

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Eighth Legislature

OF THE

STATE OF MAINE

1937

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Tuesday, March 16, 1937.

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

Prayer by the Rev. Mr. Barnard of Gardiner.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Report and recommendations of the committee on State Prison, S. P. 441.

Comes from the Senate, read and ordered placed on file.

In the House: Report and recommendations of the committee read by the Clerk.

Mr. HINMAN of Skowhegan: Mr. Speaker, it would not appear to me that merely filing the report is an efficient disposition of this particular document. The Governor and Council are mentioned several times in the course of the report and certain things are suggested that they should do. Therefore, if it be in order, I would move that a copy of it be sent to the Governor and Council.

The SPEAKER: The Chair understands that a copy has already been sent to the Governor and Council by the Senate. Does the gentleman wish, in view of that circumstance, to withdraw his motion?

Mr. HINMAN: I do, Mr. Speaker.

Thereupon, the motion was withdrawn and the report and recommendations were placed on file in concurrence.

From the Senate: Report of the committee on Legal Affairs reporting ought not to pass on bill an act relating to the support of paupers, S. P. 342, L. D. 613.

Comes from the Senate, report read and accepted.

In the House, on motion by Mr. Fuller of China, bill and report tabled pending acceptance of the report in concurrence.

Senate Bills in First Reading

S. P. 305, L. D. 516: An act for the protection of *Rhododendron Maximum* Linnaeus and *Kalmia Latifolia* Linnaeus.

S. P. 188, L. D. 249: An act relating to the issue of notes and bonds

of the South Portland Sewerage District.

From the Senate: Report of the committee on Legal Affairs reporting ought to pass on bill an act to provide for the perambulation of the Maine and New Hampshire Boundary Line, S. P. 345, L. D. 614.

Comes from the Senate, report read and accepted and the bill passed to be engrossed.

In the House, on motion by Mr. Hinman of Skowhegan, the bill and report were tabled pending acceptance of the report in concurrence.

Orders

On motion by Mr. Payson of Brooks, it was

Ordered, that there be printed 500 additional copies of H. P. 1634, L. D. 774, an act regulating collection agencies.

Reports of Committees

Mr. Hascall from the Committee on Inland Fisheries and Game on resolve relating to fishing in certain Somerset County waters (H. P. No. 1074) reported same in a new draft (H. P. No. 1722) under same title and that it ought to pass

Mr. Noyes from same Committee on bill an act relating to hunting of raccoons (H. P. No. 1079) (L. D. No. 359) reported same in a new draft (H. P. No. 1723) under same title and that it ought to pass

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

Mr. Hascall from the Committee on Inland Fisheries and Game reported ought to pass on bill an act relating to hunting and trapping (H. P. No. 188) (L. D. No. 60)

Mr. Hinckley from the Committee on Judiciary reported same on bill an act relating to civil actions in court (H. P. No. 1287) (L. D. No. 458)

Mr. Philbrick from same Committee reported same on bill an act relative to trust estates (H. P. No. 1048) (L. D. No. 335)

Same gentleman from same Committee reported same on bill an act relating to equity powers (H. P. No. 617) (L. D. No. 183)

Same gentleman from same Committee reported same on bill an act relating to registration of voters (H. P. No. 1050) (L. D. No. 336)

Same gentleman from same Committee reported same on bill an act to define, regulate, and license real

estate brokers and real estate salesmen; to create the Maine Real Estate Commission (H. P. No. 1102) (L. D. No. 318)

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

Mr. Varney from the Committee on Judiciary reported ought to pass on bill an act relating to absent voting (H. P. No. 1163) (L. D. No. 429)

(Bill and report tabled by Mr. Varney of Berwick, pending acceptance of the report)

First Reading of a Printed Bill

(H. P. No. 1720) (L. D. No. 836)
An act granting Charles H. Scott the right to maintain a ferry across Eggmoggin Reach in Hancock County

Passed to be Engrossed

(S. P. No. 145) (L. D. No. 172) An act relative to junior non-resident fishing licenses

(H. P. No. 631) (L. D. No. 189)
An act relating to the safe-guarding of clam flats

