

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Sixth Legislature

OF THE

STATE OF MAINE

Special Session, December 4, 1933

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Thursday, December 14, 1933.

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Bessom of Hallowell.

Journal of the previous session read and approved.

From the Senate: Report of the Committee on Appropriations and Financial Affairs on bill an act providing flexibility in the handling of State revenues and expenditures during the period of the present State cash stringency (S. P. No. 42) (L. D. No. 115) reporting same in a new draft (S. P. No. 65) under same title and that it ought to pass

Comes from the Senate report read and accepted and the new draft given its several readings under suspension of the rules and passed to be engrossed.

In the House:

Miss LAUGHLIN of Portland: Mr. Speaker, has the bill been printed and have we the new draft before us?

The SPEAKER: The new draft has not been printed.

Miss LAUGHLIN: I move that the bill and report lie on the table and that the new draft be printed, pending the acceptance of the report in concurrence.

Mr. CARLETON of Portland: Mr. Speaker, I find that up to date we have printed 164 bills at a cost of \$1983. If it would be possible to cut out any of the printing from now on, I wish that it might be done. I make this statement so that the members may know the cost of printing. I have no objection to any bill being printed.

The SPEAKER: The Chair informs the gentleman that if the motion of the member from Portland, Miss Laughlin, prevails, the new draft can be printed within an hour. The Chair hopes that the House will be in session all day long at intervals.

Miss LAUGHLIN: Mr. Speaker. I simply wish to say that considering the great importance of this bill, the most important before this session, it does not seem that the House should rush it through without even looking at it or having it in printed form.

Thereupon, a viva voce vote being taken, the bill and accompanying

report were tabled pending acceptance of the report in concurrence, and 500 copies of the new draft ordered printed.

From the Senate: Final report of the committee on

Agriculture

State Sanatoriums

Comes from the Senate, read and accepted.

In the House read and accepted in concurrence.

The following remonstrance was received and upon recommendation of the committee on reference of bills was read, ordered placed on file and sent up for concurrence: Remonstrance of Sidney F. Cook of Presque Isle, and 98 others, against any increase in gasoline tax. H. P. 143 (Presented by Mr. Bennett of Presque Isle)

Reports of Committees

Mr. Bussey from the committee on Inland Fisheries and Game reported ought not to pass on bill an act authorizing the opening of certain waters to fishing. H. P. 110, L. D. 163.

Mr. MACK of Veazie: Mr. Speaker, I believe that quite a few members of the House are interested in this matter; in fact I know there is a tremendous amount of interest in this particular piece of legislation and the two immediately following it on the Calendar. I wonder if these might be tabled until we have a little more information about the matter?

Mr. BUSSEY of Dixmont: Mr. Speaker, there will be a bill come in that will take care of the matter. There were before the committee five or six bills relative to ice fishing. These bills on the calendar here we reported ought not to pass and made one good bill to take their place which will appear here later, and which I believe will clear up everything of the matter of ice fishing.

The SPEAKER: The motion of course is not debatable. I permitted the gentleman from Dixmont, Mr. Bussey, to make a statement of the position of the committee and any other debate will be out of order. Is it now the pleasure of the House that the motion of the gentleman from Veazie, Mr. Mack,

that the bill and accompanying report lie on the table prevail?

A viva voce vote being taken, the motion prevailed.

Mr. Bussey from the Committee on Inland Fisheries and Game reported ought not to pass on bill an act relating to ice fishing, H. P. 62, L. D. 72, together with petitions, H. P. 40, S. P. 63 and S. P. 17.

(On motion by Mr. Mack of Veazie, the bill and accompanying report were tabled, pending acceptance of the report.)

Mr. HescocK from same committee reported same on bill an act to repeal an act entitled "An act relating to closed seasons in the several waters of the State, H. P. 109, L. D. 151.

(On motion by Mr. Mack of Veazie, the bill and accompanying report were tabled, pending acceptance of the report.)

