

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

Friday, March 24, 1939.

The Senate was called to order by the President.

Prayer by the Reverend L. E. Stiles of Hallowell.

Journal of yesterday, read and approved.

Order

(Out of Order)

On motion by Mr. Spear of Cumberland, out of order and under suspension of the rules, it was

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, March 28th, 1939, at eleven o'clock in the forenoon. (S. P. 565)

Sent down for concurrence.

Subsequently the foregoing order was returned from the House, having been read and passed in concurrence.

From the House:

Joint Order, relative to Authorizing Bank Commissioner to Investigate Relative to Small Loan Companies Charging 36% per year on Loans. (S. P. 506)

(In the Senate on March 17, read and passed.)

In the House, referred to the Committee on Banks and Banking in non-concurrence.

In the Senate:

Mr. SPEAR of Cumberland: Mr. President, I ask leave to withdraw this order in non-concurrence. In explanation I would like to say that the purpose for which this order was introduced has been partially accomplished. The Bank Commissioner has started an investigation under the banking law and will need no further authorization unless some unforeseen difficulty occurs, and it will cost nothing to make the investigation unless he encounters some opposition.

Thereupon, leave was granted to withdraw the order, in non-concurrence.

Sent down for concurrence.

From the House:

Joint Order, relative to Investigating Ability of State Hospitals to Care for Properly Committed Insane Persons. (H. P. 1934)

In the House, failed of passage.

In the Senate, on motion by Mr. Spear of Cumberland, indefinitely postponed in non-concurrence.

Sent down for concurrence.

From the House:

Joint Order, relative to Investigation into Affairs of Brooklawn Memorial Park and all similar cemetery corporations, etc. (H. P. 2020)

In the House, read and indefinitely postponed.

In the Senate:

Miss LAUGHLIN of Cumberland: Mr. President, I move this matter be indefinitely postponed in concurrence. I wish to make a few remarks in that connection. This, it appears, was an order for this legislature to investigate into the affairs of Brooklawn Memorial Park and all similar cemetery corporations. I have talked with the Attorney General on this matter about the investigation and he has informed me that there have come to his office complaints on the operations of cemeteries in various portions of the state and he has investigated and taken up every one of the complaints that has come to him. I have talked with Mr. Beck, the Bank Commissioner, who informs me that every complaint—and there have been complaints come to the Attorney General's office—every one of the complaints is being investigated both by the Bank Commissioner's office with full cooperation of the Attorney General. They have told me further that complaints in this matter have come from five different counties and they have been investigated and prosecution instituted where it seemed necessary. There are now pending investigations in four counties, which are being investigated by the Attorney General's office in cooperation with the office of the Bank Commissioner. Both the Bank Commissioner and the Attorney General have informed me that they have not received, up to the present time, any complaints from Cumberland County relative to Brooklawn Memorial Park, and have further stated to me that if any such complaints come in they will be investigated and if reason for prosecution occurs, they will be prosecuted. Since then I have seen—in fact, it is reported in the paper this morning—that there have been two warrants and one arrest in Androscoggin County in this matter.

It seems these complaints are being investigated by the Attorney General and by the Bank Commissioner and so it doesn't seem that there is any necessity for investigation by the legislature.

The motion prevailed and the order was indefinitely postponed in concurrence.

House Committee Reports

The Committee on Claims on "Resolve in Favor of Zina N. Witham of Augusta," (H. P. 530) reported that the same ought not to pass.

The same Committee on "Resolve in Favor of Vernon A. Soule of Augusta," (H. P. 531) reported that the same ought not to pass.

The Committee on Inland Fisheries and Game on bill "An Act Relative to 'Fly-fishing,'" (H. P. 1562) (L. D. 660) reported that legislation thereon is inexpedient.

The same Committee on bill "An Act Relative to 'Trolling,'" (H. P. 1561) (L. D. 659) reported that legislation thereon is inexpedient.

The same Committee on bill "An Act Relating to Fishing for Pickerel in Hancock County," (H. P. 467) (L. D. 138) reported that the same ought not to pass.

The same Committee on "Resolve for Screening Outlet of Moosehead Lake at Indian Pond," (H. P. 883) (L. D. 340) reported that the same ought not to pass.

The same Committee on "Resolve Regulating Fishing in Four Ponds," (H. P. 1106) (L. D. 394) reported that the same ought not to pass.