(Tabled by Mr. Viles of Augusta, pending third reading)

(H. P. No. 875) (L. D. No. 310)
An act relating to registration fees to be paid for motor vehicles used for the carrying passengers for hire and operating over regular routes

(Tabled by Mr. Murchie of Calais, pending third reading)

(H. P. No. 1710) (L. D. No. 835)
An act relating to the termination of organization of towns or plantations

(H. P. No. 1711) (L. D. No. 834)
An act providing for assessment of premium notes and insurance contracts

(S. P. No. 248) (L. D. No. 399)
An act to authorize the Maine Automobile Association to change its form of organization as amended by Senate Amendment A

(H. P. No. 1104) (L. D. No. 360)
An act to amend the city charter of Brewer as amended by House Amendment A

Passed to be Enacted

(Emergency Measure)

H. P. 1692, L. D. 826, an act to create the Hampden Water District.

The SPEAKER: This bill is an emergency measure and requires for its passage the affirmative vote of two-thirds of the entire elected

membership of the House. As many as are in favor of the passage of the bill to be enacted will rise and remain standing until counted and the monitors will make and return the count.

A division being had,

One hundred and twenty-three voting in the affirmative and none in the negative, 123 being more than two-thirds of the entire elected membership of the House, the bill was passed to be enacted.

(S. P. No. 170) (L. D. No. 247)
An act decreasing the subsidy contributed by the State relative to physical and industrial education

(S. P. No. 202) (L. D. No. 292)
An act relating to motor vehicle road and tourist service

(On motion by Mr. Bates of Patten, tabled pending passage to be enacted)

(S. P. No. 254) (L. D. No. 396)
An act relating to examiners of the Public Utilities Commission

(S. P. No. 255) (L. D. No. 391)
An act relating to appointment of commissioners; tenure of office; vacancies; clerks and their duties; Chief Inspector of utilities; office and equipment

(S. P. No. 256) (L. D. No. 392)
An act relating to grade crossings

(S. P. No. 400) (L. D. No. 760)
An act relating to clerk hire in the Registry of Deeds in Aroostook County

(H. P. No. 469) (L. D. No. 159)
An act relating to operators' licenses

(H. P. No. 474) (L. D. No. 162)
An act relative to the Maine Unitarian Association

(H. P. No. 628) (L. D. No. 205)
An act to extend the rights, powers and privileges of The Sabattus Water and Sewer District

(H. P. No. 1062) (L. D. No. 355)
An act relating to town ordinances

(H. P. No. 1063) (L. D. No. 317)

An act relating to boxing contests

(H. P. No. 1423) (L. D. No. 575)

An act defining the word "chauffeur"

(H. P. No. 1425) (L. D. No. 577)

An act relating to motor cycles

(H. P. No. 1427) (L. D. No. 631)

An act requiring proof of insurance before exemption from registration fees in certain cases

(H. P. No. 1432) (L. D. No. 581)

An act relating to fees for registration of motor trucks

(H. P. No. 1561) (L. D. No. 705)

An act relating to all railroads

(H. P. No. 1681) (L. D. No. 811)

An act creating a Recorder and

raising the jurisdiction of the Norway Municipal Court

(H. P. No. 1693) (L. D. No. 827)
An act to incorporate the Danforth Water District

(H. P. No. 1694) (L. D. No. 828)
An act to provide a Town Council and Manager form of government for the town of Old Orchard Beach

Finally Passed

(S. P. No. 406) (L. D. No. 784)
Resolve relating to taking of clam worms

(H. P. No. 1023) (L. D. No. 822)
Resolve in favor of Ernest R. Woodbury of Saco

(H. P. No. 1317) (L. D. No. 810)
Resolve granting authority to the Forestry Department to convey certain land

(H. P. No. 1318) (L. D. No. 809)
Resolve granting authority to the Forestry Department to convey certain land

(H. P. No. 1319) (L. D. No. 808)
Resolve granting authority to the Forestry Department to convey certain land

Orders of the Day

The SPEAKER: The Chair lays before the House the first tabled and today assigned matter, House report ought to pass of the committee on Salaries and Fees on bill an act relating to mileage compensation by county officials, H. P. 1178, L. D. 435, tabled on March 10th by Mr. Flanders of Auburn, pending acceptance of report; and the Chair recognizes that gentleman.

