

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

Thursday, March 23, 1939.

The Senate was called to order by the President.

Prayer by the Reverend A. T. McWhorter of Augusta.

Journal of yesterday, read and approved.

Papers from the House referred in concurrence.

House Committee Reports

The Committee on Appropriations and Financial Affairs on bill "An Act Creating the Maine Rehabilitation Commission, (H. P. 1765) (L. D. 934) reported that the same ought not to pass as legislation thereon is inexpedient as subject matter has been taken care of in another bill.

The same Committee on "Resolve for the Repair of the Dam at Mud Lake in Moro Plantation," (H. P. 1340) (L. D. 685) reported that the same ought not to pass.

The same Committee on "Resolve Appropriating Money for Copying Old Records of the Towns of Penobscot, Sedgwick and Brooksville," (H. P. 1538) (L. D. 683) reported that the same ought not to pass.

The same Committee on bill "An Act Relating to State Aid to Agricultural Societies," (H. P. 1309) (L. D. 526) reported that the same ought not to pass.

The Committee on Legal Affairs on bill "An Act to Repeal Sunday Closing Law," (H. P. 1658) (L. D. 732) reported that the same ought not to pass.

The same Committee on bill "An Act Relating to Primary Elections for Senators in the Counties of Cumberland, Androscoggin and Penobscot, (H. P. 1791) (L. D. 958) together with Petitions (H. P. 1937) (H. P. 1938) (H. P. 1939) and (H. P. 1956) reported that the same ought not to pass.

The same Committee on bill "An Act Creating a Department of Professional Licensing," (H. P. 1643) (L. D. 755) reported that the same ought not to pass.

The same Committee on bill "An Act Relating to Investment of Trust Funds," (H. P. 1653) (L. D. 731) reported that the same ought not to pass.

Which reports were severally read and accepted in concurrence.

The Committee on Appropriations and Financial Affairs on "Resolve Relating to Additional Educational, Vocational and Farm Training at the State School for Boys, (H. P. 851) (L. D. 333) and also on "Resolve Relating to the Extension of Training at the State Reformatory for Men," (H. P. 850) (L. D. 332) reported the same in a new draft (H. P. 1969) (L. D. 1038) in the form of bill "An Act Relating to Additional Industrial and Vocational Training in State Institutions," and that it ought to pass.

The Committee on Interior Waters on "Resolve Permitting a Wharf and Boathouse to be Built on Pleasant Lake in Casco, Maine," (H. P. 897) (L. D. 354) reported that the same ought to pass.

The same Committee on "Resolve Changing the Name of Fitzgerald Pond," (H. P. 896) (L. D. 353) reported that the same ought to pass.

The same Committee on bill "An Act Relating to Sports and Recreation Centers," (H. P. 1581) (L. D. 687) reported that the same ought to pass.

The Committee on Legal Affairs on bill "An Act Relating to Election of Commissioners of Police in Sanford," (H. P. 1181) (L. D. 497) reported the same in a new draft (H. P. 1981) (L. D. 1051) under the same title and that it ought to pass.

The Committee on Mercantile Affairs and Insurance on bill "An Act Amending the Acts Relating to the Prevention of Fires," (H. P. 1434) (L. D. 613) reported the same in a new draft (H. P. 1982) (L. D. 1052) under the same title and that it ought to pass.

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

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

The same Committee on bill "An Act Relative to the Powers of the Insurance Commissioner," (H. P. 1435) (L. D. 614) reported that the same ought to pass.

The same Committee on bill "An Act Relating to Group Insurance," (H. P. 1673) (L. D. 883) reported that the same ought to pass.

The Committee on Motor Vehicles on bill "An Act Relating to Registration Fees of Motor Vehicles," (H.

P. 1692) (L. D. 747) reported the same in a new draft (H. P. 1929) (L. D. 1028) under the same title and that it ought to pass.

The Committee on State Lands and Forest Preservation on "Resolve Authorizing the Forest Commissioner to Convey Certain Interest of the State in Land in Washington County to Mrs. Lillian Cummings of Hallowell," (H. P. 1213) (L. D. 426) reported the same in a new draft (H. P. 1987) (L. D. 1056) under a new title, "Resolve Authorizing the Forest Commissioner to Convey Certain Interest of the State in Land in Washington County to Mrs. Jennie C. Lane of Calais," and that it ought to pass.

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

The Committee on Appropriations and Financial Affairs pursuant to Joint Order reported a bill under title of bill "An Act Increasing the Fee for Resident and Non-resident Hunting and Fishing Licenses," (H. P. 1998) (L. D. 1057) and request that the same be referred to the Committee on Appropriations and Financial Affairs and Inland Fisheries and Game jointly.

Comes from the House, report read and accepted and the bill referred to the Committee on Appropriations and Financial Affairs and Inland Fisheries and Game jointly.

In the Senate, the report was read and accepted in concurrence and the bill was referred to the Committee on Appropriations and Financial Affairs and Inland Fisheries and Game, jointly, in concurrence.