The same Committee on "Resolve Regulating Fishing in East Grand Lake," (H. P. 548) (L. D. 222) reported that the same ought not to pass, as matter is covered by other legislation.

The same Committee on "Resolve Regulating Fishing in Madawaska Lake and Madawaska Lake Little," (H. P. 674) (L. D. 249) reported that the same ought not to pass, as subject is covered by other legislation.

The same Committee on bill "An Act Relating to Open Season on Muskrats in Washington County," (H. P. 1134) (L. D. 378) reported that the same ought not to pass.

The same Committee on "Resolve Regulating Fishing in Jim Pond Little," (H. P. 1116) (L. D. 404) reported that the same ought not to pass.

The same Committee on "Resolve

Relating to Fishing in Aroostook County," (H. P. 1570) (L. D. 633) reported that the same ought not to pass.

The Committee on Legal Affairs on bill "An Act Relating to the Publication of Audits of Municipalities," (H. P. 388) (L. D. 106) reported that the same ought not to pass.

The Committee on Public Utilities on bill "An Act to Incorporate South Berwick Water District," (H. P. 1837) (L. D. 998) reported that the same ought not to pass.

Which reports were severally read and accepted in concurrence.

The Committee on Salaries and Fees on bill "An Act Relating to the Salary of the Recorder of the Northern Cumberland Municipal Court," (H. P. 687) (L. D. 260) reported that the same ought not to pass.

On motion by Miss Laughlin of Cumberland, tabled pending acceptance of the report in concurrence.

The Committee on Indian Affairs on bill "An Act Relating to Selling or Giving Liquor to the Indians," (H. P. 1150) (L. D. 467) reported that the same ought to pass.

On motion by Mr. Marden of Kennebec, tabled pending acceptance of the report in concurrence.

The Committee on Interior Waters on "Resolve Naming 'Perley's Pond,'" (H. P. 898) (L. D. 411) reported the same in a new draft (H. P. 1994) (L. D. 1061) under the same title and that it ought to pass.

The Committee on Judiciary on bill "An Act Relating to Commitments to the Pownal State School," (H. P. 1606) (L. D. 699) reported that the same ought to pass.

The same Committee on bill "An Act Relating to Disposal of Minor Children in Divorce Proceedings," (H. P. 1609) (L. D. 702) reported that the same ought to pass.

The same Committee on bill "An Act Relating to Paupers," (H. P. 1599) (L. D. 728) reported that the same ought to pass.

The same Committee on bill "An Act Relating to Support of Child Committed to Custodial Agency by Municipal Courts," (H. P. 1600) (L. D. 729) reported that the same ought to pass.

The same Committee on bill "An

Act Relating to Custodial Care of Children," (H. P. 1602) (L. D. 730) reported that the same ought to pass.

The same Committee on bill "An Act Relating to Transfer of Inmates of State Institutions," (H. P. 1605) (L. D. 698) reported that the same ought to pass.

The Committee on Motor Vehicles on bill "An Act Relating to the Licensing of Aircraft," (H. P. 1439) (L. D. 619) reported that the same ought to pass.

The same Committee on bill "An Act Relating to Registration Fees to be Paid for Registration of Funeral Coaches and Funeral Hearses," (H. P. 1698) (L. D. 647) reported the same in a new draft (H. P. 1997) (L. D. 1060) under the same title, and that it ought to pass.

The same Committee on bill "An Act Relating to the Weight of Commercial Motor Vehicles," (H. P. 1795) (L. D. 961) reported the same in a new draft (H. P. 1996) (L. D. 1039) under the same title and that it ought to pass.

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

The Committee on Motor Vehicles on bill "An Act Providing for the Disposition of Moneys from the Tax on Gasoline Purchased for Use in Internal Combustion Engines," (H. P. 1683) (L. D. 739) reported the same in a new draft (H. P. 1983) (L. D. 1058) under the same title, and that it ought to pass.

On motion by Mr. Spear of Cumberland, tabled pending acceptance of the report in concurrence.

The majority of the Committee on Judiciary on "Resolve Authorizing Charles A. Darrington to Bring Suit at Law Against the State of Maine," (H. P. 1425) (L. D. 559) reported that the same ought to pass.

