

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-Eighth Legislature

OF THE

STATE OF MAINE

1937

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Tuesday, March 23, 1937.

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

Prayer by the Rev. Mr. Pressey of Augusta.

Journal of the previous session read and approved.

From the Senate: The following Order:

Ordered, the House concurring, that the committee on Legal Affairs be requested to return to the Senate bill an act relating to the Police Department of the city of Lewiston, for further consideration, S. P. 453.

Comes from the Senate, read and passed.

In the House, on motion by Mr. Higgins of Ellsworth, the order was tabled pending passage in concurrence

Papers from the Senate disposed of in concurrence.

From the Senate: Majority report of the Committee on Legal Affairs reporting ought to pass on bill an act relating to amateur sports on Sunday (S. P. No. 267) (L. D. No. 446)

Report was signed by the following members:

Mr. Goudy of Cumberland
—of the Senate

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

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

Report was signed by the following members:

Miss Martin of Penobscot
Mr. Marden of Kennebec
—of the Senate.

Mr. Higgins of Ellsworth
—of the House.

Comes from the Senate, the minority report accepted.

In the House, on motion by Mr. Higgins of Ellsworth, the minority report, ought not to pass, was accepted in concurrence

From the Senate: Majority report of the Committee on Military Affairs reporting ought not to pass on resolve to provide for the completion of the payment of a bonus to Maine soldiers and sailors in the War with Spain (S. P. No. 52) (L. D. 15)

Report was signed by the following members:

Messrs. Worthen of Penobscot
Marden of Kennebec
—of the Senate.

Dow of Jay
Sawyer of Garland
Packard of Houlton
Owen of Bath
—of the House.

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

Report was signed by the following members:

Mr. Fortin of Androscoggin
—of the Senate.

Messrs. Buker of Bath
Larsen of Waterville
Batchelder of Parsonsfield
—of the House.

Comes from the Senate, the majority report accepted.

In the House, on motion by Mr. Wilkes of Portland, bill and reports tabled pending acceptance of either report.

The SPEAKER: The Clerk has in his possession a communication not on the printed calendar which he will now read.

**STATE OF MAINE
SENATE CHAMBER**

March 23, 1937.

Hon. Harvey R. Pease,
Clerk of the House of
Representatives,
State House,
Augusta, Maine.

Sir:—

Pursuant to the action taken in the Senate on Friday, March 19th, relative to (S. P. 439) "Blood Tests to be Made on Persons Driving Motor Vehicles while Intoxicated, or Under the Influence of Liquors or Drugs", I beg leave to inform you that the order as amended by House Amendment "A" received passage, and the President appointed on the part of the Senate:

Mr. Tompkins of Aroostook
Mr. Marden of Kennebec,

Respectfully yours,
(Signed) ROYDEN V. BROWN,
Secretary of the Senate.

The **SPEAKER**: The Chair appoints on the committee on the part of the House, Messrs. Higgins of Ellsworth, Douglass of Gorham, Fellows of Augusta, Snow of Dover-Foxcroft and Colby of Paris.

THE SPEAKER: The Chair lays before the House a Memorial from the State of Oregon relative to deficiency judgments. The Clerk will read the Memorial.

To the Honorable Senate and House of Representatives of the United States of America, in Congress assembled:

We, your memorialists, the thirtieth legislative assembly of the state of Oregon, convened in regular session, respectfully represent that:

Whereas under the federal farm loan act and the farm credit act of 1935 deficiency judgments are taken on mortgage securities on loans, and

Whereas there is now pending in the seventy-fifth Congress Senate Bill No. 816 by Senator Pope, a bill introduced on January 14, 1937 which amends the federal farm loan act and farm credit act of 1935, adding a new section, No. 13, to provide as follows: "No deficiency judgment shall be taken in the foreclosure of any first mortgage obtained as security for any loan; now therefore

Be It Resolved by the House of Representatives of the State of Oregon, the Senate jointly concurring therein:

That the legislative assembly of the state of Oregon hereby does petition the congress of the United States to enact this proposed amendment into law, and

Be it further resolved that the secretary of state of Oregon, is hereby directed to send a copy of this memorial to the speaker of the house of representatives and the president of the senate, Washington, D. C., a copy to Senator Pope of Idaho, a copy to each senator and representative from the state of Oregon, and also a copy hereof to the speaker of the house and the president of the senate of each state legislature in the United States which shall convene during the year 1937.

The Memorial was ordered placed on file.

The **SPEAKER**: The Chair lays before the House a second Me-

morial from the State of Oregon relating to rural mail carriers. The Clerk will read the Memorial.