The same Committee pursuant to Joint Order, reported a Resolve under title of "Resolve Creating a Recess Committee to Consider Using the Facilities of the Eastern State Normal School for other Educational Purposes," (H. P. 1984) (L. D. 1053) and that it ought to pass.

Comes from the House, report read and accepted and the resolve passed to be engrossed as amended by House Amendment A.

In the Senate, the report was read and accepted in concurrence and the resolve was given its first reading. House Amendment A was read and adopted in concurrence

and the resolve as so amended was tomorrow assigned for second reading.

The Committee on Judiciary on bill "An Act Relating to the Recording of Personal Property Mortgages," (H. P. 899) (L. D. 314) reported that the same ought to pass.

Comes from the House, report read and accepted and 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 adopted in concurrence, and the bill as so amended was tomorrow assigned for second reading.

Referred to Committee

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

Mr. Findlen of Aroostook presented Remonstrance of K. R. Fox and 33 others of Westfield against Chain Store Taxes," (S. P. 525)

The same Senator presented Remonstrance of C. H. Lewis and 21 others of Bridgewater against a Tax on Chain Stores. (S. P. 526)

The same Senator presented Protest of Harry A. York and 65 others of Mars Hill against Taxes on Chain Stores. (S. P. 527)

Mr. Burns of Aroostook presented Remonstrance of A. V. Flewelling and 25 others of Easton against any Tax on Chain Stores. (S. P. 528)

The same Senator presented Remonstrance of Harold A. McPherson and 17 others of Mapleton against any Tax on Chain Stores. (S. P. 529)

Mr. Thatcher of Penobscot presented Remonstrance of Mrs. Ida Harrington and 67 others of Patten against a Tax on Chain Stores. (S. P. 530)

Mr. Findlen of Aroostook presented Remonstrance of Kingdon Harvey of Fort Fairfield and 263 others of Aroostook County against any Tax on Tobacco as a Selective Sales Tax largely payable by those least able to pay. (S. P. 531)

Mr. Chase of Piscataquis presented Remonstrance of Wellington Grange in form of a Resolution against any Increase on Gasoline Tax. (S. P. 532)

Mr. Kennedy of Hancock presented Remonstrance of Verona Grange in form of a Resolution against any Additional Tax on Gasoline. (S. P. 533)

Mr. Tompkins of Aroostook presented Petition of George McCollum and 43 others of Caswell in favor of Act Relative to Licenses for Operation of Retail Stores. (S. P. 534)

The same Senator presented Remonstrance of Hebron Grange in form of a Resolution against any increase in Gasoline Tax. (S. P. 535)

The same Senator presented Remonstrance of Lawrence Parkes and 43 others of the Maine Pea Growers Association of Corinna and vicinity against any Discriminatory Tax aimed against Chain Stores. (S. P. 536)

Mr. Chase of Piscataquis presented Remonstrance of Wilson Valley Grange in form of a Resolution against any Increase in Gasoline Tax. (S. P. 537)

Sent down for concurrence.

Senate Committee Reports

Mr. Boothby from the Committee on Inland Fisheries and Game on bill "An Act Relating to Hunting Foxes," (S. P. 363) (L. D. 771) reported that the same ought not to pass.

Mr. Elliot from the same Committee on "Resolve Relating to Fishing in Cobbosseecontee Lake" (S. P. 29) reported that the same ought not to pass, as legislation thereon is inexpedient.

Mr. Marden from the Committee on Legal Affairs on bill "An Act Relating to Recording Conditional Sales Agreements," (S. P. 389) (L. D. 765) reported that the same ought not to pass as subject is covered by other legislation.

Mr. Chase of Washington from the same Committee on bill "An Act Relating to Accounting by Charitable Organizations," (S. P. 391) (L. D. 764) reported that the same ought not to pass.

Which reports were severally read and accepted.

Sent down for concurrence.

Mr. Lewis from the Committee on State Prison on bill "An Act Relating to Chaplains of State Prison," (S. P. 403) (L. D. 818) reported that the same ought not to pass.

(On motion by Mr. Marden of Kennebec, tabled pending acceptance of the report.)

Mr. Chase of Washington from the Committee on Legal Affairs on bill "An Act Relating to Incorporation of Cemeteries and the Operation of Burying Grounds, Burial Structures, and Disposal of Dead Human Bodies," (S. P. 325) (L. D. 578) reported that the same ought to pass.

Mr. Lewis 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) reported that the same ought to pass.

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

Mr. Beckett from the Committee on Maine Publicity on bill "An Act Relating to the Powers of the County Commissioners," (S. P. 382) (L. D. 789) reported the same in a new draft (S. P. 538) under the same title and that it ought to pass.

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

Mr. Dow from the Committee on Military Affairs on "Resolve Making an Appropriation for the Purchase of Land Adjoining Land of the State Military Department at Augusta, Known as Camp Keyes," (S. P. 328) (L. D. 588) reported the same in a new draft (S. P. 539) under a new title "Resolve Relative to the Purchase of Land Adjoining Land of the State Military Department at Augusta, Known as Camp Keyes," and that it ought to pass.

Which report was read and on motion by Mr. Thatcher of Penobscot the bill was laid upon the table pending acceptance of the report.