(Signed) Senators Burns of Aroostook, Hill of Cumberland, Laughlin of Cumberland; and Representatives Thorne of Madison, Weatherbee of Lincoln, Bird of Rockland, Hinckley of South Portland, Fellows of Augusta, Varney of South Berwick.

The minority of the same Com-

mittee on the same subject matter reported that the same ought not to pass.

(Signed) Representative McGlaughlin of Portland.

In the House, the majority report read and accepted, and the bill passed to be engrossed.

In the Senate:

Mr. BECKETT of Washington: Mr. President, I notice that this is practically a unanimous report on the part of the Committee on Judiciary, authorizing this suit against the State. Undoubtedly there is sufficient reason for the report. I would like to call the attention of the Senate to the fact that this gives Charles Darrington permission to bring suit against the State for \$86.00. As I understand it, Mr. Darrington sold some sand to the State to be used in connection with tarring roads at so much a cubic yard and it was the understanding of the Highway Department that Mr. Darrington would remove the top soil himself, without charge. This suit is for \$86.00, which he claims was the expense of removing the top soil.

It is common practice when the Highway Department buys sand by the cubic yard to have the owner of the property remove the top soil. Not arguing on the merits of this particular bill, I will say the Claims Committee had before it a number of bills which they felt they perhaps were not justified to pass upon intelligently and they have given the individual making the claim before the committee the right to sue the State. The committee has discussed the matter thoroughly and has taken the stand that as a matter of expediency, in an attempt to assist the courts and not cluttering them up with numerous cases, that it was poor policy to permit a suit against the State on a claim of this sort, and for that reason, I would like to move the acceptance of the minority report.

Miss LAUGHLIN of Cumberland: Mr. President, to oppose that motion; the committee heard this matter thoroughly, the Judiciary Committee. They recommended this man be allowed to sue. Nine members of the committee signed the majority report. After we had full hearing and all the facts, it seemed to the committee that under the circumstances, since this man is willing to pay expenses of a court

hearing, he should be allowed to bring suit. There are circumstances, of course, where we turn down any proposition to sue the State, but in this particular case with the facts brought out, it seemed to nine members that it was only fair and just to allow this man to sue the State. He is putting up his own money in suing and he gets his case tried by the court. In addition to that, there is removed all reason of complaint about not getting justice. He has his day in court to prove his case if he can. I would say, after full hearing on all the facts in the case, nine members voted to grant this request. I hope, therefore, that the motion to accept the minority report, signed by one member, will not prevail.

Mr. HILL of Cumberland: Mr. President, with all deference and respect to the opinion of the Senator from Washington, Senator Beckett, I wish to add simply a word in support of the report of the majority of the committee and the views expressed by my colleague, the Senator from Cumberland, Senator Laughlin. The committee, as the Senator has said, went into this matter, we thought, very thoroughly. We felt that there was an issue involving probably a question of veracity between the witnesses who appeared before the committee and that it was an issue which should be passed upon by a court rather than by a legislative committee. I note that the Senator from Washington, Senator Beckett, made the suggestion as to the expediency of allowing suit to be brought against the State. I think it was the feeling of the majority of the committee that the issue was not one of expediency but one of justice and fairness, and it seemed to us only fair that under the circumstances related to the committee that this claimant should be afforded the opportunity of presenting his evidence to a court which can pass upon it and allow the claim if it is just and fair, and reject it if it is unsound.

Mr. GRAVES of Hancock: Mr. President, I have been informed but I cannot vouch for the authority of this statement, but someone who looked into this matter tells me that there have been only two suits against the State in 21 years. Both these suits were for fairly large sums. I feel this claim has not had the proper machinery set up. It

should go before the Committee on Claims and then they would have the final recourse of suit. I think this is a case where they jumped from the bottom rung to the top rung. I hope the motion to accept the minority report will prevail.

Mr. SANBORN of Cumberland: Mr. President, I perhaps ought not to inject any views of my own in this question concerning which I have nothing to do, but one consideration I think may properly be entertained, that on a matter of principle if we view the situation historically we should be reminded of this fact, that it is a universal proposition, barring legislative exception, the State cannot be sued. That is a relic of the old European doctrine that the king can do no wrong. The state took the place of the sovereign. We have continued down to this day, holding to that archaic proposition.

