

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

Thursday, April 1, 1937.

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

Prayer by the Rev. Mr. Brown of Gardiner.

Journal of the previous session read and approved.

The SPEAKER: The Chair recognizes the lady from Bethel, Mrs. Thurston.

Mrs. THURSTON: Mr. Speaker and Members of the House: I wish to express my thanks personally to all of you for the lovely flowers you sent me, and I wish also to thank our Honorable Clerk of the House for the very nice letter he wrote me in your behalf. (Applause)

The SPEAKER: The House welcomes the lady from Bethel, Mrs. Thurston, on her return to the House.

From the Senate: Resolve designating a certain road as "Douglass Highway." S. P. 477.

Comes from the Senate, received by unanimous consent, given its several readings under suspension of the rules and passed to be engrossed without reference to a committee.

In the House:

The SPEAKER: Is there objection to the reception of the resolve? The Chair hears none and declares the resolve received.

Mr. HIGGINS of Ellsworth: Mr. Speaker, I would like to say a word in connection with this resolve which has just been unanimously admitted.

The Honorable J. Sherman Douglass was a member of this Legislature on several occasions. He served in the 81st Legislature in the House, and in the 83rd and 84th Legislatures in the Senate. Mr. Douglass was one of those men who came from a small town but brought with him the vision of the pioneer. The particular field in which he was a pioneer was the field of publicity and more particularly publicity for the State of Maine. I believe he introduced the first bill asking for an appropriation to publicise the State of Maine; and in his own locality and throughout this State and throughout the New England states, during the many years of his life, he always

worked toward that end, to favorably publicise the State of Maine.

Mr. Douglass experienced a long and severe illness, covering a period of three years, which illness was terminated only a few weeks ago. During the latter days of his life he was desirous that a certain road in the town of Lamoine, some seven miles in length, should be named or designated as the "Douglass Highway." We can readily grant that wish this morning, not in such a way that he can appreciate it—as he has left this sphere—but in such a way that one who was his helper and companion for over fifty years can appreciate this mark of respect toward her husband, and so that his many friends can appreciate this same mark of respect.

And so I move at this time that this resolve be given its several readings under suspension of the rules and be passed to be engrossed without reference to a committee.

The SPEAKER: The gentleman from Ellsworth, Mr. Higgins, moves that the rules be suspended and that the resolve be given its two several readings and be passed to be engrossed without reference to a committee. Is this the pleasure of the House?

The motion prevailed, and the resolve had its two several readings and was passed to be engrossed without reference to a committee, in concurrence with the Senate.

Papers from the Senate disposed of in concurrence.

Senate Bill in First Reading

S. P. 111, L. D. 123: An act relating to fraternal beneficiary societies.

Mr. HARRIS of Minot: Mr. Speaker, I ask unanimous consent of the House at this time to take up out of order the second assigned matter, House report ought not to pass of the committee on Legal Affairs on bill an act relating to pawnbrokers and dealers in junk and second hand goods, H. P. 1540, L. D. 708, tabled by me on March 31st pending acceptance of the report and specially assigned for Tuesday, April 6th.

The SPEAKER: The gentleman from Minot, Mr. Harris, asks unanimous consent to take from the table the second assigned matter notwithstanding the prior action of the

House whereby this matter was specially assigned for Tuesday, April 6th. Is there objection? The Chair hears no objection and the matter is taken from the table.

On further motion by Mr. Harris the bill and report were recommitted to the committee on Legal Affairs and sent up for concurrence.

Reports of Committees

Majority report of the Committee on Public Health on bill an act relating to apothecaries and the sale of poisons (H. P. No. 40) (L. D. No. 23) reporting same in a new draft (H. P. No. 1787) under same title and that it ought to pass

Report was signed by the following members:

Messrs. Owen of Kennebec
Deering of York
Friend of Somerset
—of the Senate.

Brown of Bangor
Allan of Portland
Demers of Sanford
Emery of Bucksport
Everett of Norridgewock
Alden of Auburn
—of the House.

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

Report was signed by the following member:

Mr. Martin of Oakland
—of the House.

(On motion by Mr. Martin of Oakland, the bill and accompanying reports were tabled pending the acceptance of either report and 500 copies of the new draft ordered printed.)

Mr. Boothby from the Committee on Inland Fisheries and Game on the following resolves:

Resolve relative to fishing in Great and Long Ponds (S. P. 225)

Resolve relative to fishing in Great Pond (S. P. 226)

Resolve relative to fishing in Grand Lake (S. P. 228)

Resolve relative to fishing in Pushaw Stream (H. P. 73) (L. D. 29)

Resolve opening certain waters to smelt fishing (H. P. 170) (L. D. 63)

Resolve relative to fishing in Clemons Ponds (H. P. 184) (L. D. 64)

Resolve relating to fishing in the waters of Rangeley Lake Region (H. P. 292) (L. D. 93)

Resolve relating to trout fishing at Upper Dam (H. P. 353)

Resolve relating to trout fishing

in Sunkhaze Stream System (H. P. 354)

Resolve closing Swans Island in the County of Hancock to fishing (H. P. 356)

Resolve opening Mill Pond and Great Pond to ice fishing (H. P. 358)

Resolve relating to fishing in Bartlett Brook (H. P. 360)

Resolve relating to fishing in Rolfe Brook (H. P. 361)

Resolve relating to fishing in Little Sebago Lake (H. P. 362)

Resolve regulating fishing in certain waters in Franklin and Oxford Counties (H. P. 455) (L. D. 156)

Resolve relative to Allen Pond in Greene (H. P. 456)

Resolve relating to smelt fishing in Androscoggin County (H. P. 457)

Resolve relative to Pleasant Pond in Turner (H. P. 458)

