

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

Wednesday, March 29, 1939.

The Senate was called to order by the President.

Prayer by the Reverend L. L. Dunn of Gardiner.

Journal of yesterday, read and approved.

Papers from the House referred in concurrence.

House Committee Reports

The Committee on Claims on "Resolve in Favor of V. E. Violette of Van Buren," (H. P. 1019) reported that the same ought not to pass.

The same Committee on "Resolve in Favor of Charles G. Schirmer of Boston," (H. P. 700) reported that the same ought not to pass.

The Committee on Inland Fisheries and Game on bill "An Act Relating to the Issuance of Permits to Propagate Game Birds, Game and Fur-Bearing Animals," (H. P. 1560) (L. D. 658) reported that the same ought not to pass.

The same Committee on bill "An Act Relating to the Bounty on Bobcats," (H. P. 1787) (L. D. 955) reported that the same ought not to pass.

The same Committee on "Resolve Regulating Fishing in Moosehead Lake," (H. P. 1573) (L. D. 636) reported that the same ought not to pass.

The Committee on Towns on "Resolve Providing for the Surrender by Town of Greenbush of Its Organization," (H. P. 1774) (L. D. 942) reported that the same ought not to pass.

Which reports were severally read and accepted in concurrence.

The same Committee on bill "An Act to Repeal the Organization of the Plantation of Dallas," (H. P. 946) (L. D. 372) reported that the same ought not to pass.

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

The Committee on Education on bill "An Act Authorizing Peabody Law School to Confer Degrees," (H. P. 6) (L. D. 13) reported that the same ought to pass.

The same Committee on bill "An Act Permitting Teachers to be

Elected under Contract," (H. P. 28) (L. D. 21) reported the same in a new draft (H. P. 1980) (L. D. 1050) under the same title, and that it ought to pass.

The Committee on Inland Fisheries and Game on bill "An Act Relative to Trapping Season," (H. P. 1557) (L. D. 655) reported that the same ought to pass.

The Committee on Interior Waters on "Resolve Authorizing the Town of East Machias to Close the West Outlet of Gardners Lake," (H. P. 481) (L. D. 145) reported that the same ought to pass.

The Committee on Legal Affairs on bill "An Act Relative to Jail Auditors," (H. P. 1428) (L. D. 609) reported that the same ought to pass.

The same Committee on bill "An Act Relating to Vacancies in Town Offices," (H. P. 1649) (L. D. 709) reported that the same ought to pass.

The same Committee on bill "An Act Providing for Licenses for Cinematograph, Moving Pictures and Operators," (H. P. 1663) (L. D. 854) reported the same in a new draft (H. P. 2039) (L. D. 1070) under the same title and that it ought to pass.

The same Committee on bill "An Act to Provide a Town Council and Manager Form of Government for the Town of Norway, in the County of Oxford," (H. P. 916) (L. D. 306) reported the same in a new draft (H. P. 2040) (L. D. 1071) under the same title and that it ought to pass.

The Committee on Maine Publicity on bill "An Act Naming the Deer Isle-Sedgwick Bridge," (H. P. 1183) (L. D. 413) reported the same in a new draft (H. P. 2037) (L. D. 1069) under the same title and that it ought to pass.

The same Committee on bill "An Act Designating a Certain Road as 'Moosehead Trail,'" (H. P. 1802) (L. D. 965) reported that the same ought to pass.

The Committee on Public Utilities on bill "An Act to Amend the Charter of the Lubec Water Company," (H. P. 1199) (L. D. 414) reported the same in a new draft (H. P. 2036) (L. D. 1068) under the same title, and that it ought to pass.

The same Committee on bill "An Act to Incorporate the Brooks Water District," (H. P. 1803) (L. D. 966) reported the same in a new draft (H. P. 2035) (L. D. 1067) under

the same title and that it ought to pass.