Now, let's look this matter squarely in the face. If you or I have a claim against the State of Maine of such a nature that if it were a claim against an individual or against the Central Maine Power Company which we could enforce by action in court, I'd like to know just what is the reason in principle why we ought not to have the privilege of having our controversy determined in court when our claim is against the State. In other words, it has always been my view that the State was hiding behind a false protection when it continued in this old plan and method and I certainly would be in favor of permitting any man, at any time, if he had a claim which arose to the dignity of a real doubt as to its validity, I would be in favor of permitting him to have the same right against the State that he would have against his own neighbor. It seems to me it would be a matter of fairness, justice and decency. I would agree there would be occasions where a man ought not to be permitted to put the state to expense. It seems sometimes unfair and unjust for a man to sue his neighbor when he has a groundless claim, but he can do it, nevertheless.

Mr. President, I beg the pardon of the Senate for trespassing on your valuable time. I shall be in favor of accepting the majority report.

Mr. CHAMBERLAIN of Penobscot: Mr. President, I am not familiar with this case in any par-

ticular and consequently not interested in it, but believing as I do thoroughly, that all claims with some exceptions should not go to the legislature but be given the right to sue the state, I think it is a great deal better that the motion of the Senator from Washington, Senator Beckett, should not prevail.

Mr. CONY of Kennebec: Mr. President, I realize we are taking quite a little time on a matter that seems to be rather small in a monetary way but which I believe involves quite an important principle, with quite a historical background. I confess at this moment I am in doubt which would be the proper way for me to cast my vote and I would like to make a motion to table this matter, if it is in order. I so move, Mr. President.

The PRESIDENT: The question before the Senate is on the tabling of the motion of the Senator from Washington, Senator Beckett, that the minority report "Ought Not to Pass" be accepted.

Is it the pleasure of the Senate that the matter be tabled pending the acceptance of the minority report "Ought Not to Pass"?

Thereupon, the bill and the reports were laid upon the table pending motion to accept the minority report "Ought Not to Pass."

The majority of the Committee on Legal Affairs on bill "An Act Increasing the Penalty for Violation of the Sunday Law," (H. P. 1652) (L. D. 922) reported that the same ought not to pass.

(Signed) Senators Chase of Washington, Morse of Waldo and Representatives Buzzell of Belfast, Dow of Norway, Dwinall of Camden, She-song of Portland, Payson of Portland, Donahue of Biddeford.

The minority of the same Committee on the same subject matter reported that the same ought to pass.

(Signed) Senator Marden of Kennebec and Representative Pike of Bridgton.

In the House, majority report read and accepted.

In the Senate:

Mr. MARDEN of Kennebec: Mr. President, in moving that this matter be laid upon the table, pending acceptance of either report, I do it at this time because I feel that the effect of this measure should in a

large sense be determined by one other so-called Senate Bill which will reach us in due time, and for that reason I move that the matter be laid upon the table pending acceptance of either report.

The motion prevailed.

The Committee on Inland Fisheries and Game on bill "An Act Relative to Fishing for Gain or Hire," (H. P. 1559) (L. D. 657) reported that the same ought to pass.

In the House, report read and accepted and subsequently the bill indefinitely postponed.

In the Senate, on motion by Mr. Worthen of Penobscot, the bill was indefinitely postponed in concurrence.

The Committee on Salaries and Fees on bill "An Act Relating to Compensation of the Register of Probate of York County," (H. P. 941) (L. D. 369) reported that the same ought not to pass.

In the House, recommitted to the Committee on Salaries and Fees.

In the Senate, on motion by Mr. Spear of Cumberland, recommitted to the Committee on Salaries and Fees in concurrence.

The Committee on Motor Vehicles on bill "An Act Relating to Registration of Certain Trucks," (H. P. 285) (L. D. 92) reported that the same ought to pass when amended by Committee Amendment "A" submitted herewith.

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

In the Senate, the report was read and accepted in concurrence and the bill was given its first reading. Committee Amendment A was read and adopted in concurrence and the bill as so amended was Tuesday next assigned for second reading.

