

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Ninth Legislature

OF THE

STATE OF MAINE

1939

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SENATE

Thursday, March 2, 1939.

The Senate was called to order by the President.

Prayer by the Reverend E. J. Webber of Hallowell.

The **PRESIDENT**: The Chair notes with pleasure the presence in the Senate Chamber this morning of a distinguished member of the New Hampshire State Senate and will request the Sergeant at Arms to escort Senator Simpson to the rostrum.

Thereupon Senator Simpson of New Hampshire was escorted to the rostrum amidst the applause of the Senate, the Senators rising.

Journal of yesterday read and approved.

Papers from the House disposed of in concurrence.

From the House:

Senate Report from the Committee on Salaries and Fees on bill "An Act Relating to the Clerk of Courts of Lincoln County." (S. P. 271) (L. D. 503)

(In the Senate, on Feb. 24, "Ought to Pass" report read and accepted)

Comes from the House, recommended to the Committee on Salaries and Fees in non-concurrence.

In the Senate, on motion by Mr. Spear of Cumberland, that Body voted to recede and concur with the House and the bill was recommitted to the Committee on Salaries and Fees in concurrence.

House Committee Reports

The Committee on Agriculture on bill "An Act to Provide Inspection of Corn for Canning," (H. P. 1406) (L. D. 605) reported that the same ought not to pass.

The Committee on Inland Fisheries and Game on "Resolve Regulating Fishing in Scraggly Lake," (H. P. 1105) (L. D. 393) reported that the same ought not to pass.

The Committee on Legal Affairs on bill "An Act Providing for the Regulation and Supervision of Electricians and Electrical Installations," (H. P. 684) (L. D. 257) reported that the same ought not to pass.

(On motion by Mr. Elliot of Knox, tabled pending acceptance of the report in concurrence.)

The Committee on Sea and Shore Fisheries on "Resolve Relating to Taking of Clams in Machiasport," (H. P. 1459) (L. D. 566) reported that the same ought not to pass as the matter is taken care of by other legislation.

Which reports were severally read and accepted in concurrence.

The Committee on Claims on "Resolve in Favor of Sylvia A. Martin of Eagle Lake," (H. P. 845) reported the same in a new draft (H. P. 1805) (L. D. 986) under the same title and that it ought to pass.

The Committee on Public Health on bill "An Act Relating to Registration Fees for Apothecaries," (H. P. 936) (L. D. 326) reported that the same ought to pass.

The Committee on Public Utilities on bill "An Act to Extend the Charter of the Central Aroostook Railway Company," (H. P. 577) (L. D. 202) reported that the same ought to pass.

The same Committee on bill "An Act to Amend the Charter of the Gray Water District," (H. P. 513) (L. D. 166) reported that the same ought to pass.

Which reports were severally read and accepted in concurrence, the bills read once, and tomorrow assigned for second reading.

The Committee on Salaries and Fees on bill "An Act Relative to an Increase in the Salary of the Judge and of the Recorder of the Presque Isle Municipal Court," (H. P. 1201) (L. D. 415) reported the same in a new draft (H. P. 1815) and that it ought to pass.

Comes from the House, report accepted; subsequently acceptance reconsidered, and the bill recommended to the Committee on Salaries and Fees.

In the Senate, the bill was recommended to the Committee on Salaries and Fees in concurrence.

The Committee on Mercantile Affairs & Insurance on bill "An Act to Provide for the Organization of Non-Profit Hospital Service Corporations," (H. P. 1433) (L. D. 612) reported that the same ought to pass.

Comes from the House, recom-

mitted to the Committee on Mercantile Affairs and Insurance.

In the Senate, recommitted to the Committee on Mercantile Affairs and Insurance in concurrence.

The Committee on Salaries and Fees on bill "An Act Relating to Clerk Hire in the Office of the Register of Deeds in Lincoln County," (H. P. 579) (L. D. 204) reported that the same ought to pass.

Comes from the House, recommitted to the Committee on Salaries and Fees.

In the Senate, recommitted to the Committee on Salaries and Fees in concurrence.

The same Committee on bill "An Act Relating to Salaries in Lincoln County," (H. P. 1339) (L. D. 510) reported the same in a new draft (H. P. 1817) under the same title and that it ought to pass.

Comes from the House, recommitted to the Committee on Salaries and Fees.

In the Senate, recommitted to the Committee on Salaries and Fees in concurrence.

Referred to Committee

The following petition was received and on recommendation by the Committee on Reference of Bills was referred to the Committee on Taxation:

Mr. Littlefield of York presented Petition of Lloyd Batchelder and 176 others of Sanford Opposing any Increase in the Gasoline Tax." (S. P. 456)

Sent down for concurrence.

First Reading of Printed Bills

Bill "An Act Relative to the Investment of Unclaimed Money in the Hands of County Treasurers." (S. P. 448) (L. D. 994)

Which bill was read once, and tomorrow assigned for second reading.

