

Petition of R. R. Bearce of Ashland and 141 others in favor of same (H. P. 1429) (Presented by Mr. Ellis of Castle Hill)

Petition of W. E. Seekings of Pittston and 74 others in favor of same (H. P. 1430) (Presented by Mr. Fowles of Randolph)

#### **Inland Fisheries and Game**

Remonstrance of George B. Davis of Alna and 23 others against repeal of Sunday hunting law (H. P. 1431) (Presented by Mr. Carleton of Alna)

#### **Judiciary**

Petition of William A. Finch and 2 others of W. Pembroke in favor of act relating to fees for registration of motor vehicles (H. P. 1432) (Presented by Mr. Clarke of Cooper)

Petition of Mr. Keyes and 19 others in favor of same (H. P. 1433) (Presented by same gentleman)

Petition of Roy Gillespie and 28 others of Meddybemps in favor of same (H. P. 1434) (Presented by same gentleman)

#### **Legal Affairs**

Remonstrance of Dwight Harris McMahan and 29 others of Hodgdon against a State lottery or any form of gambling in the State (H. P. 1435) (Presented by Mr. Crowell of Weston)

#### **State Lands and Forest Preservation**

Remonstrance of C. W. Harmon of Houlton and 35 others against S. P. 346—Resolve relative to sale of Half Moon Island in Grand Lake (H. P. 1436) (Presented by Mr. Crowell of Weston)

#### **Ways and Bridges**

Petition of Ralph I. Morse and 24 others of Waldo County in favor of increase in personnel and equipment of the State Police (H. P. 1437) (Presented by Mr. Harriman of Prospect)

Petition of O. M. Conant of Weld and 17 others in favor of L. D. 13—an act relating to snow removal on R. F. D. Routes (H. P. 1438) (Presented by Mr. Russ of Woodstock)

#### **Orders**

On motion by Mr. Mosher of Farmington, it was

Ordered, that the use of the hall of the House be granted to the Highway Commission for a hearing to be held February 26th in the afternoon.

On motion by Miss Stickney of Brownfield, it was

Ordered, that there be printed 500 additional copies of the following bills:

Bill an act to provide for the equalization of taxes, H. P. 1293, L. D. 468.

Bill an act authorizing the dispensing of medicinal liquor on prescription, H. P. 1362, L. D. 591.

#### **Reports of Committees**

Mr. Devereux from the Committee on Claims on resolve in favor of Havener Webster of Orland (H. P. 6) reported same in a new draft (H. P. 1439) under same title and that it ought to pass

Mr. King from same Committee on resolve in favor of Roscoe L. York of Medway, Maine (H. P. 297) reported same in a new draft (H. P. 1440) under same title and that it ought to pass

Mr. Davis from the Committee on Inland Fisheries and Game on resolve for screening Lake Thompson in the county of Oxford, (H. P. 37) (L. D. 10) reported same in a new draft (H. P. 1441) under same title and that it ought to pass.

Reports read and accepted and the new drafts ordered printed under the Joint Rules.

Mr. Devereux from the Committee on Claims reported ought to pass on resolve in favor of O. L. Veague of Castine (H. P. 9)

Mr. Hescocock from the Committee on Inland Fisheries and Game reported same on resolve relative to closing Goddard Brook, Big (H. P. 569)

Same gentleman from same committee reported same on resolve

relative to closing Goddard Brook, Little, (H. P. No. 567)

Mr. Chase of Baring from the Committee on Legal Affairs reported same on bill An act relating to temporary loans by Penobscot County Commissioners (H. P. No. 601)

Reports read and accepted and the bill and resolves ordered printed under the Joint Rules.

Mr. Chase of Baring from the Committee on Legal Affairs reported ought to pass on bill An act amending the duty of innkeepers (H. P. No. 449) (L. D. No. 125)

Mr. Donahue from same Committee reported same on bill an act to extend the rights, powers and privileges of the Sabattus Water and Sewger District (H. P. No. 341) (L. D. No. 110)

Same gentleman from same Committee reported same on bill an act authorizing the town of Bar Harbor to erect and maintain a municipal wharf or pier (H. P. No. 595) (L. D. No. 159)

Reports read and accepted and the bills having already been printed were read twice under suspension of the rules and tomorrow assigned.

