

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Seventh Legislature

OF THE

STATE OF MAINE

1935

KENNEBEC JOURNAL COMPANY  
AUGUSTA, MAINE

**SENATE**

Friday, February 22, 1935.

Senate called to order by the President.

Prayer by the Rev. Cymbrid Hughes of Augusta.

Journal of yesterday, read and approved.

**Order**

(Out of Order)

On motion by Mr. Burkett of Cumberland, under suspension of the rules it was,

Ordered, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, February 26th, 1935, at eleven o'clock in the forenoon.

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.

From the House:

"An Act to Provide a Town Council and Manager Form of Government for the Town of Ashland in the County of Aroostook." (H. P. 1196) (L. D. 378)

(In Senate on February 14th passed to be engrossed in concurrence.)

Came from the House, under suspension of the rules passage to be engrossed reconsidered, House Amendment "A" adopted, and the bill as amended by House Amendment "A" passed to be engrossed in non-concurrence.

In the Senate, that body voted to reconsider its former action whereby this bill was passed to be engrossed, House Amendment "A" was read and adopted in concurrence, and the bill as amended by House Amendment "A" was passed to be engrossed in concurrence.

**House Bills in First Reading**

"An Act Relating to the Sale of Intoxicating Liquors," (H. P. 688) (L. D. 232)

(On motion by Mr. Harmon of Hancock, tabled pending first reading.)

"Resolve in Favor of O. L. Veague of Castine," (H. P. 9) (L. D. 645)

"Resolve Relative to Closing God-

dard Brook, Big," (H. P. 569) (L. D. 648)

"Resolve Relative to Closing God-dard Brook, Little," (H. P. 567) (L. D. 646)

"An Act Relating to the Use of Steam Boilers," (H. P. 66) (L. D. 22)

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

"An Act Relating to Temporary Loans by Penobscot County Commissioners," (H. P. 601) (L. D. 644)

"An Act to Create a Milk Control Board," (H. P. 1414) (L. D. 632)

(On motion by Mr. Potter of Penobscot the rules were suspended and the bill was given its second reading and passed to be engrossed. Sent down for concurrence)

"Resolve for Screening Lake Thompson, in the County of Oxford," (H. P. 1441) (L. D. 650)

"Resolve in Favor of Havener Webster, of Orland," (H. P. 1439) (L. D. 649)

**Orders**

On motion by Mr. Burkett of Cumberland, it was

Ordered, that one thousand additional copies of Bill "An Act Relating to the Registration of Motor Vehicles," (H. P. 1314) (L. D. 494) be printed.

On motion by Mr. Burkett of Cumberland, it was

Ordered, that one thousand additional copies of Bill "An Act Relating to Semi-Trailers," (H. P. 1238) (L. D. 552) be printed.

On motion by Mr. Hathaway of Piscataquis it was,

Ordered, that the use of the Senate Chamber be given to the Committee on Ways and Bridges each Wednesday and Thursday throughout the legislative session for public hearings to be held at 2 P. M.

**Reports of Committees**

Mr. Hussey from the Committee on Appropriations and Financial Affairs on Bill "An Act to Increase the Efficiency of the State Liquor Commission," (S. P. 440) (L. D. 470) reported that the same ought not to pass, as subject matter is covered in another bill.

Mr. Burns from the Committee on Judiciary on Bill "An Act Transferring the Powers and Duties of the Treasurer of State to Other

State Officers," (S. P. 329) (L. D. 347) reported that the same ought not to pass.

Mr. Burkett from the same Committee on "Resolve Proposing that Judges and Registers of Probate be Appointed Rather than Elected," (S. P. 138) (L. D. 54) reported that the same ought not to pass.

Which reports were read and accepted.

Sent down for concurrence.

The majority of the Committee on Judiciary on Bill "An act relating to Clerks of Courts," (S. P. 136) (L. D. 52) reported that the same ought not to pass.