On motion by Mr. Flanders, the bill and report were recommitted to the committee on Salaries and Fees.

On motion by Mr. Day of Durham, it was voted to take from the table the sixth unassigned matter, an act relating to the maintenance of the Androscoggin Lake Dam, H. P. 615, L. D. 187, tabled by that gentleman March 10th, pending passage to be enacted; and on further motion by the same gentleman the bill was passed to be enacted.

On motion by Mr. Ellis of Fairfield, it was voted to take from the table the fifth unassigned matter, House report ought to pass of the committee on Legal Affairs on bill an act relating to pauper settlement, H. P. 1542, L. D. 569, tabled by that gentleman on March 10th, pending acceptance of report; and on further motion by the same gentleman the report of the com-

mittee was accepted, and under suspension of the rules the bill was given its two several readings and tomorrow assigned for third reading.

On motion by Mr. Ellis of Rangeley, it was voted to take from the table the sixteenth unassigned matter, joint order relative to blood tests made on persons driving motor vehicles while intoxicated or under the influence of liquors or drugs, S. P. 439, tabled by that gentleman on March 12th, pending passage in concurrence.

Mr. Ellis offered House Amendment A and moved its adoption as follows:

House Amendment A to Senate Paper 439, Joint Order relative to blood tests made on persons driving motor vehicles while intoxicated or under the influence of liquor or drugs.

Amend said order by striking out all after the word "concurring" in the first line thereof and inserting in lieu thereof the following:

'that a recess committee of seven be appointed, consisting of two on the part of the Senate, to be appointed by the President of the Senate, and five on the part of the House, to be appointed by the Speaker of the House, to investigate the feasibility of the enactment into law of requirements for the adoption of blood tests for persons charged with operating motor vehicles when intoxicated or under the influence of liquor or drugs.

Said committee shall report its findings and recommendations together with any bill or bills to any special session of the 88th Legislature or to the regular session of the 89th Legislature.

The members of the committee shall serve without compensation, but shall be reimbursed for necessary expenses actually incurred in the performance of their duties on approval by the Governor and Council.'

The SPEAKER: The question is on the motion of the gentleman from Rangeley, Mr. Ellis, that House Amendment A be adopted. All those in favor of the adoption of House Amendment A will say aye; those opposed no.

A viva voce vote being taken, House Amendment A was adopted, and the order as amended by House Amendment A was passed in non-concurrence and sent up for concurrence.

On motion by Mr. Ellis of Rangeley, it was voted to take from the table the seventeenth unassigned matter, House report ought not to pass of the committee on Legal Affairs on bill an act to repeal the organization of the plantation of Dallas, H. P. 622, L. D. 202. This report was recommitted to the committee on Legal Affairs in the House on March 10th and came from the Senate, the report accepted in non-concurrence. This report was tabled on March 12th by the gentleman from Rangeley, Mr. Ellis, pending further consideration.

On motion by Mr. Paul of Portland, the House voted to recede and concur with the Senate in the acceptance of the report.

On motion by Mr. Flanders of Auburn, it was voted to take from the table the thirteenth unassigned matter, House report ought to pass

of the committee on Legal Affairs on bill an act to regulate the sale, exchange, possession and distribution of merchandise manufactured in whole or in part of convicts or prisoners, H. P. 1528, L. D. 678, tabled by that gentleman on March 11th, pending acceptance of the report.

Mr. Flanders: Mr. Speaker, I move that the bill and report be recommitted to the committee on Legal Affairs.

On motion by Mr. Higgins of Ellsworth, the bill and report were retabled pending the motion of the gentleman from Auburn, Mr. Flanders, that they be recommitted to the committee on Legal Affairs.

On motion by Mr. McGaughy, of Presque Isle,

Adjourned until ten o'clock tomorrow morning.