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

The Committee on Legal Affairs on bill "An Act Relating to Fees for Licenses," (H. P. 1769) (L. D. 938) reported that the same ought to pass when amended by Committee Amendment "A" submitted herewith.

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

From the House, out of order and under suspension of the rules:

"Resolve for the Laying of the County Taxes for the Year Nineteen Hundred Thirty-Nine." (H. P. 2075)

"Resolve for the Laying of the County Taxes for the Year Nineteen Forty." (H. P. 2076)

Come from the House, that body having accepted the report of the House Committee on County Estimates, the resolves having been severally read twice, and under suspension of the rules, passed to be engrossed without reference to a Joint Standing Committee.

In the Senate, out of order and under suspension of the rules, the report of the Committee was accepted in concurrence and the two resolves were given their two several readings and passed to be engrossed in concurrence.

Sent forthwith to the House.

Referred to Committees

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

Taxation

Mr. Harkins of Androscoggin presented Petition of Paul McGraw and 144 other Consumers of Lewiston Against a Tax on Chain Stores. (S. P. 575)

Mr. Hill of Cumberland presented Petition of Mrs. F. C. Kimball and 315 other Consumers of Portland against a Tax on Chain Stores. (S. P. 576)

Mr. Morse of Waldo presented Petition of Enoch C. Dow and 226

other Consumers of Belfast against a Tax on Chain Stores. (S. P. 577)

Mr. Elliot of Knox presented petition of Mrs. Addie Wentworth and 149 other Consumers of Rockport against a Tax on Chain Stores. (S. P. 578)

The same Senator presented petition of Mary Tuttle and 121 other Consumers of Thomaston against a Chain Store Tax. (S. P. 579)

Mr. Lewis of Lincoln presented petition of Dorothy E. Roberts and 72 other Consumers of Damariscotta against a Tax on Chain Stores. (S. P. 580)

The same Senator presented petition of C. E. Greenleaf and 157 other Consumers of Boothbay Harbor against a Tax on Chain Stores. (S. P. 581)

Mr. Wentworth of York presented petition of Charles A. Rose and 172 others of Kennebunk against a Tax on Chain Stores. (S. P. 583)

The same Senator presented Petition of Mrs. George W. Hill and 343 others of Sanford against a Tax on Chain Stores. (S. P. 584)

The same Senator presented Petition of Mrs. G. B. Frothingham and 268 other Consumers of Saco against a Tax on Chain Stores. (S. P. 582)

Mr. Marden of Kennebec presented Petition of Harvey D. Eaton and 313 other Consumers of Waterville against a Tax on Chain Stores. (S. P. 585)

The same Senator presented Petition of Bert Cole and 108 other Consumers of Clinton against a Tax on Chain Stores. (S. P. 586)

Mr. Osgood of Oxford presented Petition of Mrs. F. R. Seavey and 144 other Consumers of Norway against a Tax on Chain Stores. (S. P. 587)

Mr. Worthen of Penobscot presented Petition of Mrs. P. B. Porter and 134 other Consumers of Old Town against a Tax on Chain Stores. (S. P. 588)

The same Senator presented Petition of Mrs. T. R. Sutton and 377 other Consumers of Bangor against a Tax on Chain Stores. (S. P. 589)

The same Senator presented Petition of Albert L. Davis and 142 other Consumers of Dexter against a Tax on Chain Stores. (S. P. 590)

Mr. Friend of Somerset presented Petition of Bernice Maxin and 243 other Consumers of Pittsfield against a Tax on Chain Stores. (S. P. 591)

The same Senator presented Pe-

tition of Mrs. Ethel Luce and 195 other Consumers of Madison against a Tax on Chain Stores. (S. P. 592)

The same Senator presented Petition of J. Walter Bean and 175 other Consumers of North Anson against a Tax on Chain Stores. (S. P. 593)

Mr. Dow of Franklin presented Remonstrance of Farmington Grange in form of a Resolution against any increase in Tax on Gasoline. (S. P. 594)

Sent down for concurrence.

