

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Legislative Record

OF THE

Eighty-Ninth Legislature

OF THE

STATE OF MAINE

1939

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

SENATE

Saturday, April 1, 1939, the Senate was called to order by the President.

Prayer by the Reverend Zebedee Andrews of Gardiner.

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, that when the Senate adjourns, it adjourn to meet on Monday, April 3, 1939, at 4:00 o'clock in the afternoon. (S. P. 620)

Papers from the House referred in concurrence.

House Committee Reports

The Committee on Agriculture on bill "An Act to Create a Horticultural Commission," (H. P. 1404) (L. D. 601) reported that the same ought not to pass.

On motion by Mr. Osgood of Oxford, recommitted to the Committee on Agriculture in non-concurrence.

Sent down for concurrence.

The Committee on Inland Fisheries and Game on bill "An Act Providing for the Payment of Porcupine Bounties Directly by the State," (H. P. 1788) (L. D. 956) reported that the same ought not to pass.

The same Committee on bill "An Act Relating to Regulation of Sporting Camps by the Commissioner," (H. P. 1565) (L. D. 663) reported that the same ought not to pass.

The same Committee on "Resolve for Screening Outlet of Molasses Pond in Eastbrook," (H. P. 1412) reported that the same ought not to pass.

The same Committee on bill "An Act Relative to Fishing Licenses," (H. P. 468) (L. D. 139) reported that the same ought not to pass.

The same Committee on bill "An Act Relative to the Sale of Deer," (H. P. 379) (L. D. 100) reported that the same ought not to pass.

The same Committee on bill "An Act Relating to Transportation of Deer," (H. P. 879) (L. D. 336) re-

ported that the same ought not to pass.

The Committee on Mercantile Affairs and Insurance on bill "An Act Relating to Standard Form Insurance Policy," (H. P. 1672) (L. D. 758) reported that the same ought not to pass.

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

The Committee on Taxation on bill "An Act Relating to Taxes for Old Age Assistance," (H. P. 1462) (L. D. 628) reported that the same ought not to pass.

The same Committee on bill "An Act Relating to Taxation of Personal Property," (H. P. 1733) (L. D. 833) reported that the same ought not to pass.

The Committee on Temperance on bill "An Act Relating to Outdoor Advertising," (H. P. 1740) (L. D. 843) reported that the same ought not to pass as covered by other legislation.

The Committee on Ways and Bridges on bill "An Act Relating to the Wiscasset-Westport Ferry," (H. P. 1221) (L. D. 428) reported that the same ought not to pass.

Which reports were severally read and accepted in concurrence.

The same Committee on bill "An Act Relating to Marking Certain Highways," (H. P. 933) (L. D. 366) reported that legislation thereon is inexpedient.

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

The Committee on Inland Fisheries and Game on bill "An Act Prohibiting Trapping in the Town of Scarborough and in the City of Saco," (H. P. 1132) (L. D. 410) reported the same in a new draft (H. P. 2098) (L. D. 1103) under a new title bill "An Act Prohibiting Trapping in the Town of Scarborough," and that it ought to pass.

The same Committee on Bill "An Act Relative to Game Preserve in York County," (H. P. 274) (L. D. 84) reported the same in a new draft (H. P. 2100) (L. D. 1104) under a new title, bill "An Act Relative to Bird Sanctuary in Old Orchard Beach" and that it ought to pass.

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

The Committee on Towns on bill "An Act to Provide for the Surrender by Town of Williamsburg of Its Organization," (H. P. 1750) (L. D. 677) reported that the same ought to pass when amended by Committee Amendment "A" submitted herewith.

Comes from the House, report read and accepted in concurrence, Committee Amendment "A" indefinitely postponed, 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. On motion by Mr. Osgood of Oxford, Committee Amendment "A" was indefinitely postponed in concurrence. On further motion by the same Senator, House Amendment "A" was read and adopted in concurrence and the bill as so amended was Monday next assigned for second reading.

