

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Legislative Record

OF THE

Eighty-Seventh Legislature

OF THE

STATE OF MAINE

1935

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Saturday, March 23, 1935.

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

Prayer by the Rev. Mr. Pressey of Augusta.

(Mr. Carswell of Gorham assumed the Chair as Speaker pro tem, amid the applause of the House)

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Report of the committee on Legal Affairs reporting ought not to pass on resolve in favor of the First National Bank of Portland, S. P. 321, L. D. 354.

Comes from the Senate read and accepted.

In the House, on motion by Mr. Desmond of Portland, tabled pending acceptance of report in concurrence, and specially assigned for Wednesday, March 27th.

From the Senate: Majority report of the Committee on Judiciary reporting ought not to pass on bill an act relating to the abolishment of the Governor's Council (S. P. No. 215) (L. D. 188)

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

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

Report was signed by the following members:

Messrs. FERNALD of Waldo
—of the Senate.
JACOBSON of Portland
—of the House.

Comes from the Senate majority report read and accepted.

In the House, on motion by Mr. States of Westbrook, both reports tabled, pending acceptance of either, and specially assigned for Wednesday, March 27th.

Senate Bills in First Reading

S. P. 417, L. D. 529: An act relating to construction of public buildings.

S. P. 223, L. D. 196: An act to amend Section 380 of Chapter 1 of the Public Laws of 1933 relating to probation of boys at State School for Boys.

S. P. 333, L. D. 344: An act to ratify and confirm the organization of Bingham Associates' fund, and to increase its powers.

S. P. 357, L. D. 338: An act relating to games of sport on Armistice Day.

S. P. 375, L. D. 339: An act relating to licenses for retail stores.

Conference Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on bill an act relating to Public Records (H. P. No. 1372) (L. D. No. 620) reporting that both branches recede from their former positions and concur in the adoption of House Amendment A transmitted herewith.

(Signed)

Messrs. BURNHAM of Kittery
HILL of So. Portland
SCATES of Westbrook
—Committee on part of House.

BURKETT of Cumberland
BURNS of Aroostook
FRIEND of Somerset
—Committee on part of Senate.

House Amendment A as transmitted with the report reads as follows:

Amend said bill by striking out beginning in the fifth line thereof the following words:

"Public records may be made by photographic process when the instrument is required by law to be recorded and".

Report read and accepted, and under suspension of the rules the House voted to reconsider its action of February 15th whereby this bill was passed to be engrossed, House Amendment A was adopted, and the bill, as amended, was passed to be engrossed.

Reports of Committees

Mr. Flanders from the Committee on County Estimates on bill an act relating to salary of Register of Deeds in Waldo County (S. P. 200) (L. D. 670) reported the same without recommendation.

(Tabled by Mr. Payson of Brooks, pending acceptance of report and specially assigned for Tuesday, March 26th)

Mr. Hall from the Committee on Education on bill an act relating to school unions (H. P. No. 1307) (L. D. No. 616) reported same in a new draft (H. P. No. 1795) under same title and that it ought to pass.

Mr. Chase of Baring from the Committee on Labor on bill an act relating to hours of labor (H. P. No. 592) (L. D. No. 171) reported same in a new draft (H. P. No. 1796) under same title and that it ought to pass.

Same gentleman from same Committee on bill an act relating to minimum wages for laborers (H. P. No. 1147) (L. D. No. 367) reported same in a new draft (H. P. No. 1797) under same title and that it ought to pass.

Miss Stickney from the Committee on Mercantile Affairs and Insurance on bill an act relating to enforcement of insurance liens (H. P. No. 62) (L. D. No. 19) reported same in a new draft (H. P. No. 1798) under same title and that it ought to pass.

Mr. Shaw from the Committee on Sea and Shore Fisheries on bill an act relating to licenses for selling clams (H. P. No. 1283) (L. D. No. 504) reported same in a new draft (H. P. No. 1799) under same title and that it ought to pass.

Mr. Lewis from same Committee on bill an act relating to taking of soft shelled clams (H. P. No. 1281) (L. D. No. 502) reported same in a new draft (H. P. No. 1800) under same title and that it ought to pass.

Mr. Graves from the Committee on Ways and Bridges on bill an act relating to roadside improvement (H. P. No. 611) (L. D. No. 218) reported same in a new draft (H. P. No. 1801) under same title and that it ought to pass.

Mr. Ellis from same Committee on resolve appropriating money for the construction of terminals and approaches thereto of a ferry across Penobscot Bay (H. P. No. 747) (L. D. No. 271) reported same in a new draft (H. P. No. 1802) under title of resolve appropriating money for the construction of road and terminal approach in the town of Lincolnville or the town of Northport to Penobscot Bay, and for the construction of a road and terminal

approach in the town of Islesboro to Penobscot Bay and that it ought to pass.