Resolve opening Pleasant and Mud Ponds to fishing (H. P. 460)

Resolve relating to fishing in Hay Lake (H. P. 609)

Resolve relative to fishing in Brown Brook (H. P. 611)

Resolve relating to fishing in Shaw Pond (H. P. 612)

Resolve relating to fishing in certain waters in the towns of Harrison, Naples and Bridgton (H. P. 664)

Resolve relating to fishing in Atwood Pond (H. P. 857)

Resolve relating to fishing in certain waters in Piscataquis County (H. P. 858)

Resolve relating to fishing in Mattagamon Lake (H. P. 859)

Resolve relating to fishing in Jerry Pond (H. P. 860)

Resolve relative to fishing in Silver Lake (H. P. 864)

Resolve relative to fishing in Denny's River (H. P. 867)

Resolve relative to fishing in Panther Pond (H. P. 868)

Resolve relative to fishing in Little Sebago Lake (H. P. 869)

Resolve relative to fishing in Mousam River (H. P. 992)

Resolve relative to fishing in El Pond (H. P. 993)

Resolve relative to fishing in Spencer Pond (H. P. 995)

Resolve regulating fishing in Metalluc, Mosquito and Mill Brooks (H. P. 996)

Resolve establishing bag limits on certain Franklin County waters (H. P. 998)

Resolve relative to fishing in Cathance Lake (H. P. 999)

Resolve relating to pickerel fishing in Sunkhaze Stream, Birch

Stream and Baker Brook (H. P. 1002)

Resolve relative to fishing in Little Bog River (H. P. 1003)

Resolve relative to fishing in Big Bog River (H. P. 1004)

Resolve relating to fishing in Pierce Pond (H. P. 1005)

Resolve relative to fishing in Little Big Wood Pond (H. P. 1006)

Resolve relative to fishing in Mud Pond (H. P. 1009)

Resolve relative to fishing in Attean Pond (H. P. 1010)

Resolve relative to fishing in Big Wood Pond (H. P. 1011)

Resolve relative to fishing in Barker Pond (H. P. 1012)

Resolve relative to fishing in Brown and Marriners Ponds (H. P. 1073)

Resolve opening Mill Cove Brook and Pumping Station Brook, and Ed Rowe Brook to smelt fishing (H. P. 1264)

Resolve relating to fishing in Aroostook River (H. P. 1267)

Resolve regulating fishing in Torsey Lake (H. P. 1268)

Resolve relating to fishing for White Perch in Cochnewagon Lake (H. P. 1278)

Resolve relating to the name of Jug-o-not Stream in the town of Monmouth (H. P. 1281)

Resolve relating to fishing in Pemadumcook Lake (H. P. 1406)

Resolve relating to fishing in Sandy Stream (H. P. 1407)

Resolve relative to fishing in Greenlaw Stream (H. P. 1408)

Resolve relative to fishing in the East and West Inlets of Squa Pan Lake (H. P. 1409)

Resolve relative to fishing in Umbagog Lake (H. P. 1413)

reported a consolidated resolve (H. P. No. 1786) under title of resolve regulating fishing in the various waters of the State and that it ought to pass

Mr. Noyes from same Committee on the following resolves:

Resolve for screening Three Cornered Pond (S. P. 229)

Resolve for screening Rangeley Lake in the County of Franklin (H. P. 293)

Resolve for screening Pleasant Pond in Turner (H. P. 459)

Resolve for screening Tacoma Chain of Lakes (H. P. 989)

Resolve for screening of Little Big Wood Lake (H. P. 1008)

Resolve for screening Cathance Lake (H. P. 1014)

Resolve for screening Greeley

Pond in the towns of Readfield and Mt. Vernon (H. P. 1162)

Resolve for screening Lake Wassookeag (H. P. 1269)

Resolve for screening Cochnewagon Lake in the county of Kennebec (H. P. 1277)

reported a consolidated resolve (H. P. No. 1788) under title of resolve for screening certain lakes and ponds in the State and that it ought to pass

Reports read and accepted and the resolves ordered printed under the Joint Rules.

Mr. Story from the Committee on State Lands and Forest Preservation on resolve authorizing the Forest Commissioner to sell certain land (H. P. No. 1124) (L. D. No. 327) reported leave to withdraw.

Same gentleman from same Committee reported same on resolve authorizing the sale of State's interest in certain lands (H. P. No. 1625)

Mr. Chase from the Committee on Interior Waters reported ought not to pass on resolve authorizing the elimination of the Beaver Dam in Greenwood (H. P. No. 1508) (L. D. No. 653)

Mr. CHASE of Baring: Mr. Speaker, this resolve was introduced by the lady from Bethel, Mrs. Thurston, and on account of her illness, she was unable to appear before the committee. I move you that the resolve and report be tabled pending acceptance of the report.

The motion prevailed and the resolve and report were so tabled.

Mr. Chase from the Committee on Interior Waters reported ought not to pass on resolve in favor of the town of Alton, H. P. 1213.

(On motion by Mr. Chase, the resolve and report were tabled, pending acceptance of the report)

Mr. Barter from the committee on Sea and Shore Fisheries reported ought not to pass on resolve regulating fishing in Casco Bay (H. P. No. 632) (L. D. No. 190)

Mr. Melanson from same Committee reported same on bill an act relating to the safeguarding of clam flats (H. P. No. 631) (L. D. No. 189)

Mr. Norwood from same Committee reported same on bill an act to establish an Advisory Council for the Department of Sea and Shore Fisheries (H. P. No. 1312) (L. D. No. 475) as it is covered by other legislation.