Mr. Fernald from the Committee on Judiciary reported Ought not to pass on bill an act relating to motor vehicles of seven feet or more in width. (H. P. 98) (L. D. 128)

Mr. Hill from same Committee reported same on bill an act relating to mirrors on motor vehicles. (H. P. 99) (L. D. 129)

Miss Laughlin from same Committee reported same on resolve proposing an amendment to the Constitution abolishing the office of Treasurer of State. (H. P. 23) (L. D. 38)

Mr. Farris from same Committee reported same on bill an act relating to stock holdings by corporations. (H. P. 33) (L. D. 73)

Same gentleman from same Committee reported same on bill an act validating the acts of assessors since 1922. (H. P. 97) (L. D. 159)

Mr. Elbridge from same Committee reported same on bill an act relating to the issuance of licenses for the operation of motor vehicles. (H. P. 77) (L. D. 85)

Same gentleman from same Committee reported same on resolve proposing an amendment to the Constitution changing the date of the biennial election in the years of National elections. (H. P. 20) (L. D. 35)

Mr. Hill from same Committee reported same on resolve proposing an amendment to the Constitution changing the date of the biennial election. (H. P. 19) (L. D. 54)

Mr. Goudy from same Committee reported same on bill an act relating to registration of trailers. (H. P. 16) (L. D. 31)

Mr. Tompkins from same Committee reported same on bill an act transferring the powers and duties of the State Treasurer to other State officers. (H. P. 18) (L. D. 33)

Mr. Wentworth from the Committee on Public Health reported same on bill an act relating to the practice of hairdressing and beauty culture. (H. P. 31) (L. D. 46)

Reports read and accepted and sent up for concurrence.

Mr. Rounds from the Committee on Claims on resolve in favor of Charles Springer of Hartland (H. P. 76) reported same in a new draft (H. P. 144) under same title and that it ought to pass.

Report read and accepted and the new draft ordered printed under the Joint Rules.

Mr. Smith from the Committee on Inland Fisheries and Game reported ought to pass on bill an act relating to kindling of fires by non-residents. (H. P. 91) (L. D. 114)

Mr. Farris from the Committee on Judiciary reported same on bill an act relating to notice on defaulting trustees. (H. P. 111) (L. D. 143)

Mr. Goudy from same Committee reported same on bill an act to ratify and confirm the reduction of the capital of Libby, McNeill & Libby. (H. P. 21) (L. D. 36)

Mr. Fernald from same Committee reported same on bill an act permitting the building of a bridge between Southport and Capitol Island. (H. P. 22) (L. D. 37)

Same gentleman from same Committee reported same on bill an act relating to chauffeurs badges. (H. P. 17) (L. D. 32)

Mr. Goudy from same Committee reported same on bill an act authorizing and empowering the Register of Deeds for the county of Knox to make a true copy of contents of Volume 24 and of Volume 30 of the Knox County Records of Deeds and to certify that the same are true copies of said Records. (H. P. 13) (L. D. 28)

Mr. Sargent from the Committee on Legal Affairs reported same on bill an act to amend the charter of Bridgton Center Village Corporation. (H. P. 26) (L. D. 41)

Miss Martin from same Committee reported same on bill an act relating to the term of office of mem-

bers of the Police Department of the city of Bangor. (H. P. 27) (L. D. 42)

Reports read and accepted and the bills having already been printed were read twice under suspension of the rules and today assigned at 4.30 P. M.

Mr. Chase of Baring from same Committee reported same on bill an act to provide a Town Council and Manager Form of Government for the town of Baileyville, in the county of Washington. (H. P. 25) (L. D. 40)

Mr. Chase presented House Amendment A and moved its adoption as follows:

House Amendment A to H. P. 25, L. D. 40, entitled an act to provide a Town Council and Manager Form of Government for the town of Baileyville, in the county of Washington.

Amend said bill by inserting after the word "two" the word "elective".

Mr. CHASE: Mr. Speaker, I wish to say that this word was omitted from the bill and that this amendment simply adds that word. If proper at this time to speak on this measure, I would say in explanation that this bill does not carry the referendum by reason of the fact that we reversed the usual procedure, had the special town meeting and put the matter up to the town meeting before it was presented to the Legislature. May I say in addition that it received more than a two-thirds vote at the special town meeting.

Thereupon House Amendment A was adopted and the bill was assigned for its third reading at 4.30 o'clock this afternoon.

Mr. Bennett from the Committee on Public Health reported ought to pass on bill an act for the regulation of cosmetics, H. P. 30, L. D. 45.

Report read and accepted and the bill having already been printed was read twice under suspension of the rules and today assigned at 4.30 P. M.

First Reading of Printed Bills

(H. P. No. 88) (L. D. No. 167) An act relating to a retirement pension for Howard Wood of Patten.

(H. P. No. 142) (L. D. No. 168) An act regulating interest charges on unpaid State and County taxes.

Passed to be Engrossed

(S. P. No. 60) An act relating to

admittance of patients to State sanatoriums.

(H. P. No. 32) (L. D. No. 47) An act relating to power service in Lubec, Trescott and Whiting Village.

(H. P. No. 41) (L. D. No. 53) An act relating to the licensing of operators of milk gathering stations.

