

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

Friday, March 19, 1937.

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

Prayer by the Rev. Dr. Wood of Augusta.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

Senate Bills in First Reading

S. P. 314, L. D. 589: An act relative to non-resident licenses.

S. P. 346, L. D. 699: An act relating to retirement of officers.

The following remonstrance was received, and upon recommendation of the committee on Reference of Bills was referred to the following committee:

University of Maine

Remonstrance of Rev. Mary A. Hurd and 16 others of Sangerville against compulsory military training at the University of Maine (H. P. No. 1737) (Presented by Mr. Snow of Dover-Foxcroft)

(Out of order and under suspension of the rules)

From the Senate: Ordered, the House concurring, that when the Senate and House adjourn, they adjourn to meet Tuesday, March 23rd, at eleven o'clock in the forenoon.

Comes from the Senate, read and passed.

In the House, read and passed in concurrence.

Reports of Committees

Majority Report of the Committee on Legal Affairs reporting ought to pass on bill an act to permit Sunday moving pictures (H. P. No. 1297) (L. D. No. 473)

Report was signed by the following members:

Miss Martin of Penobscot
Mr. Goudy of Cumberland
—of the Senate.

Messrs. Payson of Portland
Cole of Kittery
Chase of Baring
Dow of Norway
Paul of Portland
—of the House.

Minority Report of same Committee reporting ought not to pass on same bill.

Report was signed by the following members:

Mr. Marden of Kennebec
—of the Senate.

Messrs. Pike of Bridgton
Higgins of Ellsworth
—of the House.

(On motion by Mr. Higgins of Ellsworth, the bill and accompanying reports were tabled pending acceptance of either report)

Mr. Goss from the Committee on Ways and Bridges on resolve in favor of the town of Alton (H. P. No. 1213) reported that same be referred to the Committee on Inland Fisheries and Game.

(Resolve and report tabled by Mr. Goss of Poland, pending acceptance of report)

Mr. Elliot from the Committee on Inland Fisheries and Game on bill an act to establish a Game Preserve in Caswell Plantation, county of Aroostook (H. P. No. 1457) (L. D. No. 634) reported same in a new draft (H. P. No. 1738) under same title and that it ought to pass

Same gentleman from same Committee on bill an act relating to dogs chasing game or killing or attacking domestic animals (H. P. No. 1453) (L. D. No. 522) reported same in a new draft (H. P. No. 1739) under same title and that it ought to pass

Mr. Higgins from the same Committee on resolve closing the fishway at Gardners Lake (H. P. No. 1161) reported same in a new draft (H. P. No. 1740) under same title and that it ought to pass

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

Mr. Noyes from the Committee on Inland Fisheries and Game reported ought to pass on bill an act relative to Game Preserve in Androscoggin County (H. P. No. 607) (L. D. No. 198)

Mr. Story from same Committee reported same on bill an act establishing the York Game Sanctuary in the Plantation of Dallas in the county of Franklin (H. P. No. 606) (L. D. No. 197)

Mr. Chase from the Committee on Legal Affairs reported same on bill an act regarding penalty for depositing poisons with intent to kill animals (H. P. No. 1548) (L. D. No. 683)

Reports read and accepted and the bills having already been printed were read twice under suspension

of the rules and the next legislative day assigned.

Mr. Dow from same Committee reported same on bill an act relating to municipal budgets (H. P. No. 1541) (L. D. No. 681)

(Bill and report tabled by Mr. Fadden of Hiram, pending acceptance of the report)

Mr. Dow from the Committee on Legal Affairs reported ought to pass on bill an act relating to the rules and regulations of State Racing Commission (H. P. No. 1535) (L. D. No. 712)

Report read and accepted and the bill having already been printed was read twice under suspension of the rules.

Mr. Dow of Norway, offered House Amendment A and moved its adoption, as follows:

House Amendment A to H. P. 1535, L. D. 712, entitled An act relating to the rules and regulations of State Racing Commission.

Amend said bill by striking out the period at the end of said bill and inserting in place thereof the following words: "at Old Orchard Beach."

The SPEAKER: The Chair notes the absence of the gentleman from Old Orchard Beach (Mr. Young) and understands that the measure was presented by him. The Chair would inquire whether the gentleman from Norway (Mr. Dow) would wish to have the bill tabled pending adoption of the amendment until the gentleman from Old Orchard Beach is present.

On motion by Mr. Dow, the bill and amendment were tabled pending the adoption of House Amendment A.