The same Committee on bill "An Act to Provide for the Surrender by Bigelow Plantation of Its Organization," (H. P. 521) (L. D. 176) reported that the same ought to pass when amended by Committee Amendment "A" submitted herewith.

Comes from the House, report read and accepted in concurrence, Committee Amendment "A" indefinitely postponed, 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. On motion by Mr. Osgood of Oxford, Committee Amendment "A" was indefinitely postponed in concurrence. On further motion by the same Senator, House Amendment "A" was read and adopted in concurrence and the bill as so amended was Monday next assigned for second reading.

Referred to Committees

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

Judiciary

Mr. Chamberlain of Penobscot presented Resolution of James W. Williams Post of American Legion

favoring Act Relating to Child Welfare. (S. P. 621)

Sent down for concurrence.

Legal Affairs

The same Senator presented Resolution of the Maine Dept. of American Legion favoring Development of Passamaquoddy Tidal Project. (S. P. 622)

Sent down for concurrence.

Senate Committee Reports

Mr. Thatcher from the Committee on Motor Vehicles on bill "An Act Relating to Use of Trailers on Farm Tractors," (S. P. 383) (L. D. 788) reported that the same ought not to pass.

Mr. Morse from the Committee on Pensions on bill "An Act Relating to Old Age Assistance" (S. P. 394) (L. D. 821) reported that the same ought not to pass.

The same Senator from the same Committee on "Survey of Crippled Persons in Maine, by Counties," (S. P. 201) (L. D. 242) reported that the same be placed on file.

Mr. Tompkins from the Committee on Banks and Banking on bill "An Act Relating to Investments for Trust Funds of the State," (S. P. 436) (L. D. 977) reported that the same ought not to pass.

Which reports were severally read and accepted.

Sent down for concurrence.

Mr. Friend from the Committee on Pensions on bill "An Act Relating to Exemption of Homes from Claims in re Old Age Assistance", (S. P. 124) (L. D. 114) reported that the same ought to pass.

Which report was read and accepted, the bill read once and Monday next assigned for second reading.

Mr. Friend from the Committee on Pensions on bill "An Act Relating to the State Police," (S. P. 411) (L. D. 810) reported the same in a new draft (S. P. 623) under the same title, and that it ought to pass.

Mr. Burns from the Committee on State Lands and Forest Preservation on bill "An Act Relating to the Maine Forestry District," (S. P. 331) (L. D. 587) reported the same in a new draft (S. P. 624) 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. 550) (L. D. 1076) reported the same in a new draft (S. P. 626) under the same title, and that it ought to pass.

Which reports were severally read and accepted, and the bills laid upon the table for printing under the joint rules.

Mr. Beckett from the Committee on Motor Vehicles on bill "An Act Relating to Dealers in Motor Vehicles," (S. P. 385) (L. D. 786) reported that the same ought to pass when amended by Committee Amendment "A" submitted herewith.

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

The majority of the Committee on Salaries and Fees on bill "An Act Relating to the State Police," (S. P. 437) (L. D. 976) reported that the same ought not to pass.

(signed) Senator: Lewis of Lincoln and Representatives: McGillicuddy of Houlton, Ford of Saco, Fernald of Levant, Douglass of Gorham, Churchill of Brewer and Downs of Rome.

The minority of the same Committee on the same subject matter, reported the same in a new draft (S. P. 625) under the same title and that it ought to pass.

(signed) Senators: Spear of Cumberland and Harkins of Androscoggin.

(On motion by Mr. Elliot of Knox, tabled pending acceptance of either report.)

Passed to be Engrossed

Bill "An Act Relating to Collection of Poll Taxes." (H. P. 484) (L. D. 179)

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

Sent down for concurrence.

