

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Ninth Legislature

OF THE

STATE OF MAINE

1939

KENNEBEC JOURNAL COMPANY  
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## SENATE

Wednesday, February 8, 1939

The Senate was called to order by the President.

Prayer by the Reverend Tom Ackley of Gardiner.

Journal of yesterday read and approved.

From the House:

"Resolve to Reimburse the City of Brewer for Support of Frank Damon and Family." (S. P. 165)

(In Senate on February 1, referred to the Committee on Claims.)

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

In the Senate, on motion by Mr. Chase of Piscataquis, tabled pending consideration.

Papers from the House disposed of in concurrence.

The following bills and resolves were received and on recommendation by the Committee on Reference of Bills were referred to the following committees:

### Agriculture

Mr. Osgood of Oxford presented bill "An Act Relating to Bang's Disease." (S. P. 293)

Mr. Chamberlain of Penobscot presented bill "An Act Relating to the Production and Sale of Raw Milk in Towns and Cities of Two Thousand Population or Over." (S. P. 294)

(500 copies of each ordered printed.)

Sent down for concurrence.

### Education

Mr. Boothby of York presented "Resolve in Favor of Robert W. Traip Academy." (S. P. 295)

Sent down for concurrence.

### Inland Fisheries and Game

Mr. Eliot of Knox presented bill "An Act Relating to Knox County Game Preserve." (S. P. 296)

Sent down for concurrence.

### Judiciary

Mr. Graves of Hancock presented bill "An Act to Provide for the Protection and Preservation of Trees Growing and to be Grown upon the State and State Aid Highways Within the State of Maine." (S. P. 297)

(On motion by Mr. Graves of Hancock, tabled pending reference.)

The same Senator presented bill "An Act Relating to the Taking of Land by the State Highway Commission, and the Taking or Discontinuing of a Public Highway." (S. P. 298)

(On motion by Mr. Graves of Hancock, tabled pending reference.)

Mr. Spear of Cumberland presented by request bill "An Act in Relation to the Execution of Surety Bonds." (S. P. 299)

Miss Laughlin of Cumberland presented bill "An Act Relating to the Commitment of the Insane; Penalty for False Testimony." (S. P. 300)

(On motion by Miss Laughlin of Cumberland, tabled pending reference.)

The same Senator presented bill "An Act Relating to Cruelty to Animals; Penalty." (S. P. 301)

(500 copies of each ordered printed.)

Sent down for concurrence.

### Legal Affairs

Mr. Lewis of Lincoln presented by request bill "An Act to Authorize Towns to Establish the Office of Town Manager." (S. P. 302)

(500 copies ordered printed.)

Sent down for concurrence.

### Pensions

Mr. Sanborn of Cumberland presented bill "An Act Providing for Pensions for Certain County Officers and Employees." (S. P. 303)

(500 copies ordered printed.)

Sent down for concurrence.

### Public Utilities

Mr. Findlen of Aroostook presented bill "An Act Relative to Operation of Motor Vehicles for Transporting Property for Hire." (S. P. 304)

(500 copies ordered printed.)

(On motion by Mr. Beckett of Washington tabled pending reference.)

### Sea and Shore Fisheries

Mr. Elliot of Knox presented bill "An Act Relating to Lobster Fishermen's Licenses." (S. P. 305)

(500 copies ordered printed.)

Sent down for concurrence.

### Temperance

Miss Laughlin of Cumberland presented bill "An Act Relating to the Sale of Malt Liquors Within a Radius of 500 Feet of a Gasoline Filling Station." (S. P. 306)

(500 copies ordered printed.)

Sent down for concurrence.

### Ways and Bridges

Miss Laughlin of Cumberland presented bill "An Act Relating to the General Highway Fund and Defining Highway." (S. P. 307)

Mr. Friend of Somerset presented bill "An Act to Provide for Further Issuance of State Highway Bonds." (S. P. 308)

(500 copies of each ordered printed.)

Sent down for concurrence.

### Order

On motion by Mr. Lewis of Lincoln, it was ORDERED, that the Reverend Henry Webb of Wiscasset be invited to officiate as Chaplain in the Senate, Thursday morning, February 9th.

### Committee Reports

Mr. Elliot from the Committee on Inland Fisheries and Game on "Resolve for Screening Webb Brook in the County of Hancock." (S. P. 67) reported that the same ought not to pass.

Mr. Boothby from the same Committee on bill "An Act Relative to Game Preserve in Washington and Hancock Counties." (S. P. 28) reported that the same ought not to pass.

Mr. Marden from the Committee on Legal Affairs on bill "An Act to Regulate the Powers of Municipalities." (S. P. 73) (L. D. 42) reported that the same ought not to pass.

Which reports were severally read and accepted.

Sent down for concurrence.

Mr. Worthen from the Committee on Inland Fisheries and Game on bill "An Act Relative to Game Preserve in Orrington." (S. P. 26) reported that the same ought to pass.

Mr. Kennedy from the Committee on Banks and Banking on bill "An Act Relating to the Federal Employees' Credit Union of Maine." (S. P. 88) (L. D. 76) reported the same in a new draft (S. P. 309) under a new title bill "An Act Relating to the Government Employees' Credit Union of Maine," and that it ought to pass.

Which reports were severally read and accepted and the bills laid upon the table pending printing under the joint rules.