To the Honorable Senate and House of Representatives of the United States of America, in Congress assembled:

We, your memorialists, the thirtieth legislative assembly of the state of Oregon, convened in regular session, respectfully represent that:

Whereas, there are approximately two hundred fifty mail carriers in the state of Oregon, known as "Star Route Carriers" and

Whereas, there are thousands of such carriers in the western states of these United States, and

Whereas, such star route mail carriers are contract carriers and their contracts are based upon competitive bidding, which, during the past four years, has been exceptionally low and such carriers are underpaid, and

Whereas, the said star route mail carriers should be compensated for their faithful service during the past four years under exceptionally adverse conditions; now therefore

Be It Resolved by the House of Representatives of the State of Oregon, the Senate jointly concurring therein:

That this thirtieth legislative assembly of the state of Oregon does hereby petition and memorialize the congress of the United States to pass the bill now pending before the congress of the United States providing for the extension of the contracts of such carriers for the period of four years, and, be it further

Resolved that this thirtieth legislative assembly of the state of Oregon does hereby memorialize the congress of the United States to so amend such bill as to increase the compensation now paid to such carriers, and, be it further

Resolved that the secretary of state of the state of Oregon, is hereby directed to send a copy of this memorial to the speaker of the house of representatives and the president of the senate, Washington, D. C., a copy to each representative and senator from the state of Oregon, also a copy hereof to the speaker of the house and president of the senate of each state legislature in the United States which shall convene during the year 1937.

The memorial was ordered placed on file.

Orders

On motion by Mrs. Latno of Old Town, it was

Ordered, that the Clerk of the House convey to Mrs. Florence H. Thurston the sympathy of the members of the House and their hope for her speedy recovery, and on behalf of the members of the House to send to her a bouquet of flowers.

Reports of Committees

Mr. Findlen from the Committee on Agriculture on bill an act regulating the transportation of poultry (H. P. No. 1472) (L. D. No. 627) reported same in a new draft (H. P. No. 1742) under same title and that it ought to pass.

Mr. Eddy from the Committee on Banks and Banking on bill an act relating to investment of deposits of mutual savings banks (H. P. No. 1485) (L. D. No. 530) reported same in a new draft (H. P. No. 1743) under same title and that it ought to pass.

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

Mr. Churchill from the Committee on Salaries and Fees on bill an act relating to Deputy Clerk of Courts in Penobscot County (H. P. No. 1119) (L. D. No. 326) reported same in a new draft (H. P. No. 1745) under same title and that it ought to pass.

(Bill and report tabled by Mr. Hammond of Strong, pending acceptance of report.)

Mr. Churchill from the Committee on Salaries and Fees on bill an act relating to the salary of the judge of the Old Town Municipal Court (H. P. No. 892) (L. D. No. 275) reported same in a new draft (H. P. No. 1744) under same title and that it ought to pass.

(Bill and report tabled by Mr. Hammond of Strong, pending acceptance of report.)

Mr. Findlen from the Committee on Agriculture reported ought to pass on bill an act relating to testing computing weights or measures (H. P. No. 1474) (L. D. No. 667)

Mr. Seabury from the Committee on Salaries and Fees reported ought to pass on bill an act relating to compensation of the Register of Probate of Hancock County (H. P. No. 700) (L. D. No. 240)

(Bill and report tabled by Mr. Hammond of Strong, pending acceptance of report.)

Miss Smith from the Committee on Banks and Banking reported ought to pass on bill an act relating to savings banks investments (H. P. No. 1481) (L. D. No. 528)

Mr. Harriman from same Committee reported same on bill an act to amend the law relating to industrial banks investments, and loan and building associations (H. P. No. 1480) (L. D. No. 527)

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

First Reading of Printed Bills and Resolve

(H. P. No. 1738) (L. D. No. 843)
An act to establish a Game Preserve in Caswell Plantation, county of Aroostook.

(H. P. No. 1739) (L. D. No. 844)
An act relating to dogs chasing game or killing or attacking domestic animals.

(Tabled by Mrs. Currier of Bangor, pending first reading.)

(H. P. No. 1740) (L. D. No. 845)
Resolve closing the fishway at Gardner's Lake.

(Tabled by Mr. Dennison of East Machias, pending assignment for second reading.)

Passed to be Engrossed

(S. P. No. 314) (L. D. No. 589)
An act relative to non-resident licenses

(S. P. No. 346) (L. D. No. 699)
An act relating to retirement of officers

(H. P. No. 606) (L. D. No. 197)
An act establishing the York Game Sanctuary in the Plantation of Dallas in the county of Franklin

(H. P. No. 607) (L. D. No. 198)
An act relative to Game Preserve in Androscoggin County

(H. P. No. 630) (L. D. No. 206)
An act relating to the Sullivan Water District

(H. P. No. 682) (L. D. No. 224)
An act relating to North Yarmouth Academy

(H. P. No. 1114) (L. D. No. 323)
An act relating to the Old Town Water District

(H. P. No. 1115) (L. D. No. 324)
An act relating to removal of obstructions at grade crossings by municipal officers or county commissioners

(H. P. No. 1436) (L. D. No. 555)
An act relating to punishment for certain offenses

(H. P. No. 1670) (L. D. No. 802)
An act validating certain acts of the Assessor of the Plantation of Caswell

(H. P. No. 1672) (L. D. No. 804)
An act to extend the charter of the Bluehill Water Company

Passed to be Enacted
(Emergency Measure)

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

The SPEAKER: This being an emergency measure, it 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 this 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 thirty-five voting in the affirmative, and none in the negative, 135 being more than two-thirds of the entire elected membership of the House, the bill was passed to be enacted.