Referred to Committees

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

Taxation

Mr. Tompkins of Aroostook presented Remonstrance of C. E. Bean and 63 others of Wiscasset Opposing a Tax on Chain Stores. (S. P. 540)

Mr. Dow of Franklin presented Remonstrance of Crystal Lake Grange in form of a Resolution against any Increase in the Gasoline Tax. (S. P. 541)

Mr. Chamberlain of Penobscot presented Remonstrance of Pine Grove Grange No. 233 in form of a Resolution against any Increase in Gasoline Tax. (S. P. 542)

Mr. Graves of Hancock presented Petition of W. H. Osgood and 35 others of Blue Hill against Chain Store Taxes. (S. P. 544)

Mr. Cony of Kennebec presented Petition of Albert F. Lemieux and 143 others of Augusta against any Tax on Chain Stores. (S. P. 545)

Mr. Lewis of Lincoln presented Protests of Mr. Douglas Hodgdon and 55 others of East Boothbay against Chain Store Taxes. (S. P. 546)

Mr. Osgood of Oxford presented Petition of Mrs. Lee Stanley and 35 others of Mexico Opposing Tax on Chain Stores. (S. P. 547)

Mr. Morse of Waldo presented Petition of Stacy J. Noyes and 147 others of Belfast Against any Tax on Chain Stores. (S. P. 548)

Inland Fisheries and Game

Mr. Chamberlain of Penobscot presented Remonstrance of 156 members of Riverside Grange against any Increase in the Hunting and Fishing License. (S. P. 543)

Sent down for concurrence.

Senate Committee Reports

Mr. Boothby from the Committee on Inland Fisheries and Game on "Resolve Relating to a Rearing Station for Bass at the Head of Grand Lake, Aroostook County," (S. P. 212) (L. D. 284) reported that the same ought not to pass.

Mr. Elliot from the same Committee on bill "An Act Relative to Damage by Bear," (S. P. 356) (L. D. 766) reported that the same ought not to pass.

Mr. Worthen from the same Committee on bill "An Act Relative to Black Bear," (S. P. 355) (L. D. 773) reported that the same ought not to pass.

Miss Laughlin from the Committee on Judiciary on bill "An Act in Relation to the Execution of Surety Bonds," (S. P. 299) (L. D. 521) reported that the same ought not to pass.

Mr. Burns from the same Committee on bill "An Act to Amend

the Charter of Lucerne-in-Maine Village Corporation," (S. P. 258) (L. D. 447) reported that leave be granted to withdraw.

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

The same Senator from the same Committee on bill "An Act Relating to Source of Water Supply for Veterans' Administration Facility," (S. P. 290) (L. D. 432) reported that leave be granted to withdraw.

Mr. Worthen from the Committee on State Lands and Forest Preservation on bill "An Act Creating the Office of Land Agent," (S. P. 401) (L. D. 987) reported that the same ought not to pass.

Which reports were severally read and accepted.

Sent down for concurrence.

The same Senator from the same Committee on "Resolve Authorizing the Forest Commissioner to Convey Certain Interest of the State in Land in Washington County to Robert Bernard Jr., of New York," (S. P. 229) (L. D. 276) reported that the same ought to pass.

Which report was read and accepted, the resolve read once and Tuesday next assigned for second reading.

Mr. Chase of Piscataquis from the Committee on Appropriations and Financial Affairs on bill "An Act to Promote the Topographic Mapping of Maine in cooperation with the United States Geological Survey," (S. P. 346) (L. D. 781) reported the same in a new draft (S. P. 549) under the same title and that it ought to pass.

Mr. Marden from the Committee on Legal Affairs on bill "An Act Creating the Port Authority of Mount Desert," (S. P. 260) (L. D. 452) reported the same in a new draft (S. P. 550) under the same title and that it ought 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 the same in a new draft (S. P. 551) under a new title, bill "An Act Authorizing the Issue of Full Paid Stock by Public Utility Companies at Less Than Par When Authorized

by the Public Utilities Commission," and that it ought to pass.

Mr. Elliot from the Committee on State Prison on "Resolve Relating to the Construction of a New Wall at the Maine State Prison and a Dormitory at the Prison Farm," (S. P. 231) (L. D. 274) reported the same in a new draft (S. P. 552) under a new title "Resolve Relating to the Construction of a Dormitory at the Prison Farm," and that it ought to pass.

Which reports were severally read and accepted and the bills and resolves in new draft were laid upon the table for printing under the joint rules.

Mr. Marden from the Committee on Legal Affairs on bill "An Act Relating to Public Exhibitions," (S. P. 390) (L. D. 825) 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 Tuesday next assigned for second reading.