Legal Affairs

Mr. Chase of Piscataquis presented Remonstrance of M. A. Sanborn and 35 others of Dover-Foxcroft against Gambling and Sunday Movies in the State of Maine. (S. P. 595)

Sent down for concurrence.

Mr. HILL of Cumberland: Mr. President, I ask unanimous consent to address the Chair briefly.

The PRESIDENT: The Senator from Cumberland, Senator Hill, asks unanimous consent to address the Senate. Is there any objection? The Chair hears none. The Senator may proceed.

Mr. HILL: Mr. President, it is my understanding that there are in the possession of the Senate, reports from the Committee on Legal Affairs on seven bills upon which public hearings were held yesterday afternoon. These particular bills are the product of the Joint Select Committee created by the joint order, Senate Paper 412, which were reported by that committee after several weeks of consideration and deliberation.

There has been on the part of the joint select committee no desire whatever to rush these matters through with any undue haste and so that committee, instead of reporting as perhaps it might have under the terms of the order that the bill ought to pass, reported the recommendation that these measures be referred to still another committee, the Committee on Legal Affairs, and that public hearings be held thereon. This was done on yesterday afternoon.

I am rising at this time, Mr. President, to venture the suggestion and hope that now that these bills are reported by the Committee on Legal Affairs that they be acted upon promptly in order that the

business of the legislature may be expedited and facilitated and in order that it may be possible for the Committee on Appropriations and Financial Affairs to make its report upon the general appropriation bill as soon as possible.

So I hope, Mr. President, that there may be no occasion for any member of the Senate to undertake this morning to lay these bills upon the table. These are the bills, as the Senators know, which it is hoped may contribute in some substantial degree to saving expenditures on the part of the state of Maine by eliminating certain functions, or certain undertakings, which we have believed to be unnecessary, and which we hope may contribute to some real extent toward the solution of the present financial difficulties.

Two of the bills, I understand, are reported in a new draft. The changes indicated in the new drafts are not extensive, they are changes which can be readily explained orally as each of the bills is reached this morning. So it is my hope that they may be acted upon this morning and sent to the House without holding them up at this time. Those measures in new draft can, of course, be printed and be readily available for all before the bills are returned to be acted upon in any further stage.

The PRESIDENT: Does the Senator wish to make a motion that the bills be taken up at this time, out of order and under suspension of the rules?

Mr. HILL: Mr. President, I do move that the Senate proceed to the consideration of these bills and reports at this time, under suspension of the rules.

Thereupon, the Senate voted to consider at this time, out of order and under suspension of the rules, the following Senate reports from the Committee on Legal Affairs:

Mr. Marden from the Committee on Legal Affairs on bill "An Act Relating to the Support of Parents," (S. P. 556) (L. D. 1081) reported that the same ought to pass.

The same Senator from the same Committee on bill "An Act Relating to Emergency Aid in Certain Organized and Unorganized Territory," (S. P. 558) (L. D. 1083) reported that the same ought to pass.

The same Senator from the same Committee on bill "An Act Relating to the Examination of Railroads

by the Public Utilities Commission," (S. P. 562) (L. D. 1087) reported that the same ought to pass.

The same Senator from the same Committee on bill "An Act Relating to Reports to Towns of Excise Tax Payments," (S. P. 557) (L. D. 1082) reported that the same ought to pass.

Which reports were severally read and accepted, and the bills read once.

Thereupon on motion by Mr. Hill of Cumberland, under suspension of the rules, the bills were given their second reading and passed to be engrossed.

Sent forthwith to the House for concurrence.

The same Senator from the same Committee on bill "An Act Relating to Automobile Travel by State Employees," (S. P. 564) (L. D. 1085) reported the same in a new draft (S. P. 596) under the same title and that it ought to pass.

Which report was read and accepted and on motion by Mr. Hill of Cumberland, under suspension of the rules, the bill in new draft was given its two several readings without printing and passed to be engrossed.