(Signed)

Burns of Aroostook  
Burkett of Cumberland  
Hill of South Portland  
Willey of Falmouth  
Gray of Presque Isle  
Philbrick of Cape Elizabeth  
Weatherbee of Lincoln  
Vaughan of South Berwick  
Jacobson of Portland.

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

(Signed) Fernald of Waldo.

(On motion by Mr. Fernald of Waldo, the bill and accompanying reports were laid upon the table pending acceptance of either report.)

The majority of the Committee on Judiciary on Bill "An act relating to the appointment of the Attorney-General," (S. P. 245) (L. D. 207) reported that the same ought not to pass.

(Signed)

Burkett of Cumberland  
Burns of Aroostook  
Hill of South Portland  
Willey of Falmouth.  
Philbrick of Cape Elizabeth  
Gray of Presque Isle.  
Weatherbee of Lincoln  
Vaughan of South Berwick  
Jacobson of Portland

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

(Signed) Fernald of Waldo.

(On motion by Mr. Fernald of Waldo, the bill and accompanying reports were laid upon the table pending acceptance of either report.)

The majority of the Committee on Judiciary on "Resolve proposing

an amendment to the Constitution relating to the election of the Attorney-General," (S. P. 244) (L. D. 206) reported that the same ought not to pass.

(Signed)

Burns of Aroostook  
Burkett of Cumberland  
Willey of Falmouth  
Philbrick of Cape Elizabeth  
Gray of Presque Isle  
Weatherbee of Lincoln  
Hill of South Portland  
Jacobson of Portland  
Vaughan of South Berwick

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

(Signed) Fernald of Waldo.

(On motion by Mr. Fernald of Waldo, the resolve and accompanying reports were laid upon the table pending acceptance of either report.)

The majority of the Committee on Judiciary on "Resolve proposing an amendment to the Constitution increasing the limit of municipal indebtedness," (S. P. 355) (L. D. 348) reported that the same ought not to pass.

(Signed)

Burkett of Cumberland  
Burns of Aroostook  
Willey of Falmouth  
Philbrick of Cape Elizabeth  
Gray of Presque Isle  
Weatherbee of Lincoln  
Hill of South Portland  
Jacobson of Portland  
Vaughan of South Berwick

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

(Signed) Fernald of Waldo.

(On motion by Mr. Fernald of Waldo, the resolve and accompanying reports were laid upon the table pending acceptance of either report.)

#### Passed to be Engrossed

"An act relating to number of lines permitted in ice fishing." (H. P. 329) (L. D. 100)

"An act relating to the Society of Friends." (H. P. 831) (L. D. 239)

"An act relative to the granting of licenses for certain businesses and purposes by the City of Bangor." (H. P. 451) (L. D. 127)

"Resolve in favor of Georgie Bridges of Verona." (H. P. 1304) (L. D. 626)

"Resolve in favor of Herbert J. Hopkins of Orland." (H. P. 1395) (L. D. 627)

"Resolve in favor of Grace F. Silsby of Holyoke, Mass." (H. P. 1396) (L. D. 628)

"Resolve in favor of Everette Harriman of Orland." (H. P. 1397) (L. D. 629)

"An act creating separate polling district for Rockwood an unorganized place in the County of Somerset." (H. P. 1398) (L. D. 625)

"An act relating to the taking of cusk." (H. P. 330) (L. D. 630)

"Resolve regulating fishing in Attean Pond, Big Wood Pond, Little Wood Pond, so-called Mud Pond." (H. P. 195) (L. D. 635)

"Resolve relative to regulating fishing in Olamon Stream." (H. P. 194) (L. D. 634)

"An act authorizing the town of Bar Harbor to erect and maintain a municipal wharf or pier." (H. P. 593) (L. D. 159)

"An act amending the duty of innkeepers." (H. P. 449) (L. D. 125)

"An act to extend the rights, powers and privileges of the Sabattus Water and Sewer District." (H. P. 341) (L. D. 110)