Unanimous consent was given the gentleman from Pittsfield, Mr. Cook, to introduce out of order, and under suspension of the rules a bill.

Mr. COOK: Mr. Speaker and members of the House: This is a bill relating to the Pittsfield Municipal Court. This bill was drawn at the suggestion of our County Attorney and Sheriff of Somerset County to take care of an unusual situation that arose in Pittsfield the past week. Under the statute of 1901, the Pittsfield Municipal Court was given exclusive jurisdiction in all cases. Later this law was amended to except misdemeanors, but at present the court has exclusive jurisdiction in matters of felony. As a result of the death last week of Judge Haley, we are faced with a peculiar situation in Pittsfield of having no jurisdiction in cases of felony. At the present moment, a person committing a felony in Pittsfield cannot be held. This situation arose last week and the person, after he had confessed to a breaking and entering—the sheriff was forced to release him. As a result, we are asking unanimous

consent to introduce this bill which will remedy the situation and give the people of Pittsfield proper protection while we are without a judge. I should like to ask that the bill be given its several readings at this time, without reference to a committee.

The SPEAKER: The gentleman from Pittsfield, Mr. Cook, now moves that the rules be suspended and the bill given its three several readings at this time.

The motion prevailed, and H. P. 1442, bill an act relating to the Pittsfield Municipal Court had its three several readings, under suspension of the rules, without reference to any committee, and was passed to be engrossed.

#### First Reading of Printed Bills and Resolves

(H. P. No. 330) (L. D. No. 630)  
An act relating to the taking of cusk.

(H. P. No. 1370) (L. D. No. 631)  
An act relating to superintendents of schools.

(H. P. No. 1414) (L. D. No. 632)  
An act to create a Milk Control Board.

(Tabled by Mr. Fortin of Lewiston, pending first reading)

(H. P. No. 1415) (L. D. No. 633)  
An act to tax games of skill.

(Tabled by Mr. Lewis of Boothbay, pending second reading)

(H. P. No. 194) (L. D. No. 634)  
Resolve relative to regulating fishing in Olamon Stream.

(H. P. No. 195) (L. D. 635) Resolve regulating fishing in Attean Pond, Big Wood Pond, Little Wood Pond, so-called Mud Pond.

#### Passed to be Engrossed

(H. P. No. 329) (L. D. No. 100)  
An act relating to number of lines permitted in ice fishing.

(H. P. No. 831) (L. D. No. 239)  
An act relating to the Society of Friends.

(H. P. No. 1398) (L. D. No. 625)  
An act creating separate polling district for Rockwood an unorganized place in the county of Somerset.

(H. P. No. 1394) (L. D. No. 626)  
Resolve in favor of Georgie Bridges of Verona.

(H. P. No. 1395) (L. D. No. 627)  
Resolve in favor of Herbert J. Hopkins of Orland.

(H. P. No. 1396) (L. D. No. 628)  
Resolve in favor of Grace F. Silsby of Holyoke, Mass.

(H. P. No. 1397) (L. D. No. 629)

Resolve in favor of Everette Harri-  
man of Orland.

#### Orders of the Day

On motion by Mr. Hill of South Portland, it was voted to take from the table the tenth unassigned matter, Memorial to Congress requesting passage of Frazier-Lemke Refinance Bill, H. P. 1416, tabled by that gentleman February 15th, pending adoption.

Mr. HILL: Mr. Speaker, may I ask that the Memorial be again read by the Clerk?

(Memorial read by the Clerk)

Mr. HILL: Mr. Speaker, I move that the Memorial be indefinitely postponed.

This Memorial is not a proposal that originated with the gentleman from Brunswick (Mr. Lebel). If it were, I might be more reluctant to oppose it; but it is a proposal that has been sent here from Washington,—as I understand it sent here by the proponents of this Frazier-Lemke bill, drafted in Washington, sent to this Legislature with the idea that, if it is passed here, it may be said in Washington that the State of Maine, together with twenty-two other states referred to in the Memorial, has endorsed the passage of this Frazier-Lemke bill.