Bill "An Act Relative to the Office of Town Auditor." (H. P. 519) (L. D. 172)

Bill "An Act to Provide for the Surrender by Milton Plantation of

Its Organization." (H. P. 522) (L. D. 175)

Bill "An Act to Provide for the Surrender by Medford of Its Organization." (H. P. 587) (L. D. 210)

Bill "An Act to Provide for the Surrender by Orville of Its Organization." (H. P. 588) (L. D. 211)

Bill "An Act to Provide for the Surrender by Town of Topsfield of Its Organization." (H. P. 589) (L. D. 212)

Bill "An Act Changing Ward Boundaries in the City of Saco." (H. P. 1169) (L. D. 488)

Bill "An Act to Provide for the Surrender by Lexington Plantation of Its Organization." (H. P. 407) (L. D. 112)

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

Bill "An Act Relating to Regulation of Pauper Expense for Conveyance of Children Attending the Public Schools." (H. P. 1751) (L. D. 900)

Which bill was given its second reading.

Mr. MARDEN of Kennebec: Mr. President, I offer Senate Amendment A to Legislative Document 900 and would say in connection with this that it is an amendment which in the minds of all persons interested serves only to clarify this measure.

"Senate Amendment A to Legislative Document 900. Amend said bill by adding at the end of the last paragraph thereof the following: 'For the purpose of this section the word 'paupers' shall mean all persons who have been directly or indirectly furnished with pauper supplies as such within the three months next preceding the time when the extra expense for conveyance as above described was incurred. Expenses incurred by any town or by the state under this section may be paid from funds available for relief of the poor but shall in no other respect be treated as pauper expense.'"

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

Bill "An Act Amending the Acts Relating to the Prevention of Fires." (H. P. 1982) (L. D. 1052)

"Resolve Creating a Recess Com-

mittee on Feasibility of Acquiring Property for the Establishment of Public Bathing Beaches and for Encouraging the Development of the Shores of the Lakes and Streams of the State." (H. P. 2038) (L. D. 1072)

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

Bill "An Act Relating to Beauty Culture." (S. P. 144) (L. D. 129)

Bill "An Act Relating to Damage by Deer to Growing Crops and Orchards." (S. P. 179) (L. D. 230)

"Resolve Appropriating Money for Drilling Artesian Wells in the Town of Perry." (S. P. 426) (L. D. 970)

"Resolve Relative to the Purchase of Land Adjoining Land of the State Military Department, at Augusta, Known as Camp Keyes." (S. P. 539) (L. D. 1105)

Bill "An Act Relative to Hunting and Fishing Licenses; Revocation of." (S. P. 574) (L. D. 1106)

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

Sent down for concurrence.

Passed to be Enacted

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

An Act Relating to Removal of Paupers. (H. P. 1664) (L. D. 964)

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

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)

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

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

Orders of the Day

On motion by Mr. Burns of Aroostook, the Senate voted to take from the table bill, An Act Relating to

Emergency Aid in Certain Organized and Unorganized Territory (S. P. 558) (L. D. 1083) tabled by that Senator on March 30th pending passage to be engrossed.

Mr. BURNS: Mr. President, Senator Hill of Cumberland told me this morning that he wished to have this matter in which I am vitally interested, recommitted to the Economy Committee. I have no objection to that and I yield now to Senator Hill.

Mr. HILL of Cumberland: Mr. President, I think the Senator from Aroostook, Senator Burns, has somewhat misunderstood the intention, which was that the bill be recommitted to the Committee on Legal Affairs. I move, Mr. President, that the bill be so recommitted.

The motion prevailed and the bill was recommitted to the Committee on Legal Affairs.

Sent down for concurrence.

Mr. KENNEDY of Hancock: Mr. President, without comment I move that the Senate reconsider its action of yesterday whereby it voted to accept the minority report of the Committee on Legal Affairs "Ought Not to Pass" on Legislative Document 736, An Act to Permit Sunday Moving Pictures.

Mr. SPEAR of Cumberland: Mr. President, pending reconsideration I move this matter be laid on the table and especially assigned for Tuesday next.

The motion prevailed and the bill was laid upon the table pending motion to reconsider, and especially assigned for Tuesday next.

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

On motion by Mr. Kennedy of Hancock

Adjourned until next Monday afternoon, April 3rd, at four o'clock.