Sent forthwith to the House for concurrence.

The same Senator from the same Committee on bill "An Act Creating the Board of Sanitation, Licensing and Inspection and Defining its Powers and Duties," (S. P. 563) (L. D. 1084) reported the same in a new draft (S. P. 597) under the same title and that it ought to pass.

Mr. OSGOOD of Oxford: Mr. President, with all due respect to the Senator from Cumberland, Senator Hill, and the Committee on Legal Affairs, I feel, as Chairman of the Committee on Agriculture, that as this bill has to do chiefly with the functions of the Commissioner of Agriculture and that department, and since it is being printed in new draft, that I should move to table this bill and I hope the Senate will support that motion.

The PRESIDENT: The Senator from Oxford, Senator Osgood, moves that the bill be laid upon the table pending acceptance of the report of the committee "Ought to Pass in New Draft".

Mr. HILL: Mr. President, I ask

for a division on the motion to table.

The PRESIDENT: The Senator from Cumberland, Senator Hill, asks for a division. The question before the Senate is on the motion of the Senator from Oxford, Senator Osgood, that the bill be laid upon the table pending acceptance of the report of the committee "Ought to Pass in New Draft". Is the Senate ready for the question?

A division of the Senate was had.

Twelve having voted in the affirmative and thirteen opposed, the motion to table did not prevail.

The PRESIDENT: The question now before the Senate is on the acceptance of the report of the committee "Ought to Pass in New Draft". Is the Senate ready for the question?

A division of the Senate was had.

Thirteen voted in the affirmative and thirteen were opposed.

The PRESIDENT: Thirteen having voted in the affirmative and thirteen in the negative, the Chair will vote in the affirmative.

Thereupon, fourteen having voted in the affirmative and thirteen in the negative, the report of the committee "Ought to Pass in New Draft" was accepted and the bill was given its first reading.

On motion by Mr. Hill of Cumberland, under suspension of the rules, the bill in new draft was then given its second reading without printing and passed to be engrossed.

Sent to the House forthwith for concurrence.

The majority of the Committee on Legal Affairs on bill "An Act Relating to Requirements for Old Age Assistance," (S. P. 555) (L. D. 1080) reported that the same ought to pass.

(Signed) Senators, Marden of Kennebec, Chase of Washington and Representatives, Dow of Norway, Donahue of Biddeford, Dwinal of Camden, Payson of Portland, Pike of Bridgton, Shesong of Portland.

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

(Signed) Representative Buzzell of Belfast.

On motion by Mr. Marden of Kennebec, the majority report of the committee "Ought to Pass" was accepted and the bill was given its first reading.

Thereupon, on motion by Mr. Hill

of Cumberland, under suspension of the rules, the bill was given its second reading by title only.

Mr. FRIEND of Somerset: Mr. President, I would like to make a motion at this time that the bill be read in full.

Mr. HILL: Mr. President, while I know of no objection to the full reading of the bill at this time, may I point out that this is a printed bill and has the legislative document number 1080?

Mr. FRIEND: Then, Mr. President, I will withdraw my motion for the full reading of the bill at this time.

The PRESIDENT: There being no objection, the Senator from Somerset, Senator Friend, withdraws his motion for the full reading of the bill. The question now before the Senate is on the passing of the bill to be engrossed. Is the Senate ready for the question?

Thereupon, the bill was passed to be engrossed.

Sent forthwith to the House for concurrence.

Mr. CHAMBERLAIN of Penobscot: Mr. President, I would like to ask a question of the Senator from Cumberland, Senator Hill, through the Chair.

The PRESIDENT: There being no objection, the Senator from Penobscot, Senator Chamberlain may ask his question through the Chair of the Senator from Cumberland, Senator Hill, who may answer if he desires.

Mr. CHAMBERLAIN: Mr. President, I do not know whether I understood correctly that any of these bills that have been reported in new draft are to be printed. Are they to be printed in new draft?