Mr. Pike from same Committee on bill an act relating to the construction of State aid and third class highways (H. P. No. 1229) (L. D. No. 434) reported same in a new draft (H. P. No. 1804) under title of an act relating to the construction of State aid highways and that it ought to pass

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

Mr. Dow from the Committee on Agriculture reported ought to pass on bill an act relating to Bang's disease (H. P. No. 1296) (L. D. No. 609)

Mr. Chase from the Committee on Education reported same on bill an act providing medical service for small towns (H. P. No. 821) (L. D. No. 236)

Mr. Lewis from the Committee on Maine Publicity reported same on bill an act relating to advertisement of Maine agricultural products (H. P. No. 604) (L. D. No. 177)

Mr. Graves from the Committee on Military Affairs reported same on bill an act relating to education of War orphans (H. P. No. 853) (L. D. No. 246)

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

Mr. Harriman from the Committee on Sea and Shore Fisheries reported ought to pass on resolve relating to close time on lobsters west of Petit Manan Point (H. P. No. 1082) (L. D. No. 325)

Mr. LINDSEY of East Machias: Mr. Speaker, I have had a conference with the committee on Sea and Shore Fisheries this morning, and they are agreeable to have this resolve recommitted, and I move that this resolve be recommitted to the committee on Sea and Shore Fisheries.

The motion prevailed.

First Reading of Printed Bills and Resolves

(H. P. No. 1787) (L. D. No. 822)
An act to provide a Town Council and Manager Form of Government for the town of Richmond, in the county of Sagadahoc

(H. P. No. 1788) (L. D. No. 823)
An act to provide a Manager Form

of Government for the town of Rumford

(H. P. No. 1789) (L. D. No. 21) An act relating to the charter of the city of Auburn

(H. P. No. 1794) (L. D. No. 816) An act to provide for old age pensions

(H. P. No. 1790) (L. D. No. 819) Resolve in favor of purchase of copies of "The History of Oxford County"

(Tabled by Mr. Patterson of Freeport, pending assignment for second reading)

(H. P. No. 1791) (L. D. No. 818) Resolve providing for a State pension for Winnifred Parker of Presque Isle

(Tabled by Mr. Patterson of Freeport, pending first reading)

(H. P. No. 1792) (L. D. No. 817) Resolve providing for State pension in favor of Mrs. James P. Young of Blaine

(Tabled by Mr. Patterson of Freeport, pending first reading)

(H. P. No. 1793) (L. D. No. 820) Resolve providing for a State pension for Charles W. Shorey of Waldo

(Tabled by Mr. Patterson of Freeport pending first reading)

Passed to be Engrossed

(S. P. No. 202) (L. D. No. 150) An act to provide for further issuance of State bonds

(S. P. No. 354) (L. D. No. 341) An act relating to group insurance

(S. P. No. 405) (L. D. No. 525) An act relating to capital stock of trust and banking companies

(S. P. No. 641) (L. D. No. 806) An act relating to the practice of dentistry

(H. P. No. 16) (L. D. No. 4) An act exempting pedestrians from paying toll on Waldo-Hancock Bridge

(Tabled by Mr. Desmond of Portland, pending passage to be engrossed, and specially assigned for Thursday, March 28th)

(H. P. No. 1774) (L. D. No. 813) An act relating to trust companies

(H. P. No. 1775) (L. D. No. 810) An act relating to the recordings of county reports

H. P. 1777, L. D. 814: An act relating to the use of reflectors on commercial vehicles.

(Tabled by Mr. Carleton of Alna, pending passage to be engrossed and specially assigned for Wednesday, March 27th)

H. P. 1778, L. D. 815: An act to provide a Town Council and Manager Form of Government for the

town of Oakland, in the county of Kennebec.

S. P. 179, L. D. 791: Resolve for the purchase of one hundred copies of the "Financial History of Maine, 1820 to 1934."

Mr. Webber of Auburn, presented House Amendment A and moved its adoption, as follows:

House Amendment A to S. P. 179, L. D. 791, resolve for the purchase of one hundred copies of the "Financial History of Maine, 1820 to 1934."

Amend said resolve by adding thereto the following: 'to be paid out of the appropriation for the Bureau of Maine State Library.

Mr. PATTERSON of Freeport: Mr. Speaker, I move that the resolve and the amendment lie on the table.

The SPEAKER pro tem: The gentleman from Freeport, Mr. Patterson, moves that the resolve and amendment lie on the table pending adoption of the amendment.

Mr. SCATES of Westbrook: Mr. Speaker, I have no objection—

The SPEAKER pro tem: The matter is not debatable.

Mr. SCATES: May I just make a statement, Mr. Speaker?

The SPEAKER pro tem: If there is no objection, the gentleman from Westbrook, Mr. Scates, may proceed.

Mr. SCATES: Mr. Speaker, I wish that those who want to lay matters on the table would assign a date, and the date not later than the following Wednesday, when all matters are to be taken from the table. If we keeping laying them on the table without any date of assignment, and some of them go over beyond the Wednesday, we shall be here all the spring.

Thereupon, the amendment was tabled pending adoption.

S. P. 442, L. D. 477: Resolve proposing an amendment to the Constitution to provide for an additional issue of highway bonds.

(Tabled by Mr. Connolly of Portland, pending passage to be engrossed in concurrence and specially assigned for Monday, March 25.)