(On motion by Mr. Hills of Northport, tabled pending passage to be engrossed).

(S. P. No. 8) Resolve in favor of Charles W. Brown.

Passed to be Enacted

(H. P. No. 14) (L. D. No. 29) An act to amend an act entitled an act to incorporate Dexter P. Cooper, Inc., for the purpose of developing and utilizing the power of the tides in the Bay of Fundy and waters adjacent thereto.

RECESS

Orders of the Day

Mr. Williams of Dover-Foxcroft presented the following resolution and moved its passage:

Whereas Erwin C. Ryder, one of our fellow members of this House, has been prevented from participating in our deliberations by a long and painful illness and, whereas those of us who know him well, know his faithfulness in the conscientious discharge of his duties as a Legislator and realize what a disappointment it has been to him not to be able to do his part. Now, therefore, be it resolved that this House hereby express its deep regrets that Mr. Ryder's illness has caused him so much suffering, and furthermore deprived him of the privilege of performing his duties as a Representative. Be it further resolved that this House express its hope for a speedy recovery for Mr. Ryder and be it further resolved that the Clerk of the House transmit a copy of these resolutions to Mr. Ryder forthwith.

Resolution adopted.

On motion by Mr. Rounds of Portland, the House voted to reconsider its action whereby on December 12th it passed an order introduced by that gentleman directing the Attorney General to give an opinion on a certain matter affecting the Portland City Council; and on further motion by the same gentleman, unanimous consent was given to withdraw the order.

On motion by Mr. Wentworth of Kennebunk, the House voted to re-

consider its action of yesterday whereby it accepted the ought not to pass report of the committee on Judiciary in concurrence with the Senate on bill an act relating to registration number plates, S. P. 14, L. D. 82; and on further motion by the same gentleman the bill and accompanying report were tabled, pending acceptance of the report in concurrence.

Reports of Committees—Continued

(Out of order, under suspension of the rules)

Mr Soper from the committee on Banks and Banking reported ought not to pass on bill an act relating to the organization of trust companies (H. P. No. 74) (L. D. No. 80)

Same gentleman from same committee reported same on bill an act relating to reduction of deposit accounts in savings banks in cases of insolvency (H. P. No. 73) (L. D. No. 79)

Same gentleman from same committee reported same on bill an act authorizing trust companies to acquire and hold stock and other securities not authorized by law to avoid loss (H. P. No. 59) (L. D. No. 71)

Same gentleman from same committee reported same on bill an act restricting the ownership of real property by savings banks (H. P. No. 58) (L. D. No. 70)

Same gentleman from same committee reported same on bill an act defining unsound banking practices (H. P. No. 56) (L. D. No. 68)

Same gentleman from same committee reported same on bill an act regulating the holding of stocks by savings banks (H. P. No. 54) (L. D. No. 66)

Same gentleman from same committee reported same on bill an act relating to violation of sound banking practices (H. P. No. 53) (L. D. No. 65)

Same gentleman from same committee reported same on bill an act relating to the election and duties of directors and officers of trust companies (H. P. No. 45) (L. D. No. 57)

Same gentleman from same committee reported same on bill an act relating to the regulation of loans by trust companies (H. P. No. 44) (L. D. No. 56)

Same gentleman from same committee reported same on bill an act relating to the segregation of certain

bank assets (H. P. No. 43) (L. D. No. 55)

Same gentleman from same committee reported same on bill an act relating to trust companies (H. P. No. 12) (L. D. No. 27)

Same gentleman from same committee reported same on bill an act prohibiting trustees of mutual savings banks from being on board of directors of other banks and providing against interlocking directorates of banks and trust companies (H. P. No. 11) (L. D. No. 26)

Same gentleman from same committee reported same on bill an act relating to loans by trust companies to directors, agents, or employees (H. P. No. 48) (L. D. No. 60)

Same gentleman from same committee reported same on bill an act relating to loans by trust companies to the executive officers (H. P. No. 49) (L. D. No. 61)

Same gentleman from same committee reported same on bill an act relating to the minimum amount of capital stock of trust companies (H. P. No. 50) (L. D. No. 62)

Same gentleman from same committee reported same on bill an act relating to interlocking directorates and qualifications of directors (H. P. No. 51) (L. D. No. 63)

Same gentleman from same committee on bill an act relating to the limitation of stock ownership and voting trusts (H. P. No. 57) (L. D. No. 69) reported that same be referred to the 87th Legislature.