Mr. HILL: Mr. President, in answer to the question of the Senator from Penobscot, Senator Chamberlain, I will say that I agree entirely that the new drafts should be printed and if there has been no motion to that effect I will now move that the new drafts of the two bills that were reported in new draft be printed.

The PRESIDENT: The Chair will inform the Senator that such a motion is now not in order inasmuch as the papers have already been sent forthwith to the House. The Chair will call to the attention of the Senate that the printing may be ordered in the other Body.

The PRESIDENT: The business now before the Senate is the first reading of printed bills.

First Reading of Printed Bills

Bill "An Act Relating to the Powers of the County Commissioners," (S. P. 538) (L. D. 1073)

Bill "An Act to Promote the Topographic Mapping of Maine in cooperation with the United States Geological Survey," (S. P. 549) (L. D. 1075)

Bill "An Act Creating the Port Authority of Mount Desert," (S. P. 550) (L. D. 1076)

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

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," (S. P. 551) (L. D. 1077)

"Resolve Relating to the Construction of a Dormitory at the Prison Farm," (S. P. 552) (L. D. 1078)

Bill "An Act to Promote the Blueberry Industry of the State," (S. P. 553) (L. D. 1079)

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

Senate Committee Reports

Mr. Graves from the Committee on Claims on "Resolve in Favor of June N. Wood, Bangor, Maine," (S. P. 350) (L. D. 777) reported that leave be granted to withdraw.

The same Senator from the same Committee on "Resolve to Reimburse the Town of Jay for Support of Paupers," (S. P. 349) reported that leave be granted to withdraw.

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 Hunting and Fishing Licenses; Revocation of," (S. P. 25) (L. D. 11) reported the same in a new draft (S. P. 575) under the same title and that it ought to pass.

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

Mr. Spear from the Committee on State School for Boys, State

School for Girls and State Reformatories, submitted its Final Report.

Which report was read and accepted.

Sent down for concurrence.

Passed to be Engrossed

Bill "An Act Relating to Copies of Records." (H. P. 1662) (L. D. 713)

Bill "An Act Relating to Removal of Paupers." (H. P. 1664) (L. D. 904)

Bill "An Act Relating to the Registration of Non-resident Owned Motor Vehicles." (H. P. 1697) (L. D. 927)

Bill "An Act Changing the Name of the Preachers' Aid Society of the Maine Conference of the Methodist Episcopal Church." (H. P. 1836) (L. D. 997)

Bill "An Act Relating to the Sale of Wood by the Load." (H. P. 1893) (L. D. 1022)

(On motion by Mr. Boucher of Androscoggin tabled pending second reading.)

Bill "An Act to Incorporate the Rockland School District." (H. P. 2018) (L. D. 1066)

Bill "An Act Relating to Civil Service in the City of Auburn." (H. P. 2019) (L. D. 1065)

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

Bill "An Act Providing for the Election of a Chairman of the Board of Selectmen." (S. P. 196) (L. D. 240)

Bill "An Act Relating to Sale or Possession of Poisons." (S. P. 330) (L. D. 581)

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

Sent down for concurrence.

From the House, out of order and under suspension of the rules:

The Committee on Judiciary on bill "An Act Amending the Unemployment Compensation Law Relating to Benefits," (H. P. 1321) (L. D. 547) reported the same in a new draft (H. P. 2055) (L. D. 1091) under the same title and that it ought to pass.

Which report was read and accepted in concurrence, the bill read once and tomorrow assigned for second reading.

Emergency Measure

From the House, out of order and under suspension of the rules:

"Resolve for the Laying of the County Taxes for the Year Nineteen Hundred and Thirty-Nine" (H. P. 2075)

Which resolve being an emergency measure and having received the affirmative vote of 24 members of the Senate and none opposed was finally passed.