The majority of the joint committees on Agriculture and Maine Publicity on bill "An Act Imposing a Tax on Blueberries for Advertising and Stabilizing the Blueberry Industry of the State," (S. P. 343) (L. D. 827) and accompanying petitions reported the same in a new draft (S. P. 553) under a new title, bill "An Act to Promote the Blueberry Industry of the State," and that it ought to pass.

(Signed) Senators Beckett of Washington, Owen of Kennebec, Findlen of Aroostook, Osgood of Oxford and Representatives Townsend of Bangor, Peakes of Milo, Otto of Dexter, Young of Old Orchard, Holman of Dixfield, Colby of Paris, Larrabee of West Bath, Chandler of New Gloucester, Bacon of Sidney, Walker of Littleton, Hanold of Standish, Robbins of Harrison, Dow of Franklin.

The minority of the same Committees on the subject matter reported that the same ought not to pass.

(Signed) Representatives Brown of Caribou, Snow of Dover-Foxcroft.

On motion by Mr. Osgood of Oxford the majority report, "Ought to

Pass" was accepted, and the bill in new draft was tabled for printing under the joint rules.

The Joint Select Committee created by joint order, S. P. 412, and pursuant to that order, reported the following Communication (S. P. 565) and Bills:

"Partial Report of the Joint Select Committee created by the Joint Order, S. P. 412, passed in the Senate on February 14, 1939, and passed in the House in concurrence on February 15, 1939.

To the Honorable Senate and House of Representatives of the 89th Legislature:

Pursuant to the above designated Joint Order, this committee has devoted its attention to the subjects therein specified. Although the time available during the progress of the Legislative session is inadequate for any complete and thorough study of all departments of the State, we have been able to reach certain conclusions which we believe warrant consideration by this Legislature.

Adoption of the proposals herein submitted will, we estimate, accomplish a saving to the taxpayers of approximately \$700,000.00 during the next biennial period.

We find that the present system of automobile travel is subject to abuses which, in the aggregate, are costly and substantial, and that State-owned cars are, in too many instances, operated for private purposes at the taxpayers' expense. Mileage paid employees for privately-owned cars can and should be reduced. We believe a scale of payment based on mileage should be graduated downward to discourage unnecessary travel at the taxpayers' expense. It is also our opinion that substantial savings to the taxpayers can be effected by curtailment of the use of state-owned cars. We recommend passage of the accompanying bill entitled, "An Act relating to automobile travel by State employees." Such action will, in our judgment, cause no undue hardship to State employees.

We recommend the creation of a board of sanitation, licensing, and inspection, to consist of the Commissioner of Agriculture, the Director of Health, and the Attorney General, serving without additional compensation, to have full supervision of examining, licensing, and

inspecting services now conducted under the Department of Agriculture and the Bureau of Health, with authority to consolidate such services and to eliminate needless duplication, supervision, travel and other expenses.

We further recommend that whenever any department, division or bureau is incurring expense and using funds of the State in connection with carrying on the work of any board or commission which collects fees from the persons supervised and licensed, that sufficient sums be transferred from such board or commission to reimburse the state for such expense. This will effect savings from the general appropriation for certain salaries, for light, heat, rent and other overhead expense.

To accomplish these purposes we recommend passage of the accompanying bill entitled, "An Act Creating the Board of Sanitation, Licensing, and Inspection, and defining its powers and duties."

We further recommend the elimination of Inspectors of Railroad Tracks under the Public Utilities Commission. We are convinced that the maintenance of such inspectors is an unnecessary expense. We submit a bill herewith entitled, "An Act Relating to the Examination of Railroads by the Public Utilities Commission" to amend the law in this respect.

There are at present fifteen beer inspectors in the employ of the State Liquor Commission. We believe beer inspections in the small communities of the State can and should be conducted by the state police. This we estimate will make possible the elimination of about ten beer inspectors, at a saving of some \$15,000.00 a year in salaries, without any impairment in the efficiency of this service. A bill to accomplish that purpose entitled, "An Act Relating to the Duties of the State Police" is submitted herewith.

