

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Ninth Legislature

OF THE

STATE OF MAINE

1939

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

SENATE

Tuesday, March 21, 1939.

The Senate was called to order by the President.

Prayer by the Reverend Wm. R. Wood of Augusta.

Journal of Friday, March 17, 1939, read and approved.

Papers from the House referred in concurrence.

House Committee Reports

The Committee on Agriculture on bill "An Act Relating to the Milk Control Board," (H. P. 1531) (L. D. 859) reported that leave be granted to withdraw.

The Committee on Education on bill "An Act Relating to Use of Foreign Languages in Schools," (H. P. 1549) (L. D. 907) reported that leave be granted to withdraw.

The Committee on Indian Affairs on bill "An Act Relating to Tuition for Indian Scholars in the Elementary Schools of Old Town," (H. P. 878) (L. D. 335) reported that the same ought not to pass, it being inexpedient as covered by present law.

The Committee on Judiciary on bill "An Act Relating to Powers of Trial Justices," (H. P. 1610) (L. D. 703) reported that the same ought not to pass.

The same Committee on bill "An Act Relating to Practice of Law by Judges," (H. P. 1624) (L. D. 670) reported that the same ought not to pass.

The same Committee on bill "An Act Relating to Jury Commissioners," (H. P. 1768) (L. D. 937) reported that the same ought not to pass.

The same Committee on bill "An Act Repealing the Law Relating to Jury Commissioners," (H. P. 1418) (L. D. 553) reported that the same ought not to pass.

The same Committee on bill "An Act Authorizing the Creation of Housing Authorities in the Several Cities and Towns," (H. P. 1622) (L. D. 876) reported that the same ought not to pass.

The same Committee on bill "An Act Relating to the Practice of Law," (H. P. 1611) (L. D. 913) reported that the same ought not to pass.

The same Committee on bill "An

Act Relating to Remedying and Elimination of Dwellings Unfit for Human Habitation," (H. P. 1414) (L. D. 617) reported that the same ought not to pass.

The same Committee on bill "An Act Relating to the Election of Members of the Public Utilities Commission," (H. P. 1598) (L. D. 695) reported that leave be granted to withdraw.

The same Committee on bill "An Act Relating to the Introduction of Bills by Members of the Legislature," (H. P. 1614) (L. D. 704) reported that leave be granted to withdraw.

The same Committee on bill "An Act Relating to the Absent Voting Law," (H. P. 501) (L. D. 155) reported that the same ought not to pass.

The same Committee on bill "An Act Relating to Filing of Certificates of Nomination and Nomination Papers," (H. P. 502) (L. D. 156) reported that the same ought not to pass.

The Committee on Mercantile Affairs and Insurance on bill "An Act Amending the Law Relating to Taxation of Insurance Companies," (H. P. 1676) (L. D. 759) reported that leave be granted to withdraw.

The same Committee on bill "An Act Relating to Expenses Incurred by Insurance Commissioner," (H. P. 1679) (L. D. 762) reported that leave be granted to withdraw.

The same Committee on bill "An Act Relating to Taxation of Insurance Companies," (H. P. 1680) (L. D. 886) reported that leave be granted to withdraw.

The same Committee on bill "An Act Relating to Foreign Insurance Companies," (H. P. 1677) (L. D. 760) reported that leave be granted to withdraw.

The same Committee on bill "An Act Relating to Licenses of Insurance Companies," (H. P. 1678) (L. D. 761) reported that leave be granted to withdraw.

The same Committee on bill "An Act Relating to Insurance Agents," (H. P. 1674) (L. D. 884) reported that leave be granted to withdraw.

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

The Committee on Motor Vehicles on bill "An Act Regulating the Display of Signs Relating to Prices of Internal Combustion Engine Fuel," (H. P. 1682) (L. D. 738) reported that the same ought not to pass.

Which reports were severally read and accepted in concurrence.

The Committee on Inland Fisheries and Game on bill "An Act Relating to Trapping and Hunting Fur-Bearing Animals," (H. P. 1315) (L. D. 499) reported that the same ought to pass.

The Committee on Taxation on bill "An Act Relating to Taxation of Charitable and Benevolent Corporations," (H. P. 586) (L. D. 190) reported the same in a new draft (H. P. 1935) (L. D. 1034) under the same title and that it 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 Public Health on bill "An Act Relating to Toy Pistols," (H. P. 1705) (L. D. 872) reported that the same ought to pass.

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

In the Senate, the report was read and accepted in concurrence and the bill was given its first reading. House Amendment A was read and on motion by Mr. Owen of Kennebec the bill and the amendment were laid upon the table pending adoption of House Amendment A in concurrence.