Mr. Higgins from the Committee on Legal Affairs reported ought to pass on bill an act to extend the charter of the Bluehill Water Company (H. P. No. 1672) (L. D. No. 804)

Same gentleman from same Committee reported same on bill an act relating to punishment for certain offenses (H. P. No. 1436) (L. D. No. 555)

Mr. Paul from same Committee reported same on bill an act relating to North Yarmouth Academy (H. P. No. 682) (L. D. No. 224)

Mr. Payson from same Committee reported same on bill an act validating certain acts of the Assessor of the Plantation of Caswell (H. P. No. 1670) (L. D. No. 802)

Mr. Noyes from the Committee

on Public Utilities reported same on bill an act relating to the Sullivan Water District (H. P. No. 630) (L. D. No. 206)

Mr. Parsons from same Committee reported same on bill an act relating to the Old Town Water District (H. P. No. 1114) (L. D. No. 323)

Mr. Webber from same Committee reported same on bill an act relating to removal of obstructions at grade crossings by municipal officers or county commissioners (H. P. No. 1115) (L. D. No. 324)

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

Passed to be Engrossed

(S. P. No. 398) (L. D. No. 762)
An act relating to finger prints and photographs of persons suspected of crime

(Tabled by Mr. Philbrick of Cape Elizabeth, pending passage to be engrossed)

(H. P. No. 1471) (L. D. No. 666)
An act to provide for cooperation by the State of Maine with other States and with the Secretary of Agriculture of the United States in order to promote the conservation and profitable use of agricultural land resources

(Tabled by Mr. Findlen, of Fort Fairfield, pending third reading)

(H. P. No. 1596) (L. D. No. 658)
An act relative to the peddling of malt liquors

(H. P. No. 1599) (L. D. No. 661)
An act relating to delivery of malt beverages

(H. P. No. 1727) (L. D. No. 839)
An act relating to fishing for gain or hire

(H. P. No. 1728) (L. D. No. 840)
An act designating a certain road as "Pine Tree Trail"

(H. P. No. 1729) (L. D. No. 841)
An act relating to the incorporating of cemeteries, and the operation of burying grounds, burial structures, and the disposal of dead human bodies

Passed to be Enacted

(Emergency measure)

(H. P. No. 297) (L. D. No. 95)
An act to provide for the surrender by town of Carroll of its organization.

(Tabled by Mr. Philbrick of Cape Elizabeth, pending passage to be enacted.)

(H. P. No. 1691) (L. D. No. 825)

An act imposing a tax of one cent per barrel on potatoes for advertising and stabilizing the potato industry of the State

(Tabled by Mr. Phair of Caswell Plantation, pending passage to be enacted)

(S. P. No. 305) (L. D. No. 516)
An act for the protection of Rhododendron Maximum Linnaeus and Kalmia Latifolia Linnaeus

(Tabled by Mr. Hinman of Skowhegan, pending passage to be enacted)

(H. P. No. 608) (L. D. No. 199)
An act relating to closed time on deer in York County

(H. P. No. 624) (L. D. No. 181)
An act defining membership in mutual fire insurance companies

(H. P. No. 625) (L. D. No. 180)
An act relating to delinquency in payment of insurance assessments

(H. P. No. 856) (L. D. No. 264)
An act relating to fly-fishing

(H. P. No. 1706) (L. D. No. 831)
An act to provide for issuing duplicate hunting and fishing licenses

Finally Passed

(H. P. No. 1708) (L. D. No. 833)
Resolve limiting weir fishing for salmon in Penobscot River

Orders of the Day

Mr. NORWOOD of Southwest Harbor: Mr. Speaker, I ask unanimous consent to address the House.

The SPEAKER: The gentleman from Southwest Harbor, Mr. Norwood, asks unanimous consent to address the House. Is there objection? The Chair hears none, and the gentleman may proceed.

Mr. NORWOOD: Mr. Speaker, and Members of the House: I have great respect for the dead-line set for presentation of bills. I was asked a few days ago to present a bill entering a deer claim, and I flatly refused, because I did not think it of enough importance to bother this body of lawmakers with.

In one of the towns that I represent school conditions are quite serious. The building is inadequate to accommodate the increase and those who are privileged to attend school and are required by law to attend; and for this town to receive a grant from the Federal government of forty-five per cent of the actual cost of a new building is contingent on the town incorporating a school district.

This is not a matter that has come up within a few days; it is

something which was being worked on by our superintendent in the early part of this session, and no doubt I would have presented this bill before February 11th had the superintendent lived. Unfortunately, we lost him, and everything stopped until a new superintendent was elected in his place. A bill has been handed to me, asking for incorporation of a school district in Southwest Harbor.

The passage of a bill like this does not involve any expenditure on the part of the State, and it does not bind the citizens of the town in any way until it is voted in a special town meeting. As I have stated, if I did not consider this an emergency I would not be bringing it up at this time.

Mr. ELLIS of Rangeley: Mr. Speaker, I ask unanimous consent to address the House.

(Permission was granted)

Mr. ELLIS: Mr. Speaker and Members of the House: I hope there will be no objection to the introduction of this bill. It does seem to be more or less of an emergency. But I do hope no member will ask the consent of the House to introduce any more bills. We have long passed the dead-line, and I think the House has been very patient up to the present time in allowing members to introduce bills; so I hope in the future no one will ask consent to introduce a bill.

I also at this time call your attention to the bills that are tabled. If we all get to work and get those bills off the table and get them along we will get out a week or so earlier than if we dilly-dally and keep them on the table as long as we can.