Miss Martin from the committee on Maine Publicity reported same on bill an act to designate the State Highway from Waterville to Bar Harbor as "Acadia Trail" (H. P. No. 29) (L. D. No. 44)

Reports were read and accepted and sent up for concurrence.

Mr. Soper from the Committee on Banks and Banking on Bill "An Act authorizing Savings Banks to Acquire and Hold Stocks in Federal Reserve Banks" (H. P. No. 52) (L. D. No. 64) reported same in a new draft (H. P. No. 145) under title of "An Act authorizing Savings Banks to Acquire and Hold Stocks in Federal Reserve Banks and Federal Deposit Insurance Corporations" and that it "Ought to pass"

Same gentleman from same Committee on Bill "An Act authorizing Trust Companies to Acquire and Hold Stock in Federal Reserve

Banks" (H. P. No. 46) (L. D. No. 58) reported same in a new draft (H. P. No. 146) under title of "An Act authorizing Trust Companies to Acquire and Hold Stock in Federal Reserve Banks and Federal Deposit Insurance Corporations" and that it "Ought to pass"

Reports read and accepted and the new drafts ordered printed under the Joint Rules.

Same gentleman from same Committee on Bill "An Act relating to Individual Liability of Stockholders" (H. P. No. 47) (L. D. No. 59) reported same in a new draft (H. P. No. 147) under same title and that it "Ought to pass"

(Tabled by Mr. Hill of South Portland, pending acceptance of the report)

Mr. Soper from the committee on Banks and Banking reported ought to pass on bill an act regulating pledge of assets by trust companies, H. P. 55, L. D. 67.

Report read and accepted and the bill having already been printed was read twice under suspension of the rules and today assigned at 4:30 P. M.

Papers from the Senate, out of order and under suspension of the rules disposed of in concurrence.

Senate Bills In First Reading

S. P. 23, L. D. 95: An act to provide for the authority of a receiver in possession.

S. P. 25, L. D. 93: An act to provide for issuing capital notes and debentures by mutual savings banks and institutions for savings.

S. P. 5, L. D. 13: An act to incorporate the Consolidated Mortgage Company.

S. P. 3, L. D. 9: An act to amend the law relating to acquiring of stock, bonds and other securities by savings banks, institutions for savings, trust companies and loan and building associations.

S. P. 1, L. D. 7: An act authorizing loan and building associations to assign or exchange home mortgages for bonds issued by Home Owners' Loan Corporation.

From the Senate: Report of the committee on banks and banking reporting ought to pass on bill an act to amend the law relating to

savings banks investments. (S. P. 2) (L. D. 8)

Comes from the Senate report read and accepted and the bill given its several readings under suspension of the rules and passed to be engrossed.

In the House, on motion by Mr. Holden of Webster, the bill and accompanying report were tabled, pending acceptance of the report in concurrence.

Further papers from the Senate, out of order, and under suspension of the rules, disposed of in concurrence.

On motion by Miss Martin of Bangor the House voted to reconsider its action whereby it accepted the report of the committee on Maine Publicity on bill an act to designate the State highway from Waterville to Bar Harbor as "Acadia Trail", H. P. 29, L. D. 44; and on further motion by the same member the bill was recommitted to the committee on Maine Publicity and sent up for concurrence.

On motion by Mr. Hancock of Casco,
Recessed until 4:30 P. M.

After Recess

The Speaker in the Chair.

The SPEAKER: You will find on your desks the Advance Journal which has been prepared by the Clerk's office and lists practically all the matters which will be taken up this afternoon.

The following papers from the Senate taken up, out of order, and under suspension of the rules.

Senate Bill In First Reading

S. P. 13, L. D. 83: An act to incorporate Michael Stream Log Driv- ing Company.

Paper from the Senate disposed of in concurrence.

First Reading of a Printed Resolve
H. P. 144, Resolve in favor of Charles Springer of Hartland.

Passed to be Engrossed

(S. P. No. 1 (L. D. No. 7) An act authorizing Loan and Building As- sociations to assign or exchange home mortgages for bonds issued by Home Owners' Loan Corporation

(S. P. No. 3) (L. D. No. 9) An act

to amend the law relating to acquiring of stocks, bonds and other securities by Savings Banks, Institutions for Savings, Trust Companies and Loan and Building Associations

(S. P. No. 5) (L. D. No. 13) An act to incorporate the Consolidated Mortgage Company

Miss LAUGHLIN of Portland: Mr. Speaker, I move the indefinite postponement of this bill; and, if the House permits, I would like to table it until tomorrow morning solely on account of my voice.

Thereupon the bill was tabled and specially assigned for tomorrow morning, the pending question being the motion of the same member to indefinitely postpone.