### Passed to be Engrossed

Bill "An Act Providing that the State of Maine May Enter into a Compact with any of the United States for Mutual Helpfulness in Relation to Persons Convicted of Crime or Offenses Who May be on Probation or Parole." (S. P. 31) (L. D. 9)

Bill "An Act Relating to Extradition." (S. P. 71) (L. D. 37)

Bill "An Act to Secure the Attendance of Witnesses from without a State in Criminal Proceedings." (S. P. 70) (L. D. 38)

Bill "An Act to Make Uniform the Law on Fresh Pursuit and Authorizing This State to Cooperate with Other States Therein." (S. P. 92) (L. D. 56)

Which bill was given its second reading.

Thereupon, Mr. Hill of Cumberland presented Senate Amendment A:

"Senate Amendment A to S. P. 92, L. D. 56, entitled An Act to Make Uniform the Law on Fresh Pursuit and Authorizing this State to Cooperate with Other States Therein.

"Amend said bill by striking out in the 1st line of section 6 thereof, the following words 'passage and approval by the governor of this,' and inserting in place thereof the following words 'effective date of this'."

Mr. HILL: Mr. President, I move the adoption of Senate Amendment A.

The purpose of this amendment is simply to correct a technical error in the bill. The bill provides that copies of the bill should be sent by the Secretary of State to the executives of the other states after its passage and approval by the Governor. It was thought it would be better policy to change that so as to read, "after the effective date of this act." That is the entire purpose of the amendment.

Thereupon, Senate Amendment A was adopted and the bill as so amended was passed to be engrossed.

Sent down for concurrence.

Bill "An Act to Promote Aviation in Maine." (S. P. 36) (L. D. 8)

Bill "An Act Providing for the Administration and Control of Baxter State Park and Repealing the Act Creating Baxter State Park Commission." (S. P. 115) (L. D. 94)

Bill "An Act Relating to Katahdin Park Game Preserve and Enlarging Same." (S. P. 116) (L. D. 95)

Bill "An Act to Establish the Van Buren Municipal Court." (S. P. 91) (L. D. 54)

Sent down for concurrence.

**Additional House Paper, out of order, and under suspension of the rules:**

Bill "An Act to Provide a Town Manager Form of Government for the Town of Houlton." (H. P. 10) (L. D. 16)

In the House the report was accepted, and bill passed to be engrossed as amended by House Amendment "A".

In the Senate, on motion by Mr. Tompkins of Aroostook the report was accepted in concurrence, the bill read twice under suspension of the rules, and passed to be engrossed as amended by House Amendment "A" in concurrence.

**Orders of the Day**

On motion by Mr. Graves of Hancock, the Senate voted to take from the table Resolve in Favor of the Towns in the Hancock-Sullivan Bridge District (S. P. 176) tabled by that Senator on February 1 pending reference; and on further motion by the same Senator the resolve was referred to the Committee on Ways and Bridges and 500 copies ordered printed.

Sent down for concurrence.

On motion by Mr. Graves of Hancock, the Senate voted to take from the table An Act Relating to Marking Certain Highways (H. P. 933) (L. D. 366) tabled by that Senator on February 7 pending reference in concurrence; and on further motion by the same Senator the bill was referred to the Committee on Ways and Bridges in non-concurrence.

Sent down for concurrence.

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

Mr. SPEAR of Cumberland: Mr. President, I wish to present a resolution at this time and move its adoption. After it has been adopted I will make a supplementary motion in regard to its disposition.

The Secretary read the resolution:

**Resolution**

IN MEMORY OF FORMER  
PRESIDENT OF THE MAINE  
SENATE  
HAROLD E. WEEKS

The Senate of Maine pauses in this morning's session to record its appreciation of the life, ability and character of a former President who passed on, February 7, 1939. Former President Weeks was a friendly, genial, able man of determined spirit to whom principle was a duty to be met and discharged but who never allowed prejudice or malice to enter into his social relationships. The passing of former President Weeks brought grief to his associates, his friends and his family. He had a broad viewpoint, he easily grasped situations, he delighted in legislative activities, he believed in Maine, he loved her hills and streams, he hoped for his state to have a richer and happier future and he worked during his lifetime toward that end.

Therefore BE IT RESOLVED BY THIS SENATE that in the death of former President Weeks, the State of Maine lost an exemplary citizen, a distinguished leader and a true gentleman.

RESOLVED that an engrossed copy of this Memorial, signed by the President of the Senate be sent to Mrs. Weeks as a token of our respect and friendship for our former President.

RESOLVED that these resolutions be spread in full upon the records of the Senate.

The PRESIDENT: The resolution will be adopted by the members of the Senate standing in their places until they are seated by the sound of the gavel.

The resolution was unanimously adopted.

Mr. SPEAR: Mr. President, I now move that an engrossed copy of the resolution be signed by the President and be suitably framed and sent to Mrs. Weeks.

The motion prevailed by unanimous vote.

Mr. SPEAR: Mr. President, I move that as a further mark of respect, the Senate stand adjourned.

Mr. BURNS of Aroostook: Mr. President, may I have a minute or two to confer with the Senator from

Cumberland (Senator Spear) before that motion is put?

The PRESIDENT: If there is no objection the Senator has such permission.

Subsequently that Senator informed the President that he had nothing further to say.

The PRESIDENT: The Senator

from Cumberland, Senator Spear, moves that as a further mark of respect the Senate stand adjourned. Is this the pleasure of the Senate?

The motion prevailed by unanimous vote.

The PRESIDENT: The Senate stands adjourned until tomorrow morning at ten o'clock.