Finally Passed

From the House, out of order and under suspension of the rules:

"Resolve for the Laying of the County Taxes for the Year Nineteen Hundred and Forty." (H. P. 2076)

Passed to be Enacted

An Act Relating to the South Portland Board of Education. (S. P. 90) (L. D. 55)

An Act Relating to the Milk Control Board. (S. P. 342) (L. D. 825)

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

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

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

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

(On motion by Mr. Spear of Cumberland, tabled pending passage to be enacted.)

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

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

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)

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

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

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

An Act to Provide for the Organization of Nonprofit Hospital Service Corporations. (H. P. 1433) (L. D. 612)

An Act Relative to the Powers of

the Insurance Commissioner. (H. P. 1435) (L. D. 614)

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

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

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

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

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

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

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

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

An Act Creating the Limestone Water and Sewer District. (H. P. 1785) (L. D. 948)

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

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

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

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

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

Finally Passed

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

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)

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

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)

Orders of the Day

On motion by Mr. Sanborn of Cumberland the Senate voted to take from the table, Senate Report from the Committee on Legal Affairs "Ought Not to Pass" on An Act Relating to the Registration and Regulation of Watchmakers (S. P. 152) (L. D. 126) tabled by that Senator on February 14th pending acceptance of the report.

Mr. SANBORN of Cumberland: Mr. President, it will be noted that this matter has lain upon the table for a period of six weeks and I am free to say somewhat to my own embarrassment. It is my understanding that at the time of hearing there was some opposition to this bill coming from certain quarters and that this opposition was based on some misapprehension as to the effect of the measure. Explanations have resulted in the removal of the opposition, which might indicate the propriety of recommitment but I am certain at this late stage in the session it would be looked upon as a piece of effrontery to move to recommit it. It is therefore my wish that this measure be referred to the next legislature. For that purpose, Mr. President, I move the substitution of the bill for the report, with the assurance that if the motion prevails, it will be followed by a motion to refer to the next legislature.

Thereupon, the bill was substituted for the report; and on further motion by the same Senator, the bill was referred to the next legislature.

Sent down for concurrence.

Mr. SPEAR of Cumberland: Mr. President, may I inquire if Legislative Document 619, An Act Relating to the Licensing of Aircraft, is in the possession of the Senate?

The PRESIDENT: The Chair would inform the Senator that Legislative Document 619 is in the possession of the Senate.

Mr. SPEAR: Mr. President, this bill amends our present law to the extent that whoever violates any of the provisions of this act shall be punished by a fine of not more than \$100, or by imprisonment for not more than 3 months. For the purpose of offering an amendment, I

move that we reconsider our former action whereby this bill was passed to be engrossed.

The motion prevailed and the Senate voted to reconsider its action of yesterday, whereby bill, An Act Relating to the Licensing of Aircraft (H. P. 1439) (L. D. 619) was passed to be engrossed, in concurrence.

Thereupon, Mr. Spear of Cumberland presented Senate Amendment "A" and moved its adoption: "Senate Amendment 'A' to House Paper 1439, Legislative Document 619, An Act Relating to the Licensing of Aircraft. Amend said bill by inserting before the headnote of the first paragraph thereof the following: 'Section 1. Further amend said bill by adding at the end thereof the following: Section 2. Sovereign in space defined. Sovereignty in the space above the lands and waters of the state is declared to rest in the state except where granted to and assumed by the United States pursuant to a constitutional grant from the people of this state.'"

Mr. SPEAR: Mr. President, in explanation of this amendment, may I say that navigation of the highways has been well determined by the courts, navigation of the high seas has been determined by the courts, but navigation of the air has not been determined except in few instances. I therefore move this amendment be adopted.

Thereupon, 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. Graves of Hancock, the Senate voted to take from the table, Resolve to Reimburse the Town of Bethel for the Fighting of Fire in Unorganized Township of Albany (H. P. 1867) (L. D. 1010), tabled by that Senator on March 22nd pending final passage; and on further motion by the same Senator, under suspension of the rules, the Senate voted to reconsider its action taken on March 22nd whereby the resolve was passed to be engrossed, in concurrence.