(S. P. No. 23) (L. D. No. 95) An act to provide for the authority of a receiver in possession

(S. P. No. 25) (L. D. No. 93) An act to provide for issuing capital notes and debentures by Mutual Savings Banks and Institutions For Savings

(H. P. No. 13) (L. D. No. 28) An act authorizing and empowering the Register of Deeds for the county of Knox to make a true copy of contents of Volume 24 and of Volume 30 of the Knox County Records of Deeds and to certify that the same are true copies of said records

(H. P. No. 17) (L. D. No. 32) An act relating to chauffeurs' badges

(H. P. No. 21) (L. D. No. 36) An act to ratify and confirm the reduction of the capital of Libby, McNeill & Libby

(H. P. No. 22) (L. D. No. 37) An act permitting the building of a bridge between Southport and Capitol Island

(H. P. No. 27) (L. D. No. 42) An act relating to the term of office of members of the Police Department of the city of Bangor

(H. P. No. 30) (L. D. No. 45) An act for the regulation of cosmetics

(H. P. No. 55) (L. D. No. 67) An act regulating pledge of assets by Trust Companies

(H. P. No. 88) (L. D. No. 167) An act relating to a retirement pension for Howard Wood of Patten

(H. P. No. 91) (L. D. No. 114) An act relating to kindling of fires by non-residents

(H. P. No. 111) (L. D. No. 143) An

act relating to notice on defaulting trustees

(H. P. No. 142) (L. D. No. 168) An act regulating interest charges on unpaid State and County taxes

(On motion by Mr. Mason of Mechanic Falls, tabled and specially assigned for tomorrow morning, the pending question being the third reading of the bill)

(H. P. No. 25) (L. D. No. 40) An act to provide a Town Council and Manager Form of Government for the town of Baileyville, in the county of Washington

The SPEAKER: The Clerk has in his possession five bills reported in by the committees which are not on this Calendar before you. They are all ought to pass reports and we will go slowly with them so that the members may follow them. By accepting the reports now we will have them in form to act upon tomorrow morning.

Reports of Committees

(Out of order and under suspension of the rules.)

Mr. Sargent from the Committee on Legal Affairs on bill an act relating to the School Board of the city of Lewiston (H. P. No. 103) (L. D. No. 148) reported same in a new draft (H. P. No. 148) under same title and that it ought to pass.

Mr. Chase of Baring from same committee on bill an act to provide a Commission form of Government for the town of Houlton (H. P. No. 135) (L. D. No. 160) reported same in a new draft (H. P. No. 149) under same title and that it ought to pass.

Reports were read and accepted and the new drafts ordered printed under the Joint Rules.

Mr. Plummer from the Committee on Mercantile Affairs and Insurance reported ought to pass on bill an act to enable Domestic Mutual Fire Insurance Companies to obtain aid from the Federal Intermediate Credit Bank (H. P. No. 84) (L. D. No. 110)

Mr. Chase of Sebec from the Committee on Legal Affairs reported same on bill an act to enlarge the powers of the Trustees of Gould Academy, a corporation chartered by the State, to hold property (H. P. No. 78) (L. D. No. 88)

Mr. Tompkins from same Committee reported same on bill an act

to incorporate the Town of Fort Fairfield School District (H. P. No. 105) (L. D. No. 154)

Reports read and accepted and the bills having already been printed were given their two several readings and tomorrow assigned.

The SPEAKER: You will notice on the second page of the Advance Journal on your desks additional reports of committees.

Majority report of the committee on Temperance reporting ought to pass on resolve proposing the repeal of the 26th Amendment to the Constitution, relating to the manufacture and sale of intoxicating liquors (H. P. No. 137) (L. D. No. 138) Report was signed by the following members:

Messrs. FARNSWORTH of Aroostook
McDONALD of Washington
BISSETT of Cumberland
—of the Senate
HOBBS of Hope
BUCKNAM of Portland
LEATHERS of Hermon
Mrs. CARTER of Fairfield
—of the House

Minority report of same Committee reporting ought not to pass on same resolve.

Report was signed by the following members:

Messrs. TOMPKINS of Bridgewater
STOVER of Pownal
LITTLEFIELD of Alfred
—of the House

Mr. PIPER of Bangor: Mr. Speaker, I move that the majority report of the committee, ought to pass, be accepted.

A viva voce vote being taken, the motion prevailed.

Thereupon the rules were suspended and this resolve had its first reading and tomorrow assigned.