Passed to be Enacted

(S. P. 434) (L. D. 829) An act relating to revocation of hunting and fishing licenses.

(Tabled by Mr. Leonard of Hampden pending passage to be enacted.)

(S. P. 435) (L. D. 830) An act extending the Standish Game Preserve.

(H. P. 64) (L. D. 28) An act regulating the labeling of fresh eggs for sale.

(Tabled by Mr. Prince of Detroit, pending passage to be enacted.)

(H. P. 188) (L. D. 60) An act relating to hunting and trapping.

(H. P. No. 447) (L. D. No. 151)
An act relative to possession of fire-arms or fishing tackle

(H. P. No. 617) (L. D. No. 183)
An act relating to equity powers.

(H. P. No. 1048) (L. D. No. 335)
An act relative to trust estates.

(H. P. No. 1050) (L. D. No. 336)
An act relating to registration of voters.

(H. P. No. 1095) (L. D. No. 375)
An act to require the use of safety glass on motor vehicles.

(H. P. No. 1102) (L. D. No. 318)
An act to define, regulate, and li-

cense real estate brokers and real estate salesmen; to create the Maine Real Estate Commission.

(H. P. No. 1104) (L. D. No. 360)
An act to amend the city charter of Brewer.

(H. P. No. 1287) (L. D. No. 458)
An act relating to civil actions in court.

(H. P. No. 1439) (L. D. No. 633)
An act relating to the registration of house trailers and camp trailers.

(H. P. No. 1542) (L. D. No. 569)
An act relating to pauper settlement.

(Tabled by Mr. Higgins of Ellsworth, pending passage to be enacted.)

(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.

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

Orders of the Day

The Chair lays before the House the first matter tabled and today assigned, House report ought not to pass of the committee on Legal Affairs on bill an act creating a State Lottery Commission, H. P. 4, L. D. 2, tabled on March 10th by Mr. Weatherbee of Lincoln, pending acceptance of report; and the Chair recognizes that gentleman.

Mr. WEATHERBEE: Mr Speaker and Members of the House: This bill is a revenue measure, and a number of the members of the House have stated that they would like to consider it in connection with other revenue measures not yet reported out of committee. For that reason, they have asked me to retable this matter; and in deference to their wishes I move this bill be laid upon the table and specially assigned for a week from today, Tuesday, March 30th.

The motion prevailed, and the bill and report were retabled, pending acceptance of report, and specially assigned for Tuesday, March 30th.

On motion by Mr. Higgins of Ellsworth, it was voted to take from the table the fifth unassigned matter, House report ought not to pass

of the committee on Judiciary on resolve permitting the county of Hancock to sue the State of Maine, H. P. 679, L. D. 238, tabled by that gentleman on March 17th, pending acceptance of report; and on further motion by the same gentleman the report of the committee was accepted and sent up for concurrence

On motion by Mr. Martin of Milford, it was voted to take from the table the seventh unassigned matter, House report ought not to pass of the committee on Inland Fisheries and Game on resolve relating to pickerel fishing in Birch, Little Birch and Baker Brooks, H. P. 355, tabled by that gentleman on March 17th, pending acceptance of report; and on further motion by the same gentleman the report of the committee was accepted and sent up for concurrence.

On motion by Mr. Batchelder of Parsonsfield, it was voted to take from the table the twenty-fourth 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 the motion by Mr. Noyes of Franklin that the report ought not to pass be accepted; and on further motion by Mr. Batchelder the report of the committee was accepted and sent up for concurrence.

The SPEAKER: Are there any other matters that can be taken from the table and disposed of this morning?

Mr. HINMAN of Skowhegan: Mr. Speaker, I move you that the twenty-third unassigned matter be taken from the table, an act for the protection of Rhododendron Maximum Linnaeus and Kalmia Latifolia Linnaeus, S. P. 305, L. D. 516, tabled by myself on March 19th, pending passage to be enacted (Applause).

The motion prevailed, and the bill was taken from the table.

Mr. HINMAN: Mr. Speaker, it is my understanding that the word "rhododendron" was originally misspelled. It has now been corrected and I move that this bill be passed to be enacted.

The motion prevailed and the bill was passed to be enacted.

On motion by Mr. Harris of Minot, Adjourned until ten o'clock tomorrow morning.