

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

Monday, March 29, 1937.

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

Prayer by the Rev. Mr. Bradford of Hallowell.

Journal of the previous session read and approved.

At this point Mr. Philbrick of Cape Elizabeth, assumed the Chair amid the applause of the House.

Papers from the Senate disposed of in concurrence.

Senate Bills in First Reading

S. P. 454, L. D. 849: An act relating to uniforms for deputy sheriffs.

S. P. 455, L. D. 851: An act relating to pensions for members of the police force in the town of Houlton.

S. P. 457, L. D. 850: An act relating to terms and salaries of city of Lewiston officials.

From the Senate: Joint Order recalling H. P. 882, L. D. 308, bill an act amending the city charter of the city of Portland, to the House, from the committee on Legal Affairs, H. P. 1731, which was passed in the House on March 17th.

Comes from the Senate, indefinitely postponed in non-concurrence.

In the House, on motion by Mr. Higgins of Ellsworth, that body voted to recede and concur with the Senate in the indefinite postponement of the order.

COMMUNICATION FROM THE STATE CONTROLLER

STATE OF MAINE
DEPARTMENT OF FINANCE
Bureau of Accounts and Control
Augusta

March 26, 1937.

To the Honorable Members of the House of Representatives:

In compliance with House Order dated March 10, 1937, I am enclosing a statement of the Inland Fisheries and Game Department for the fiscal years 1934-35 and 1935-36 showing the unexpended balance at the beginning of each year, the appropriation, expenditures, income

and the balance. I am also enclosing statements showing expenditures and income in detail.

Respectfully submitted,

(Signed) William A. Runnells,
State Controller.

On motion by Mr. Ellis of Rangeley, the communication and accompanying report were received and placed on file, and 500 copies of the report ordered printed.

Petition of Cumberland County Pomona Grange No. 15 in favor of S. P. 377, L. D. 618, relating to unimproved rural roads (Presented by Mr. Haskell of Windham)

Read and ordered placed on file.

Orders

Mr. Douglass of Gorham, presented the following order and moved its passage:

Ordered, that the State Controller be directed to furnish to the House of Representatives a statement of the names, ages, maximum pension if the age limit in L. D. 169 became effective, and length of time in service, of officers and employees of the State who have reached the age of 65 years and have been employed by the State for a term of 20 years or more.

On motion by Mr. Flanders of Auburn, tabled pending passage.

Reports of Committees

Report "A" of the Committee on Judiciary reporting ought to pass on bill an act to enable party conventions to propose candidates for Governor, U. S. Senator and Members of Congress to be placed upon the ballots at direct primary elections (H. P. No. 11) (L. D. No. 8)

Report was signed by the following members:

Mr. Willey of Cumberland
—of the Senate.

Messrs. Philbrick of Cape Elizabeth
Varney of Berwick
Bird of Rockland
McGlauffin of Portland
—of the House.

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

Report was signed by the following members:

Mr. Fernald of Waldo
Miss Laughlin of Cumberland
—of the Senate.

Messrs. Hinckley of So. Portland
Thorne of Madison
Weatherbee of Lincoln
—of the House.

On motion by Mr. Varney of Berwick, the bill and both reports were tabled, pending acceptance of either report.

First Reading of Printed Bills and Resolves

(H. P. No. 1765) (L. D. No. 894)
An act relating to open season on fur-bearing animals.

(Tabled by Mr. Payson of Brooks, pending assignment for third reading.)

(H. P. No. 1767) (L. D. No. 893)
An act relating to bounty on bears.

(H. P. No. 1768) (L. D. No. 891)
An act relative to sale of fish.

(Tabled by Mr. Ellis of Rangeley, pending second reading.)

(H. P. No. 1769) (L. D. No. 890)
An act relating to transportation of game.

(H. P. No. 1770) (L. D. No. 889)
An act relating to Northern Cumberland Municipal Court.

(H. P. No. 1766) (L. D. No. 892)
Resolve relative to fishing in certain Somerset County waters.

(Tabled by Mr. Thorne of Madison, pending first reading.)

At this point Mr. Philbrick retired amid the applause of the House, and Speaker Hill assumed the Chair.

Passed to Be Engrossed

(H. P. No. 76) (L. D. No. 32) An act to validate the acts of the County Commissioners of the county of Oxford.

(H. P. No. 1263) (L. D. No. 456)
An act relating to foxes and raccoons.

(H. P. No. 1749) (L. D. No. 844)
An act relating to dogs chasing game or killing or attacking domestic animals.

(H. P. No. 1744) (L. D. No. 859)
An act relating to the salary of the Judge of the Old Town Municipal Court.

Mrs. Latno of Old Town, offered House Amendment A and moved its adoption as follows:

House Amendment A to H. P. No. 1744, L. D. No. 859, bill an act relating to the salary of the Judge of the Old Town Municipal Court.

Amend said bill by deleting in the tenth and eleventh lines of said bill the following words: "is hereby fixed

at \$200" and inserting in place thereof the figures '\$500.'