Mr. Dow from the Committee on Claims reported ought not to pass on resolve in favor of Roy A. Joslin of Brunswick (H. P. No. 60)

Mr. Bennett from the Committee on Public Utilities reported same on bill an act relating to the use of highways by motor vehicles for hire (H. P. No. 86) (L. D. No. 111)

Mr. Jones from the Committee on State Lands and Forest Preservation reported same on bill an act to authorize the town of Whiting to withdraw from the Maine Forestry District (H. P. No. 121) (L. D. No. 145)

Reports were read and accepted and sent up for concurrence.

Mr. Williams from the Committee on Education reported ought to pass on resolve in favor of a State pension for Ethel W. Knowlton of Monson (H. P. No. 108)

Report was read and accepted and the resolve ordered printed under the Joint Rules.

Mr. Rush from the Committee on State Lands of Forest Preservation reported ought to pass on bill an act creating the Baxter State Park Commission, and defining its powers and duties (H. P. No. 72) (L. D. No. 78)

Report was read and accepted, and the bill having already been printed was read twice under suspension of the rules and tomorrow assigned.

The SPEAKER: Proceeding still under orders of the day, the Chair lays before the House joint order relative to expenses of members of the Legislature, tabled on December 13 by the gentleman from Augusta, Mr. Farris and specially assigned for today, the pending question being the passage of the order, and the Chair recognizes that gentleman.

Mr. FARRIS of Augusta: Mr. Speaker, I yield to the gentleman from Fort Fairfield, Mr. Ashby.

Mr. ASHBY of Fort Fairfield: Mr. Speaker and members of the House, I have little more to say on this bill than I said yesterday. It is no innovation, at all. Four states have already voted expenses of members of the Legislature. Massachusetts, only a day or two ago, voted \$1250 expense. In one state, Tennessee, I know it was ruled down by the courts and declared unconstitutional, because while the constitution fixes the legislators' salaries there is nothing about expense account, and the Court ruled expenses were entirely separate and distinct from salaries.

I went roughly over my expense account last week, and I find it has cost me about \$21 to exist in the city, and I have gotten the magnificent salary of \$10. As I said yesterday, I do not believe the electorate of this State wants us to come down here and run in debt for our board. We are willing to give our time, but we do think the State ought to pay our expense account. I therefore hope this motion will prevail.

The SPEAKER: The pending

question is the motion of the gentleman from Fort Fairfield, Mr. Ashby, that the order have passage. All those in favor will say aye, contrary minded no.

A viva voce vote being taken, the motion prevailed, and the order received passage.

The SPEAKER: There are nine matters on the table unassigned. If it is possible to take any of these matters off of the table and dispose of them, it will save considerable time tomorrow and some expensive printing.

On motion by Mr. Wentworth of Kennebunk, it was voted to take from the table the eighth tabled and unassigned matter, Senate report—ought not to pass—committee on judiciary on bill an act relating to registration number plates, S. P. 14, L. D. 82, tabled December 14 by that gentleman, pending acceptance in concurrence, and on further motion by the same gentleman the bill and accompanying report was recommitted to the committee on Maine Publicity in non-concurrence.

Mr. MASON of Mechanic Falls: Mr. Speaker, would it be possible and advisable to take from the table the matter that I asked to be tabled and specially assigned tomorrow morning? Would it be possible to take that from the table at this time?

The SPEAKER: What matter was that?

Mr. MASON: That Mr. Speaker, was bill to collect 6 per cent interest on overdue State and county taxes.

On motion by Mr. Mason of Mechanic Falls, it was voted to take from the table legislative document 168, new draft, an act relating to interest charges on unpaid State and county taxes, tabled by that gentleman earlier in the session, pending question being third reading of the bill.

Mr. MASON: Mr. Speaker, I believe the purpose of this bill was to bring in the tax to the State from the cities and towns, and also to the county, rather than any intention to have these amounts draw interest accumulating to the State.

It occurs to me that towns and cities in the past have recognized their obligation of payment of

taxes to the State and the county, and they have recognized a very definite date for doing that and have assumed that date was fixed. Now it seems to me in this case the State and county have passively acknowledged that date was not fixed, and in a great many instances the towns would take advantage of this and would delay payment of their taxes. For instance, if a town had money due it one month after the State tax was due they might decide it was a business proposition to let their taxes go one month and pay 6 per cent interest rather than take out a four months' note from the bank, which they would be obliged to do. Also there are, I understand, towns which cannot go to the bank and borrow money. In this way it would give them a borrowing capacity from the State and the county to the extent of their State and county tax.