Referred to Committee

The following protest, remonstrance and resolve were received and on recommendation by the Committee on Reference of Bills were referred to the following Committees:

Taxation

Mr. Findlen of Aroostook presented "Protests of Evelyn Long and 260 others from Fort Kent and Vicinity against a Tax on Chain Stores." (S. P. 511)

Mr. Chamberlain of Penobscot presented "Remonstrance of Mystic Tie Orange in form of a Resolution Against any Increase in Gasoline Tax." (S. P. 512)

Sent down for concurrence.

Mr. SPEAR of Cumberland: Mr. President, last week I received a request from Mr. Charles Kidder of Otisfield in Cumberland County to ask the Senate for unanimous con-

sent to introduce a resolve granting him a state pension. He thought the resolve was in but he discovered that it wasn't. He has received a small pension before and he would like to have it continued. I therefore ask unanimous consent to introduce the resolve.

Thereupon unanimous consent was granted Mr. Spear of Cumberland to introduce "Resolve for a State Pension for Charles Dowling Kidder of Otisfield" (S. P. 513); and under suspension of the rules the resolve was referred to the Committee on Pensions.

Sent down for concurrence.

Order

Mr. Chase of Washington presented the following order:

ORDERED, the House concurring that the Governor be, and hereby is, requested to investigate the feasibility of arranging the hours of work of the employees in the various state departments so that each department may be kept open during the noon hour without adding to the hours of work performed by said employees.

MR. CHASE: Mr. President, I have suffered considerable inconvenience at times because offices in the state house were closed from 12:00 to 1:30, and with an idea of having this condition corrected I have had this order drawn up, and I may state that it has been presented to the Governor and has met with his approval. I move that the order receive a passage.

Thereupon, the order received a passage.

Sent down for concurrence.

First Reading of Printed Bills

Bill "An Act Relating to State Armories." (S. P. 499) (L. D. 1041)

Bill "An Act Extending the Exemptions from the Common Carrier Law." (S. P. 500) (L. D. 1040)

Bill "An Act Relating to the Penobscot Tribe of Indians." (S. P. 507) (L. D. 1046)

Bill "An Act Relating to Licenses for Dispensing Victuals." (S. P. 508) (L. D. 1047)

Bill "An Act Relating to the Keeping of Dogs." (S. P. 509) (L. D. 1048)

Bill "An Act to Provide for Civil Service Rules for the Police and Fire Departments in the City of Bath." (S. P. 510) (L. D. 1049)

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

Senate Committee Reports

Mr. Dow from the Committee on Agriculture on 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) (L. D. 522) reported that the same ought not to pass.

The same Senator from the Committee on State Lands and Forest Preservation on bill "An Act Amending the Law Creating a State Park Commission," (S. P. 163) (L. D. 130) reported that the same ought not to pass.

Which reports were severally read and accepted.

Sent down for concurrence.

Mr. Osgood from the Committee on Agriculture on bill "An Act Relating to the Milk Control Board," (S. P. 342) (L. D. 825) reported that the same ought to pass.

Mr. Sanborn from the Committee on Education on bill "An Act Relating to the South Portland Board of Education," (S. P. 90) (L. D. 53) 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

"Resolve Relating to Lobster Fishing in Machias Bay." (H. P. 584) (L. D. 209)

Bill "An Act Amending the Unemployment Compensation Law Providing for Recovery of Erroneous Payments." (H. P. 901) (L. D. 293)

Bill "An Act Amending the Unemployment Compensation Law to Increase Certain Penalties." (H. P. 903) (L. D. 295)

Bill "An Act Amending the Unemployment Compensation Law to Provide Uniform Coverage Termination." (H. P. 904) (L. D. 296)

Bill "An Act Amending the Unemployment Compensation Law Relative to Office Records." (H. P. 905) (L. D. 297)

Bill "An Act Amending the Unemployment Compensation Law Relative to Refunds." (H. P. 907) (L. D. 299)

Bill "An Act Amending the Un-

employment Compensation Law Relative to Seasonal Employment." (H. P. 908) (L. D. 300)

Bill "An Act Amending the Unemployment Compensation Law Relative to Disqualifications." (H. P. 909) (L. D. 301)

"Resolve Relating to Lobster Fishing at Jonesboro-Roque Bluffs." (H. P. 1209) (L. D. 422)

Bill "An Act Relating to Vocational Rehabilitation." (H. P. 1548) (L. D. 906)

Bill "An Act Relative to Automobiles Stopping Upon Signal of Officer." (H. P. 1688) (L. D. 748)