Thereupon, House Amendment A was adopted, the bill had its third reading and was passed to be engrossed as amended by House Amendment A.

(H. P. No. 1745) (L. D. No. 858)
An act relating to Deputy Clerk of Courts in Penobscot County.

(H. P. No. 1749) (L. D. No. 860)
An act providing for the exemption from taxation of certain farm animals.

(H. P. No. 1751) (L. D. No. 862)
An act relating to the Brunswick Municipal Court.

(H. P. No. 1753) (L. D. No. 863)
An act relating to the terms of office of the Members of the Interstate Authority for the Portsmouth-Kittery Bridge.

(Tabled by Mr. Cole of Kittery, pending third reading.)

(H. P. No. 1754) (L. D. No. 864)
An act to provide a Town Council and Manager form of government for the town of Fort Kent in the county or Aroostook.

(Tabled by Mr. Labbe of Fort Kent, pending third reading.)

(H. P. No. 1755) (L. D. No. 865)
An act relating to permits for moving heavy objects over ways and bridges.

(H. P. No. 1756) (L. D. No. 866)
An act relating to operating certain vehicles on roads and bridges without special permit.

(H. P. No. 1757) (L. D. No. 867)
An act relating to the civil jurisdiction of Municipal Courts.

(H. P. No. 1758) (L. D. No. 868)
An act relating to pauper settlements.

(H. P. No. 1759) (L. D. No. 869)
An act relating to pauper expense.

H. P. No. 1760) (L. D. No. 870)
An act relating to the Board of Trustees of the town of Hodgdon School District.

(H. P. No. 1761) (L. D. No. 871)
An act relating to mileage compensation for county officials.

(H. P. No. 704) (L. D. No. 872)
Resolve relating to the taking of clams within the town of Pembroke.

(H. P. No. 706) (L. D. No. 873)
Resolve relating to the taking of clams within the town of Robbinston.

(H. P. No. 707) (L. D. No. 874)
Resolve relating to the taking of clams within the town of Dennysville.

(H. P. No. 895) (L. D. No. 875)

Resolve relating to Atlantic salmon fishing in certain waters.

(H. P. No. 896) (L. D. No. 876)

Resolve relating to digging for clams in certain waters.

(H. P. No. 1121) (L. D. No. 877)

Resolve relating to taking of clams in Milbridge.

H. P. No. 1516) (L. D. No. 605)

Resolve authorizing D. M. Susi to bring a suit at law against the State of Maine.

(Tabled by Mr. Ellis of Rangeley, pending second reading).

(H. P. No. 1752) (L. D. No. 878)

Resolve relating to the taking of clams within the town of Perry.

Orders of the Day

On motion by Mr. Dow of Norway, the House voted to reconsider its action taken at last Friday's session whereby H. P. 1748, L. D. 855, bill an act to provide for the surrender by the town of Somerville of its organization, was passed to be engrossed; and on further motion by the same gentleman the bill was tabled, pending its passage to be engrossed.

On motion by Mr. Gyger of Cumberland, it was voted to take from the table the twenty-eighth unassigned matter, bill an act regarding penalty for depositing poisons with intent to kill animals, H. P. 1548, L. D. 683, tabled by that gentleman on March 25th, pending its assignment for third reading.

The same gentleman presented House Amendment A and moved its adoption as follows:

House Amendment A to H. P. No. 1548, L. D. No. 683, bill, an act regarding penalty for depositing poisons with intent to kill animals.

Amend said bill by adding at the end thereof the following: **Providing, however, that mice may be killed in orchards by the use of any poison or poisonous substance that is recommended by the U. S. Bureau of Biological Survey and used ac-**

ording to the recommendations of the Agricultural Extension Service.

Thereupon House Amendment A was adopted.

Mr. Pike of Bridgton presented House Amendment B and moved its adoption as follows:

House Amendment B to H. P. No. 1548, L. D. No. 683, entitled an act regarding penalty for depositing poisons with intent to kill animals.

Amend said bill by striking out in the 8th line thereof the figure "\$100" and inserting in place thereof the figure "\$50."

Thereupon House Amendment B was adopted, and tomorrow was assigned for the third reading of the bill as amended by House Amendment A and House Amendment B.

On motion by Mr. Ellis of Rangeley, it was voted to take from the table the thirtieth unassigned matter, bill an act relating to payment of damages done by dogs or wild animals and to the registration and licensing of dogs, H. P. 1750, L. D. 861, tabled by that gentleman on March 26th, pending second reading; and on further motion by the same gentleman, the bill was given its second reading and tomorrow assigned.

On motion by Mr. Demers of Sanford, it was voted to take from the table the seventh unassigned matter, House report ought not to pass of the committee on Legal Affairs on bill an act relating to duties of municipal officers, H. P. 1296, L. D. 472, tabled by that gentleman on March 24th, pending acceptance of the report; and on further motion by the same gentleman the report ought not to pass of the committee was accepted.

On motion by Miss Church of Stockton Springs,

Adjourned until ten o'clock tomorrow morning.