Mr. Graves presented Senate Amendment A:

"Senate Amendment A to L. D. 1010. Amend said resolve by striking out in the fifth line thereof the words 'funds of the forestry depart-

ment' and insert in place thereof the words 'general state funds'."

Thereupon, Senate Amendment A was adopted, and the resolve as so amended was passed to be engrossed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Thatcher of Penobscot, the Senate voted to take from the table, Senate Report from the Committee on Military Affairs "Ought to Pass in New Draft Under the Following Title: Resolve Relative to the Purchase of Land Adjoining Land of the State Military Department, at Augusta, known as Camp Keyes" 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), tabled by that Senator on March 23rd pending acceptance of the report, and on further motion by the same Senator, the report of the committee was accepted and the resolve in new draft was laid upon the table for printing under the joint rules.

Mr. KENNEDY of Hancock: Mr. President, yesterday the Senate voted to indefinitely postpone Legislative Document 467, An Act Relating to Selling or Giving Liquor to the Indians. It is a bill to repeal Section 294 of Chapter 1 of the Laws of 1933. I do not feel that the vote as carried clearly reflected the opinion of this Senate on the matter. In justice to the sponsors of the bill and myself, I move the Senate reconsider its action of yesterday whereby we voted to indefinitely postpone Legislative Document 467.

Thereupon, the Senate voted to reconsider its action of yesterday whereby bill, An Act Relating to Selling or Giving Liquor to the Indians (H. P. 1150) (L. D. 467) was indefinitely postponed in non-concurrence; and on further motion by the same Senator, the report of the committee was accepted in concurrence, and the bill was laid upon the table pending first reading.

On motion by Mr. Spear of Cumberland, the Senate voted to take from the table, House Report from the Committee on Motor Vehicles "Ought to Pass in New Draft Under the Same Title" (H. P. 1983)

(L. D. 1058) 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), tabled by that Senator on March 24th pending acceptance of the report in concurrence; and on further motion by the same Senator, the report of the committee was accepted in concurrence, and the bill in new draft was given its first reading and tomorrow assigned for second reading.

On motion by Mr. Spear of Cumberland, the Senate voted to take from the table, bill, An Act Relating to Licenses for Dispensing Victuals (S. P. 508) (L. D. 1047), tabled by that Senator earlier in today's session pending passage to be enacted; and on further motion by the same Senator the bill was passed to be enacted.

On motion by Mr. Cony of Kennebec, the Senate voted to take from the table, An Act Relative to the Investment of Unclaimed Money in the Hands of County Treasurers (S. P. 448) (L. D. 994), tabled by that Senator on March 14th pending passage to be enacted.

Mr. CONY of Kennebec: Mr. President, at the time I tabled this matter, I did so because of considerable expressed opposition to the proposed law on the part of county officials in this county. The law as it now stands, I understand, was formulated for the most part by Judge Fenderson of York County, who was regarded as an authority

on such matters, and the information given me is that the law has proved very satisfactory as it is, that is, that the unclaimed funds remain in the hands of the county treasurers of the respective counties, the county being able to avail itself of the use of the funds if it wishes to, and if it does not wish to, they are paid over to claimants on order of the judge of probate, and the county has the benefit as only a small portion of the funds is ever claimed.

The proposed law touches upon its being deposited in banks, which it seems to me would be no safer than in the possession of our county treasurers.

Being hesitant to table a matter which this splendid committee passed upon, I have interviewed several members of the Committee on Judiciary, and I thought unquestionably they would not feel much opposed to the motion I am about to make. I have also consulted the gentleman who introduced the bill, and my impression is that he feels the same. I therefore move the bill be indefinitely postponed.

The motion prevailed, and the bill was indefinitely postponed in non-concurrence.

Sent down for concurrence.

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

On motion by Mr. Dorr of Oxford, Adjourned until tomorrow morning at ten o'clock.