"Resolve Regulating Digging of Clams Within the Limits of the Towns of Deer Isle and Stonington." (H. P. 1722) (L. D. 673)

"Resolve Relative to Protection of Smelts in Medomak River." (H. P. 1724) (L. D. 676)

Bill "An Act Relating to the Issuance of Liquor Licenses." (H. P. 1739) (L. D. 842)

Bill "An Act Relating to Licenses for Consumption Sale of Liquor." (H. P. 1741) (L. D. 844)

Bill "An Act Relating to Liquor Licenses." (H. P. 1742) (L. D. 845)

Bill "An Act to Regulate the Sale of Commercial Fertilizer." (H. P. 1927) (L. D. 1026)

Bill "An Act Relating to State Aid to Agricultural Societies." (H. P. 1928) (L. D. 1027)

"Resolve Relative to the Digging of Clams in the Towns of Wiscasset, Edgecomb, Boothbay and Boothbay Harbor." (H. P. 1930) (L. D. 1029)

"Resolve in Favor of O. M. Froding of Portland." (H. P. 1931) (L. D. 1030)

"Resolve in Favor of Mrs. Abbie Libby Towle, of Newfield and Ox-bow." (H. P. 1932) (L. D. 1031)

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

Bill "An Act Amending the Unemployment Compensation Law Exempting Certain Employees." (H. P. 902) (L. D. 294)

Mr. Findlen of Aroostook presented the following amendment and moved its adoption:

"Senate Amendment A to Legislative Document 294, bill An Act Amending the Unemployment Compensation Law Exempting Certain

Employees (H. P. 902) (L. D. 294). Amend said bill by adding at the end thereof the following: "K. Services performed by officers in co-operative organizations who do not receive a salary from the organization."

Senate Amendment A was adopted and the bill as so amended was given its second reading and passed to be engrossed in non-concurrence.

Sent down for concurrence.

Bill "An Act Amending the Law Relating to Advertising." (S. P. 69) (L. D. 39)

Which was read a second time and passed to be engrossed as amended by Senate Amendment "A."

Sent down for concurrence.

Bill "An Act to Provide for the Repeal of the Charter of the Fort Kent Village Corporation." (S. P. 393) (L. D. 763)

Which was read a second time and passed to be engrossed as amended by Senate Amendments "A" and "B."

Sent down for concurrence.

Passed to be Enacted

An Act Relating to Enforcement Support Decrees. (S. P. 137) (L. D. 116)

An Act Relating to Foreign Corporations. (S. P. 140) (L. D. 121)

An Act to Conserve the Supply of Herring on the Coast of Maine. (H. P. 1862) (L. D. 1014)

An Act Providing for the Payment of a Filing Fee for Statements of Foreign Insurance Companies. (H. P. 1864) (L. D. 1011)

An Act Relating to Insurance Policy Forms and Endorsements. (H. P. 1865) (L. D. 1012)

Resolve, in Favor of Mrs. Alfred Laus'er of Frenchville. (H. P. 1866) (L. D. 1013)

Finally Passed

Resolve to Reimburse the Town of Bethel for the Fighting of Fire in Unorganized Township of Albany. (H. P. 1867) (L. D. 1010)

Orders of the Day

On motion by Mr. Cony of Kennebec, the Senate voted to take from the table, An Act Relating to Taxation of Radios (H. P. 1835) (L. D. 1001), tabled by that Senator on March 17th pending passage to be engrossed in concurrence.

Thereupon, that Senator presented Senate Amendment A and moved its adoption:

"Senate Amendment 'A' to Legislative Document 1001, bill, An Act Relating to Taxation of Radios. Amend said bill by striking out in the paragraph designated 'IV' the underlined words 'to the value of \$500' and 'to the value of \$200.'"

Senate Amendment "A" was adopted and the bill as so amended was passed to be engrossed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Beckett of Washington, the Senate voted to take from the table, An Act Relating to School Board of the City of Eastport (H. P. 563) (L. D. 196), tabled by that Senator on March 17th pending assignment for second reading; and on further motion by the same Senator, the bill was tomorrow assigned for second reading.

On motion by Mr. Chamberlain of Penobscot, the Senate voted to take from the table, Senate Report from Committee on Inland Fisheries and Game "Ought Not to Pass" on bill entitled "An Act Classifying Certain Fur-Bearing Animals as Domestic Animals and Protecting Property Rights Therein" (S. P. 361) (L. D. 767), tabled by that Senator on March 15th pending acceptance of the report; and on further motion by the same Senator, the report of the committee was accepted.

Sent down for concurrence.

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

On motion by Mr. Chase of Washington,

Adjourned until tomorrow morning at ten o'clock.