S. P. 634, L. D. 795: Resolve for the purchase of one hundred copies of "A History of Banking in Maine, 1799-1930."

Mr. Webber of Auburn, offered House Amendment A and moved its adoption, as follows:

House Amendment A to S. P.

634, L. D. 795, resolve for the purchase of one hundred copies of "A History of Banking in Maine, 1799-1930."

Amend said resolve by adding thereto the following: 'to be paid out of the appropriation for the Bureau of Maine State Library.'

Thereupon, House Amendment A was adopted.

Mr. PATTERSON of Freeport: Mr. Speaker, I would like to make an explanation of why I am tabling these matters. It is because the committee on Appropriations and Financial Affairs wants to know, before we pass too many of them, where the money is coming from. That is why I am tabling them. Presumably, they can be taken up Monday or Tuesday, but I do not wish to name a date at this time. I am only trying to clear up the situation. This is not a case of trying to clutter up the Calendar.

Thereupon, the resolve as amended was tabled pending passage to be engrossed in concurrence.

Mr. WEBBER: Mr. Speaker, I would like to say, in reference to that, that these amendments were made specially to cover that matter. That comes out of the regular library appropriation which they have to buy books with. That is why these amendments were put in. Mr. Thompson of Belfast, had the amendments drawn up and asked me to put them in, as he was not to be here today.

The SPEAKER pro tem: The House hears the remarks of the gentleman.

S. P. 635, L. D. 794: Resolve for the purchase of one hundred copies of "A Bibliography of the State of Maine, 1892 to 1933."

Mr. Webber of Auburn, presented House Amendment A and moved its adoption, as follows:

House Amendment A to S. P. 635, L. D. 794, resolve for the purchase of one hundred copies of "A Bibliography of the State of Maine, 1892 to 1933."

Amend said resolve by adding thereto the following: 'to be paid out of the appropriation for the Bureau of Maine State Library.'

Thereupon, House Amendment A was adopted, and on motion by Mr. Patterson of Freeport, the resolve as amended was tabled pending passage to be engrossed in concurrence.

(S. P. No. 642, (L. D. No. 807)

Resolve protecting cod, haddock and other ground fish in certain waters of and adjacent to Hancock county.

(H. P. No. 1786) (L. D. No. 812) Resolve in favor of certain World War veterans.

(Speaker Tompkins assumed the Chair, the Speaker pro tem, Mr. Carswell of Gorham, received the applause of the House as he resumed his seat.)

The SPEAKER: Is it the pleasure of the House to take up out of order a paper from the Senate? The Clerk will read the communication.

Ordered, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Monday, March 25th, at four o'clock in the afternoon, S. P. 658.

Comes from the Senate read and passed.

In the House, read and passed in concurrence.

Orders of the Day

The SPEAKER: The House is now proceeding under Orders of the Day.

The Chair recognizes the gentleman from Hampden, Mr. Leonard.

Mr. LEONARD: Mr. Speaker, I move that the House reconsider its action of yesterday whereby it voted to accept the ought not to pass report on bill an act relating to the Public Utilities Commission, Legislative Document 589, and I would like to have it lie on the table and be specially assigned for next Tuesday.

The SPEAKER: The Chair recognizes the gentleman from Franklin, Mr. Noyes.

Mr. NOYES: Mr. Speaker, I rise to a point of parliamentary order.

The SPEAKER: The gentleman may state his point.

Mr. NOYES: A motion to reconsider must come from a person who voted in the majority.

The SPEAKER: The Chair will state that on the vote yesterday a viva voce vote only was taken.

Mr. LEONARD: Mr. Speaker, might I make a word of explanation?

The SPEAKER: No; the matter is not debatable at this time.

The motion before the House is the motion of the gentleman from Hampden, Mr. Leonard, that the House reconsider its action of yesterday whereby it accepted the

ought not to pass report of the committee on bill an act relating to the Public Utilities Commission, and that the motion be tabled to reconsider acceptance in concurrence and be specially assigned for next Tuesday. The motion prevails.

The decision of the Chair having been doubted,

A division of the House was had.

Forty-six having voted in the affirmative and 18 in the negative, the motion prevailed.

Mr. HESCOCK of Monson: Mr. Speaker, I move that the House reconsider its action of March 22nd whereby it accepted the report not to pass report of the committee on Public Health on S. P. 198, L. D. 148, an act related to narcotic drugs; and I further move that my motion lie on table and be specially assigned for Tuesday, March 26th.

The motion prevailed, and the matter was tabled and specially assigned for Tuesday, March 26, pending motion to reconsider acceptance of report in concurrence.

The Chair lays before the House the first matter on today's Calendar, House report ought not to pass of the committee on Claims on resolve in favor of Andrew Michaud of Togus, H. P. 1108, tabled on March 21 by the gentleman from Caswell, Mr. Phair, pending acceptance; and the Chair recognizes that gentleman.

On motion by Mr. Phair the report of the committee was accepted.

On motion by Mr. Roach of New Gloucester,

Adjourned until Monday, March 25, at four o'clock in the afternoon.