This is a hasty consideration of this matter, and I may have gotten the point entirely wrong, but I think this matter should not be decided until the question which has arisen in my mind and perhaps in the minds of some of the others in respect of this bill has been properly considered.

Mr. ROUNDS of Portland: Mr. Speaker, this bill would hit Portland pretty hard. They haven't paid the 1932 tax. They had the money at one time to pay it and the treasurer wanted to pay \$100,000 that they had in the bank and the manager said he could make a better trade up here and would not let them pay it. Now we have \$262,000 tied up in the bank and we do not know how much of it we will get at present. I want to read a statement made last Saturday by the treasurer of the city of Portland.

"1. What is our indebtedness to the State of Maine for taxes for the year 1932? \$115,000.00.

2. What is our indebtedness to the State of Maine for taxes for the year 1933? \$625,869.45.

3. What balance do we owe the county of Cumberland for the year 1933? \$111,345.00.

4. Total taxes owed the State of Maine for the years 1932 and 1933? \$740,869.45.

5. Total of State and county tax owed? \$852,214.45.

6. Outstanding taxes Dec. 9—	
1931	\$ 7,991.68
1932	24,062.42
1933	579,612.72
Total	\$611,666.72

7. Cash on hand December 9, 1933, \$118,924.49.

8. Cash impounded in banks, \$262,045.15."

If everybody paid their taxes and we should get the cash impounded in the bank at the present time we would have \$139,000 to go the last three weeks of this month, and our payroll is \$45,000 a week, making \$135,000 of that \$139,000 in payroll alone. They owe different people in the State, for coal, wood, groceries, and every other conceivable thing you can think of, thousands of dollars, therefore they are waiting, trying to get over the first day of January, when they can raise their rate from five and a half to five and three-quarters on the debt limit.

Now I say at this time instead of going out and building golf courses, building stadiums and building playgrounds for children, it is time they should pay that \$100,000 to the State of Maine. They should have paid it when they had it in the bank. I think it is a shame the State should let the 1932 tax go for pleasure. I should hope by charging 6 per cent they would sell enough so as to make them pay their taxes. Now they just laugh at the treasurer of the State of Maine because they say he is no good. I say it is a debt of duty to the State of Maine and that the City of Portland should not try to build playgrounds and owe the State over \$100,000. I think it is time they should pass a law here making them pay their taxes. I understand there is a law somewhere, if I am correct, saying they will make them after eight months. I do not know what the number of the bill is. If anybody can tell me the number of the bill, I will be glad to look at it.

I say now and I have said in the council and I have said everywhere that the State of Maine and the City of Portland have not got enough to pay their bills by thousands of dollars. Now our Mayor who was inaugurated last Monday said they paid \$260,000—there was only \$237,000 coming due this year. If he had \$23,000 why didn't he send it here to Augusta? The State needs

it—instead of buying in some bonds as he did. But I know there is only \$137,000 to be paid this year, and I want to know why he didn't send it, and I shall ask him when I get back to Portland. I did not catch onto it when he was reading it, but I did see it in the Portland Evening Express, and I am going to find out why he does not send that \$23,000 instead of buying in some bonds that are not due. I thank you.

On motion by Mr. Tupper of Calais, a viva voce vote being taken, the bill received its third reading and was passed to be engrossed.

The SPEAKER: Are there other matters to come before the House at this time?

Mr. FARRIS of Augusta: Mr. Speaker, I move to take from the table the first unassigned matter, House order relative to printing resolution asking the Justices of the Supreme and Superior Courts to make a voluntary contribution of a percentage of their salaries to the State, tabled by me December 7th, pending passage.

The motion prevailed.

Mr. FARRIS: Mr. Speaker, in view of the fact that the resolution was killed here in the House yesterday in concurrence with the Senate, I move that the order be indefinitely postponed.

The motion prevailed and the order was indefinitely postponed.

The following papers from the Senate were taken up out of order under suspension of the rules:

Report of the Committee on Taxation on Joint Order Creating a Tax Law Revision Commission reporting same in a new draft and that the order ought to pass, S. P. 72 as follows:

ORDERED, The House concurring:

WHEREAS, under the terms of Chapter 68 of the Private and Special Laws of 1933 a commission on the revision of the tax laws was created; and

WHEREAS, it seems desirable to enlarge such commission, and more particularly define its functions;

NOW THEREFORE BE IT ORDERED, that a commission that shall consist of fifteen members, five of whom shall be the members heretofore named under Chapter 68 of the Private and Special Laws of 1933, and the additional members

of the commission to be appointed by the Governor, with the advice and consent of the Council; such commission shall serve without pay, but shall be reimbursed for the actual expenses incurred while engaged in the duties of such commission; they shall meet as soon as convenient after their appointment, at such place as they select, and shall choose one of their members to be chairman, and they may employ a competent clerk. Such commission shall study and consider the laws relating to taxation; shall be empowered to summons and examine witnesses; and, with such technical assistance as necessary, shall prepare such legislation as they may deem advisable for the consolidating, revising and amending all laws relating to taxation in the state and the method of assessment and collection thereof.