Mr. Barter from same Committee reported same on bill an act relating to the propagation and cul-

tivation of clams and quahaugs (H. P. No. 496) (L. D. No. 164)

Mr. Prince from same Committee reported same on resolve for the conservation of clams in the county of Washington (H. P. No. 634) (L. D. No. 192)

(Resolve and report tabled by Mr. Tabbutt of Columbia Falls, pending acceptance of the report)

Mr. Fellows from the Committee on Taxation reported ought not to pass on bill an act imposing an excise tax upon the privilege of owning land in this State (H. P. No. 1126) (L. D. No. 328)

Reports read and accepted and sent up for concurrence.

Mr. Woodbury from the Committee on Agriculture on bill an act relating to growers' and packers' contracts (H. P. No. 1547) (L. D. No. 557) reported same in a new draft (H. P. No. 1789) under same title and that it ought to pass

(Bill and report tabled by Mr. Mosher of Farmington, pending acceptance of the report and 500 copies of the new draft ordered printed)

Mr. Elliot from the Committee on Inland Fisheries and Game on resolve for screening the outlet of Lower Shin Pond in Penobscot County (H. P. No. 861) reported same in a new draft (H. P. No. 1794) under same title and that it ought to pass

Same gentleman from same Committee on bill an act to create Reservoir No. 1 Game Preserve and Game Preserve Reservoir No. 2" (H. P. No. 1496) (L. D. No. 551) reported a resolve (H. P. No. 1790) under title of resolve relating to hunting and fishing in reservoirs of water supply city of Belfast, and that it ought to pass.

Same gentleman from same Committee on resolve relative to fishing in York County (H. P. No. 994) reported same in a new draft (H. P. No. 1791) under title of resolve relative to fishing in Cumberland, Knox and York counties and that it ought to pass.

Same gentleman from same Committee on resolve relating to fishing in Walker's Pond in Brooksville and Sargentville (H. P. 1507) (L. D. 648) reported same in a new draft (H. P. No. 1795) under same title and that it ought to pass

Same gentleman from same Committee on resolve in favor of building and equipping a feeding station at or near Brownfield in the county

of Oxford (H. P. No. 866) reported same in a new draft (H. P. No. 1792) under title of resolve relating to establishment of feeding station at Brownfield and that it ought to pass

Mr. Story from same Committee on resolve opening Little Androscoggin River to ice fishing (H. P. No. 464) reported same in a new draft (H. P. No. 1796) under same title and that it ought to pass

Same gentleman from same Committee on resolve for screening Abrams Pond (H. P. No. 1411) reported same in a new draft (H. P. No. 1797) under title of resolve for screening certain waters in Hancock County and that it ought to pass

Mr. Chase from the Committee on Legal Affairs on bill an act relating to tenure of office of officers (H. P. No. 1546) (L. D. No. 570) reported same in a new draft (H. P. No. 1793) under same title and that it ought to pass.

Mr. Carleton from the Committee on Pensions on resolve providing for State pension in favor of Carrie Ramsdell Fisher of Ripley (H. P. No. 373) reported same in a new draft (H. P. No. 1798) under title of resolve in favor of Carrie Ramsdell Fisher of St. Albans and that it ought to pass.

Mr. Norwood from the Committee on Sea and Shore Fisheries on bill an act relating to the taking of crabs (H. P. No. 893) (L. D. No. 309) reported same in a new draft (H. P. No. 1799) under same title and that it ought to pass.

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

Mr. Elliot from the Committee on Inland Fisheries and Game reported ought to pass on resolve in favor of Megunticook Lake Anglers' Club (H. P. No. 463).

Same gentleman from same Committee reported same on resolve regulating deer hunting on Swans Island in the county of Hancock (H. P. No. 397).

Same gentleman from same Committee reported same on resolve in favor of Magalloway Plantation for building a fish screen on Pond Brook (H. P. No. 665).

Mr. Norwood from the Committee on Sea and Shore Fisheries reported same on resolve relating to the digging of clams in Milbridge (H. P. No. 1570).

Mr. Dwinal from the Committee

on State Lands and Forest Preservation reported same on resolve authorizing the Forest Commissioner to convey certain property (H. P. No. 1581).

Same gentleman from same Committee reported same on resolve authorizing the Forest Commissioner to convey certain interest of the State in a certain lot of land to the Van Buren Trust Company (H. P. No. 1582).

Mr. Mack from same Committee reported same on resolve authorizing the Forest Commissioner to convey certain property (H. P. No. 1579).

Same gentleman from same Committee reported same on resolve authorizing the Forest Commissioner to convey certain interest of the State in land in Somerset County to A. L. Gaudet of Rockwood (H. P. No. 1580).

Same gentleman from same Committee reported same on resolve authorizing the Forest Commissioner to convey certain lands (H. P. No. 1578).

Reports read and accepted and the resolves ordered printed under the joint rules.

Mr. Chase from the Committee on Interior Waters reported ought to pass on resolve authorizing the erection and maintenance of a dam across the West Branch of Pleasant River (H. P. No. 1509) (L. D. No. 652).

Mr. Robinson from same Committee reported same on resolve for the construction of bunters along Austin Stream (H. P. No. 1629) (L. D. No. 773).

Mr. Chase from the Committee on Legal Affairs reported same on bill an act granting additional power rights and privileges to Penobscot Chemical Fibre Company (H. P. No. 1066) (L. D. No. 357).

Mr. Brown from the Committee on State Lands and Forest Preservation reported same on resolve authorizing the Forest Commissioner to convey certain interest of the State in Hurricane Island (H. P. No. 1125) (L. D. No. 372).

Same gentleman from same Committee reported same on resolve granting authority to the Forestry Department to sell certain land (H. P. No. 1182) (L. D. No. 438).

