

# 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

## SENATE

Tuesday, December 12, 1933.

Senate called to order by the President.

Prayer by the Rev. H. F. Milligan, of Gardiner.

Journal of yesterday read and approved.

The PRESIDENT: Is there any business to come before the Senate this morning before we take a recess to await the receipt of papers from the House?

Mr. VILES of Kennebec: Mr. President, is it proper to introduce an order at this time?

The PRESIDENT: It is.

Mr. VILES: I have an order which I wish to introduce and I would like to say a few words regarding it and will then move that it be tabled until tomorrow morning.

The PRESIDENT: We are working under Orders. The Senator from Kennebec, Senator Viles, presents the following order. The Secretary will read the order.

The Secretary read the order:

Ordered, that the Director of Institutional Service and the State Purchasing Agent be and hereby are directed to cause wood to be used for heating purposes in all state institutions unless permission shall be given by the Governor and Council to do otherwise.

Mr. VILES: I do not wish to move the passage of this order this morning, Mr. President, but this question is of interest to a great many people. When I was a member of the Council we passed an order that wood should be used in state institutions wherever practicable and the Director of State Institutions did not warm to the subject at all and it just died without very much result. The matter was taken up in the last session of the Legislature and an order of similar content was passed then, but we are getting nowhere with it. Now this order, I think, has more meat in it because it directs these people to do this unless they are excused by the Governor and Council to do otherwise, which I think is the proper form of order to be passed. And I would like to have it laid on the table in order that the Senate may think the matter over, and ask that it be assigned for consideration tomorrow morning.

The PRESIDENT: The Senator from Kennebec, Senator Viles, moves that this order be tabled pending passage and especially assigned for tomorrow morning. Is this the pleasure of the Senate?

The motion to table prevailed.

Thereupon the Senator from Cumberland, Senator Bissett, asked and received permission to address a question through the Chair to the Senator from Kennebec, Senator Viles.

Mr. BISSETT: Mr. President, I would like to inquire of the Senator from Kennebec, Senator Viles, through the Chair, whether all state institutions are equipped for burning wood.

Mr. VILES: Mr. President, I will say in reply to the Senator from Cumberland (Senator Bissett) that I do not think they are. This order will not compel any institution to burn wood if the Governor and Council excuse them from doing so.

Mr. BISSETT: I thank the Senator.

The PRESIDENT: Is there any further business to come before the Senate before a short recess is taken? If not, the Chair wishes to ask the indulgence of the Senate to once again urge the theory of expedition and in asking that indulgence wishes to state frankly that the Chair recognizes that election to preside over the Senate carries no further authority than election to the body itself, the Chair being the servant of the body. However, the Chair has been endeavoring to urge the theory of expedition as long as he has been in the Chair and wishes to continue to do so this week because in the opinion of the Chair there has never been a time when the theory of expedition was so important. At the same time, the Chair would say to the Senate that if the Senate so wishes the Chair is perfectly willing to stay here until our terms all expire a year from next month.

The Constitution fixes our tenure of office and defines our duties, which include among other things attendance at special sessions "on extraordinary occasions." I am entirely willing to subscribe to the belief that this is an "extraordinary occasion" in so far as balancing our state budget is concerned, and so long as we are in session I conceive that it is not only our right but our duty to enact other legislation insofar as any emergency demands it, provided that it either is prop-

erly prepared or can be so prepared in a reasonable time. Such a situation exists in connection with the question of intoxicating liquors and in the providing of legislation to make possible the securing of money from the Federal government for the construction of public works as a relief measure. Beyond that I do not believe we should go into any contentious field.

We have now, if I have not lost the count, 165 printed legislative documents and taking the Bangor Daily News notices of yesterday as a yard-stick we have 131 bills already advertised for hearing. In a joking vein last week one of our members sent a notice to the desk calling for a series of either seven or nine legislative assemblies to be held, as the notice stated,—I am now quoting—"If we stayed in session long enough to give all the bills presented the attention they deserve."

Christmas comes two weeks from yesterday. It is my guess that if we do not finally adjourn by Wednesday of next week we are likely to be here all winter, and we can adjourn Saturday of this week just as easily as we can adjourn a week from tomorrow if we have the will to do so.

The bank bills alone, which number 40, present a problem that we cannot properly handle in either two weeks or two months and I do not personally believe that they could be handled in any legislative session, either regular or special. Granting that our bank law needs revision, and I believe that it does, the task is one for a committee of experts working full time for a considerable period, and our best course, in my opinion, would be to refer every one of them, except such as represent real emergency requirements, to the next Legislature, and to set up a recess committee to present at that time a thoroughly worked out revision of our banking law. That banking law, I may say, now covers fifty-seven pages of our Revised Statutes, comprising 176 sections, not counting about 38 changes made in 1931 and last winter.

The same thing is true of our tax problem. Real estate now pays altogether too large a part of our total tax income and our budget is out of balance because the burden on real estate has broken down our tax structure. A new tax structure, however, involves the work, not of days, but of months, and should be

scientifically handled. Here again sound legislative practice calls, not for patch-work, but for a definite program. Proposals are before us to tax almost everything from machines for playing games to lotteries but, insofar as they express nothing but the theory of a proposer who has no knowledge of either how they will work or what revenue they will produce after collection costs, they should be given short shift. No legislative session will ever properly revise our tax system without having available a program worked out by months of intensive study and effort to present a proper groundwork.

What the people of Maine really want now is not more taxes but more economies. Our budget may be balanced either by raising more money or by spending less. Our three great fields of expenditure are found in schools, in welfare and relief agencies and in highways. Should I myself choose I would say without hesitation that the highway work can stand curtailment more properly than either schools or welfare work, but in any field and at almost any cost I wish to urge upon you economy rather than increased taxation.

Hearings start this afternoon. I said last week, and I repeat now, that adjournment on Saturday of this week is possible. May I express the hope that the several committees will hold executive sessions immediately at the close of the public hearings each day and that they will promptly report the bills heard even though the reports be divided, so that our business may be cleaned up from day to day as we go along. Prompt reports and elimination of the tabling vice will work wonders in the way of progress. With your indulgence I shall ask every member tabling a matter to assign a time for its consideration, which I hope will never be later than the next legislative day.

On motion by Mr. Kitchen of Aroostook,

Recessed, until eleven-forty-five o'clock.

#### After Recess

The Senate was called to order by the President.

Papers from the House, out of order, disposed of in concurrence.

Mrs. Gay of Lincoln presented,  
out of order,

Remonstrance signed by Robert  
Page of Newcastle and thirty-three  
others against selling intoxicating  
liquors, moving picture shows on  
Sunday and gambling.

Which was read and placed on  
file.

Sent down for concurrence.

On motion by Mr. Page of Somers-  
et,

Adjourned, until tomorrow morn-  
ing at ten o'clock.