Mr. NORWOOD: Mr. Speaker, I ask unanimous consent of the House to present a bill.

The SPEAKER: The gentleman from Southwest Harbor, Mr. Norwood, asks unanimous consent to present a bill. Is there objection? The Chair hears no objection, and the gentleman now presents a bill. The Chair rules that it is received. The Clerk will read the title of the bill.

Bill an act to incorporate the Southwest Harbor School District.

On motion by Mr. Norwood, the bill was referred to the committee on Legal Affairs, 500 copies ordered printed, and sent up for concurrence.

On motion by Mr. Varney of Berwick, it was voted to take from the table the sixth unassigned matter, House report ought not to pass of the committee on Inland Fisheries and Game on bill an act relating to trapping in certain sections of York County, H. P. 1160, L. D. 428, tabled by that gentleman on March 17th, pending acceptance of report.

Mr. BATCHELDER of Parsonsfield: Mr. Speaker, —

The SPEAKER: For what purpose does the gentleman rise? The Chair recognizes the gentleman from Parsonsfield, Mr. Batchelder.

Mr. BATCHELDER: Mr. Speaker, I move that the bill, House Paper 1160, be re-tabled, pending acceptance of the report.

The SPEAKER: The Chair will rule that the gentleman's motion is not in order, there having been no action taken or debate.

Mr. NOYES of Franklin: Mr. Speaker, I move the acceptance of the committee report.

The SPEAKER: The gentleman from Franklin, Mr. Noyes, moves that the report of the committee be accepted. The Chair now recognizes the gentleman from Parsonsfield, Mr. Batchelder.

On motion by Mr. Batchelder, the bill and report were retabled, pending the motion of Mr. Noyes that the report of the committee be accepted.

On motion by Mr. Bates of Patten, it was voted to take from the table the fifth unassigned matter, an act relating to motor vehicle road and tourist service, S. P. 202, L. D. 292, tabled by that gentleman on March 16th, pending passage to be enacted; and on further motion by the same gentleman the bill was passed to be enacted.

Mr. ELLIS of Rangeley: Mr. Speaker, I move that the bill introduced this morning be sent forthwith to the Senate.

The motion prevailed and the bill was sent to the Senate.

(House at ease)

On motion by Mr. Philbrick of Cape Elizabeth, it was voted to take from the table S. P. 398, L. D. 762, bill an act relating to finger prints and photographs of persons suspected of crime, tabled by that gentleman earlier in today's session, pending its passage to be engrossed.

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

House Amendment A to S. P. 398, L. D. 762, bill an act relating to finger prints and photographs of persons suspected of crime.

Amend said bill by inserting after the title and before the beginning of section 1 thereof the following: 'Be it enacted by the people of the State of Maine, as follows:'

Thereupon, House Amendment A was adopted and the bill as amended by House Amendment A was passed to be engrossed in non-concurrence and sent up for concurrence.

On motion by Mr. Gyger of Cumberland, the House voted to reconsider its action taken earlier in today's session whereby H. P. 1548, L. D. 683, bill an act regarding penalty for depositing poisons with intent to kill animals was assigned for its third reading; and on further motion by the same gentleman the bill was tabled pending assignment for third reading.

On motion by Mr. Goss of Poland, it was voted to take from the table H. P. 1213, report of the committee on Ways and Bridges on resolve in favor of the town of Alton, that the resolve be referred to the committee on Inland Fisheries and Game, which was tabled by that gentleman earlier in today's session pending acceptance of the report of the committee; and on further motion by the same gentleman the report of the committee was accepted and the resolve referred to the committee on Inland Fisheries and Game and sent up for concurrence.

Mr. MURCHIE of Calais: Mr. Speaker, I ask unanimous consent under suspension of the rules to make a one-minute suggestion.

The SPEAKER: The Chair hears no objection and consent is granted.

Mr. MURCHIE: Mr. Speaker, it appears this morning that a certain measure, being Item 3 under bills to be enacted, S. P. 305, L. D. 516, an act for the protection of Rhododendron, and so forth, was tabled, and I want to make a suggestion to the House, which I hope will have unanimous approval, that when the gentleman from Skowhegan, Mr.

Hinman, takes that measure from the table—and I gather it is customary for the man who tables a measure to remove it—I would suggest that he give notice today so that the public may hear and that it be insisted that he read the full title of the bill. (Laughter and applause.)

The SPEAKER: The House hears the suggestion of the gentleman from Calais, Mr. Murchie.

Mr. HINMAN of Skowhegan: Mr. Speaker, I ask unanimous consent to address the House.

The SPEAKER: The Chair hears no objection and the gentleman may address the House.

Mr. HINMAN: Mr. Speaker, I am very glad that the gentleman from Calais, Mr. Murchie, realizes that, if the gentleman who tabled the matter is to give the title, he needs time to pronounce it properly. (Laughter)

On motion by Mr. Erswell of Brunswick,

Adjourned until Tuesday forenoon, March 23rd, at 11 o'clock.