Mr. Melanson from the Committee on Sea and Shore Fisheries reported ought to pass on resolve relating to the taking of clams in

Bar Harbor (H. P. No. 1180) (L. D. No. 436).

On motion by Mr. Melanson, the resolve was recommitted to the committee on Sea and Shore Fisheries and sent up for concurrence.

Mr. Prince from same Committee reported same on resolve relating to the protection of clams within the town of Freeport (H. P. No. 1314) (L. D. No. 461).

Reports read and accepted and the bill and resolves having already been printed the bill was read twice under suspension of the rules, the resolves read once under suspension of the rules, and tomorrow assigned.

First Reading of Printed Bills and Resolves

(H. P. No. 1778) (L. D. No. 912)
An act relating to business hours for State stores.

(H. P. No. 1779) (L. D. No. 911)
An act relating to overnight parking of trailers, auto-homes and house-cars.

(Tabled by Mr. Larrabee of West Bath, pending assignment for third reading).

(H. P. No. 1781) (L. D. No. 910)
An act relating to outdoor advertising.

(H. P. No. 1782) (L. D. No. 909)
An act permitting testamentary trustees to hold securities held by testator at time of his death.

(H. P. No. 1783) (L. D. No. 908)
An act relating to the practice before Probate Courts.

(H. P. No. 1784) (L. D. No. 907)
An act permitting the County Commissioners of Androscoggin County to issue bonds for South Bridge.

(H. P. No. 194) (L. D. No. 906)
Resolve relating to a retirement pension for Burleigh E. Bean of Waite.

(H. P. No. 306) (L. D. No. 903)
Resolve providing for a State pension for John Mains of York.

(H. P. No. 1374) (L. D. No. 907)
Resolve to repeal a resolve providing for a State pension for Beatrice E. Gilbert of Bar Harbor.

(H. P. No. 1780) (L. D. No. 904)
Resolve correcting a clerical error in the apportionment of Representatives.

Passed to Be Engrossed

(S. P. No. 391) (L. D. No. 732)
An act relative to bounties.

(S. P. No. 465) (L. D. No. 880)
An act to amend and extend the charter of Kennebec Reservoir Company.

(S. P. No. 466) (L. D. No. 883)
An act relating to State Dairymen's Conference.

(S. P. No. 467) (L. D. No. 882)
An act relating to seizure of game.

(S. P. No. 468) (L. D. No. 884)
An act relative to transportation of fish and game by aeroplane.

(S. P. No. 469) (L. D. No. 885)
An act relating to enforcement of tax liens.

(S. P. No. 470) (L. D. No. 887)
An act relating to the Bath Municipal Court.

(S. P. No. 471) (L. D. No. 886)
An act to provide for the appointment of a Board of Commissioners of Police for the city of Augusta.

(S. P. No. 472) (L. D. No. 881)
An act relating to municipal ordinances.

(H. P. No. 475) (L. D. No. 138)
An act relating to the charter of Bridgton Center Village Corporation.

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

House Amendment A to H. P. No. 475, L. D. No. 138, bill an act relating to the charter of Bridgton Center Village Corporation.

Amend said bill by striking out from the eighth line thereof the following words "such sums of."

And further amend said bill by striking out from said eighth line the following words "as may be sufficient."

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

Passed to Be Engrossed

(H. P. No. 669) (L. D. No. 214)
An act relating to insanity as cause of divorce.

(On motion by Mr. Varney of Berwick, tabled pending passage to be engrossed.)

(H. P. No. 1419) (L. D. No. 571)
An act relating to special license for operation of motor cycles.

(H. P. No. 1626) (L. D. No. 752)
An act relating to holders of malt liquor manufacturing licenses.

Mr. Sleeper of Rockland, offered House Amendment A and moved its adoption as follows:

House Amendment A to H. P. 1626, L. D. 752, entitled bill, an act relating to holders of malt liquor manufacturing licenses.

Amend said bill by inserting at

the beginning of the first sentence thereof, the words 'On or after January 1, 1938'.

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

(H. P. No. 1513) (L. D. No. 710)
An act to provide for services for crippled children.

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

House Amendment A to H. P. No. 1513, L. D. No. 710, bill, an act to provide for services for crippled children.

Amend Section 1 thereof by striking out the words "and directed" in the 2nd line thereof, and by adding at the end of Section 1 the following:

'Provided, however, that nothing in this act shall be construed as authorizing any public official, agent or representative, in carrying out the provisions of this chapter, to take charge of any child over the objection of either the father or the mother of such child, or of the person standing in loco parentis to such child, except pursuant to a proper court order.'

Amend Section 2 thereof by striking out the words "and directed" in the 2nd line of said Section 2, and by striking out the words "and to comply with such conditions as may be required for such aid" in the 4th and 5th lines thereof and by inserting after the word "government" in the 6th line thereof the words 'through the Children's Bureau' and by striking out the words "the adoption of" in the 7th and 8th lines thereof, and by striking out the words "by the federal government" in the 8th line thereof, and by striking out the words "federal government" in the 11th line thereof and inserting in place thereof the words 'secretary of labor,' and by striking out the words "from time to time" in the 11th line and also in the 12th line thereof, and by striking out the words "the federal government" in the 12th line thereof and inserting in place thereof the words 'said secretary.'

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

Amendment A and sent up for concurrence.

(H. P. No. 1514) (L. D. No. 7100)
An act to provide maternal and child health services.

Mr. Philbrick of Cape Elizabeth, offered House Amendment A and moved its adoption as follows, the reading of the amendment, on further motion by Mr. Philbrick, being dispensed with:

House Amendment 2 to H. P. No. 1514. (L. D. No. 711, bill an act to provide maternal and child health services.

