

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Third Legislature

OF THE

STATE OF MAINE

1927

KENNEBEC JOURNAL COMPANY
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retary of State" (S. D. 179) reported that the same ought to pass.

Mr. Miner, from the Committee on Public Health, on bill "An Act relating to the State Department of Health" (S. D. 225) reported that the same ought to pass.

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

Mr. OAKES of Cumberland: Mr. President, I have an order which I wish to introduce out of order and move it be passed and sent to the House for concurrence and would state there is an order coming out of the Judiciary Committee and my reason is to have this passed by the House if possible.

The Secretary read the following order:

It appearing to the Senate that the following are important questions of law and the occasion a solemn one—

ORDERED, the Justices of the Supreme Judicial Court are hereby requested to give to the Senate according to the provisions of the Constitution in this behalf their opinion on the following questions, to which is prefaced the statement of facts.

There have been filed with the Legislature under the initiative and referendum provisions of the Constitution of Maine, petitions asking that a law repealing the Primary Law be submitted to the voters of the State. These petitions are in proper form and contain more than twelve thousand signatures. It is apparent, from an examination of some of the petitions, that several names are in the same hand-writing.

1. If on hearing, the Legislature finds as a fact that one person wrote several names on a petition does that invalidate the verification of the petition and should the other names on that petition be counted?

2. If on hearing, the Legislature finds as a fact that one person wrote several names on a petition but did so in good faith, believing that he had a right to do so, does that invalidate the verification of the petition and should the other names on the petition be counted?

3. If a person verifies a petition that he did not circulate and did not see each petition sign but does so honestly believing that each name

appearing on the petition is the true signature of the person whose name appears, is that a proper verification and should the names on that petition be counted?

Which order was read and passed.

On motion by Mr. Foster of Kennebec, the Senate voted to reconsider its action of yesterday whereby an Act relating to the use as part of name the words "bank," "savings," "trust," and kindred words (H. D. 371), was passed to be enacted; and on further motion by the same senator the Senate reconsidered its action whereby the same bill was passed to be engrossed.

Mr. FOSTER of Kennebec: Mr. President, I moved for reconsideration for the purpose of offering an amendment. I now offer Senate Amendment A and move its passage, and I speak to the passage of the amendment. This is an act relative to the use of the word "bank" or "banking" and it appears that if the measure should become a law and go into effect immediately, it would work a hardship to some people who have been using that name. The amendment simply provides for the extension of the time before the law is operative until next January. I trust it may have passage.

(The secretary read the following amendment:)

"Senate Amendment A to House Document 371. House Document 371 is hereby amended by inserting after the word 'shall' in the fifth line thereof the words 'on and after the first day of January, A. D. nineteen hundred and twenty-eight.'"

Mr. OAKES of Cumberland: Mr. President, may I ask the senator from Kennebec, Mr. Foster, if that affects the effectiveness of the rest of the act?

Mr. FOSTER: Mr. President, replying through the Chair, I will say it does not. It simply provides for the using up of a large quantity of stationery on which the printing appears and it would not be added expense. It does not take away the purport of the act at all.

Mr. OAKES: The only question was, I didn't know how the wording would affect the rest of the act.

Thereupon the bill as amended was passed to be engrossed.

Mr. GRANVILLE of York: Mr. President, out of order and under suspension of the rules I would like