Such commission, shall, on or before February 20, 1934, make a written report to the Governor and Council, which report shall include such recommendations for legislation as the commission shall adopt, with the draft for such legislation as may be suggested.

To carry out the provisions of this Order, the sum of five thousand (\$5,000) dollars shall be provided for the purpose thereof, which shall be in lieu of any funds provided in Chapter 268 of the Private and Special Laws of 1933.

Comes from the Senate with the report accepted and the new draft of the order read and passed.

In the House:

Mr. FERNALD of Winterport: Mr. Speaker, may I ask if the new draft of order may be read.

(The Clerk reads the order).

The SPEAKER: The pending question is the passage of the order in concurrence.

A viva voce vote being taken, the order was passed in concurrence.

Mr. ROUNDS: Mr. Speaker, was that an order that was just passed?

The SPEAKER: Yes it was, Mr. Rounds.

Mr. ROUNDS: I would like to reconsider that. We have had a Tax Commission in my day and they went over this State and spent weeks and weeks in doing it, and I don't know why we should ask so many citizens of the State of Maine to go over the State on expense for three or four months. I do not think it is fair. I think they

should be paid at least five dollars a day and expenses, and I would like to reconsider that vote, if in order, and see that they are paid something for their trouble. We pay the Council five dollars a day for special meetings and twenty dollars a day for regular meetings, and I don't know why the men who serve on this commission should only get expenses. It will take a good while to revise these laws. I remember when Morrill Drew,—I forget the other three who were on it—they had to have a clerk and they worked all one summer on it. I think we should reconsider and see that they are paid something for their services. I move we reconsider our vote just taken and then I will make another motion.

The SPEAKER: Mr. Rounds of Portland moves that the House reconsider its action taken a few moments ago whereby it passed in concurrence with the Senate an order providing for the appointment of a Tax Commission. Is this the pleasure of the House?

Mr. MACK of Veazie: Mr. Speaker, I happen to be on the committee on Taxation and we considered the proposition fully. We considered that probably there were many in the State of Maine who would be called down here on this proposition and who would be glad to give their time without charge to the State. We feel that this matter has considerable merit and we did not want to load it down with a lot of expense. We felt that this order, if it went through as it is at the present time, would undoubtedly be accepted to a majority of the members. Frankly, it is more or less of a patriotic proposition, and I believe that it is the desire of the committee that this order should go along as it is. I appreciate the attitude of Mr. Rounds and I appreciate his feelings in the matter. Undoubtedly it will mean a personal sacrifice to a great many people. It seems to me that probably the matter will be better as is.

The SPEAKER: The pending question is the motion of the gentleman from Portland, Mr. Rounds, that the House reconsider its action whereby it concurred with the Senate in the passage of an order, creating a Commission on Taxation.

A viva voce vote being taken, the motion to reconsider failed of passage.

From the Senate: Report of the committee on Banks and Banking on bill an act to provide for issuing preferred stock by trust companies, S. P. 26, L. D. 92, reporting same in a new draft, S. P. 67, L. D. 170, under same title and that it ought to pass.

Comes from the Senate report read and accepted and the bill given its several readings under suspension of the rules and passed to be engrossed.

In the House the report of the committee was accepted in concurrence, and on motion by Mr. Scates of Westbrook, the bill was tabled pending first reading.

Senate Bill in First Reading

S. P. 68, L. D. 171: An act for the regulation and practice of hair-dressing and beauty culture.

Senate papers disposed of in concurrence.

From the Senate: Final report of the committee on
Claims
Education

State Lands and Forest Preservation.

On motion by Miss Laughlin of Portland, it was voted to take from the table the second unassigned matter, Senate report ought to pass of the committee on Appropriations and Financial Affairs on bill an act providing flexibility in the handling of State revenues and expenditures during the period of the present State cash stringency, S. P. 65, L. D. 169, tabled by the member December 14, pending acceptance of the report.

On motion by Miss Laughlin, the report of the committee was accepted in concurrence; and on further motion by the same member the bill had its two several readings and tomorrow assigned.

On motion by Mr. Thurston of Hanover.

Adjourned until tomorrow morning at 9.30.