Senate Committee Reports

Mr. Graves from the Committee on Claims on "Resolve in Favor of Alfred H. Schwabenhausen of Portland," (S. P. 208) reported that the same ought not to pass.

Mr. Worthen from the Committee on Inland Fisheries and Game on bill "An Act Relative to Game Preserve in Lily Bay, County of Piscataquis," (S. P. 180) (L. D. 231) re-

ported that the same ought not to pass.

The same Senator from the same Committee on bill "An Act Relative to Game Preserve in Phippsburg, county of Sagadahoc," (S. P. 123) (L. D. 113) reported that the same ought not to pass.

Mr. Hill from the Committee on Judiciary on bill "An Act Relating to Admissibility in Evidence of Declarations of Deceased and Insane Persons," (S. P. 374) (L. D. 796) reported that the same ought not to pass.

Mr. Graves from the Committee on Public Utilities on bill "An Act Authorizing the Issue of Full Paid Stock by Public Utility Companies at less than par and without Subscription Rights when Authorized by the Public Utilities Commission," (S. P. 227) (L. D. 278) reported that the same ought not to pass.

(On motion by Mr. Graves of Hancock, tabled pending acceptance of the report.)

Mr. Cony from the Committee on Taxation on bill "An Act Relative to Exemption of Estates from Taxation," (S. P. 332) (L. D. 579) reported that legislation thereon is inexpedient as the matter has been taken care of in another bill.

The same Senator from the same Committee on bill "An Act Relating to Assessors in Taking Inventory," (S. P. 406) (L. D. 808) reported that the same ought not to pass.

The same Senator from the same Committee on bill "An Act Relating to the Taxation of Stock," (S. P. 405) (L. D. 807) reported that the same ought not to pass.

Mr. Chamberlain from the same Committee on bill "An Act Relating to Exemptions of Household Furniture," (S. P. 407) (L. D. 806) reported that legislation thereon is inexpedient as the matter is taken care of in another bill.

Which reports were severally read and accepted.

Sent down for concurrence.

Mr. Elliot from the Committee on Inland Fisheries and Game on bill "An Act Relating to Knox County Game Preserve," (S. P. 296) reported that the same ought to pass.

Which report was read and accepted and the bill laid upon the table for printing under the joint rules.

Mr. Hill from the Committee on Judiciary on bill "An Act Relating

to the Proof of an Official Record," (S. P. 373) (L. D. 797) reported that the same ought to pass.

Mr. Burns from the same Committee on bill "An Act Relating to Motions to Set Aside a Verdict Heard by the Presiding Justice," (S. P. 369) (L. D. 799) reported that the same ought to pass.

Mr. Chamberlain from the Committee on Taxation on bill "An Act Relating to Taxation of Colts," (S. P. 404) (L. D. 809) reported that the same ought to pass.

Which reports were severally read and accepted, the bills read once, and tomorrow assigned for second reading.

Passed to be Engrossed

Bill "An Act Relating to Town Clerks." (H. P. 244) (L. D. 60)

Bill "An Act Relating to Removal of Paupers from Towns wherein they Have no Settlement." (H. P. 245) (L. D. 61)

Bill "A Act Relating to Removal of Paupers." (H. P. 246) (L. D. 62)

Bill "An Act Relating to Removal of Paupers." (H. P. 488) (L. D. 183)

Bill "An Act Relating to Pauper Settlements." (H. P. 552) (L. D. 189)

Bill "An Act Relating to the All Maine Fair Association." (H. P. 670) (L. D. 245)

Bill "An Act Relating to Apportionment of School Equalization Fund." (H. P. 673) (L. D. 248)

Bill "An Act to Incorporate the City of Presque Isle." (H. P. 683) (L. D. 267)

Bill "An Act to Incorporate the Presque Isle Water District." (H. P. 921) (L. D. 308)

"Resolve in Favor of George H. Larrabee of Portland." (H. P. 1147) (L. D. 978)

Bill "An Act Validating Acts of Boothbay Harbor and Southport." (H. P. 1177) (L. D. 494)

Bill "An Act Relating to the Harrison Mutual Fire Insurance Company." (H. P. 1185) (L. D. 456)

Bill "An Act Authorizing Cities and Towns to Raise Money for Certain Purposes." (H. P. 1330) (L. D. 538)

Bill "An Act Relating to Exemption of Polls and Estates from Taxation, of Veterans of the Philippine Insurrection." (H. P. 1344) (L. D. 531)

Bill "An Act Relating to Payment to State of Teachers' Retirement Association Deductions." (H. P. 1409) (L. D. 603)

"Resolve in Favor of the Town of Nobleboro." (H. P. 1806) (L. D. 979)

"Resolve in Favor of Allen C. Reed and Warren Reed, of Boothbay Harbor." (H. P. 1807) (L. D. 980)

Bill "An Act Relating to Set-offs against Taxes." (H. P. 1808) (L. D. 981)

Bill "An Act Relating to Operators' Licenses." (H. P. 1809) (L. D. 982)

"Resolve Relating to the Digging of Clams in the Town of Brooksville." (H. P. 1810) (L. D. 983)

"Resolve Relating to the Digging of Clams in the Town of Sedgwick." (H. P. 1811) (L. D. 984)

"Resolve Relating to the Digging of Clams in the Town of Brooklin." (H. P. 1812) (L. D. 985)

Which bills and resolves were severally read a second time and passed to be engrossed in concurrence.