Amend Section 1 thereof by striking out the words "and directed" in the 2nd line thereof, and by adding at the end of Section 1 the following:

'Provided, however, that nothing in this act shall be construed as authorizing any public official, agent, or representative, in carrying out the provisions of this chapter, to take charge of any child over the objections of either the father or the mother of such child, or of the person standing in loco parentis to such child except pursuant to a proper court order.'

Amend Section 2 thereof by striking out the words "and directed" in the 2nd line of said Section 2, and by striking out the words "and to comply with such conditions as may be required for such aid" in the 4th and 5th lines thereof, and by inserting after the word "government" in the 6th line thereof the words "through the Childrer's Bureau," and by striking out the words "the adoption of" in the 7th and 8th lines thereof, and by striking out the words "by the federal government" in the 8th and 9th lines thereof, and by striking out the words "federal government" in the 12th line thereof and inserting in place thereof the words "secretary of labor" and by striking out the words "from time to time" in the 12th line and also in the 13th line thereof, and by striking out the words "federal government" in the 13th line thereof and inserting in place thereof the words "said secretary."

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

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

(H. P. No. 1772) (L. D. No. 896)
Resolve relating to smelt fishing in Denny's River, Medomak River and Georges River.

(H. P. No. 1773) (L. D. No. 897)
Resolve relating to smelt fishing in St. Croix Rivier.

(H. P. No. 1774) (L. D. No. 898)
Resolve relating to smelt fishing in Hancock County.

(Tabled by Mr. Emery of Bucksport, pending second reading)

(S. P. No. 192) (L. D. No. 451)
An act relating to beauty culture to include registering and licensing of barbers and barber shops and to create a Board of Barber Examiners as amended by Senate Amendment A.

(H. P. No. 1696) (L. D. No. 823)
An act relating to a State Geologist as amended by House Amendment A.

(H. P. No. 627) (L. D. No. 203)
An act relating to State Armories as amended by House Amendment A.

(S. P. No. 342) (L. D. No. 613)
An act relating to the support of paupers as amended by House Amendment A.

(H. P. No. 1511) (L. D. No. 709)
An act to provide for child welfare services as amended by House Amendment A.

(H. P. No. 1558) (L. D. No. 687)
An act relating to beauty culture as amended by House Amendment A.

(H. P. No. 1730) (L. D. No. 842)
An act relating to plumbing as amended by House Amendment A.

Mr. Payson of Brooks, offered House Amendment B and moved its adoption as follows:

House Amendment B to H. P. No. 1730, L. D. No. 842, entitled an act relating to plumbing.

Amend said bill by inserting in Section 2 of said bill, at the end of the 1st sentence of the section numbered "Sec. 183-M" the following words "the provisions of sections 180 to 183-L shall not apply in cities, towns or plantations that have a population of 3000 people or less".

Mr. ELLIS of Rangeley Mr. Speaker, if we were sincere in our vote yesterday, and believe that this is a measure that is for the health and welfare of the people of Maine, I believe that the health and welfare of the people in the smaller communities is just as important as it is in the cities. I therefore hope that the amendment is not adopted.

Mr. PAYSON of Brooks: Mr.

Speaker, I cannot talk very well, but I will say we had a definition of that word "plumbing" given in here yesterday, which definition said that a plumber was a man who runs water into our houses with a pipe and runs waste out with water in a drain, or something like that.

Now that is just what the farming people are doing: They are trying to run water into the house with pipes and run waste out through what they call a sinkspout. Now in my section there are only two plumbers in the whole town. As I understand it, a farmer or a landlord could do that work himself, but he could not let his hired man do it without being a criminal; so I hope this amendment is adopted.

Mr. HINCKLEY of South Portland: Mr. Speaker, I am not talking on the merits of this amendment, but I would like to point out that this refers to cities and towns having a population of three thousand people or less. Now I would like to inquire just what that means. Is it according to the last Federal census, or is it according to the count that anyone might take at any moment in any city or town? If we say "three thousand people" we have got to count up the people in the town at a particular time when this thing may take effect. A child may be born in a town; people move in and out at various times of the year, and it would be absolutely impossible to tell whether the town had three thousand population without making a count at the time.

Mr. PAYSON of Brooks: Mr. Speaker, as I understand it—and I would like to inform the gentleman from South Portland, all cities and towns are figured on their last census.

Mr. PAUL of Portland: Mr. Speaker and members of the House, this bill was drafted with a great deal of care and caution, and I thoroughly believe that the farmers are protected. It is a health measure and is to be carried on to protect and assist the farmers, to make certain that they are protected. Being a farmer in my early days, I have every sympathy with the man that my good friend from Brooks, Mr. Payson, has referred to; but I sincerely believe that the drafters of this bill fully took care of those farmers.

Mr. MARTIN of Oakland: Mr. Speaker, after my extended remarks

yesterday, I do not care to get into any further discussion on the merits of the bill, but I only wish to speak in regard to this amendment.

I would like to call the attention of the members of the House to the fact that under this same section to which this amendment refers, and the health measures which have been suggested here as possibly being violated, the last part of that section reads: "All plumbing installed by any person whatsoever shall comply with the requirements of the rules and regulations of the state bureau of health relating to plumbing and to all local plumbing ordinances." So that this part covers everything that is needed as far as a health measure is concerned. It protects the community; it protects the person doing the installation, and it protects the person having the installation done. This amendment, as I understand it, is only to take care of ones that are making these installations and has no reference to the health measure. Your health is still protected by this same act to which this refers. If you have the bill before you, you will see I am quoting directly from the section which this amendment refers to. The gentleman mentioned that this might affect the health in a community, but the people are protected and the man having an installation would still have it under the rules and regulations of the Bureau of Health and Welfare.

