

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

SENATE

Wednesday, February 17, 1937.

Senate called to order by the President

Prayer by the Reverend Andrew T. McWhorter of Augusta.

Journal of yesterday read and approved.

Papers from the House disposed of in concurrence.

From the House: "An Act to Protect the Right of Employees to Organize and Bargain Collectively; and Creating a Labor Relations Board." (H. P. 1293) (L. D. 488)

In the House, referred to the Committee on Legal Affairs.

In the Senate, on motion by Mr. Fernald of Waldo, tabled pending reference in concurrence.

From the House: "An Act to Raise an Excise Tax on Corporations Organized for Making, Generating, Selling, Distributing and Supplying Electricity or Electric Current for Power, Lighting, Heating, Manufacturing or Mechanical Purposes." (H. P. 1320) (L. D. 485)

In the House, referred to the Committee on Taxation.

In the Senate, on motion by Mr. Spear of Cumberland, tabled pending reference in concurrence.

From the House: "An Act to Impose a Tax on the Sale of Cosmetics." (H. P. 1321) (L. D. 486)

In the House, referred to the Committee on Taxation.

In the Senate, on motion by Mr. Spear of Cumberland, tabled pending reference in concurrence.

House Bills in First Reading

"An Act Relating to the Araxine Wilkins Sawyer Foundation." (H. P. 363) (L. D. 108)

"An Act Relating to Cheating by False Pretenses." (H. P. 295) (L. D. 89)

"An Act Relating to Complaint in Cases of Neglect to Children." (H. P. 470) (L. D. 160)

The following resolve and remonstrances were received and on recommendation by the Committee on Reference of Bills were referred to the following committees:—

Pensions

Mr. Burkett of Knox presented "Resolve Providing for a State Pension for Vesta Carpenter of Union." (S. P. 378)

Sent down for concurrence.

Taxation

Mr. Burns of Aroostook presented, five Remonstrances against enactment of any legislation imposing a tax on admissions (S. P. 379) to 383 incl.)

Sent down for concurrence.

Order

Mr. Goudy of Cumberland presented the following order:—

ORDERED, the House concurring, that

Whereas, all experienced persons know that in each State, legislative problems continually increase, both in number and in complexity; and

Whereas, no such problems can be dealt with adequately until facilities are established to assist every inquiring legislator to secure the most accurate information and the most expert advice which are available; and

Whereas, every individual legislator in the United States shares the responsibility for improving the present condition of the legislative processes, but neither any individual legislator, nor any group of legislators from one state, can bring about such improvement without cooperation of legislators of other states; and

Whereas, the American Legislators' Association is promoting the interchange of experience and information between state legislators and individuals officially concerned with the scientific functioning of the legislatures of the various states; and

Whereas, the character and project of the American Legislators' Association have the official endorsement of the 47 other states of the Union; now, therefore be it

RESOLVED: That the organization of the American Legislators' Association is hereby commended by the 88th Legislature of the State of Maine as a legitimate and constructive effort to assist the legislatures of the various States in the efficient performance of their work. (S. P. 384)

Mr. GOUDY of Cumberland: Mr. President, in order to rectify the erroneous status of an order intro-

duced by me affecting the American Legislators' Association, which through inadvertence I so worded as to leave out a provision whereby the House could concur, I at this time very apologetically crave the indulgence of the Senate to this extent, that this order may have a passage.

The order received a passage.
Sent down for concurrence.

Passed to be Engrossed

"Resolve Authorizing the Forest Commissioner to Convey Certain Interests of the State in a Certain Lot of Land to the Augusta Trust Company." (S. P. 136) (L. D. 175)

"Resolve Authorizing the Forest Commissioner to Convey Certain Interests of the State in a Certain Lot of Land to Elmer E. Newbert, Trustee." (S. P. 137) (L. D. 167)

Bill "An Act Relative to Damage by Deer and Moose." (H. P. 289) (L. D. 92)

Passed to be Enacted

Bill "An Act Relative to Keeping in Captivity Animals Wild by Nature." (S. P. 66) (L. D. 45)

Bill "An Act to Enlarge the Powers of the Trustees of Wilton Academy." (S. P. 78) (L. D. 90)

Bill "An Act Amending the Borrowing Provisions of the Charter of the City of Bangor." (S. P. 113) (L. D. 125)

(On motion by Miss Martin of Penobscot, tabled pending passage to be enacted.)

Bill "An Act Relating to Town Meetings in Bar Harbor." (H. P. 13) (L. D. 10)

Bill "An Act Authorizing the City of Bangor to Pay a Pension to William T. Pierce." (H. P. 37) (L. D. 22)

(Emergency Measure)

Bill "An Act to Empower the Town of Wilton to Raise Money for the Enlarging and Remodeling of the Building Known as Wilton Academy." (S. P. 79)

Which bill being an emergency measure, and having received the affirmative vote of 27 members of the Senate, was passed to be enacted.