So long as eligible citizens of Maine are unable to obtain old age assistance, aliens should be stricken from the rolls and citizenship made a requisite for old age assistance. We are informed that some 800 aliens are receiving such assistance under the present law. To eliminate them would save the taxpayers approximately \$100,000.00 a year in state funds plus a proportionate saving in any expansion of the

present Old Age Assistance program. To accomplish that end, we advocate the passage of appropriate legislation based on L. D. 91, H. P. 286, "An Act Relating to Requisites for Old Age Assistance" now pending before this Legislature.

We recommend elimination of further appropriations for poultry improvement believing this to be an unnecessary function which the State, under present circumstances, can ill afford to maintain. A bill for that purpose is herewith submitted.

We recommend also the passage of the bill herewith submitted to discontinue so-called blueberry fly control. We feel that the field inspection of blueberries can and should be performed by the farmers themselves without state interference, and expenditure of the taxpayers' money.

An increasing expense to the taxpayers of Maine is imposed under the present provisions for Emergency Aid to cities, towns, and plantations. It seems essential to the preservation of sound state finances, that this function be, in some manner, further restricted. We believe that certain municipalities capable of financing their own needs under proper management, have been too ready to look to the State for this form of relief. We think this tendency would be substantially curtailed by the passage of the bill herewith submitted entitled, "An Act Relating to Emergency Aid in Certain Organized and Unorganized Territory" providing that such relief hereafter be extended only to cities, towns, and plantations whose financial affairs are under the management of the Emergency Municipal Finance Board, or such municipalities as shall have made voluntary application to said board for such management and control.

We believe that responsible relatives should be compelled by law to contribute to the support of recipients of Old Age Assistance, and herewith submit a bill to carry out that purpose.

We find upon investigation that the State is burdened in making a semi-annual report to the towns, cities, and plantations, on the collection of the excise tax on automobiles, and we recommend passage of the accompanying bill to repeal Chapter 166 of the Public Laws of 1933. We believe this will result in

a saving to the taxpayers amounting to \$15,000.00 a year.

This is not a final report. The committee is engaged in further investigations with reference to a major portion of its work. We shall submit a further report making recommendations consistent with sound business principles adapted to the present economic condition of the taxpayers.

Respectfully submitted,
JOINT LEGISLATIVE
COMMITTEE.

(Signed)

Hill of Cumberland
Wentworth of York
Tompkins of Aroostook

Members on the part of the Senate.

Noyes of Franklin
Dean of Greenville
Paul of Portland
Hawes of Vassalboro
Dow of Elliot
Hinman of Skowhegan

Members on the part of the House.

(Representative Smith of Thomaston, because of illness, has had no opportunity to sign this report.)

Your committee respectfully suggests that the bills herewith submitted be referred to the Joint Standing Committee on Legal Affairs, except Senate Papers 559 and 560, which we suggest be referred to the Committee on Agriculture, and that public hearings be held thereon."

Bill "An Act Relating to Requirements for Old Age Assistance." (S. P. 555)

Bill "An Act Relating to the Support of Parents." (S. P. 556)

Bill "An Act Relating to Reports to Towns of Excise Tax Payments." (S. P. 557)

Bill "An Act Relating to Emergency Aid in Certain Organized and Unorganized Territory." (S. P. 558)

Bill "An Act Discontinuing Blueberry Fly Control." (S. P. 559)

Bill "An Act Repealing the Law Relating to Appropriating Money for Poultry Improvement." (S. P. 560)

Bill "An Act Relating to the Duties of the State Police." (S. P. 561)

Bill "An Act Relating to the Examination of Railroads by the Public Utilities Commission." (S. P. 562)

Bill "An Act Creating the Board of Sanitation, Licensing and Inspection and Defining its Powers and Duties." (S. P. 563)

Bill "An Act Relating to Automobile Travel by State Employees." (S. P. 564)

Which report was read and accepted, the communication ordered placed on file and the bills referred to the Committee on Legal Affairs with the exception of Senate Paper 559 and Senate Paper 560 which two bills were referred to the Committee on Agriculture.

(500 copies of the communication and of each bill ordered printed.)

Sent down for concurrence.