Mr. MAXIM of Portland: Mr. Speaker, it seems to me that this amendment tends to defeat the very purpose for which this bill was initiated. I would like to point out for the benefit of the gentleman from Brooks, Mr. Payson, that the farmer and his employees are protected under Section 183-M, one clause of which I would like to read: "Sections 180 to 183-L inclusive shall not apply to regular employees of public utilities as defined in section 15 of chapter 62 of the revised statutes, as amended, when working as such, nor to regular employees of owners or lessees of real property, when working as such" * * * Clearly that applies to farmers and their regular help. I can see no possible objection from that point of view.

Now of all the communities in the State which need the plumbing ordinance or bill, it seems to me that the small communities need it

most. The cities, or most of the cities have a fairly good inspection service. In the nature of things, the plumbers in the cities are a little better supervised than in the smaller towns. I can see no possible objection, if we thought yesterday that this bill was a meritorious bill, why all the smaller towns of the State should not come under it. The same things that I said yesterday that apply to the plumbers in the cities apply equally to plumbers in the smaller towns. What this bill is trying to do is to establish standards of practice, so that incompetent men who have not thoroughly learned their trade may not hold themselves out as plumbers. I sincerely hope this amendment will not be adopted.

Mr. PAYSON: Mr. Speaker, when the vote is taken, I ask for a division.

Mr. FELLOWS of Augusta: Mr. Speaker, I think the gentleman from Portland, Mr. Maxim, could have perhaps clarified this a little bit more if he had continued reading Section 183-M relative to the exceptions. It goes on to say, where he stopped—I will quote it: "nor to persons whose occupation is the doing of miscellaneous jobs of manual labor in the course of which some incidental plumbing repairs, but not alterations, are made by them."

The SPEAKER: The pending question is on the motion of the gentleman from Brooks, Mr. Payson, that House Amendment B be adopted. The gentleman has asked for a division of the House. Is the House ready for the question? As many as are in favor of the motion of the gentleman from Brooks, Mr. Payson, that House Amendment B be adopted will rise and remain standing until counted and the monitors make and return a count. A division was had.

Fifty-four having voted in the affirmative and fifty-two in the negative, the motion prevailed and House Amendment B was adopted.

Thereupon the bill was given its third reading and was passed to be engrossed as amended by House Amendment B and sent up for concurrence.

Passed to Be Enacted (Emergency Measure)

H. P. 1687. L. D. 821: An act to incorporate the town of Livermore School District.

(On motion by Mr. Higgins of Ellsworth, tabled pending passage to be enacted.)

(H. P. No. 680) (L. D. No. 237) An act to provide a Town Manager Form of Government for the town of Dover-Foxcroft.

(H. P. No. 700) (L. D. No. 240) An act relating to compensation of the Register of Probate of Hancock County.

(H. P. No. 1058) (L. D. No. 352) An act relating to the use of check lists in Sanford.

(H. P. No. 1574) (L. D. No. 639) An act relating to taking of soft-shelled clams.

(H. P. No. 1635) (L. D. No. 772) An act to make uniform the costs in Municipal Courts.

(H. P. No. 1638) (L. D. No. 777) An act relating to the salary of County Treasurer of Washington County.

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

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

Finally Passed

(H. P. No. 1069) (L. D. No. 378) Resolve regulating the taking and sale of clams in the town of Cape Elizabeth.

(H. P. No. 1315) (L. D. No. 462) Resolve relating to close time in Gouldsboro, Eden, Trenton, Hancock, Sullivan and Sorrento.

(H. P. No. 1316) (L. D. No. 463) Resolve relating to close time in waters adjacent to Petit Manan.

(H. P. No. 1571) (L. D. No. 650) Resolve in favor of the location of a fish weir off Calf Island.

Orders of the Day

The Chair lays before the House the first item of unfinished business in which the House was engaged yesterday, bill an act to incorporate the Lincoln Water District H. P. 1064 L. D. 356, the pending question at the time of adjournment being the passage of the bill to be engrossed.

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

The Chair lays before the House the second item of unfinished business Joint Memorial to Congress in favor of H. R. 4009, relating to

"Noxious Weed," H. P. 1771, tabled on March 26th by Mr. Flanders of Auburn, pending adoption; and the Chair recognizes that gentleman.

Mr. FLANDERS: Mr. Speaker, I move that this memorial be indefinitely postponed.

The SPEAKER: The Chair recognizes the gentleman from Eagle Lake, Mr. Brown.

Mr. BROWN: Mr. Speaker and Member of this Legislature: I just want to tell you why I presented this memorial. I was asked to do this by the Honorable D. Worth Clark, Congressman from the second district of Idaho. He had a bill introduced in Congress, asking for an appropriation to aid the various states in their fight of noxious weeds. I feel myself that it would be an aid to some of our farmers in Arcostook County in getting rid of what we call kale and wild thistle. However, if this Legislature does not feel like memorializing our Congressmen and Senators to this effect, I will have to yield.

Mr. FLANDERS: Mr. Speaker, I took this up with Mr. Washburn and he said he could not see any value in establishing that precedent, and that is why I move its indefinite postponement.

The SPEAKER: The question is on the motion of the gentleman from Auburn, Mr. Flanders, that the memorial be indefinitely postponed. As many as are in favor of the motion will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed and the memorial was indefinitely postponed.

The Chair lays before the House the third item of unfinished business, House Amendment A to bill an act to repeal acts incorporating the town of Freeman, H. P. 473, L. D. 137, tabled on March 26th by Mr. Dow of Norway, pending adoption; and the Chair recognizes that gentleman.