Now we are gathered here, the Legislature, for the purpose of transacting business which pertains to and concerns the State of Maine. This question raised by this Memorial is purely a national question. We elect our Representatives to Congress and our United States Senators to go to Washington and consider matters of national concern. They have the opportunity to inform themselves upon the merits of such legislation as this. Committee hearings are held in Washington and our Representatives may attend and hear all the arguments pro and con on these important measures. I am content, for one, to leave such a matter as this to the good judgment of our United States Senators and Representatives in Congress. I do not feel, personally, that I am sufficiently informed upon the merits of this Frazier-Lemke bill to be ready to go on record as voting that it ought to pass without further delay, as the Memorial says; and I believe there is a very considerable number of the members of this House who would likewise feel that we ought not to go on record officially as urg-

ing the passage of this bill without knowing more than we now know about it. For these reasons I hope that the House will indefinitely postpone the Memorial.

Mr. LEBEL of Brunswick: Mr. Speaker and members of the House: It is not a pleasure for me to stand up here and attempt to "buck up" against my friend from South Portland (Mr. Hill). I know he has a much larger following than I have; but I do feel that I would be a coward if I did not back up that resolution. The gentleman from South Portland has told us that it would not be good for Maine to get in line with the other states in considering this national measure, but I notice that he has told you very little about the bill itself. Undoubtedly not all of you have had copies of this bill and for that reason I brought it down here. The purpose of the act, as stated in it, is to place agriculture on a basis of equality with other industries by the establishment of an adequate credit system for the refinancing of farm indebtedness at low rates of interest. It appropriates \$100,000.00 to be raised by the issuance of farm land bonds bearing interest at the rate of one and one-half per cent through the Farm Credit Administration. It creates a Board of Agriculture, composed of one member from each state, elected by delegates chosen by the farmers of the different states themselves. The delegates would meet at their respective State capitols and elect a member from among themselves to represent the State on the Board. Now those forty-eight members from the different states will get together in Washington, organize and elect from among themselves an executive committee of three to administer this act. The other forty-five members of the Board will remain in touch with their executive committee and advise them as to the way the act works in the different states.

The benefits of this act would also apply to farmers who have lost their farms, not only recently but way back to 1921, provided they desire to buy them back or purchase other farms.

The members of the Board will receive a per diem of \$15.00 for the time actually spent in administering this act.

Now, Mr. Speaker, and members of the House, we hear a lot about

helping the farmers. I am not a farmer, but I was brought up on a farm and my parents still own and operate a farm; so I know what they are up against. There are a lot of farmers in the House and Senate and here is an opportunity to do something for the farmers. This bill is sound, I have read it, and I think it is a good proposition. I have nothing personal to be gained in this matter, and if you want to turn the farmers down, go ahead. Here is something we can do for the farmers without the State spending a single penny. I thank you.

On motion by Mr. Thompson of Belfast, a viva voce vote being taken, the matter was retabled and specially assigned for Thursday morning, Feb. 21.

On motion by Mr. Davis of Newfield, it was voted to take from the table the second unassigned matter, bill an act relative to powers and duties of Inland Fish and Game wardens, H. P. 1259, L. D. 490, tabled by that gentleman February 12, pending reference; and on further motion by the same gentleman, the bill was referred to the committee on Inland Fisheries and Game.

On motion by Mr. Smith of Bangor, it was voted to take from the table the sixth unassigned matter, bill an act relative to the granting of licenses for certain businesses and purposes by the city of Bangor, H. P. 451, L. D. 127, tabled by that gentleman, February 14th, pending third reading; and on further mo-

tion by the same gentleman the bill had its third reading and was passed to be engrossed.

#### **Passed to Be Enacted**

(Emergency Measure)

(Out of order and under suspension of the rules)

H. P. 1442: An act relating to the Pittsfield Municipal Court.

The SPEAKER: This being an emergency measure, it is necessary that it have the affirmative vote of two-thirds the entire membership of the House. All those in favor of the passage of this bill to be enacted will rise and stand in their places until counted, and the monitors will make and return the count.

A division was had.

One hundred and forty-four voting in the affirmative, and none in the negative, the bill was passed to be enacted.

On motion by Mr. Hathorn of Bangor, it was voted to take from the table the third unassigned matter, bill an act providing a tax on hotels, lodging houses, overnight or recreational camp and roadside lodging places accommodating transient guests, H. P. 1292, L. D. 493, tabled by that gentleman February 12th, pending reference; and on further motion by the same gentleman permission was granted to withdraw the bill.

On motion by Mr. Crosby of Vassalboro,

Adjourned until ten o'clock tomorrow morning.