Passed to be Engrossed

"Resolve Changing the Name of Fitzgerald Pond." (H. P. 896) (L. D. 353)

"Resolve Permitting a Wharf and Boathouse to be Built on Pleasant Lake in Casco, Maine." (H. P. 897) (L. D. 354)

Bill "An Act Relating to the Recording of Personal Property Mortgages." (H. P. 899) (L. D. 314)

Bill "An Act to Provide for the Organization of Non-profit Hospital Service Corporations." (H. P. 1433) (L. D. 612)

Bill "An Act Relative to the Powers of the Insurance Commissioner." (H. P. 1435) (L. D. 614)

Bill "An Act Relating to Sports and Recreation Centers." (H. P. 1581) (L. D. 687)

Bill "An Act Relating to Group Insurance." (H. P. 1673) (L. D. 883)

Bill "An Act Relating to Registration Fees of Motor Vehicles." (H. P. 1929) (L. D. 1028)

Bill "An Act Relating to Additional Industrial and Vocational Training in State Institutions." (H. P. 1969) (L. D. 1038)

Bill "An Act Relating to Election of Commissioners of Police in Sanford." (H. P. 1981) (L. D. 1051)

"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)

"Resolve Authorizing the Forest Commissioner to Convey Certain Interest of the State in Land in Washington County to Mrs. Jennie G. Lane of Calais." (H. P. 1987) (L. D. 1056)

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

Bill "An Act Relating to the Clerk of Courts of Lincoln County." (S. P. 271) (L. D. 503)

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)

Bill "An Act Relating to Local Option Provisions." (S. P. 497) (L. D. 1035)

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

Sent down for concurrence.

Passed to be Enacted

Bill "An Act Defining the Terms 'Dealer' and 'Securities.'" (S. P. 486) (L. D. 1023)

Bill "An Act Relating to Registration of Motor Vehicles." (S. P. 488) (L. D. 1025)

"Resolve in Favor of Harry F. Ward of Baldwin." (S. P. 487) (L. D. 1024)

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 Unemployment 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)

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

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

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)

Finally Passed

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

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

"Resolve Regulating Digging of Clams Within the Limits of the Towns of Deer Isle and Stonington." (H. P. 1722) (L. D. 675)

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

"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 Oxbow." (H. P. 1932) (L. D. 1031)

Emergency Measure

Bill "An Act to Change the Charter of the City of Calais." (S. P. 459) (L. D. 1002)

Which bill being an emergency measure and having received the affirmative vote of 25 members of the Senate and none opposed was passed to be enacted.

Orders of the Day

On motion by Mr. Marden of Kennebec, the Senate voted to take from the table, Senate Report from the Committee on State Prison "Ought Not to Pass" on bill entitled An Act Relating to Chaplains of State Prison (S. P. 403) (L. D. 818) tabled by that Senator on March 23rd pending acceptance of the report; and that Senator yielded to the Senator from Lincoln, Senator Lewis.

Thereupon, on motion by Mr. Lewis of Lincoln, the report was accepted.

Sent down for concurrence.

On motion by Mr. Osgood of Oxford, the Senate voted to take from the table, House Report from the Committee on Mercantile Affairs and Insurance "Ought Not to Pass"

on bill An Act Relating to Operation of Motion Picture Machines (H. P. 1675) (L. D. 885), tabled by that Senator on March 22nd pending acceptance of the report in concurrence.

Mr. OSGOOD: Mr. President, as a member of this committee, I feel that the majority of the committee are perfectly willing to have this bill recommitted, and I so move.

The motion prevailed and the bill was recommitted to the Committee on Mercantile Affairs and Insurance in non-concurrence.

Sent down for concurrence.

On motion by Mr. Kennedy of Hancock, the Senate voted to take from the table, Senate Report from the Committee on Judiciary that "Leave be Granted to Withdraw" on bill, An Act to Amend the Charter of the Lucerne-in-Maine Village Corporation (S. P. 258) (L. D. 447), tabled by that Senator earlier in today's session pending acceptance of the committee report; and that

Senator yielded to the Senator from Penobscot, Senator Thatcher.

Mr. THATCHER of Penobscot: Mr. President, this act was introduced by me, it being felt at the time I introduced it that legislation was necessary. Since that time the parties interested in the subject matter have reached an agreement and requested me to withdraw the bill. I so requested the committee, and I move the acceptance of their report.

Thereupon, the report of the committee, that leave be granted to withdraw, was accepted.

Sent down for concurrence.

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

On motion by Mr. Dow of Franklin

Adjourned until next Tuesday forenoon, March 28th, at eleven o'clock.