Mr. DOW: Mr. Speaker, I withdraw House Amendment A and offer House Amendment B.

The SPEAKER: The gentleman from Norway, Mr. Dow, withdraws House Amendment A and the same gentleman now presents House Amendment B and moves its adoption as follows:

House Amendment B to H. P. No. 473, L. D. No. 137, entitled, an act to repeal acts incorporating the town of Freeman.

Amend said bill by adding at the end thereof the following:

Sec. 2. Ratification. So much of this act as authorizes the submission of its acceptance to the voters of the town of Freeman shall take effect as provided in the constitution of the state, but it shall not take further effect unless accepted by the legal voters of the town of Freeman at a special town meeting called for that purpose and held prior to November 1, 1937, an appropriate article being inserted in the warrant for such meeting. If a majority of the voters present and voting shall favor accepting this act, it shall become fully effective on January 1, 1938. The Town Clerk shall file a certificate of such voting with the Secretary of State.

Thereupon, House Amendment B was adopted, the bill had its third reading and was passed to be engrossed as amended by House Amendment B and sent up for concurrence.

The Chair lays before the House the fourth item of unfinished business, bill an act to provide for the surrender by Mayfield Plantation of its organization, H. P. 623, L. D. 178, tabled on March 26th by Mr. Robinson of Bingham, pending passage to be engrossed; and the Chair recognizes that gentleman.

On motion by Mr. Robinson, the bill was passed to be engrossed and sent up for concurrence.

The Chair lays before the House the first tabled and today assigned matter, House report ought to pass in new draft of the committee on State Lands and Forest Preservation on bill an act relating to the Knox Arboretum, H. P. 1123, L. D. 420, tabled on March 31st by Mr. Flanders of Auburn, pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. FLANDERS: Mr. Speaker, I move that the bill and report be indefinitely postponed.

The SPEAKER: The Chair recognizes the gentleman from Thomaston, Mr. Elliot.

Mr. ELLIOT: Mr. Speaker and Members of the House: The Knox Arboretum was conveyed to the State by the Knox Academy of Arts and Sciences and was accepted by the last Governor and Council. The Council then appropriated more than fifteen thousand dollars

to help complete a building down there which they called the Museum, and this new draft is merely to accept the conveyance of that property to the State. I understand that the present Governor and Council do not care to accept this property for the State. Therefore, for the purpose of clearing up the title and trying to make it clear just who does own it, I would like to prepare an amendment. For that reason I move that this bill and report lie on the table and be specially assigned for Tuesday, April 6th.

The SPEAKER: The gentleman from Thomaston, Mr. Elliot, moves that the bill and report be tabled pending the motion of the gentleman from Auburn, Mr. Flanders, that the same be indefinitely postponed, and that the matter be specially assigned for Tuesday, April 6th.

The motion prevailed and the bill and report was retabled and so assigned.

Mr. CARLETON of Alna: Mr. Speaker, I move that the House reconsider its action of yesterday with reference to H. P. 1541, L. D. 681, bill an act relating to municipal budgets, whereby the same was passed to be engrossed.

The motion prevailed; and on further motion by the same gentleman the bill was tabled pending passage to be engrossed.

The SPEAKER: The House is proceeding under Orders of the Day. Are there any matters that can be taken from the table and disposed of?

On motion by Mr. Payson of Brooks, it was voted to take from the table the second unassigned matter, bill an act relating to open season on fur-bearing animals, H. P. 1765, L. D. 894, tabled by that gentleman on March 29th pending assignment for third reading; and on further motion by the same gentleman tomorrow was assigned for the third reading of the bill.

On motion by Mr. Payson of Portland, it was voted to take from the table the tenth unassigned matter, bill an act relative to pensions for members of the Police force of the town of Houlton, S. P. 455, L. D. 851, tabled by that gentleman on March 30th pending third reading.

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

House Amendment A to S. P. 455, L. D. 851, entitled: an act relative to pensions for members of the Police force in the town of Houlton.

Amend said bill by striking out all of section 5 thereof and inserting in place thereof the following:

Sec. 5. Referendum. So much of this act as authorizes the submission of its acceptance to the voters of the town of Houlton shall take effect as provided in the constitution of the state, but it shall not take further effect unless accepted by the legal voters of the town of Houlton at any legally called annual or special town meeting, by action on an appropriate article in the warrant for such meeting. If a majority of the voters present and voting shall favor accepting this act it shall become fully effective. The Town Clerk shall file a certificate of such voting with the Secretary of State.

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

Mrs. LATNO of Old Town: Mr. Speaker, I ask the unanimous consent of the House to take from the table House report ought not to pass of the committee on Mercantile Affairs and Insurance on bill an act relating to the standard form insurance policy, H. P. 684, L. D. 225, tabled by me March 31st, pending acceptance of the report and specially assigned for Tuesday, April 6th.

The SPEAKER: The lady from Old Town, Mrs. Latno, asks unanimous consent to take from the table the third assigned matter, referred to by her, notwithstanding the former action of the House whereby the bill was specially assigned for Tuesday, April 6th. Is there objection?

Mr. HINMAN of Skowhegan: There is, Mr. Speaker.

The SPEAKER: Unanimous consent is declined.

On motion by Mr. Dow, of Norway, it was voted to take from the table the seventh unassigned matter, bill an act to provide for the surrender by town of Somerville of

its organization, H. P. 1748, L. D. 855, tabled on March 29th by that gentleman, pending passage to be engrossed.

Thereupon House Amendment A was offered by Mr. Dow of Norway as follows, its reading on motion by that gentleman being dispensed with:

House Amendment A to H. P. No. 1748, L. D. No. 855, bill, an act to provide for the surrender by town of Somerville of its organization.