"Resolve Prohibiting the Taking of Sturgeon in the Penobscot River." (S. P. 228) (L. D. 277)

Bill "An Act Relating to Lobster Fishermen's Licenses." (S. P. 305) (L. D. 517)

Which bill and resolve were read a second time and passed to be engrossed.

Sent down for concurrence.

Passed to be Enacted

An Act Relating to Adoption of Children. (S. P. 54) (L. D. 18)

An Act Regulating Places and Time of Taking Salmon, Shad and Alewives in Certain Waters; Penalty. (S. P. 78) (L. D. 790)

An Act Relative to Weekly Close Time for Salmon, Shad, Alewives, and Bass. (S. P. 79) (L. D. 792)

An Act Relating to Certificates of Organization of Corporations. (S. P. 181) (L. D. 232)

An Act Prohibiting the Unlawful Taking of Aircraft. (S. P. 186) (L. D. 237)

An Act Relative to the Soldiers' Bonus Fund and the War Bond Sinking Fund. (S. P. 220) (L. D. 283)

An Act Relative to Approval of Bonds of Sheriffs. (S. P. 222) (L. D. 281)

An Act Relative to Taking Tuna. (S. P. 418) (L. D. 877)

An Act Relating to Distribution of Patent Medicines. (H. P. 15) (L. D. 6)

An Act Relating to Responsibility for Injuries by Drunken Persons. (H. P. 282) (L. D. 89)

An Act to Amend the Charter of the Belfast Municipal Court Regarding Service and Return of Writs. (H. P. 505) (L. D. 159)

An Act to Amend the Charter of the Belfast Municipal Court in regard to Name of Court and as to Who Shall Provide a Suitable Room in Which to Hold Said Court. (H. P. 506) (L. D. 160)

An Act Relating to the Printing of Ballots. (H. P. 913) (L. D. 317)

An Act to Incorporate the Associated Hospital Service of Maine. (H. P. 931) (L. D. 322)

An Act Permitting Revocation of Operator's License after Conviction for Manslaughter. (H. P. 935) (L. D. 325)

An Act Relating to the Methodist Church. (H. P. 1175) (L. D. 492)

An Act Relating to Trustees and Their Confirmation and Accounting in Probate Courts. (H. P. 1756) (L. D. 858)

An Act Authorizing City of Augusta to Permit Extension of Buildings over Front Street." (H. P. 1757) (L. D. 857)

An Act Relating to Political Advertisements at or Near Polling Places. (H. P. 1750) (L. D. 930)

Finally Passed

Resolve Authorizing the Sale of State's Interest in Certain Lands, in Township No. 17. (H. P. 2) (L. D. 1)

Resolve Designating the Governor Barrows Rearing Station. (S. P. 119) (L. D. 791)

Resolve Granting Authority to the Forestry Department to Convey Certain Land to Alex J. Latno, of Old Town. (H. P. 585) (L. D. 931)

Emergency Measure

Bill "An Act Amending the Acts Relating to the Deer Isle-Sedgwick Bridge District." (H. P. 504) (L. D. 158)

Which bill being an emergency measure, and having received the affirmative vote of 28 members of the Senate, and none opposed, was passed to be enacted.

Emergency Measure

Bill "An Act Relating to Raising Money to Maintain a Hospital in Washington County." (H. P. 1776) (L. D. 944)

Which bill being an emergency measure, and having received the affirmative vote of 28 members of the Senate, and none opposed, was passed to be enacted.

Orders of the Day

On motion by Mr. Hill of Cumberland the Senate voted to take from the table An Act Relating to the Practice of Optometry (H. P. 1465) (L. D. 600) tabled by that Senator on February 17th pending reference in concurrence; and on further motion by the same Senator the bill was referred to the Committee on Public Health in concurrence.

On motion by Miss Laughlin of Cumberland the Senate voted to take from the table Senate Report from the Committee on Judiciary "Ought to Pass" on bill entitled An Act Relating to the Practice of Law (S. P. 322) (L. D. 591) tabled by that Senator on February 28th pending acceptance of the report; and on further motion by the same Senator the report of the committee "Ought to Pass" was accepted.

Thereupon the bill was given its first reading and tomorrow assigned for second reading.

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

On motion by Mr. Morse of Waldo

Adjourned until tomorrow morning at ten o'clock.