Mr. Marden from the Committee on Legal Affairs on bill "An Act Relating to the Port of Northeast Harbor Authority," (S. P. 261) (L. D. 445) reported that the same ought to pass when amended by Committee Amendment "A" submitted herewith.

Which report was read and accepted, the bill read once, Committee Amendment "A" read and adopted, and the bill as so amended was tomorrow assigned for second reading.

(On motion by Mr. Marden of Kennebec, tabled pending acceptance of the report.)

Passed to be Engrossed

Bill "An Act Relative to Trapping Season." (H. P. 378) (L. D. 99)

"Resolve in Favor of Knox Memorial Association, Inc., for Support and Maintenance of 'Montpelier.'" (H. P. 523) (L. D. 213)

Bill "An Act to Provide a Town Council and Manager Form of Government for the Town of Lisbon in the County of Androscoggin." (H. P. 918) (L. D. 358)

Bill "An Act to Grant a New Charter to the City of Bath." (H. P. 1164) (L. D. 483)

Bill "An Act to Provide a Town Manager Form of Government for the Town of Lincoln." (H. P. 1165) (L. D. 484)

Bill "An Act to Incorporate the Town of Monticello School District." (H. P. 1170) (L. D. 489)

Bill "An Act Relative to Safe-keeping of Securities of Savings Banks." (H. P. 1407) (L. D. 602)

"Resolve Relating to the Creation of a State Commission for Promotion of International Good Will in Education." (H. P. 1550) (L. D. 908)

Bill "An Act Regulating Fishing on Ponds Formed by Brooks, Streams and Rivers." (H. P. 1566) (L. D. 664)

Bill "An Act Relating to the Collection of Personal Property Taxes." (H. P. 1651) (L. D. 710)

Bill "An Act Relating to Municipal Ordinances." (H. P. 1659) (L. D. 733)

Bill "An Act Relating to Municipal Ordinances." (H. P. 1660) (L. D. 734)

Bill "An Act Relating to Marriage Licenses." (H. P. 1661) (L. D. 735)

Bill "An Act Relating to Toy Pistols." (H. P. 1705) (L. D. 872)

Bill "An Act Creating the Lime-stone Water and Sewer District." (H. P. 1785) (L. D. 948)

Bill "An Act Relative to Game Preserve in Caswell Plantation." (H. P. 1957) (L. D. 1042)

Bill "An Act Authorizing Towns to Employ a Town Manager or to Form Unions for the Purpose." (H. P. 1958) (L. D. 1043)

Bill "An Act Relating to the Operation of Busses." (H. P. 1959) (L. D. 1044)

Bill "An Act Relative to Motor Vehicles Carrying Passengers for Hire." (H. P. 1960) (L. D. 1045)

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

Bill "An Act Decreasing the Subsidy Contributed by the State Relative to Physical and Industrial Education." (S. P. 132) (L. D. 117)

Bill "An Act to Repeal Certain Acts and Resolves Relating to Unnegotiable Bonds in the Custody of the Treasurer of State." (S. P. 133) (L. D. 118)

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

Sent down for concurrence.

Passed to be Enacted

An Act to Amend An Act Relating to Unemployment Compensation (S. P. 141) (L. D. 122)

An Act Relating to Bonds on Mesne Process and Disclosures After Judgment. (S. P. 368) (L. D. 800)

An Act Relating to Penalties for Removing Identification Marks from Motor Vehicles. (S. P. 384) (L. D. 787)

An Act Enlarging the Discretionary Powers of the Liquor Commission. (S. P. 429) (L. D. 974)

An Act Relating to Insurance Agents and Brokers. (S. P. 473) (L. D. 1007)

An Act to Incorporate the Lisbon Water District. (H. P. 917) (L. D. 355)

An Act Relating to the Election of Officers in The Town of Oakland. (H. P. 920) (L. D. 360)

An Act Relating to the Livermore Falls Water District. (H. P. 938) (L. D. 367)

An Act to Incorporate the Boothbay-Boothbay Harbor Cemetery District. (H. P. 1176) (L. D. 493)

Emergency Measure

Bill "An Act to Provide for the Surrender by Concord Plantation of its Organization." (H. P. 1876) (L. D. 1020)

Which bill being an emergency measure, and having received the affirmative vote of 26 members of the Senate, and none opposed was passed to be enacted.

Orders of the Day

On motion by Miss Laughlin of Cumberland, the Senate voted to take from the table, Senate Report from the Committee on Temperance on bill entitled An Act Relating to Local Option Provisions; Majority Report "Ought to Pass in new

draft" under same title; Minority Report "Ought Not to Pass" (S. P. 146) (L. D. 132), tabled by that Senator on March 15th pending acceptance of the majority report and printing of 500 copies; and that Senator yielded to the Senator from Oxford, Senator Osgood.

Thereupon, on motion by Mr. Osgood of Oxford, the Majority Report "Ought to pass in new draft" was accepted and the bill was given

its first reading and tomorrow assigned for second reading.

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

On motion by Mr. Kennedy of Hancock

Adjourned until tomorrow morning at ten o'clock.