Amend said bill by striking out all of Section 3 thereof, and inserting in lieu thereof the following:

Sec. 3. Ratification. So much of this act as authorizes the submission of its acceptance to the voters of the town of Somerville shall take effect as provided in the constitution of the state, but it shall not take further effect unless accepted by the legal voters of the town of Somerville at a special town meeting called for that purpose and held prior to November 1, 1937, an appropriate article being inserted in the warrant for such meeting. If a majority of the voters present and voting shall favor accepting this act, it shall become fully effective on January 1, 1938. The Town Clerk shall file a certificate of such voting with the Secretary of State.

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

On motion by Mr. Hinckley of South Portland, it was voted to take from the table the fifteenth unassigned matter, Senate report ought to pass in new draft of the committee on Salaries and Fees on bill an act relating to the salary of the Judge and Recorder of the Westbrook Municipal Court, S. P. 425, L. D. 815, new draft, S. P. 464, L. D. 879, tabled on March 31st by that gentleman, pending acceptance in concurrence; and on further motion by the same gentleman the report of the committee, ought to pass in new draft, was accepted in concurrence, and the bill was given its two several readings under suspension of the rules and tomorrow assigned.

On motion by Mr. Carleton of Alna, it was voted to take from the table the twentieth unassigned matter, bill an act relating to group insurance, S. P. 459, L. D. 856,

tabled on March 31 by that gentleman pending third reading; and on further motion by the same gentleman the bill was given its third reading and passed to be engrossed in concurrence.

Mr. DUTIL of Lewiston: Mr. Speaker, I understand that bill an act to incorporate the City of Lewiston, H. P. 1059, L. D. 377, recalled from the committee on Legal Affairs, is now in the hands of the Clerk?

The SPEAKER: The Chair is so informed.

Mr. DUTIL: As the legislation covered in this measure has been covered in another similar bill, I now ask the unanimous consent of the House, leave to withdraw the bill.

The SPEAKER: The gentleman from Lewiston, Mr. Dutil, asks unanimous consent to withdraw bill an act amending an act to incorporate the City of Lewiston, H. P. 1059 L. D. 377, which bill was recalled from the committee on Legal Affairs by joint order. Is there objection to the request of the gentleman from Lewiston? The Chair hears no objection, and the bill is withdrawn.

On motion by Mr. Labbee of Fort Kent, it was voted to take from the table the fifth unassigned matter, bill an act to provide a Town Council and Manager form of Government for the town of Fort Kent in the county of Aroostook, H. P. 1754, L. D. 864, tabled on March 29th by that gentleman, pending third reading; and on further motion by the same gentleman the bill was given its third reading and passed to be engrossed and sent up for concurrence.

On motion by Mr. Pike of Bridgton, it was voted to take from the table the thirteenth unassigned matter, bill an act relating to Northern Cumberland Municipal Court, H. P. 1770, L. D. 889, tabled on March 30th by that gentleman, pending third reading.

Mr. Pike presented House Amendment A and moved its adoption as follows:

House Amendment A to H. P. No. 1770, L. D. No. 889, bill, an act relating to Northern Cumberland Municipal Court.

Amend said bill by adding after "1919" in the second line thereof the words 'as amended by Chapter

131 of the private and special laws of 1921.'

And further amend said bill by striking out in the fifth and sixth lines of the bill the phrase "six hundred dollars \$625" and inserting in lieu thereof the following: 'eight hundred dollars \$825'.

Thereupon House Amendment A was adopted, the bill was given its third reading and passed to be engrossed as amended by House Amendment A and sent up for concurrence.

On motion by Mr. Flanders of Auburn, it was voted to take from the table the fourteenth unassigned matter, an act relating to pension for State employees, S. P. 133, L. D. 169, tabled on March 30th by that gentleman, pending passage to be enacted.

Mr. FLANDERS: Mr. Speaker, I move that the bill be passed to be enacted.

Mr. DOUGLASS of Gorham: Mr. Speaker, I move that the bill be laid on the table. The information that is necessary for the good of the House has not been distributed yet; therefore I move that the bill be laid on the table.

The SPEAKER: The Chair will have to rule that inasmuch as there has been no debate or action since the bill was taken from the table, the motion to lay it again on the table is not immediately in order. The question is on the passage of the bill to be enacted.

Mr. MARTIN of Oakland: Mr. Speaker, would it be in order to ask permission to have the House reconsider its action whereby this bill was passed to be enacted?

The SPEAKER: The motion to reconsider the vote whereby the bill was laid on the table is not in order. The same thing applies to the motion to take from the table.

Mr. NOYES of Franklin: Mr. Speaker, I understood the gentleman from Oakland (Mr. Martin) to move that we reconsider the passage to be enacted—that we reconsider our former action.

The SPEAKER: The bill has not yet been passed to be enacted. Does the gentleman wish to reconsider the vote whereby the bill was passed to be engrossed?

Mr. NOYES: I so move, Mr. Speaker.

The SPEAKER: The gentleman from Franklin, Mr. Noyes, moves that the rules be suspended in order that he may move that the House reconsider its vote whereby the bill was passed to be engrossed.

The motion prevailed.

The SPEAKER: The gentleman from Franklin, Mr. Noyes, now moves that the House reconsider its former action whereby the bill was passed to be engrossed.

The motion prevailed.

The SPEAKER: The gentleman from Gorham, Mr. Douglass, moves that the bill be laid on the table, pending its passage to be engrossed. As many as are in favor of the motion will say aye, those opposed no.

A viva voce vote being taken, the motion prevailed, and the bill was retabled pending its passage to be engrossed.

On motion by Mr. Ellis of Castle Hill,

Adjourned until ten o'clock tomorrow morning.