(Emergency Measure)

Bill "An Act Authorizing the City of Bangor to Finance Municipal

Reconstruction." (H. P. 112) (L. D. 124)

Which bill being an emergency measure, and having received the affirmative vote of 27 members of the Senate, was passed to be enacted.

Orders of the Day

On motion by Mr. Fernald of Waldo, the Senate voted to take from the table Resolve Limiting Weir Fishing for Salmon in the Penobscot River (H. P. 1013) (L. D. 417) tabled by that Senator on February 11th pending motion by Mr. Worthen of Penobscot to refer to the Committee on Sea and Shore Fisheries and the Committee on Inland Fisheries and Game jointly, in non-concurrence; and that Senator yielded to the Senator from Penobscot, Senator Worthen.

Mr. WORTHEN of Penobscot: Mr. President, I wish to state that my reason for moving reference of this resolve to the joint committees of Sea and Shore Fisheries and Inland Fisheries and Game was at the request of some of the citizens of Bangor who are vitally interested in the salmon pool and the bill that pertains to salmon fishing on the Penobscot; and I renew my motion that this resolve be referred to the committees on Sea and Shore Fisheries and Inland Fisheries and Game jointly in non-concurrence.

The motion prevailed.

Sent down for concurrence.

On motion by Mr. Goudy of Cumberland, the Senate voted to take from the table An Act Extending the Standish Game Preserve (S. P. 313), tabled by that Senator on February 16th pending reference; and on further motion by the same Senator the bill was referred to the Committee on Inland Fisheries and Game.

Sent down for concurrence.

On motion by Mr. Goudy of Cumberland, the Senate voted to take from the table An Act Relating to New Trials and Vacating Judgments (S. P. 325), tabled by that Senator on February 16th pending reference; and on further motion by the same Senator, the bill was referred to the Committee on Judiciary.

Sent down for concurrence.

On motion by Mr. Fernald of Waldo, the Senate voted to take from the table Resolve Proposing An Amendment to the Constitution Increasing the Limit of the Municipal Indebtedness (H. P. 1284) (L. D. 478), tabled by that Senator on February 16th pending reference in concurrence; and on further motion by the same Senator, the resolve was referred to the Committee on Judiciary in concurrence.

On motion by Mr. Fernald of Waldo, the Senate voted to take from the table Resolve Proposing An Amendment to the Constitution to Raise the Limitation of Municipal Indebtedness (S. P. 324), tabled by that Senator on February 16th pending reference; and that Senator yielded to the Senator from Kennebec, Senator Marden.

Mr. MARDEN of Kennebec: Mr. President, an examination of Senate Paper 324 now under consideration and of House Paper 1284, Legislative Document 478, which has just previously been taken from the table and referred to the Committee on Judiciary, shows that both these measures deal with substantially the same subject matter. I therefore ask leave to withdraw Senate Paper 324.

Leave to withdraw was granted.
Sent down for concurrence.

On motion by Mr. Worthen of Penobscot, the Senate voted to take from the table An Act Changing the Time for Weir Fishing For Salmon (S. P. 366), tabled by that Senator on February 16th pending reference.

Mr. WORTHEN of Penobscot: Mr. President, I move that this bill be referred to the committees on Inland Fisheries and Game and Sea and Shore Fisheries jointly, and the reason that this was tabled and for my making this recommendation is due to the fact that there are two bills referring to fishing on the Penobscot River and this reference would give those who are interested in fishing on the Penob-

scot River an opportunity to attend one committee meeting on one day which would save them some expense.

The motion to refer prevailed.
Sent down for concurrence.

On motion by Miss Martin of Penobscot, the Senate voted to take from the table An Act Relating to Hospital Liens (S. P. 282), tabled by that Senator on February 11th pending reference; and on further motion by the same Senator the bill was referred to the Committee on Judiciary.

Sent down for concurrence.

On motion by Mr. Fernald of Waldo, the Senate voted to take from the table An Act Providing a Penalty for Causing Death by the Operation of Motor Vehicles (S. P. 344), tabled by that Senator on February 16th pending reference.

Mr. FERNALD of Waldo: Mr. President, I understand that the Committee on Reference of Bills suggests reference of this bill to the Committee on Legal Affairs.

The PRESIDENT: The Senator is correct.

Mr. FERNALD: Mr. President, I am going to suggest that the bill be referred to the Committee on Judiciary, and with this explanation: I have talked the matter over with the Chairman of the Legal Affairs Committee and inasmuch as the Judiciary Committee is going to have a field day on automobile cases it is thought that it would expedite matters for all concerned if this bill were referred with the other motor vehicle cases, so I move that it be referred to the Committee on Judiciary.

The motion prevailed.
Sent down for concurrence.

The PRESIDENT: Is there any further business to come before the Senate?

On motion by Mr. Marden of Kennebec

Adjourned until tomorrow morning at ten o'clock.