"An act relating to superintendents of schools." (H. P. 1370) (L. D. 631)

"An Act to Amend an Act to Incorporate the Guilford and Sangerville Water District." (S. P. 300) (L. D. 263)

"Resolve Compensating Bidders on the Howard Memorial." (S. P. 452) (L. D. 638)

"Resolve Relative to Fishing in Wentworth and Baker Ponds." (S. P. 212) (L. D. 640)

"Resolve in favor of Grace R. Lee of Augusta." (S. P. 181) (L. D. 641)

"An Act Relating to the Annual Sessions of the County Commissioners of Lincoln County." (S. P. 165) (L. D. 639)

"An Act to Prohibit the Dumping or Deposit of Refuse in the Waters of Damariscotta River." (S. P. 166) (L. D. 642)

"An Act to Incorporate the Town of Jonesport School District." (S. P. 256) (L. D. 203)

(On motion by Mr. Blaisdell of Hancock, tabled pending second reading)

**Passed to be Enacted**

"An Act to Amend the Charter of the Eliot and Kittery Mutual

Fire Insurance Company." (H. P. 301) (L. D. 73)

"An Act Relating to the Powers and Duties of Superintendents." (H. P. 325) (L. D. 96)

"An Act Relating to the Exclusion of Pupils from School on Account of Filth or Disease." (H. P. 327) (L. D. 98)

"An Act Relating to the Fryeburg Village Fire Corporation." (H. P. 340) (L. D. 101)

"An Act Relating to Evening Schools." (H. P. 360) (L. D. 111)

"An Act to Change the Name of Maine Home for Friendless Boys to Maine Home for Boys." (H. P. 450) (L. D. 126)

**Orders of the Day**

Mr. BLAISDELL of Hancock: Mr. President, because I thought that an error had crept into item twenty two, "An Act to Incorporate the Town of Jonesport School District," I tabled it, but I have been informed that the error has been corrected. I now move that the bill receive its second reading.

The PRESIDENT: The Senator from Hancock, Senator Blaisdell, moves to take from the table, "An Act to Incorporate the Town of Jonesport School District" (S. P. 253) (L. D. 203) tabled by him earlier this morning pending second reading. Is this the pleasure of the Senate?

The motion to take from the table prevailed, 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. Hussey of Kennebec, the Senate voted to take from the table An Act Relating to Small Loan Agencies (S. P. 406) tabled by that Senator on February 12th pending reference; and on further motion by the same Senator the bill was referred to the Committee on Banks and Banking and five hundred copies ordered printed.

Sent down for concurrence.

On motion by Mr. Tompkins of Aroostook, the Senate voted to take from the table An Act Relating to School Age (S. P. 130) (L. D. 51) tabled by that Senator on February 21st pending passage to be enacted; and on further motion by the same Senator the Senate voted to re-

consider its former action whereby this bill was passed to be engrossed.

Thereupon the same Senator offered Senate Amendment A:—“Senate Amendment A to Legislative Document 51, Bill, An Act to Amend the Law Relating to School Age. Amend Section 32 of said Legislative Document 51 by adding after the word ‘years’ in the third line of said Section 32 the following: ‘both inclusive; provided, however, that the superintending school committee may admit pupils at the age of five years.’”

Mr. TOMPKINS: Mr. President, I would just like to say a word in relation to this. When this legislative document came from the committee, each member of that committee thought it was wholly up to the superintending school

committee in each town or city, but there seems to be a question in the minds of some of the members of the legislature relative to that, and that is the reason for offering this amendment. It makes it very plain that it leaves it with the superintendent school committee in each town and city. I move the adoption of the amendment.

The amendment was adopted; and on further motion by the same Senator the bill as amended by Senate Amendment A was passed to be engrossed.

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On motion by Mr. Worcester of Washington,

Adjourned until next Tuesday morning, February 26th, at eleven o'clock.